



TOWN OF SWAMPSCOTT  
SELECT BOARD REGULAR MEETING MINUTES  
JUNE 29, 2022 – 6:00 P.M.  
SWAMPSCOTT HIGH SCHOOL, 200 ESSEX ST., ROOM B129

**SELECT BOARD MEMBERS PRESENT:** NEAL DUFFY, MARY ELLEN FLETCHER, DAVID GRISHMAN, KATIE PHELAN & PETER SPELLIOS

**MEMBERS ABSENT:** NONE

**OTHER TOWN OFFICIALS PRESENT:** SEAN FITZGERALD, TOWN ADMINISTRATOR; MARZIE GALAZKA, DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT; ANGELICA NOBLE, SWAMPSCOTT POLICE ADMINISTRATIVE ASSISTANT; PETE KANE, ASST. TA/HR DIRECTOR; AMY SARRO, DIRECTOR OF ADMINISTRATION AND FINANCE, DANIELLE STRAUSS, RECREATION DIRECTOR

MEETING WAS CALLED TO ORDER AT 6:20 P.M.

**A. PUBLIC COMMENTS:** TASIA VASILIOU, LEWIS RD, EXPRESSED CONCERN ABOUT PARKING AT BEACHES BECAUSE THE TOWN RECENTLY GAVE PASSES TO TOWN EMPLOYEES BUT DID NOT ADD PARKING SPACES. MS. VASILIOU ALSO REQUESTED INFORMATION REGARDING THE DISABILITY COMMITTEE.

**B. NEW AND OLD BUSINESS:**

**1. CITIZEN CITATIONS:** MR. DUFFY HANDED OUT CITIZEN CITATIONS TO JULIETTE HALE & ELINOR SWIRSKI FOR RECEIVING THE GIRL SCOUT SILVER AWARD FOR THEIR PROJECT "HAROLD KING FOREST BIRD BLIND". MS. HALE & MS. SWIRSKI GAVE A BRIEF PRESENTATION ABOUT THEIR PROJECT: THEY BUILT A BIRD BLIND, ADDED SIGNAGE & LED A GUIDED WALK THROUGH THE FOREST. BOARD MEMBERS EXPRESSED THEIR EXCITEMENT OVER THE PROJECT AND PAST PROJECTS THESE GIRL SCOUTS HAVE DONE.

**2. PUBLIC HEARING FOR TRANSFER OF LICENSE FROM YAN'S CHINA BISTRO TO THAIRIFFIC BY THE SEA LLC:**

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY KATIE PHELAN, IT WAS UNANIMOUSLY **VOTED** TO: OPEN THE PUBLIC HEARING FOR THE TRANSFER OF THE LIQUOR LICENSE FROM YAN'S CHINA BISTRO TO THAIRIFFIC BY THE SEA, LLC, 146 HUMPHREY ST. AT 6:30 P.M.: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

TA FITZGERALD EXPLAINED THAT THIS IS A TRANSFER IN A B1 ZONE ON HUMPHREY STREET AND THAT THE TEMPORARY DINING LAW ALLOWS FOR OUTDOOR DINING BY RIGHT. THE APPLICANT HAS NOT YET APPLIED FOR A COMMON VICTUALER LICENSE. THIS HAS BEEN REVIEWED BY COMMUNITY DEVELOPMENT AND THE POLICE DEPARTMENT AND BOTH HAVE SIGNED OFF ON THE APPLICATION. THERE WERE NO COMMENTS FROM THE BOARD OR PUBLIC.

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY MARY ELLEN FLETCHER, IT WAS UNANIMOUSLY **VOTED** TO CLOSE THE PUBLIC HEARING AT 6:32 P.M.: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY MARY ELLEN FLETCHER, IT WAS UNANIMOUSLY **VOTED** TO APPROVE THE TRANSFER OF THE LIQUOR LICENSE FROM YAN'S CHINA BISTRO TO THAIRIFFIC BY THE SEA, LLC, 146 HUMPHREY ST. ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

**3. AGGREGATE INDUSTRIES EARTH REMOVAL PERMIT EXTENSION:** AGGREGATE INDUSTRIES' EARTH REMOVAL PERMIT EXPIRES AT THE END OF JUNE. ERAC DOESN'T HAVE A RECOMMENDATION AS TO WHETHER TO REISSUE IT OR NOT AND HAS REQUESTED THAT THE BOARD EXTEND THEIR CURRENT PERMIT UNTIL THEY'VE CONDUCTED A FULL REVIEW. TA FITZGERALD RECOMMENDS THE BOARD ISSUE A 90 DAY EXTENSION.

