



Town of Swampscott Select Board Meeting Minutes

Wednesday, November 3, 2021
Swampscott High School – Room B129 / Virtual

SELECT BOARD MEMBERS PRESENT

Polly Titcomb (Chair), Neal Duffy, David Grishman, Peter Spellios

MEMBERS ABSENT

Don Hause

HOUSING AUTHORITY MEMBERS

Richard Callahan, Chair; Catherine Estevearena, Vice Chair; Tara Cassidy-Drisoll; Cynthia Tennant

OTHER TOWN OFFICIALS PRESENT

Sean Fitzgerald, Town Administrator; Allie Fiske, Director of Communications & Strategic Initiatives; Interim Police Chief David Kurz, Police Captain Joe Cable; Marzie Galazka, Director of Community & Economic Development; Michael McClung, Town Moderator

The meeting was called to order to 6:06 PM

PUBLIC COMMENT

A resident expressed concerns about the protests occurring in Swampscott. Another resident spoke specifically about a recent protest and concerns regarding protection for children. A resident suggested some ideas of what the Town can do to offset the actions of the protests with a goal of inclusivity such as changing the name of Columbus Day, continuing to fly the Juneteenth flag, etc.

Town Administrator Sean Fitzgerald noted a potential future name change to Indigenous People's Day.

DISCUSSION ON PROTESTS

Town Administrator Fitzgerald spoke briefly about Town Counsel's opinion on protests and that the Town cannot curb free speech. He noted that pedestrian safety is also an important issue to address during these protests.

Interim Police Chief David Kurz was present to speak about the Police Department's response to the protests and balance the right of free speech with what is considered to be obscene. There has been concern from Legal Counsel regarding a permitting processes which Chief Kurz has looked into. Chief Kurz has spoken with representatives at the ACLU and the conversation is ongoing.

Captain Joe Kable was in attendance to speak about the tools and laws that could be used to address vulgarities directed at children. He stated that charges are pending. There was a question about whether or not charges can be pressed in the case of adults as well as children.

Select Board Member David Grishman asked if we can speak with other communities aside from our Town Counsel to determine if there are other actions that we can take that other communities have found successful. Town Administrator Fitzgerald shared several Supreme Court case law examples of freedom of speech being upheld, and did discuss the possibility of finding other tools.

The Select Board stated that the Police Department should let the Select Board know if there is anything that they can do to support the Police. The Town will continue to work on a noise ordinance.

HOUSING AUTHORITY DISCUSSION

The Swampscott Housing Authority was present to engage in a joint meeting which began at 7:00 PM. The members of the Housing Authority introduced themselves.

The Housing Authority submitted a packet of exhibits regarding the Housing Authority. Chair Richard Callahan provided brief overview over the relationship between the Town and the Housing Authority and the fact that the Housing Authority is state mandated. He walked through the exhibits provided to the Select Board at the Chair's request, which included the state regulations, meeting agenda, list of upgrades and improvement, etc.

Irma Chez, Executive Director of the Housing Authority discussed completed and planned upgrades. Mr. Callahan provided background on state requests for funding. At the Select Board's request, Chairman Callahan listed a number of requirements they'd like to see in a new member: someone who cares; license in community health or community wellbeing; someone willing to work with people to recognize a problem and assist with getting it resolved. There was a conversation about what training new members undergo through the DHCD and the Housing Authority. Marzie Galazka Director of Community & Economic Development recapped some of her outreach efforts to the Housing Authority and potential grant opportunities and restated the Town's interest in working with the Housing Authority.

On **MOTION** (Duffy) and **SECONDED** (Spellios) it was **VOTED** to appoint David Grishman to the liaison of the Housing Authority. All in favor.

On Housing Authority **MOTION** (Callahan) and **SECONDED** (Esteverena) it was **VOTED** to adjourn the Housing Authority portion of the meeting.

HUMAN RESOURCES UPDATE

Chairperson Polly Titcomb read a statement providing information about the current Human Resources situation, particularly in regard to benefits.

FALL SPECIAL TOWN MEETING

Town Administrator Fitzgerald reviewed a timeline of steps that need to be taken in preparation for Town Meeting. An Executive Session to discuss contract negotiations next week will be the next step.

- **Article 2:** The Finance Team is identifying previous fiscal year bills
- **Article 3:** The Select Board will schedule an Executive Session to review collective bargaining agreements
- **Article 4:** Should not include a dollar amount in the warrant, there will be a motion on the floor
- **Article 5:** Appropriate from Transportation Infrastructure Fund – Lyft/Uber
- **Article 6:** Approve Transfer of Water Enterprise Fund Retained Earnings
- **Article 7:** Approve Transfer of Sewer Enterprise Fund Retained Earnings
- **Article 8:** Solid Waste Enterprise Fund – This would ensure the Town has revenue to support Waste Reduction Programs.
- **Article 9 & 10:** Placeholders
- **Article 11:** Placeholder for Change to Town Charter (changing name from Board of Selectmen to Select Board).
- **Article 12:** Earth Removal Bylaw Revision
- **Article 13:** Affordable Housing Trust increase – we are waiting for a specific number of members
- **Article 14:** Placeholder

The Select Board will consider all articles again on November 17 to determine if there are too many articles, and if some should be taken up instead in the Spring.

SOLID WASTE POLICY

Town Administrator Sean Fitzgerald met with members of the Solid Waste Advisory Committee and JRM. There will be a change in the agreement which will allow the Town to renegotiate if there is a substantive legislative or market change.

On **MOTION** (Grishman) and **SECONDED** (Spellios) it was **VOTED** to approve solid waste contract with additional language. All in favor.

CONSENT AGENDA

On **MOTION** (Grishman) and **SECONDED** (Duffy) it was **VOTED** to approve the consent agenda:

- Approve meeting minutes from September 1, 2021; September 20, 2021; September 28, 2021; October 6, 2021

TOWN ADMINISTRATOR'S REPORT

- COVID-19 Update
- Massport/Flight Path
- Weekly Protests in Swampscott
- 2021 Valuations
- I/I Regulation
- Public Safety
- Solid Waste Contract
- Waste Reduction Programs
- Upcoming Events

SELECT BOARD TIME

- David Grishman: Left-over Halloween candy can be donated to SPUR to be redistributed
- Neal Duffy: Thank you to Deb Newman for cooking food at the Senior Center
- Peter Spellios: Commended Polly Titcomb on her start as Chair

On **MOTION** (Grishman) and **SECONDED** (Spellios) it was **VOTED** to adjourn the meeting.

Meeting adjourned at 9:18 PM.

True Attest,

A handwritten signature in black ink that reads "Allie Fiske". The signature is written in a cursive, slightly slanted style.

Allie Fiske, Director of Communications & Strategic Initiatives

Minutes approved by Select Board in vote at meeting on 11/17/21