

## Select Board Meeting Minutes

**Meeting Date:** 2/21/2023

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

**Absent:** Richard G. Wells, Jr., Secretary

**Guests** Attorney Kevin Freytag, office of Town Counsel (Remote)

**Meeting Location:** Hybrid from the Community Room at the Council on Aging

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. **Public Hearing: Request for transfer of liquor license #00012-RS-0720 (Abby Park, 550 Adams Street) due to change in ownership interests**

Chairman Doyle opened the Public Hearing at 7:05PM and invited Mr. Milano and Mr. Vance Welch of Welch Restaurant Management LLC to provide the Board with an update on the request to transfer the Liquor License.

Mr. Milano noted that there was an error in the application materials that the Board previously received and voted to approve on January 18<sup>th</sup>. The transfer request was incorrect. The Select Board has been asked to approve the change of ownership interests.

Mr. Welch explained that the transfer request is for an internal transaction. Members of 556 Adams Street LLC are purchasing the Membership at Welch Management, LLC, d/b/a Abby Park. Both companies will be owned and operated by the same group.

The Chair inquired if Members of the Public requested to speak. No comments/requests from the Public, per Mr. Milano. Mr. Welch noted that one original Member of Welch Restaurant Management, LLC is stepping back and a Member of 556 Adams Street has opted to take that position.

Mr. Zullas moved to close the public hearing. The motion was seconded by Ms. Musto. The Board voted by roll call: (4-0) to close the public hearing.

**ZULLAS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**DOYLE: YES**

Mr. Zullas moved to approve the Transfer of liquor license # 00012-RS-0720 from Welch Restaurant Management, LLC d/b/a Abby Park located at 550 Adams Street to 556 Adams Street LLC. The motion was seconded by Ms. Musto. The Board voted all in favor to approve the Transfer of liquor license # 00012-RS-0720 from Welch Restaurant Management, LLC d/b/a Abby Park located at 550 Adams Street to 556 Adams Street LLC.

**a. Discussion/Approval - Transfer of liquor license #00012-RS-0720 (Abby Park, 550 Adams Street) due to change in ownership interests**

Ms. Musto moved to approve the transfer of liquor license # #00012-RS-0720 requested by Welch Restaurant Management, LLC The motion was seconded by Mr. Zullas. The Board voted by roll call: (4-0) to approve the transfer of liquor license # #00012-RS-0720 requested by Welch Restaurant Management, LLC.

**ZULLAS: YES**

**BRADLEY: YES**

**MUSTO: YES**

**DOYLE: YES**

**5. Discussion/Update/Approval - Annual Town Meeting warrant articles**

**a. Warrant Article from the Bylaw Review Committee regarding extension of the Bylaw Review Committee and an appropriation**

Mr. Peter Mullin, Chair of the Bylaw Review Committee joined the Select Board to the Members with an overview of the Committee's progress. Mr. Mullin noted that committee got off to a slow start, but they are getting Mr. Mullin also requested an extension and an appropriation of \$5,730 for administrative staff support.

Mr. Mullin explained that due to a delay in committee appointments followed by the COVID pandemic and family matters, the Committee got off to a slow start. The Members are committed to completing their charge. The extra time would allow the Committee to review the changes to the General Code By-Laws and prepare their substantive proposal/recommendation for the Select Board. The Committee may need to address some changes to the Zoning bylaws.

Following a discussion on the Committee's request, Chair Doyle read the modified motion.

Move to approve the Warrant Article from the Bylaw Review Committee regarding an extension of the Bylaw Review Committee to November 2025 and an appropriation of \$5730. The motion was moved by Ms. Musto and seconded by Mr. Zullas.

Mr. Zullas suggested that the appointment process for the Bylaw Review Committee be amended to allow the Select Board and Town Moderator to choose the candidates: two by the Select Board and three by the Town Moderator. Ms. Musto suggested that the Board seek the input of Mr. Hiss on this matter. The Bylaw Review Committee Members will also discuss at a future

meeting and report back to the Board. The Board Members agreed to defer any further action on this matter until their next meeting on March 7<sup>th</sup>.

Ms. Musto moved to withdraw her motion. The motion was seconded by Mr. Zullas.

**b. Open the Annual Town Meeting Warrant**

Ms. Musto moved to open the Warrant. The motion was seconded by Ms. Bradley. The Board voted all in favor to open the warrant.

**c. Warrant Article to authorize the Select Board to sell the Kidder Branch Library located at 101 Blue Hills Parkway**

Ms. Bradley moved to approve the Warrant Article to authorize the Select Board to sell the Kidder Branch Library located at 101 Blue Hills Parkway. The motion was seconded by Ms. Musto. The Board voted all in favor to approve the Warrant Article.