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY MARY ELLEN FLETCHER, IT WAS UNANIMOUSLY **VOTED** TO EXTEND THE 2021-2022 EARTH REMOVAL PERMIT FOR AGGREGATE INDUSTRIES BY NINETY (90) DAYS: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

**4. UPDATE – STAND-UP PADDLE BOARD SUMMER 2022 PROGRAM:** TA FITZGERALD EXPLAINED THAT SWAMPSCOTT'S SUMMER STAND-UP PADDLEBOARD PROGRAM WAS CANCELLED AND ACKNOWLEDGED THE DIFFICULTY THIS HAS CAUSED FAMILIES IN THE

COMMUNITY. THERE WAS A DISCUSSION IN WHICH TA FITZGERALD ACKNOWLEDGED THAT MISTAKES WERE MADE. CENTRAL TO THE ISSUES LEADING UP TO THE CANCELLATION OF THE PROGRAM WAS THE USE OF A STORAGE CONTAINER FOR THE PROGRAM'S EQUIPMENT. TA FITZGERALD EXPLAINED THAT HE INCORRECTLY THOUGHT THE ISSUE OF THE CONTAINER HAD BEEN RESOLVED IN THE FALL AND TOOK FULL RESPONSIBILITY FOR SUP PULLING OUT OF THE TOWN. REFUNDS HAVE BEEN ISSUED (BUT MAY TAKE A FEW DAYS TO SHOW UP IN ACCOUNTS) AND PARTICIPANTS HAVE BEEN EMAILED. SELECT BOARD MEMBERS AND THE PUBLIC EXPRESSED THEIR OUTRAGE, FRUSTRATION AND DISSATISFACTION WITH THE CANCELLATION OF THE PROGRAM. TA FITZGERALD IS WORKING WITH RECREATION DIRECTOR DANIELLE STRAUSS ON COMING UP WITH A PLAN FOR THE TOWN TO RUN A REPLACEMENT STAND-UP PADDLE BOARD PROGRAM THIS SUMMER AND NEXT SUMMER.

- 5. 2022-2023 BOARD & COMMITTEE REAPPOINTMENTS AND APPOINTMENTS:** THERE WAS A DISCUSSION REGARDING REAPPOINTMENTS TO THE VARIOUS BOARDS. FOUR BOARDS WERE TABLED UNTIL IT COULD BE DETERMINED WHETHER MEMBERS STILL RESIDED IN SWAMPSCOTT. TA FITZGERALD'S STAFF WILL WORK WITH THE BOARD CHAIRPERSONS TO FILL VACANCIES AS WELL AS CREATING AN AUTO-REPLY TO NEW APPLICATIONS ACKNOWLEDGING RECEIPT. MS. FLETCHER ASKED ABOUT ADDING ALTERNATES TO SOME BOARDS SO THEY ALWAYS HAVE A QUORUM. THERE ARE SOME QUESTIONS REGARDING HADLEY SCHOOL RE-USE APPOINTMENTS AS ONLY THREE MEMBERS ARE APPOINTED BY THE BOARD. MR. SPELLIOS ASKED TO TABLE THE FOLLOWING BOARD/COMMISSION REAPPOINTMENTS: HADLEY SCHOOL RE-USE ADVISORY; HARBOR & WATERFRONT ADVISORY; HISTORIC DISTRICT; HISTORICAL COMMISSION AND ZONING BOARD OF APPEALS. POLLY TITCOMB WAS REMOVED FROM THE SOLID WASTE ADVISORY COMMITTEE AND HER TERM IS NOW VACANT.

