

Select Board Meeting Minutes

Meeting Date: 2/13/2023

Members in Attendance: Arthur Doyle, Chair; Michael Zullas, Vice Chair, Roxanne Musto, Member; Nicholas Milano, Town Administrator and Lynne DeNapoli, Executive Administrative Assistant to the Select Board

Late Arrival: Richard G. Wells, Jr., Secretary

Absent: Erin Bradley, Member

Guests Attorney Kevin Freytag, office of Town Counsel

Meeting Location: Milton High School, Room 201

Time Meeting called to Order: 6:30PM

Time Meeting Adjourned: 7:12PM

Executive Session Called to Order: 6:57PM

Executive Session Adjourned: 7:12PM

1. Call to Order
2. Pledge of Allegiance

Chair Doyle called the Select Board meeting to order at 6:30PM. He introduced the Members of the Board and Staff and led the Pledge of Allegiance.

3. Public Comment

No Public Comment

4. Discussion/Update/Approval-Special Town Meeting - February 13, 2023
 - a. Select Board - Accept the provisions of M.G.L. Chapter 41, Section 110A
 - b. Select Board - Change Treasurer/Collector position from elected to appointed pursuant to M.G.L. Chapter 41, Section 1B
 - c. Select Board - Purchase of Fontbonne Convent located at 930 Brook Road, Milton, MA

Chair Doyle provided an overview of the status of the Warrant Articles for the Special Town Meeting. There were no comments raised by the Board or Mr. Milano, Town Administrator.

5. Discussion/Approval – Letter to the Governor, Secretary of Transportation, and MBTA Interim General Manager regarding the MBTA's plan to demolish the stairs despite Town opposition and pending lawsuit

Chair Doyle shared letters prepared by Mr. Zullas and Mr. Milano that express the Town's concerns regarding the Commonwealth's plans to demolish the stairs at the MBTA station on Adams Street in Milton without an immediate plan to rebuild them.

Chair Doyle provided the Meeting Attendees with additional information on the timeline for the construction to begin.

Effective March 6th through March 9th, the Mattapan Line service changes will take place in order to remove the staircase at Milton station. Service will be replaced with accessible shuttle bus service between Mattapan and Ashmont Stations beginning at approximately 9PM on March 6th-March 9th.

Following a brief discussion, Chair Doyle suggested that they combine the letters and he will sign it on behalf of the Board.

Mr. Zullas moved to approve the letter to Governor Maura Healey, MassDOT Secretary Gina Fiandaca and MBTA Interim General Manager, Jeff Gonnevillle regarding MBTA's plan to demolish the stairs despite Town opposition and pending lawsuit and authorize the Chair to sign the letter on the Board's behalf. The motion was seconded by Ms. Musto. The Board voted all in favor to approve.

6. Discussion – Select Board Policy on Decorum at Public Meetings

Chair Doyle read a statement:

“Last week, the School Committee held a public forum soliciting comments and feedback from parents and residents, which was marked by intentionally disrupting and harassing behavior. We ask and expect that our Town Meetings and all our board and committee meetings will be held in a constructive, collaborative fashion.

Our meetings are meant to be places where we can gather together and engage in the democratic process. No one should feel unwelcome or reluctant to share their opinion because of how others might react. Or be made fearful for expressing their position in a public forum.

As for the Select Board, no person shall address a meeting of the Select Board without permission of the Chair of the Select Board, and all other persons, shall, at the Chair's request, be silent. No person shall disrupt the proceedings of a Select Board meeting. If any one does, and after clear warning from the Chair, any person continues to disrupt the proceedings, the Chair may order the person to withdraw from the meeting and if the person does not withdraw, the Chair may authorize the Constable or other Officer to remove the person from the meeting.

Thank you for your understanding and adherence to our expectations for decorum at public meetings.”

Mr. Zullas and Ms. Musto were very receptive of the Chairman Doyle's statement and are eager to move forward on adoption. Ms. Musto noted that this policy will be included in a discussion at a future meeting of the. Select Board Committee-Review Process of Volunteer Appointments to Boards and Committees.

Attorney Kevin Freytag from the Office of Town Counsel recommended that a policy be drafted for each of the following:

Boards and Committees appointed by the Select Board
Boards and Committees not appointed by the Select Board

Mr. Zullas moved to adopt the decorum policy on behalf of the Select Board during a First Reading at the next meeting on February 21, 2023. The motion was seconded by Ms. Musto. The Board voted all in favor to adopt.

