

Select Board Meeting Minutes

Meeting Date: 9/5/2023

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

Meeting Location: Council on Aging - Hybrid

Time Meeting called to Order: 7:05PM

Time Meeting Adjourned: 10:47PM

1. Call to Order
2. Pledge of Allegiance

Chair Zullas called the meeting of the Select Board to order at 7:05PM and led the Pledge of Allegiance.

3. Public Comment

Maggie Clark -1169 Brook Road

Ms. Clark expressed her support in favor of the Milton Yacht Club and the Neponset Rowing Club. Ms. Clark has ties to MYC and the Landing that span the course of 30 years. She would like to see these Clubs continue their working relationship with the Town and reach new lease agreements for storage at the Landing. Income generated from boat storage helps to sustain MYC.

Ms. Clark also supports upgrades to the Town Landing as noted in Milton's Master Plan.

John Rowe -23 Parkwood Drive

Mr. Rowe expressed his opposition to MassDOT's proposed roundabout on Randolph Ave and Chickatawbut Road. Mr. Rowe suggested that a dedicated left turn lane and signal would be a more appropriate safety alternative. Mr. Rowe recommended that Milton collaborate with neighboring communities to find feasible options. Mr. Rowe has reached out to the Randolph Town Council and has a meeting scheduled with a representative from MassDOT about this matter.

Philip Johenning -23 Parkwood Drive

Mr. Johenning shared his concerns with regard to the intersection at Randolph Ave and Chickatawbut Road. He stated that the basic design is okay, it just needs some enhancements so it can better serve the public. Mr. Johenning suggested that dedicated left turn lanes and signals running north, south, east and west would be a safer alternative to the roundabout and better visibility over the hill on Randolph Ave.

Jay Fundling 39 Sias Lane

Mr. Fundling, an experienced Pension Actuary, recommended that Milton should re-visit its pension and retiree medical funding policies now that the retirement system is fully funded. Mr. Fundling provided a few suggestions.

4. Discussion/ Approval - Massachusetts Department of Transportation project at the intersection of Randolph Ave (Route 28) and Chickatawbut Road

Attorney Peter Mello from the Office of Town Counsel joined the Members to discuss what options are available to the Board in addressing the Town's concerns about MassDOT's proposed project for the intersection of Randolph Ave and Chickatawbut Road. Attorney Mello offered to compose a letter to Mr. O'Dowd, Director of Major Projects at MassDOT. The Select Board verbally agreed to move forward. Members provided Attorney Mello some facts that they would like included in the draft letter.

5. Discussion/Approval – Renewal Contract with Coastal EMS, LLC. For ambulance services

Mr. Milano, Town Administrator provided an overview of the renewal Contract with Coastal EMS, LLC for ambulance services. The contract term is for three years with an option to extend for two, one-year terms. Mr. Milano also noted that Chief Madden (MFD), Chief King (MPD) and Town Counsel collaborated on this contract.

Kevin Mont and Ted Carroll, Consultants from Coastal EMS, LLC were in attendance.

Highlights include:

- 2 Advanced Life Support Ambulances 24/7-365 dedicated to the Town of Milton
- A third ALS Ambulance 10 hours a day for the Town, but available to be used for surrounding communities and health care institutions.
- Training for the Milton Fire Department
- Restocking of medical supplies for Milton Fire and Police
- Equipment for Milton Fire, such as LUCAS Cardiac machines for CPR
- Other equipment for the Town, such as AEDs for Town use

Mr. Milano answered questions from the Members. Mr. Wells recommended that the Board extend the contract for an additional two-year option. Mr. Milano suggested that the terms of the contract may be revisited/amended.

Ms. Bradley moved to approve the Contract with Coastal EMS, LLC. For ambulance services and authorize the Town Administrator to sign on the Board's behalf. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve the Contract with Coastal EMS, LLC. For ambulance services and authorize the Town Administrator to sign on the Board's behalf.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES
ZULLAS: YES

6. Discussion - Select Board's Role regarding MBTA Communities Act

To help clarify the Select Board's role relative to the MBTA Communities Act, Chair Zullas reviewed the Select Board's policies, Massachusetts General Law and past practices. The Select Board has the authority to initiate Zoning changes.

The Select Board Members shared their points of view.

7. Discussion/Approval – Warrant Articles for the December 4, 2023 Special Town Meeting

a. Zoning Bylaw Amendment for compliance with M.G.L. c. 40 Section 3A multi-family zoning as-of-right in MBTA communities

Chair Zullas introduced the draft warrant article for compliance with M.G.L. c. 40 Section 3A Multi-family zoning as-of-right in MBTA communities. The Board Members expressed their appreciation to The Team in the Office of Planning and Community Development for their hard work.