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY KATIE PHELAN, IT WAS UNANIMOUSLY **VOTED** TO ACCEPT REAPPOINTMENTS AS PRESENTED WITH THE REVISION THAT THE FOLLOWING BOARD/COMMISSION REAPPOINTMENTS ARE TABLED UNTIL FURTHER DISCUSSION: HADLEY SCHOOL RE-USE, HARBOR & WATERFRONT ADVISORY, HISTORIC DISTRICT, HISTORICAL COMMISSION AND ZONING BOARD OF APPEALS: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

MEMBER SPELLIOS LEFT THE MEETING AFTER THIS VOTE.

- 6. TOWN ADMINISTRATOR CONTRACT RECOMMENDATIONS:** TA FITZGERALD DISCUSSED THE NEED FOR MULTI-YEAR CONTRACTS FOR EMPLOYEES. PER KP LAW EMPLOYEE CONTRACTS HAVE TO BE APPROVED BY THE SELECT BOARD.

UPON **MOTION**, DULY MADE BY DAVID GRISHMAN, SECONDED BY KATIE PHELAN, IT WAS UNANIMOUSLY **VOTED** TO: APPROVE CONTRACTS AS RECOMMENDED BY THE TOWN ADMINISTRATOR FOR: JARED LALIBERTE, TOWN CLERK; RUBEN QUESADA, POLICE CHIEF; JONATHAN NICHOLS, LIBRARY DIRECTOR; DANIELLE STRAUSS, RECREATION DIRECTOR; STEPHEN CUMMINGS, BUILDING COMMISSIONER AND PETE KANE, ASST. TOWN ADMINISTRATOR/HUMAN RESOURCES DIRECTOR. ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

- 7. LAND USE PLANNING AND COMMUNITY ENGAGEMENT PROCESSES/TIMELINES:**

- i. HAWTHORNE PROPERTY REUSE
- ii. HADLEY REUSE
- iii. MA HOUSING CHOICE INITIATIVE (3A)
- iv. SWAMPSCOTT LAND USE SUMMIT

TOWN STAFF, MARZIE GALAZKA, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT, AND PETE KANE, ASST. TA/HUMAN RESOURCES DIRECTOR, PROVIDED AN OVERVIEW ON PLANNING AND TIMELINE FOR THE ABOVE TOPICS. IT WAS DISCUSSED THAT THE PLANNING BOARD WILL PLAY A PIVOTAL, IF NOT LEADERSHIP ROLE IN MANY OF THEM. THE SELECT BOARD HAS AN ESTABLISHED GOAL OF HOLDING A LAND USE SUMMIT TO ALLOW THE COMMUNITY TO BE PROACTIVE IN PLANNING ON VARIOUS LAND USE DECISIONS AND ACTIONS. STAFF IS PLANNING ON HOLDING THIS SUMMIT IN THE FALL OF 2022. THE EXACT CONTENT OF THE SUMMIT IS TO BE DETERMINED, BUT IT MAY ALSO BE USED TO EDUCATE RESIDENTS ON HOW THE DIFFERENT LAND USE BOARDS INTERACT AND SUPPORT ONE ANOTHER AS WELL AS EXPLAIN WHAT RFPs ARE AND HOW THEY ARE ISSUED. THE HADLEY REUSE PROCESS WILL PROCEED AS PLANNED. THE HADLEY REUSE COMMITTEE ISSUED A REPORT WITH THREE PREFERRED CONCEPTS FOR USE. TOWN STAFF WILL WORK TO DEVELOP AN RFI BASED ON THESE OPTIONS TO SOLICIT MORE SPECIFIC IDEAS AND CONCEPTS. THE MA HOUSING CHOICE INITIATIVE IS A STATE MANDATED ZONING CHANGE AROUND MASS TRANSIT THAT MAY BE DISCUSSED AT THE LAND USE SUMMIT. THE PLANNING BOARD WILL BE TAKING LEAD ON THIS INITIATIVE.

