

Select Board Meeting Minutes

Meeting Date: 8/222023

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

Meeting Location: Council on Aging - Hybrid

Time Meeting called to Order: 7:07PM

Time Meeting Adjourned: 10:51PM

1. Call to Order
2. Pledge of Allegiance

Chair Zullas called the meeting of the Select Board to order at 7:07 PM and led the Pledge of Allegiance.

3. Public Comment

Judith Collins: 109 Capen Street (In Person)

Ms. Collins offered her support in favor of the MBTA Communities Act. As a housing advocate for homeless and at-risk families this initiative will have a positive impact on her clients and will only enrich the Town of Milton. Ms. Collins encouraged the Town to comply.

Martha Susi -1250 Randolph Ave. REMOTE

Ms. Susi shared her concerns regarding the response letter from MassDOT on the roundabout design for Randolph Ave and Chickatawbut Road. Ms. Susi does not feel that Milton's concerns regarding this proposal are being properly addressed by MassDOT. She requested that the Town of Milton take legal action in order to address this matter.

John Driscoll: 718 Radolph Ave. (In Person)

Mr. Driscoll expressed his opposition to the zoning district proposal for the MBTA Communities Act that includes Randolph Ave.

Joe Susi- 1241 Adams Street, Boston REMOTE

Mr. Susi shared his concerns regarding the response letter from MassDOT on the roundabout design for Randolph Ave and Chickatawbut Road. Mr. Susi noted that there are alternative options available to make the intersection safer, but MassDOT is not taking them into consideration. He requested the Select Board to take the necessary steps to address this issue.

Michael Clark: 1169 Brook Road (In Person)

Mr. Clark shared his concerns regarding the relationship between the Milton Yacht Club and the Town of Milton regarding the Town Landing. He also shared frustration regarding the RFP process. Milton Yacht Club would like to continue their work as tenants and stewards of the waterfront and are eager for the Town to resolve this matter.

Peter Jackson- 14 Capen Street REMOTE

Mr. Jackson expressed his concerns regarding the zoning district proposals for the MBTA Communities Act. He does not believe that the district proposals are fair and equitable. He is opposed to the sub-district plan within the ½ mile transit area. Mr. Jackson felt that more work needs to be done before the Board can proceed to a vote.

John Potter: 24 Shelon Street (In Person)

Mr. Potter expressed his concerns regarding the Milton Landing Committee's request to the Milton Yacht Club to vacate Yards A & B. The Yacht Club vacates Yard A each Spring but relies on the shed storage in Yard B as income. The Milton Yacht Club is looking to the Town for support on how to proceed.

Ralph Parent – 83 Sassamon Ave. REMOTE

Mr. Parent, a real estate developer shared his full support in favor of the MBTA Communities Act and encouraged the Town to embrace the opportunity that the Commonwealth is providing by putting regulations in place that will protect the fabric of the Town in the future. If the Town fails to set regulations, then creative developers will take advantage.

Mark Christo- address not provided REMOTE

Mr. Christo shared his disappointment in the letter that was sent to the MBTA Board of Directors with regard to re-classification. The revision eliminated objective information that strengthened Milton's valid concerns to the MBTA regarding reclassification of the Mattapan trolley as rapid transit and the Town's efforts to comply with the MBTA Communities Act. Mr. Christo encouraged the Board to refrain from taking any action on this matter tonight. He feels that more work is needed.

4. Introduction/Welcome - Jay Gonzalez, President of Curry College

Following an introduction by Chair Zullas, Mr. Jay Gonzalez, Curry College's 15th President joined the Board Members to share his vision for Curry's future.

President Gozalez acknowledged the relationship between the college and the Town of Milton and is looking forward to strengthening that bond.

The Board agreed to take the agenda out of order and address item #7.

(7)

Discussion/Approval – Transfer of the Deed for the former Kidder Branch Library to Discovery Schoolhouse, Inc.

Mr. Milano provided the Select Board Members with an update on the sale of the Kidder Branch Library. The Deed has been reviewed by Town Counsel and by Attorney McEttrick, Counsel for the Discovery School House, Inc.

Ms. Bradley moved to execute the transfer of the Deed for the former Kidder Branch Library to Discovery Schoolhouse, Inc. in the amount of \$500,000 in accordance with Town Meeting Article 27 approved by Town Meeting, May 2, 2023. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (5-0) to approve the transfer of the Deed.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

The Board returned to item #5.

5. Discussion/Update- Teen Activity: Casey Corcoran, Community Outreach, Awareness, and Prevention Education Senior Director at the Boston Area Rape Crisis Center (BARCC) and Town Staff

Mr. Casey Corcoran, the Community Outreach, Awareness, and Prevention Education Senior Director at the Boston Area Rape Crisis Center (BARCC) joined the Board to share insight and provide resources to teens, parents and community leaders regarding sexual violence.