7. Discussion – Annual Town Meeting Warrant Articles

- a. Authorize the Select Board to acquire land owned by the Town of Milton located off Gile Road and Blue Hills Parkway (Assessor’s Map D, Block 6A, Lot 65)

At the request of the Chair and Mr. Milano, Attorney Kevin Freytag from the Office of Town Counsel provided a summary of how eminent domain could come into play.

The Town owned land is in a Trust, but the Select Board does not have privileges to amend the Trust. In order to use the land for the purpose of constructing a new school, the Select Board would have to exercise the power of eminent domain.

8. Discussion/Approval – Award of a General Access Easement over a parcel of land shown as Access Road Town of Milton 40 wide on a plan entitled “PLAN OF LAND Access Road Milton, Massachusetts,” dated August 26, 2022, prepared by Merrill Engineers and Land Surveyors

Mr. Milano provided an update on the status of the easement located at 728 Randolph Ave.

Mr. Zullas moved to approve the award of a General Access Easement over a parcel of land shown as Access Road Town of Milton 40 wide on a plan entitled “PLAN OF LAND Access Road Milton, Massachusetts,” dated August 26, 2022, prepared by Merrill Engineers and Land Surveyors to USC LLC, subject to approval of Town Counsel. The motion was seconded by Ms. Musto. The Board voted all in favor to approve.

9. Discussion/Approval- One Day Liquor License Applications-Milton Art Center, 334 Edge Hill Road

- a. February 25, 2023 - 7PM-10PM Comedy Show
- b. March 3, 2023 - 6PM-9PM, First Friday, Artist Reception
- c. April 7, 2023 - 6PM-9PM First Friday, Musicians at MAC
- d. April 28, 2023 - 7PM-10PM Comedy Show at MAC
- e. May 5, 2023 - 6PM-9PM, First Friday, Artist Reception
- f. May 6, 2023 – 7PM-10PM, Spring Renewal-Art Auction Fundraiser

Per Mr. Milano’s request, the Board agreed to defer the One-Day Liquor License Application requests for the Milton Art Center until the next Board meeting. The Select Board office staff would like to confirm if a caterer has been hired for these events. Many caterers are now licensed through the Alcohol Beverage Control Commission.

Town Administrator’s Report

No report at this time.

10. Chair’s Report

No report at this time.

11. Public Comment Response

No public comment.

12. Future Meeting Dates

The Select Board will meet on Tuesday, February 21, 2023, Tuesday, March 7, 2023, Tuesday, March 21, 2023 in the Community Room at the Council on Aging using a Hybrid platform.

Mr. Wells arrived at 6:56PM.

13. Executive Session – Pursuant to M.G.L. c. 30A, § 21(a)(3) - To discuss strategy with respect to litigation against the Massachusetts Bay Transit Authority regarding the condition of the stairs located at the MBTA station located at Adams Street, Milton, MA

At 6:57PM, Chair Doyle moved to enter into Executive Session to discuss litigation strategy against the Massachusetts Bay Transit Authority (MBTA) related to the condition of the stairs at the MBTA station located at Adams Street, Milton, MA based on my belief that discussion of this matter in open session may have a detrimental effect on the litigating position of the Select Board. The Select Board will adjourn from the Executive Session and not return to Open Session. The motion was seconded by Mr. Wells. The Board voted unanimously by roll call to enter Executive Session.

ZULLAS: YES

WELLS: YES

MUSTO: YES

DOYLE: YES

14. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(6) -To consider the purchase, exchange, lease or value of real property of the Kidder Branch Library located at 101 Blue Hills Parkway

“I move to enter into Executive Session to consider the purchase, exchange, lease or value of real property located at 101 Blue Hills Parkway (Kidder Branch Library) based on my belief that discussion of this matter in open session may have a detrimental effect on the negotiating position of the Select Board. The Select Board will adjourn from the Executive Session and not return to Open Session. The motion was seconded by Mr. Zullas. The Board voted unanimously by roll call to enter Executive Session.

ZULLAS: YES
WELLS: YES
MUSTO: YES
DOYLE: YES

15. Adjourn

At 7:12PM, Mr. Wells moved to adjourn. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call to adjourn.

ZULLAS: YES
WELLS: YES
MUSTO: YES
DOYLE: YES

Respectfully submitted by Lynne DeNapoli, Executive Administrative Assistant to the Select Board.

Documents

Warrant for the Special Town Meeting scheduled for Monday, February 13, 2023
Drafts of Letters to Governor Healey, MassDOT Secretary Gina Fiandaca and MBTA Interim General Manager, Jeff Gonneville regarding the stairs at the MBTA station located at Adams Street, Milton, MA
Draft of the Select Board Policy: Decorum at Public Meetings
One-Day Liquor License Applications for the Milton Art Center