THE HAWTHORNE PROPERTY REUSE WILL REQUIRE A ROBUST PUBLIC ENGAGEMENT PROCESS. TOWN STAFF WILL WORK TO INQUIRE WITH POTENTIAL VENDORS TO HELP FACILITATE AND LEAD THIS PROCESS. ALL SELECT BOARD MEMBERS AGREED THAT THE HAWTHORNE REUSE AND HADLEY SCHOOL REUSE SHOULD NOT BE DISCUSSED IN ISOLATION. THE SELECT BOARD AGREED WITH THE GENERAL OVERVIEW PROVIDED BY STAFF.

- 8. UTILIZATION OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS:** TA FITZGERALD WOULD LIKE TO USE ARPA FUNDS TO REWARD NON-UNION STAFF FOR THEIR HARD WORK AND DEDICATION DURING THE 2020-2022 PANDEMIC. THESE ARE FEDERAL FUNDS AND CAN BE USED FOR "REVENUE ENHANCEMENTS". UNION STAFF WILL BE RECEIVING THEIRS PER THEIR CONTRACTS IN JULY.

MR. GRISHMAN MADE A MOTION TO APPROVE THE USE OF THE FUNDS AS PRESENTED BY THE TOWN ADMINISTRATOR. THE MOTION WAS NOT SECONDED SO WAS NOT VOTED UPON.

MS. FLETCHER AND MS. PHELAN BOTH STATED THAT THEY WOULD LIKE TO TABLE THIS VOTE UNTIL THE FINANCE COMMITTEE HAS A CHANCE TO WEIGH IN ON THE USE OF ARPA FUNDS AS REVENUE ENHANCEMENTS FOR NON-UNION EMPLOYEES.

UPON **MOTION**, DULY MADE BY KATIE PHELAN, SECONDED BY MARY ELLEN FLETCHER, IT WAS **VOTED** TO TABLE A VOTE ON THE USE OF ARPA FUNDS FOR NON-UNION EMPLOYEES UNTIL THE FINANCE COMMITTEE HAS HAD A CHANCE TO REVIEW: ALL IN FAVOR, YES: KATIE PHELAN, MARY ELLEN FLETCHER. ANY OPPOSED, NO: DAVID GRISHMAN, NEAL DUFFY, MOTION FAILED.

- 9. VOTE TO ACCEPT RECOMMENDATION OF THE TOWN ADMINISTRATOR TO APPOINT COUNSEL:** TA FITZGERALD RECOMMENDS THE BOARD APPOINTS A SPECIAL COUNSEL, GEORGE MCLAUGHLIN OF MCLAUGHLIN BROTHERS, P.C., TO ASSIST KP LAW AND THE TOWN WITH UPCOMING LAND ACQUISITIONS & EASEMENTS.

UPON **MOTION**, DULY MADE BY PETER SPELLIOS, SECONDED BY MARY ELLEN FLETCHER, IT WAS UNANIMOUSLY **VOTED** TO APPOINT MCLAUGHLIN BROTHERS, P.C. TO REPRESENT THE TOWN IN THE ACQUISITION OF PARCELS OF LAND: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

## **C. VOTES OF THE BOARD:**

### **1. APPROVAL OF THE CONSENT AGENDA:**

UPON **MOTION**, DULY MADE BY MARY ELLEN FLETCHER, SECONDED BY DAVID GRISHMAN, IT WAS UNANIMOUSLY **VOTED** TO APPROVE ALL CONSENT AGENDA ITEMS.: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.