**d. Close the Annual Town Meeting Warrant**

Ms. Musto moved to close the Warrant. The motion was seconded by Ms. Bradley. The Board voted all in favor to close the warrant.

**6. Discussion/Approval - Policies on Decorum at Public Meetings First Reading**

**a. Boards and Committees appointed by the Select Board**

**b. Boards and Committees not appointed by the Select Board**

Chair Doyle reviewed the updated draft policy on Decorum at Public Meetings that was introduced at the Select Board Meeting on February 13, 2023. The language has been reviewed by Town Counsel in conjunction with Massachusetts General Laws. Once the Select Board has approved, it will be incorporated into the Select Board's policies and procedures that were adopted in April 27, 2022. Chairman Doyle read the policy statement as a first reading:

*“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.”*

Ms. Bradley requested that the policy be expanded to include all meetings in Town of Milton public buildings.

Ms. Musto requested that the decorum policy include elected officials.

The Board agreed by consensus to move the Policies on Decorum at Public Meetings to a Second Reading at their next meeting on March 7<sup>th</sup>.

Chair Doyle reviewed the proposal on decorum at Other Town of Milton Government Meetings.

*“Milton Town Government Meetings: No person shall address a board or committee meeting without permission of its Chair, and all other persons, shall, at the Chair's request, be silent. No person shall disrupt the proceedings of a board or committee 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 a constable or other officer to remove the person from the meeting.”*

Mr. Zullas suggested that before the Select Board takes any further action, the Members request feedback from the Town Moderator as well as other appointing Authorities on the best way to proceed.

### **7. Discussion/Update/Approval - Select Board Committee - Review Process of Volunteer Appointments to Boards and Committees Report**

Ms. Musto and Ms. Bradley. Co-Chairs of the committee noted that despite their contributions and the progress they have made, they have hit an impasse

Chair Doyle recommended that the Co-Chairs re-connect and have their proposal(s) available to share with the Select Board on March 21<sup>st</sup>. Chair Doyle would like to complete before his term ends.

### **8. Discussion / Approval - Board and Committee Appointments and Appointment Process**

#### **a. Open Space and Recreation Planning Committee- Winston Daley (Board of Parks Commissioners)**

Mr. Zullas moved to appoint Winston Daley, representative of the Board of Parks Commissioners to the Open Space and Recreation Planning Committee for a term to expire on June 30, 2023. The motion was seconded by Ms. Bradley. The Select Board voted all in favor to appoint Winston Daley, representative of the Board of Parks Commissioners to the Open Space and Recreation Planning Committee for a term to expire on June 30, 2023.

#### **b. Cultural Council - Peter Parisi**

Mr. Zullas moved to appoint Peter Parisi to the Milton Cultural Council for a term to expire on June 30, 2023. The motion was seconded by Ms. Musto.

Mr. Milano corrected the term of the Milton Cultural Council: it is a three year appointment.

Mr. Zullas amended his motion: Move to appoint Peter Parisi to the Milton Cultural Council for a term to expire on February 21, 2026. The motion was seconded by Ms. Musto. The Board voted all in favor to appoint Peter Parisi to the Milton Cultural Council for a term to expire on February 21, 2026.

Chair Doyle noted that there were vacancies on the Equity and Justice for All Committee, Youth Task Force and Climate Action Planning Committee, if Milton residents are interested in

volunteering to serve on a Board or Committee. Volunteer applications are available on the Town's website. The Select Board will begin the review process soon. The names of all volunteer applicants will appear on a future Select Board agenda.

**9. Discussion/Approval - Investment Policy First Reading**

Mr. Milano provided an update on the Investment Policy from the Town Treasurer's office. There is one change in Section 2B relative to the control of trust fund investments. The Town is now required to follow the prudent investor rules. The Board agreed by consensus to move the Investment Policy to a Second Reading at their next meeting on March 7<sup>th</sup>.

**10. Discussion/Approval - Contract with Apex Companies, LLC for a Climate Action Plan**

Following a brief overview by Mr. Milano, Mr. Zullas moved to approve the Contract with Apex Companies, LLC for a Climate Action Plan and authorize the Town Administrator to sign on the Board's behalf. The motion was seconded by Ms. Musto. The Board voted all in favor of the Contract with Apex Companies, LLC for a Climate Action Plan.

**11. Discussion/Approval - Select Board Finance Committee Report**

**a. FY2024 Budget Update**

Mr. Zullas, the Chair of the Finance Committee noted that there are very few updates. The Finance Committee is waiting on work from the Town Administrator and Town Departments. The Finance Committee will be meeting with the School Finance Sub-committee and School Committee on Feb. 27<sup>th</sup>. The SB Finance Committee is looking for recommendation on how to disperse free cash allotment of \$4.4 million from the Department of Revenue and how to balance using level services.

