

Select Board Meeting Minutes

Meeting Date: 6/13/2023

Members in Attendance: Michael Zullas, Chair; Erin G. Bradley, Vice Chair (REMOTE); Roxanne Musto, Secretary; Richard G. Wells, Jr., Member; Benjamin Zoll, Member; Nicholas Milano, Town Administrator and Lynne DeNapoli, Executive Administrative Assistant to the Select Board

Guests: Attorney Kevin Freytag, Office of Town Counsel (REMOTE)

Meeting Location: Council on Aging - Hybrid

Time Meeting called to Order: 7:06PM

Time Meeting Adjourned: 11:11PM

1. Call to Order

2. Pledge of Allegiance

Chair Zullas called the meeting of the Select Board to order at 7:06 PM under Chapter Two of the Acts of 2023. The Chairman introduced the Members of the Trust and Staff and led the Pledge of Allegiance.

3. Public Comment

Diane DiTullio Agostino -Address not provided.

Ms. DiTullio Agostino shared her concerns regarding the delay in reappointing the Member of the Commission on Disability. Ms. DiTullio Agostino explained the purpose of the Commission and asked the Board to expedite the appointment process.

Bob Sweeney -Address not provided.

Mr. Sweeney offered his thoughts on the location of the Animal Shelter. Mr. Sweeney is in favor of the Governor Stoughton property and encouraged the Town to act quickly to complete the project.

4. Discussion/Approval - Milton Art Center / East Milton Library

a. Lease Amendment with the Milton Art Center for the East Milton Library located at 334 Edge Hill Road

Mr. Milano noted that the Milton Art Center would like to amend their lease to include a rent wavier if MAC were exceeding their current cap in building improvements. The Board agreed to defer the discussion on the Lease Amendment with the Milton Art Center to a future meeting.

b. Milton Art Center Application to the Community Preservation Committee

Mr. Milano spoke on behalf of Ms. Joan Clifford, the Director for the Milton Art Center. Ms. Clifford could not be in attendance this evening. The Milton Art Center (MAC) applied for funding through Community Preservation Act funding for new windows. The Select Board will need to approve once eligibility has been determined by the Community Preservation Committee.

c. Installation of Shade Structure

Mr. Milano provided the Board with a request from the Milton Art Center (MAC) to construct a shade structure behind the building. MAC would be responsible for funding this project and would like the Board’s approval to move ahead with the project.

Mr. Wells moved to approve the installation of the Shade Structure at the rear of the Milton Art Center. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call to approve the Shade Structure.

- BRADLEY: NO**
- MUSTO: YES**
- WELLS: YES**
- ZOLL: YES**
- ZULLAS: YES**

5. Discussion/Approval – Conditional approval of Common Victualler Licenses: El Barrio Mexican Grill at: 27 Central Ave and 537 Adams Street, Milton, MA

Chair Zullas welcomed Mr. Vasquez, the proprietor of El Barrio Mexican Grill to the Select Board Meeting. Mr. Vasquez was joined by Ms. Suzanne Lombardi, owner of the Plate formerly located at 27 Central Ave and 10 Bassett St. Mr. Vasquez provided the Board Members with an overview of his business plan for the locations at 27 Central Ave. and 537 Adams Street.

Ms. Lombardi spoke on behalf of Mr. Vasquez and asked that the Board consider approving the CV license for 27 Central Ave. Her company is eager to see a new business venture in that area.

Ms. Bradley raised concerns regarding the ARPA Business Grant Award that Lombardi Enterprises received from the Town of Milton for the Plate located at 27 Central Ave.

Chair Zullas noted that the ARPA Grant should not be a factor. Ms. Lombardi noted that her company did indicate on their ARPA application that they did not intend to keep the 27 Central Ave. location open and would be looking for a business to take over the lease.

Following the discussion, Mr. Wells moved to offer conditional approval of a Common Victuallar License to Joandry Vasquez for the El Barrio Mexica Grill located at 27 Central Ave. The motion was seconded by Mr. Zoll. The Board voted by roll call (4-1) to offer conditional approval of a Common Victuallar License at 27 Central Ave.