The Members discussed the merits of the draft warrant article and offered their comments.

Following the discussion, Ms. Bradley moved to submit the zoning bylaw amendment for compliance M.G.L. c. 40 Section 3A multi-family zoning as-of-right in MBTA communities to the Planning Board. The motion was seconded by Mr. Zoll.

Chair Zullas offered a friendly amendment: after moved... “include in the Special Town Meeting Warrant.” The friendly amendment was accepted by Ms. Bradley and Mr. Zoll.

Chair Zullas noted that by voting on this article this evening, the Select Board is giving the Planning Board the maximum amount of time (65 days) allowed under the statute Chapter 48, Section 5 to conduct a public hearing and issue their report. Th Report may contain amendments to the proposed article, or the Planning Board could propose a whole new article for consideration.

The Board voted by roll call (4-0-1) to include in the Special Town Meeting Warrant, a zoning bylaw amendment for compliance with M.G.L. c. 40 Section 3A multi-family zoning as-of-right in MBTA communities to the Planning Board.

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

b. Bylaw to Require Recording and Posting of Elected Public Bodies

Mr. Milano shared the draft article to adopt a Bylaw to Require Recording and Posting of Elected Public Bodies. He has reached out to Milton's elected bodies to request their comments and Ms. Milbauer as well.

Ms. Bradley moved to approve the bylaw to require recording and posting of elected public bodies and request Town Counsel to review and put into proper legal form. The motion was seconded by Mr. Zoll.

The Board Members discussed the pros and cons of including sub-committees into the recording bylaw.

Following the discussion, the Board voted unanimously by roll call (5-0) to approve the bylaw to require recording and posting of elected public bodies and request Town Counsel to review and put into proper legal form.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

c. Transfer of Land to the Conservation Commission

Mr. Milano, the Town Administrator, shared the draft warrant article with the Board. The draft is currently being reviewed by Attorney McNulty from the Office of Town Counsel. The Board will defer any action on this article to a future meeting.

d. Local Historic District Bylaw (Milton Village)

Mr. Milano, the Town Administrator, shared the draft warrant article and provided the Board Members with an update on the timeline for the Local Historic District Study Committee. The Board will defer any action on this article to a future meeting until the Planning Board has time to offer their feedback.

Discussion/Approval – Select Board Landing Committee - Neponset River Tour

Mr. Wells, Member of the Milton Landing Committee, provided the Members with an update. The Town of Milton is advocating for the EPA to expand its Superfund Designation to include the entire Neponset River. The Landing Committee would like to host a tour of the Neponset River with local officials, neighboring community leaders and representatives from the EPA to emphasize the need to clean-up and protect the salt-water side of the Neponset River and garner additional support. Details to follow.

8. Town Administrator's Report

Mr. Milano welcomed a few new employees to the Town of Milton and shared some updates on the goings-on at Town Hall.

Jean Whitman – Department of Public Works
Matthew Harrington - IT Department.
Carolyn Ho - Health Department

Porchfest is scheduled for Saturday, Sept.9th at 12PM, Eliot Street neighborhood

The Milton retirement system is now fully funded, ahead of schedule. The Town is working to evaluate its OPEB policy and the best way to move forward. This fund has a substantial impact on our budget and on addressing our other long-term liability which is retiree health insurance.

The MBTA will temporarily shutdown the Mattapan Line and Red Line from October 14th to October 29th. More updates to follow.

Colin Loiselle, the Assistant Town Administrator has accepted the position of Town Manager in Tyngsboro. Mr. Milano congratulated Colin on this wonderful opportunity and wished him well. His last day in Milton is September 19th.

Mr. Milano shared concerns that were raised about the lack of civility demonstrated towards Town Employees, especially the staff in the Office of Planning and Community Development. He went on to thank the Team in the Planning Office for their dedication and hard work. Mr. Milano noted that policy decisions are made by Elected Boards. The staff offer support, provide information and make recommendations.

9. Chair's Report

Chair Zullas reiterated Mr. Milano's sentiments with regards to Town Employees. He encouraged residents to contact their elected officials in Milton and share their points of view. Town employees should not feel the heat from a decision/policy adopted by an elected body. Any criticism should be directed at the elected officials.

On behalf of the Board, Chair Zullas wished Colin Loiselle well in his new position as Town Manager in Tyngsboro.

Chair Zullas applauded the Town and all those who participated in preparing and executing the plan to fund the retirement system ahead of schedule.