**12. Discussion - Request for Qualifications for I-Net Design Services, review by Municipal Broadband Committee**

This matter has been deferred.

**13. Discussion/Approval - Class II License Renewal, pursuant to M.G.L. c. 140 § 58(c) for Milton Auto Repair, 944 Canton Ave.**

This matter has been deferred. A special permit from the Board of Appeals is required before the applicant can pursue the Select Board's approval.

**14. Discussion/Approval - Town Administrator Draft Goals**

Mr. Milano requested that this matter be deferred.

**15. Discussion/Approval - One Day Liquor License Applications-Milton Arts Center, 334 Edge Hill Road**

Mr. Zullas moved to approve the One-Day Liquor License Applications for the Milton Art Center located at 334 Edge Hill Road on the following dates:

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

The motion was seconded by Ms. Musto. The Board voted all in favor to approve the one day liquor licenses for the Milton Art Center.

#### **16. Discussion/Approval - 2022 Annual Report submission of the Select Board**

Chairman Doyle and Mr. Zullas requested that this matter be deferred. They would like to verify some details noted in the 2022 annual report.

#### **17. Discussion/Approval - Meeting Minutes- January 3, 2023, January 10, 2023, January 18, 2023, January 24, 2023**

Mr. Zullas requested that the dollar value noted in the Finance Committee Report for the meeting minutes of January 18<sup>th</sup> be verified.

Mr. Zullas requested that Mr. Donahue’s public comments dated January 24<sup>th</sup> be verified.

Ms. Musto Moved to approve with minor changes the meeting minutes for January 3, 2023, January 10, 2023, January 18, 2023 and January 24, 2023. The motion was seconded by Mr. Zullas. The Board voted all in favor to approve the meeting minutes.

#### **18. Town Administrator’s Report**

Mr. Milano noted that Ms. Laura DelleChaie, Assistant Health Director has accepted a new position with the Town of Beverly. Ms. DelleChaie was a great asset to the Town of Milton and will be missed.

Tim Enacio, Milton’s Civil Engineer has also stepped down from his position.

Mr. Milano noted that these job opportunities will be posted on the Town’s website along with the open position for the Assistant IT Director.

If Milton residents are interested in serving on a Board or Committee, they are encouraged to complete the on-line application available at: [www.townofmilton.org](http://www.townofmilton.org). If there is a specific committee that was not publicized, please call the Town Administrator’s office for more details.

The office of Planning and Community Development hosted a successful MBTA Communities Information Session on February 16<sup>th</sup>. The Session will be available on to view on Milton Cable Access’ new YouTube page: [www.youtube.com/@miltonaccessstv](http://www.youtube.com/@miltonaccessstv) If you have questions or concerns regarding the MBTA Communities, please contact the Planning and Community Development office for assistance.

Mr. Milano recently attended the Norfolk County Managers' Meeting.

Mr. Milano thanked all those who participated at the Annual Town Meeting.

Chief King of the Milton Police Department appointed Michelle Bishop as their Mental Health clinician, an ARPA funded position.

### **19. Chair's Report**

No comment at this time.

### **20. Public Comment Response**

No comments.

### **21. Future Meeting Dates**

The Board Members will meet on Tuesday, March 7, 2023, March 21, 2023, April 4, 2023

### **22. 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 8:48PM, 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 Ms. Musto. The Board voted unanimously by roll call (4-0) to enter Executive Session.

**ZULLAS: YES**

**BRADLEY: YES**

**MUSTO: YES**

**DOYLE: YES**

### **23. Adjourn**

Ms. Must moved to adjourn at 9:23PM. The motion was seconded by Mr. Zullas. The Board voted unanimously by roll call (4-0) to adjourn.

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

## Documents

Transfer of Liquor license for Abby Park, 550 Adams Street due to change in ownership interests

FY 2024 Warrant Article request from the Bylaw Review Committee

Warrant Articles from 2015, 2019 and 2021 relative to the Bylaw Review Committee

Policies on Decorum

Memo from Kevin Chrisom, Director of Parks and Recreation -Recommendation of Winston

Daley (Board of Parks Commissioners) to the Open Space Committee

Volunteer Application: Peter Parisi-Milton Cultural Council

Milton Investment Policy

Apex GHG Inventory Review and Pathway Assessment- Climate Action Plan

Contract with Apex Companies, LLC for a Climate Action Plan

One-day Liquor License Applications for the Milton Art Center

Draft-2022 Annual Report of the Milton Select Board

Drafts-Meeting Minutes: January 3, 2023, January 10, 2023 and January 24, 2023