- BRADLEY: NO**
- MUSTO: YES**
- WELLS: YES**
- ZOLL: YES**
- ZULLAS: YES**

Mr. Wells moved to offer conditional approval of a Common Victuallar License to Joandry Vasquez for the El Barrio Mexica Grill located at 537 Adams St. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to offer conditional approval of a Common Victuallar License at 537 Adams Street.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

6. Discussion/Update - Animal Shelter Project

Chair Zullas shared the timeline of the Animal Shelter Building Project. Chair Zullas then invited Attorney Kevin Freytag from the Office of Town Counsel, Attorney Marion McEttrick, Counsel for the Milton Animal League and Members of the Animal Shelter Advisory Committee to share updates/ideas with the Select Board

Attorney Freytag shared an update from the meeting held on May 24th with Counsel from the Charities Division of the Attorney General's office. Attorney Freytag was accompanied by Mr. Milano, Town Administrator; Attorney McEttrick, Milton Animal League; Mr. Czerwienski, Director of Planning and Community Development and Susan Philips, Animal Shelter Advisory Committee. The purpose of the meeting was to determine whether a new animal shelter could be built on the Governor Stoughton property. The new animal shelter would be a tenant of the Governor Stoughton property and would not deter future housing opportunities.

The Attorneys from the Charities Division requested that the Town identify the business relationship and create a business plan for the new animal shelter. This plan would help the Attorney General's office determine whether the terms of the Trust are being addressed.

The Milton Animal League has submitted a draft proposal of a business plan to the Select Board for review.

Attorney McEttrick, Counsel for the Milton Animal League encouraged the Select Board and the Trustees of the Governor Stoughton to make a decision on how the Milton Animal League should proceed. Does the League have permission to proceed with a cost study for the Governor Stoughton property? The anonymous donor who offered \$2.5million in a matching grant is also eager to move forward. The Milton Animal League is concerned that future delays will impact construction costs.

Mr. Daly, Chair of the Animal Shelter Advisory Committee, was joined by his colleagues: Therese Desmond, Co-Chair, and Victoria Shea, Member. Mr. Daly provided an update on the Committee's progress.

At the request of the Governor Stoughton Trustees, the Animal Shelter Advisory Committee, (ASAC) has been pursuing parallel paths.

The RFP (Request for Proposal) for the access road site is ready for publication but is temporarily on hold while the Committee explores an alternative location on the Governor Stoughton property. The Committee has also prepared the draft of the business plan requested by the Attorney General's office. The ASAC members are ready to move forward on the RFP for the access road site. Mr. Kalous, OPM for Hill International provided an estimate in April of \$4.4 million.

Mr. Tougias, a Member of the ASAC did some additional research and worked with Avalaon Building of Boston. The rough estimate from Avalon for a 4,000 sq. ft building: \$600,00, but it did not include: site work, foundation, sill and finish work. The Committee is aware that site, foundation and finish work will increase costs. Based on the averages: ASAC hopes to see costs at \$1.4 million.

The Animal Shelter Advisory Committee is waiting for further instructions from the Select Board and/or Governor Stoughton Trustees on how to proceed.

The Select Board Members each shared their views on the animal shelter building project.

Chair Zullas did ask Attorney McEttrick, Counsel for the Milton Animal League about the location condition that the donor requested when they offered the \$2.5 million matching grant. Would the donor consider removing the condition and offering the grant to build the animal shelter on the access road rather than the Governor Stoughton property? Attorney McEttrick will address and follow-up with the Select Board.

Chair Zullas thanked everyone for their hard work. The Select Board will address the Animal Shelter Building project at a future meeting.

At 8:55 PM, Mr. Wells moved to recess the Select Board Meeting and called to order the meeting of the Governor Stoughton Trustees. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call to recess the Select Board Meeting.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

The Select Board reconvened at 9:41PM.

7. Discussion/Approval - Select Board's Goals and Objectives

Mr. Wells moved to approve the Select Board's Goals and Objectives. The motion was seconded by Ms. Bradley. The Board voted unanimously by roll call (5-0) to approve the Select Board's Goals and Objectives.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

8. Discussion/Approval - Town Administrator's Goals and Objectives

Mr. Wells moved to approve the Town Administrator's Goals and Objectives. The motion was seconded by Ms. Bradley. The Board voted unanimously by roll call (5-0) to approve the Town Administrator's Goals and Objectives.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

9. Discussion/Approval - Fall Town Meeting dates

Mr. Wells moved to approve changing the Fall Town Meeting from October 30, 2023 to December 4, 2023. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to change the date of the Fall Town Meeting.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

10. Discussion/Approval - Applications to the Community Preservation Committee

Mr. Milano provided the Board with the applications for funding eligibility through the Community Preservation Act, presented by the Community Preservation Committee.