## **D. TOWN ADMINISTRATOR'S REPORT:**

1. AN UPDATE WAS GIVEN REGARDING THE STAND-UP PADDLE BOARD ISSUE (SEE ITEM B4)
2. TA FITZGERALD RECOMMENDS EXTENDING AGGREGATE INDUSTRIES EARTH REMOVAL PERMIT UNTIL SUCH TIME THAT ALL ITEMS ARE RESOLVED AND ERAC RECOMMENDS ISSUANCE OF THE 2022.2023 EARTH REMOVAL PERMIT (SEE ITEM B3)
3. THERE ARE SOME OUTSTANDING ISSUES AT CALYX PEAK. THE TOWN HAS FUNDING AVAILABLE FROM CALYX PEAK (\$12,000) AS WELL AS AN ADDITIONAL \$25,000 FROM TOWN MEETING TO HELP SUPPORT THE TOWN'S VETERAN'S PROGRAMS
4. AN UPDATE AND MOTION WERE MADE REGARDING THE USE OF ARPA FUNDS (SEE ITEM B8)
5. TA FITZGERALD IS WORKING WITH TOWN STAFF AS WELL AS THE SUPERINTENDENT OF SCHOOLS AND SCHOOL STAFF FOR YEAR-END TRANSFERS
6. TA FITZGERALD RECOMMENDS APPROVAL OF A NUMBER OF EMPLOYEE CONTRACTS (SEE ITEM B6)
7. TA FITZGERALD ATTENDED THE ANNUAL LYNN CHAMBER STATE OF THE REGION BREAKFAST
8. CURBSIDE YARD WASTE COLLECTION IS ON YOUR REGULAR TRASH DAY STARTING JULY 25<sup>TH</sup> AND CONTINUING MONTHLY THROUGH THE WEEK OF DECEMBER 5<sup>TH</sup>
9. JONATHAN NICHOLS, THE TOWN'S NEW LIBRARY DIRECTOR, STARTS ON MONDAY, JULY 11<sup>TH</sup>
10. STRATEGIES FOR PUBLIC ENGAGEMENT FOR VARIOUS OPEN SPACE ACQUISITIONS ARE BEING CREATED (SEE ITEM B7)
11. THE TOWN HELD ITS SECOND JUNETEENTH CELEBRATION ON THE TOWN HALL LAWN
12. THE TOWN'S 170<sup>TH</sup> ANNIVERSARY CELEBRATION WAS HELD LAST WEEKEND ALONG WITH THE HARBOR FESTIVAL AND STRAWBERRY FESTIVAL.

**E. SELECT BOARD TIME:**

**NEAL DUFFY:** NOTHING TO ADD.

**MARY ELLEN FLETCHER:** 1) THANKED DR. FREEDMAN FOR ANOTHER SUCCESSFUL RABIES CLINIC & DPW FOR HAVING STAFF THERE; 2) SPOKE WITH THE CHAIR OF THE SCHOOL BUILDING COMMITTEE – THE WEBSITE IS UP-TO-DATE AS TO THE TIMING OF CONSTRUCTION; 3) MS. FLETCHER WOULD LIKE INFORMATION REGARDING THE VETERANS' LEASE; 4) SHE WOULD ALSO LIKE TO ADDRESS BIG BLUE BARGAINS. MR. GRISHMAN THINKS THERE'S A SOLUTION ONCE THE NEW SCHOOL COMES ONLINE. PROCEEDS BENEFIT SCHOOLS.

**DAVID GRISHMAN:** 1) THANKED DANIELLE STRAUSS & HER TEAM FOR LAST WEEKEND'S WEEKEND OF EVENTS WHICH WERE WELL ATTENDED. HE IS EXCITED ABOUT THE UPCOMING FIREWORKS ON JULY 3RD, REMINDING PEOPLE THAT THERE IS A \$5 COVER CHARGE FOR ADULTS AND THAT THE VETERANS WILL BE SELLING BEER. THERE WILL ALSO BE A 50/50 RAFFLE; 2) THE THIRD BENTWATER ON THE BEACH WILL BE HELD ON JULY 16<sup>TH</sup>. PROCEEDS BENEFIT THE FISH HOUSE.

**KATIE PHELAN:** 1) THE JULY 3<sup>RD</sup> 50/50 WILL BENEFIT THE HADLEY PTO; 2) THANKED MS. STRAUSS FOR ACKNOWLEDGING CONCERNS REGARDING ACCESSIBILITY ISSUES AT THE STRAWBERRY FESTIVAL. THE CONCERNS WERE HEARD & ACCESSIBILITY ISSUES WERE RESOLVED BY MS. STRAUSS TAKING QUICK ACTION.

**PETER SPELLIOS:** NOT PRESENT.

UPON **MOTION**, DULY MADE BY MARY ELLEN FLETCHER, SECONDED BY DAVID GRISHMAN, IT WAS UNANIMOUSLY **VOTED** TO ADJOURN AT 9:34 P.M.: ALL IN FAVOR YES. ANY OPPOSED NO. MOTION PASSES.