The Members expressed their appreciation to Mr. Corcoran for his feedback. Mr. Corcoran offered Milton his support in addressing this important issue.

6. Discussion/Update/Approval – Multi-Family Zoning Requirements for MBTA Communities

a. Discussion/Approval – Compliance

The Board Members weighed the pros and cons of complying with the Multi-Family Zoning Requirements for MBTA Communities.

Mr. Zullas noted that the deadline to submit Milton’s new zoning proposal to the Executive Office of Housing and Livable Communities (EOHLC) is fast approaching (December 31, 2023). He recommended that the Town of Milton take the necessary steps to complete the submission process before the December 31st deadline. The Select Board has scheduled the Special Town Meeting for Monday, December 4, 2023.

Mr. Zoll offered his support in favor of compliance.

Ms. Musto and Mr. Wells expressed their reservations about moving forward without an acknowledgement from the Planning Board.

Following the discussion, Ms. Bradley moved to comply with the MBTA Communities Multi-Family Zoning Requirement. The motion was seconded by Mr. Zoll. The Board voted by roll call (3-2) to comply with the MBTA Communities Multi-Family Zoning Requirement.

BRADLEY: YES

MUSTO: NO

WELLS: NO

ZOLL: YES

ZULLAS: YES

b. Discussion/Approval –Districts and Density

Mr. Tim Czerwienski, Director of Planning and Community Development joined the Select Board Members to provide an update on the MBTA Communities Zoning Requirements. Mr. Czerwienski’s presentation focused on the following:

➤ **Background**

What is the MBTA Communities Act
Milton Criteria for Compliance

➤ **Subdistricts Considered**

- a. Townwide Summary
- b. Individual Subdistricts Aerial Zoom-Ins

➤ **Pathways to Compliance**

- a. Option 1: Compliance with East Milton Square
- b. Option 2: Compliance without East Milton Square

➤ **Appendix**

Transit Area Evolution

Following the briefing, Mr. Czerwienski thanked the Team at Utile for their hard work in compiling the data. He answered questions from the Board Members.

Ms. Musto and Mr. Wells requested that the Select Board postpone any further vote until the Planning Board has reviewed the presentation and offered their recommendation.

Ms. Musto expressed concern that the process should have started with the Planning Board.

Following the discussion, Mr. Zoll moved to recommend Option One as discussed and reviewed. The motion was seconded by Ms. Bradley. The Board voted by roll call (3-2) to recommend Option One.

BRADLEY: YES

MUSTO: NO

WELLS: NO

ZOLL: YES

ZULLAS: YES

To learn more about the MBTA Communities Zoning Requirements, please visit the Town of Milton's website: <https://www.townofmilton.org/301/Massachusetts-Bay-Transportation-Authori>

c. Discussion/Approval – Request to the Executive Office of Housing and Livable Communities for an Advisory Opinion on Chapter 40A Eligible Locations

Mr. Milano, the Town Administrator, explained that changes were made to the State Law regarding zoning for multi-family housing. The Town of Milton would like to request clarity in terms of what quantum of vote is required for areas that are outside of the transit area.

Mr. Milano answered questions from the Board Members.

Ms. Bradley moved to have the Town Administrator and Town Planning Department submit a request to the Executive Office of Housing and Livable Communities for an Advisory Opinion on Chapter 40A Eligible Locations regarding Option One. The motion was seconded by Mr. Zoll. Chair Zullas offered a friendly amendment to include Option Two. Ms. Bradley and Mr. Zoll agreed. The Board voted by roll call (3-2) submit a request to the Executive Office of Housing and Livable Communities for an Advisory Opinion on Chapter 40A Eligible Locations regarding Options One and Two.

BRADLEY: YES

MUSTO: NO

WELLS: NO

ZOLL: YES

ZULLAS: YES

7. Discussion/Approval – Transfer of the Deed for the former Kidder Branch Library to Discovery Schoolhouse, Inc.

This matter was discussed earlier in the evening.

8. Discussion/Approval – Request of the Conservation Commission for a Warrant Article to Transfer Land off Granite Ave. to the Conservation Commission for the promotion and development of natural resources and for the preservation of open space

Mr. John Kiernan, Chair of the Conservation Commission and Mr. Arthur Doyle, a Member of the Conservation Commission joined the Select Board to offer an explanation for their request.

After reviewing Town Meeting articles relative to town land, Members of the Conservation Commission found that a 25-acre parcel of land off of Granite Ave. had not been transferred to the Conservation Commission.