Application #1: \$75,000 Basketball Court Improvements -Town Hall and Fire Station

Mr. Wells moved to approve the application for \$75,000 in funding through the Community Preservation Act, (CPA) for basketball court improvements for the playground/area on the corner of Walnut Street and Clapp St. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the CPA application.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

Application #2: Bench and Pergola at Manning Park

Mr. Milano noted that the cost was left blank so the Select Board could share their suggestions.

The cost of the pergola/benches is \$750,000. Representative Driscoll secured an earmark of \$100,000 in the FY'23 state budget which can be carried forward to a future budget. Mr. Wells suggested a cost request of \$250,000. Mr. Wells had previously consulted the former CPC Chair, Rob Levash and the DPW Director, Chase Berkeley on the value.

Mr. Wells moved to approve the application for \$250,000 in funding through the Community Preservation Act, (CPA) for the benches and pergola at Manning Park. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the CPA application.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES
ZULLAS: YES

11. Discussion/Approval – Committee Appointments and Reappointments

Mr. Wells moved to appoint Lisa Troy as the School Committee Designee and Mary Stefanidakis as the Town Administrator’s Designee to the Climate Action Planning Committee for one-year terms. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to the appointments to the Climate Action Planning Committee.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

Ms. Bradley moved to appoint Ron Israel to the Climate Action Planning Committee for a term of one year. The motion was seconded by Mr. Wells. The Board voted unanimously by roll call (5-0) to the appointment to the Climate Action Planning Committee.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

Mr. Wells abstained from the discussion/vote of the Capital Improvement Planning Committee.

Ms. Musto moved to appoint Dr. Elizabeth Carroll as the School Committee Designee to the Capital Improvement Planning Committee for a term of one year. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (5-0) to the appointment to the Capital Improvement Planning Committee.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

Mr. Wells moved to appoint Giselle Dimanche to the Youth Task Force for a term of one year. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the appointment to the Youth Task Force.

BRADLEY: YES

MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

The Board agreed to defer any additional appointments to the Youth Task Force.

12. Discussion/Approval – Donations to the Milton Coalition

Mr. Wells moved to accept the donations to the Milton Coalition from the Congregation Beth Shalom Blue Hills in the amount of \$100.00, the Milton Rotary Club Foundation, Inc. in the amount of \$720.00 and \$500.00 from the First Congregational Church of Milton. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to accept the donations to the Milton Coalition.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

13. Discussion/Approval - Authorize the Town Administrator to execute contracts \$50,000 or less in Fiscal Year 2023 and Fiscal Year 2024

Following a brief discussion, Mr. Wells moved to authorize the Town Administrator to execute contracts of \$50,000 or less in Fiscal Year 2023 and Fiscal Year 2024. The motion was seconded by Ms. Musto. The Board voted unanimously to authorize the Town Administrator to execute contracts of \$50,000 or less in Fiscal Year 2023 and Fiscal Year 2024.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

14. Discussion/Approval – One-Day Liquor License Application and request to waive fee: Lynda-Lee Sheridan and Cypress Catering for the Milton Music Festival and Fireworks: Saturday, June 24th from 5PM-11PM and Sunday, June 25th from 12PM-9PM at Hutchinson Field

Mr. Wells abstained from the discussion and vote.

Mr. Zoll moved to approve the One-Day Liquor License Application and request to waive fee: Lynda-Lee Sheridan and Cypress Catering for the Milton Music Festival and Fireworks: Saturday, June 24th from 5PM-11PM and Sunday, June 25th from 12PM-9PM at Hutchinson Field. The motion was seconded by Ms. Musto.

Ms. Bradley shared her concerns regarding the request to waive the fee. The Members had a brief discussion on the matter. The Board voted by roll call (4-1) to approve the application and waive the \$50.00 fee.

BRADLEY: NO

MUSTO: YES

WELLS: ABSTAIN

ZOLL: YES

ZULLAS: YES

15. Discussion/Approval - Meeting Minutes: May 1, 2023, May 2, 2023, May 4, 2023, May 8, 2024 and May 9, 2024, May 23, 2023

Mr. Wells moved to approve the meeting minutes for May 1, 2023, May 2, 2023, May 4, 2023, and May 23, 2023. The motion was seconded by Ms. Musto. The Board voted by roll call to approve the meeting minutes.

BRADLEY: YES, excluding minutes for May 1, 2023

MUSTO: YES

WELLS: YES, excluding minutes for May 1, 2023 and May 2, 2023

ZOLL: YES, excluding minutes for May 4, 2023

ZULLAS: YES

16. Town Administrator's Report

Mr. Milano provided an update on the goings on at Town Hall.