Chair Zullas invited residents to attend Porch Fest on Saturday, Sept. 9th. Select Board Member Benjamin Zoll and his band are part of the entertainment line-up.

Ms. Musto thanked the MPD for hosting the National Night Out Against Crime. A great time was had by all.

10. Public Comment Response

No comments.

11. Future Meeting Dates

The Select Board will meet on Tuesday, September 12, 2023 and Tuesday, September 26, 2023. The Trustees of the Governor Stoughton Trust will host a public hearing on September 19, 2023 to discuss the use of the Town Farm for affordable housing.

12. 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)

At 9:40PM, Chair Zullas moved to enter into Executive Session to discuss the purchase, exchange, lease or value of real property (Town Landing, Wharf Street) 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. Zoll. The Board voted unanimously by roll call (5-0) to enter into Executive Session.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

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

Chair Zullas moved to enter into Executive Session to discuss strategy with respect to collective bargaining : Milton Firefighters, Local 1116 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. Zoll. The Board voted unanimously by roll call (5-0) to enter into Executive Session.

BRADLEY: YES

MUSTO: YES

WELLS: YES

ZOLL: YES

ZULLAS: YES

14. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(3) - Discussion/Strategy with respect to litigation filed by the Town of Milton v. Federal Aviation Administration, No. 22-152 (U.S. Court of Appeals, First Circuit)

Chair Zullas moved to enter into Executive Session to discuss (litigation) strategy with respect to litigation filed by the Town of Milton v. Federal Aviation Administration, No. 22-152 (U.S. Court of Appeals, First Circuit) 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 Select Board will return to Open Session. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (5-0) to enter into Executive Session.

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

The Board returned to open session at 9:43PM.

15. Discussion/Approval - Lease Agreements for the Town Landing, Wharf Street
a. Neponset Rowing Club
b. Milton Yacht Club

Chair Zullas moved to approve the Lease Agreement with the Neponset Rowing Club for Lot C at the Town Landing in the amount of \$7,200 for year one of a five-year lease with an increase of 2.5% each year. The motion was seconded by Ms. Musto. The Board voted by roll call (4-0) to approve.

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

Chair Zullas moved to approve the Lease Agreement with the Milton Yacht Club for 25 Wharf Street in the amount of \$2,500 a year for a five-year lease. The motion was seconded by Ms. Musto. The Board voted by roll call (5-0) to approve.

Mr. Zoll noted that Mr. Wells was in attendance during the Executive Session to discuss the leases, but his internet connection and has not yet re-joined. Chair Zullas thanked Mr. Wells for his support in negotiating the new agreements.

Mr. Wells re-joined the meeting. He did express his support in favor of the agreement with the Neponset Rowing Club.

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

ZULLAS: YES

16. Adjourn

Ms. Musto made a motion to adjourn at 10:47PM. The motion was seconded by Ms. Bradley. 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:

Letter from Chase Berkeley, DPW Director to the Milton Select Board regarding the 25% design plan review for the Randolph Ave and Chickatawbut Road Intersection, dated June 2021

Letter from the Milton Select Board to Secretary Tesler, MassDOT regarding the Route 28 -Randolph Ave and Chickatawbut Road Improvement project, dated November 2022

Letter from MassDOT to the Milton Select Board regarding intersection improvements at Route 28: Randolph Ave and Chickatawbut Road, dated February 2023

Letter from the Milton Select Board to Secretary Fiandaca, MassDOT regarding the Route 28 -Randolph Ave and Chickatawbut Road Improvement project, dated July 2023

Letter from MassDOT to the Milton Select Board regarding intersection improvements at Route 28: Randolph Ave and Chickatawbut Road, dated August 2023

Contract between the Town of Milton and Coastal EMS, LLC

M.G.L.- Chapter 40A, Section 3A – Multi-family Zoning as of Right in MBTA Communities

Executive Office of Housing and Livable Communities – Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act

E-mail correspondence from Tim Czerwienski to Nicolas Milano regarding MBTA Communities Zoning Articles

Draft- Redline copy of the MBTA Zoning Article

Draft - Clean MBTA Zoning Article

Map from Utile-Transit Area Triplex

Draft Warrant Article: Rec Bylaw to Require Recording and Posting of Elected Public Bodies

Draft Warrant Article - Transfer of Land to the Conservation Commission

Reference materials relative to the Transfer of Land to the Conservation Commission -Granite Ave. parcels

Warrant Article Establishment - Local Historic District Study Committee

Local Historic Study Committee Report for the Milton Village Historic District