Mr. Wells moved to approve the Conservation Committee’s request for a Warrant Article to Transfer Land off Granite Ave. to the Conservation Commission for the promotion and development of natural resources and for the preservation of open space. The motion was seconded by Ms. Musto. The Board voted unanimously to approve the request for a Warrant Article to Transfer Lane off Granite Ave. to the Conservation Commission.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

9. Discussion/Approval – Citizen’s Petition regarding the recording of board and committee meetings

Deborah Milbauer, a Milton resident and Town Meeting Member joined the Members to share her proposal for Select Board consideration to sponsor a new by-law for the Town Warrant. The agenda incorrectly identified the proposal as a Citizen’s Petition.

“Ensuring Government Transparency”: a proposal to require elected boards and committees to video record and publicly post proceedings. There are 10 elected Boards in Milton. Currently, four record meetings, six do not.

Members were receptive to Ms. Milbauer’s request but requested a review by Town Counsel review.

Following a discussion, Mr. Zoll moved to accept this concept and delegate to Mr. Milano and Town Counsel the draft warrant article. The motion was seconded by Ms. Musto. The Board voted by roll call (5-0) to accept the concept of a warrant article that would create a by-law to require elected boards and committees to video record and publicly post proceedings.

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

The Board agreed to take the agenda out of order and address item #13.

(13)

Discussion/Approval – Request for Service for an Owner’s Project Manager for the new school project

Mr. Sean O’Rourke, Chair of the School Building Committee joined the Board to review the Committee’s recommendation to advertise the Request for Services for an Owner’s Project Manager for the new school project at Gile Road. The School Building Committee will create a sub-committee to begin the interview process. The full Committee will make their final recommendation to the Select Board.

Mr. Zoll moved to approve the Request for Services for an Owner’s Project Manager for the new school project. The motion was seconded by Ms. Bradley. The Board voted unanimously by roll call (5-0) to approve the Request for Services for an Owner’s Project Manager for the new school project.

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

The Board returned to agenda item #10.

10. Discussion/Approval – Updated Intermunicipal Agreement for the Creation and Maintenance of the SWAP/TRIC Shared Housing Services Office

Mr. Milano, Town Administrator, provided the Select Board with an overview of the revisions made to the Shared Housing Services Office Intermunicipal Agreement.

The changes include expected costs of \$12,000 within the fiscal year and an opt-out of one community.

The Shared Housing Service Office, SHSO is a regional organization that provides for management and monitoring of affordable housing for participating communities such as Milton, Medfield, Randolph, Hopkinton, Sharon and Norwood. The SHSO can build upon the existing staff's capacity by providing the expertise and staffing needed to manage the affordable housing track on an ongoing basis. The regional collaboration provides a forum for municipalities to share ideas, approaches and strategies.

Ms. Bradley moved to approve the Updated Intermunicipal Agreement for the Creation and Maintenance of the SWAP/TRIC Shared Housing Services Office. The motion was seconded by Ms. Musto. The Board voted by roll call (5-0) to approve the Updated Intermunicipal Agreement for the Creation and Maintenance of the SWAP/TRIC Shared Housing Services Office.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

11. Discussion/Update – Proposal for Modular Construction of the Animal Shelter located on the Dump Access Road

Mr. Milano, Town Administrator, provided the Select Board Members with an update. There was one proposal received for the animal shelter with a bid price of \$3,453,601. There are some follow-up questions with regard to how the bidder handles the ledge in their proposal. Mr. Milano will keep the Board updated on any new developments.

12. Discussion/Approval – Award \$20,150,000.00 in General Obligation Bond Anticipation Notes dated August 30, 2023 and payable August 30, 2024, to J.P. Morgan Securities LLC

Ms. Johanna McCarthy, the Town Treasurer/Collector joined the meeting via ZOOM to present the General Obligation Bond Anticipation Note to the Board. JP Morgan Securities LLC provided the winning bid with a net interest of 3.463. The award amount: \$20,150,000.00.

\$20 million for costs and planning related to the Fire Department Building projects

\$150,000 for paving and drainage improvements for the DPW

Mr. Wells moved to approve the \$20,150,000.00 Bond Anticipation Note and to waive the reading of the entire formal vote: Bond Anticipation Note. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the Bond Anticipation Note in the amount of \$20,150,000.

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

13. Discussion/Approval – Request for Service for an Owner’s Project Manager for the new school project

This matter was addressed earlier this evening.

14. Discussion/Update – Massachusetts Department of Transportation project at the intersection of Randolph Ave (Route 28) and Chickatawbut Road

Chair Zullas reviewed the response letter from Michael Dowd, Director of Major Projects for the Massachusetts Department of Transportation regarding the project at the intersection of Randolph Ave (Route 28) and Chickatawbut Road. Members expressed their disappointment and frustration that the concerns of the residents are not being addressed. The Board requested Mr. Milano, the Town Administrator seek the advice of Town Counsel on how to proceed.