Mr. Milano welcomed the new employees: Joe Atchue, the Building Commissioner, and Sky Berube, Civil Engineer.

The Department of Planning and Community Development will be hosting a Public Forum on June 15th at 6:30PM at the Milton Public Library to discuss the MBTA Communities Zoning Law.

The MBTA will be hosting a public meeting on Tuesday, June 20, 2023 at 6:30PM to discuss the Mattapan Line Transportation Program. The meeting will take place on Zoom and registration is required.

The MBTA is conducting a sound study of the Hyde Park - Readville line. While the MBTA requested input from Milton residents, the questionnaire was not made available. Mr. Milano is working with the MBTA to address this matter.

17. Chair's Report

No Report at this time.

18. Public Comment Response

Ms. Bradley asked the Members to help champion the term Select Board rather than Selectmen.

19. Future Meeting Dates:

The Board will meet on Tuesday, June 27, 2023, Tuesday, July 11, 2023 and Tuesday, July 25, 2023

20. 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

Chair Zullas 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 return to Open Session. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to enter Executive Session.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

21. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(3) – To discuss strategy with respect to collective bargaining

a. Milton Clerical Unit of the Southeastern Public Employees Association

b. Milton Professional Management Association

c. Milton Firefighters, Local 1116

d. Milton Police Association

e. Milton Superior Officers

Chair Zullas moved to enter into Executive Session to discuss strategy with respect to collective bargaining.

a. Milton Clerical Unit of the Southeastern Public Employees Association

b. Milton Professional Management Association

c. Milton Firefighters, Local 1116

d. Milton Police Association

e. Milton Superior Officers

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 return to Open Session. The motion was seconded by Mr. Wells. The Board voted unanimously by roll call (5-0) to enter Executive Session.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

22. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(6) -To discuss the purchase, exchange, lease or value of real property (Blue Hill Ave: B 7 5 and 676 Brush Hill Road: B 7 4)

Chair Zullas moved to enter into Executive Session to discuss the purchase, exchange, lease or value of real property (Blue Hill Ave: B 7 5 and 676 Brush Hill Ave: B 7 4) 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 return to Open Session. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to enter Executive Session.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

The Select Board returned to Open Session at 11:10PM.

23. Discussion/Approval - Memorandum of Agreements with the Milton Police Association and the Milton Superior Officers for the period July 1, 2022 through June 30, 2025

Mr. Wells moved to approve the memorandum of Agreements with the Milton Police Association and the Milton Superior Officers for the period July 1, 2022 through June 30, 2025. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the memorandum of Agreements with the Milton Police Association and the Milton Superior Officers.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

24. Adjourn

At 11:11PM, Mr. Wells moved to adjourn. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to adjourn.

BRADLEY: YES
MUSTO: YES
WELLS: YES
ZOLL: YES
ZULLAS: YES

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

Documents:

Request from the Milton Art Center-Shade Structure
Copy of M.G.L. C. 140, Section 6: Conditions Precedent: Proposed Plans, Cost Estimates as Victualler or Innholder.
Applications for Common Victualler Licenses from Joandry Vasquez
El Barrio Mexican Grill -27 Central Ave. and 537 Adams Street
Community Preservation Eligibility Applications: Basketball Court Improvements Bench/Pergola at Manning Park
Select Board Goals and Objectives
Town Administrator Goals and Objectives
Charge: Climate Action Planning Committee
Volunteer Applications for the Climate Action Planning Committee:
Lisa Troy (School Committee Designee)
Ron Israel
Rich Boehler
Kimberly Johnson
Joseph Modugno
Matt Panucci
Stephen Popkin
Fred Taylor
Mary Stefanidakis
Charge: Youth Task Force
Volunteer Applications for the Youth Task Force
Lisa Courtney
Gisele Dimanche
Allison Gagnon
Christina Lilliehook
Neal Piliavin
Stephen Popkin
Donations to the Milton Coalition:
\$100.00 from the Congregation Beth Shalom Blue Hills
\$720.00 from the Milton Rotary Club Foundation, Inc.
\$500.00 from the First Congregational Church of Milton
One Day Liquor License Application from -Lynda-Lee Sheridan and Cypress Catering
For the Milton Music Festival on June 24th and June 25th
Draft Meeting Minutes: May 1, 2023, May 2, 2023, May 4, 2023, May 8, 2023, May 9, 2023 and May 23, 2023