15. Discussion/Approval – Committee Appointments and Reappointments

- a. Local Historic District Study Committee**
 - i. Douglas Scibeck (reappointment)**

Ms. Musto moved to reappoint Douglas Scibeck to the Local Historic District Study Committee for a term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted by roll (5-0) to re-appoint Mr. Scibeck to the Local Historic District Study Committee.

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

b. Youth Task Force
i. Robert Beato

Mr. Wells moved to appoint Robert Beato to the Youth Task Force for a term to expire on June 30, 2024. The motion was seconded by Ms. Musto. The Board voted by roll call (4-0) to appoint Mr. Beato to the Youth Task Force.

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

16. Discussion/Approval – Meeting Minutes – July 11, 2023 and July 25, 2023

Ms. Musto noted that she reached out to Lynne DeNapoli to review the minutes. A few ministerial changes were made.

Ms. Musto moved to approve the amended meeting minutes for July 11, 2023 and July 25, 2023. The motion was seconded by Mr. Zoll. The Board voted by roll call (4-0) to approve the amended meeting minutes.

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

17. Town Administrator’s Report

Mr. Milano provided an update on the goings-on from Town Hall.

The Milton Police Department will be hosting the Annual Night Out Against Crime on Thursday August 24th at 5PM at the MPD station on Highland Street.

The Milton Fire Department will be hosting a “Hiring” Open House on Monday August 28th from 5-7pm at the Headquarters directly behind Town Hall. Firefighters will be on hand to answer any questions regarding the hiring process and the firefighting career overall.

<https://www.townofmilton.org/DocumentCenter/View/3279/Milton-Fire-Hiring-Open-House>

Milton is seeking residents to serve on volunteer Boards and Committees. Please visit the Town’s website to learn more.

18. Chair's Report

Chair Zullas deferred his report.

19. Public Comment Response

Ms. Musto extended her appreciation to the residents who participated in Public Comment earlier this evening.

20. Future Meeting Dates:

The Select Board will meet on the following dates: Tuesday, September 5, 2023, Tuesday, September 12, 2023, Tuesday, September 26, 2023, and Tuesday, October 10, 2023

The Trustees of the Governor Stoughton Trust will host a public hearing on Tuesday, September 19, 2023 regarding the Use of the Town Farm for Affordable Housing.

21. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(6) – To discuss the purchase, exchange, lease or value of real property (Town Landing, Wharf Street)

This matter has been deferred.

22. Executive Session -Executive Session- Pursuant to M.G.L. c. 30A, § 21(a)(3) – To discuss strategy with respect to collective bargaining **a. Milton Firefighters, Local 1116**

This matter has been deferred.

23. Discussion/Approval – Lease Agreements for the Town Landing, Wharf Street

This matter has been deferred.

24. Adjourn

At 1051PM, Ms. Musto moved to adjourn the meeting of the Select Board in order to convene a meeting on the Trustees of the Governor Stoughton Trust. The motion was seconded by Mr. Wells. The Board voted 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

Curry College- Biography of President Jay Gonzalez
Quitclaim Deed-Kidder Branch Library -101 Blue Hills Parkway
Correspondence from the Executive office of Housing and Livable Communities: Update on Compliance Guidelines for MBTA Communities
MBTA Communities Zoning Requirements – Public Forum, August 15, 2023
E-mail from the Town Administrator regarding MBTA Communities
E-mail Correspondence from the Conservation Commission – Warrant Article – Conveyance of Land on Granite Ave.
Request from Deborah Milbauer - “Ensuring Government Transparency,” bylaw proposal to require elected boards and committees to video record and publicly post proceedings.
Intermunicipal Agreement for the Creation and Maintenance of the SWAP/TRIC Shared Housing Services Office
E-mail correspondence from Nicholas Milano- Animal Shelter Proposal
Price Bid Proposal Form -Axis Construction Corp.
General Bond Obligation Notes -JP Morgan Securities LLC
General Bond Obligation Notes - Vote of the Select Board
Correspondence from the Massachusetts Department of Transportation regarding the project at the intersection of Randolph Ave (Route 28) and Chickatawbut Road
Volunteer Application: Robert Beato – Youth Task Force
Meeting Minutes – July 11,2023 and July 25, 2023

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Milton, Massachusetts (the “Town”), certify that at a meeting of the board held August 22, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of a \$20,150,000 5.00 percent General Obligation Bond Anticipation Notes (the “Notes”) of the Town dated August 30, 2023 and payable August 30, 2024, to J.P. Morgan Securities LLC at par and accrued interest, if any, plus a premium of \$309,705.50.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated August 8, 2023, and a final Official Statement dated August 15, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: August 22, 2023

Secretary of the Select Board

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