

Select Board Meeting Minutes

Meeting Date: 10/24/2023

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

Meeting Location: Council on Aging - Hybrid

Time Meeting called to Order: 7:06PM

Time Meeting Adjourned: 11:08PM

- 1. Call to Order**
- 2. Pledge of Allegiance**

Chair Zullas called the meeting of the Select Board to order at 8:55PM and led the Pledge of Allegiance.

3. Public Comment

Deborah Felton – 20 Willoughby Road

Ms. Felton provided updates on a couple of projects in her neighborhood that she would like the Select Board to weigh in on.

The MBTA installed a new traffic signal at the intersection of Blue Hills Parkway and Willoughby Road. The signal is not yet operational because there is currently no electrical power source available. Ms. Felton and Mr. Chase Berkeley, Milton's DPW Director, have reached out to the MBTA on this issue, citing the safety concerns. The MBTA plans to make the new traffic signals solar powered.

Ms. Felton is also working with the MA Department of Conservation and Recreation, (DCR) on a design to replace the plantings and broken cobblestone along the Blue Hills Parkway.

4. Discussion/Approval – Letters of Appreciation to Steel and Rye and Novara/Abby Park for Donations for the Staff Lunch Event

Mr. Milano, the Town Administrator thanked Vance Welch of Novara and Abby Park and Dan Kerrigan from Steel & Rye for catering the Employee Appreciation Luncheon. Their generosity and support were greatly appreciated. The event was well received.

Mr. Zoll moved to approve the letters of Appreciation to Steel and Rye and Novara/Abby Park for their donations for the Staff Lunch Event. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call 5-0) to approve the letters.

MUSTO: YES

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

5. Discussion/Approval – Town Meeting Member Communications

Mr. Milano, Town Administrator, provided the Board with an update on Communications with the Town Meeting Members.

Mr. Milano met with Ms. Galvin, the Town Clerk and Mr. Hiss, the Town Moderato to review communication models from other municipalities and discuss how Milton can implement a similar program. Mr. Milano noted that he is working to address a few questions before moving forward. He will follow up with the Board with more details.

The Members discussed e-mail accessibility and privacy concerns of Town Meeting Members. The Select Board suggested that model recommendations include an: “Opt-In” and “Opt-Out” feature for Town Meeting Members. The Select Board can decide which model works best for Milton.

6. Discussion/Approval – School Building Committee Recommendation for an Owner’s Project Manager for the new school project

Sean O’Rorke, Chair of the School Building Committee joined the Select Board to provide a progress report on the Committee’s work and request the Select Board’s support for PMA Consultants as the School Building Committee’s recommendation for the Owner’s Project Manager.

Ms. Musto moved to approve PMA Consultants as the Owner’s Project Manager for the new school project recommended by the School Building Committee. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (5-0) to approve PMA Consultants as the Owner’s Project Manager for the new school.

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

7. Discussion/Update– Lower Gile Field Turf Project

Mr. Milano, the Town Administrator, provided an update regarding the Lower Gile Field Turf Project. The project is currently before the Conservation Commission. The Commission requested an analysis of the project in terms of runoff and potential PFAS contamination.

The report prepared by Tetra Tech answers a number of questions posed to them by the Conservation Commission. The Conservation Commission does not have a budget which means the applicant, in this case the town paid for this report through the Parks Department.

Representatives from Tetra Tech attended the Conservation Commission meeting on October 10th to discuss their findings. The Commission continued the item until their next meeting on November 14th. Chair Kiernan noted that he hopes they will conclude with a vote that evening.

The Members shared their support in favor of the project and await the Conservation Commission's decision.

8. Discussion/Update/Approval – Special Town Meeting, December 4, 2023

a. Reopen the Warrant

- i. Warrant Article: Zoning Bylaw Amendment for a Multi-family Overlay District (Planning Board)**

b. Close the Warrant

Chair Zullas informed the Select Board Members that the Planning Board met earlier this evening and decided to withdraw their article. Agenda Items 8a & 8b are no longer needed.

c. Index and Greeting Pages

The Index and Greeting Pages were temporarily overlooked. The Members did return to this item later in the meeting.

9. Discussion/Update/Approval - Special Town Meeting Warrant Articles and Select Board Recommendations to be included in the Warrant:

Before the Board began their discussion on the Town Meeting Warrant Articles, Chair Zullas reviewed the response letter dated October 23rd from Ms. Caroline Kluchman, the Acting Director of the Division of Community Services for the Ex. Office of Housing and Livable Communities regarding Milton's request for clarification about its Community Category established in the *Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act*. The Town of Milton is designated as a rapid transit community.

The Members offered their comments in response to the explanation provided by the Division of Community Services.

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

Mr. Czerwienski, Director of Planning and Community Development joined the meeting to highlight the most recent changes to the MBTA Communities zoning articles. Mr. Czerwienski did express his appreciation to the Municipal Law Unit in the Attorney General's office for reviewing Milton's zoning proposal and offering their recommendations.

- Zoning Boundary Map will be amended to reflect the new diagram.
- Parking Requirement language updated. The mixed-use component will now be referred to as Non-Residential.
- The mandatory Mixed-Use Amendment will require projects in the Milton/Central Ave. Station Sub-District to include a multi-family component and a ground floor non-residential component.
- The Post Office and Milton Arts Center properties were removed from the East Milton district. These are both publicly owned, so they were not contributing units to our overall capacity numbers.
- Additional parcels were added to the Mattapan Station subdistrict. Taken on its own, that subdistrict previously had an area of about 4.9 acres. The guidelines state that subdistricts need to be a minimum of 5 acres. The Mattapan Station subdistrict is contiguous with other subdistricts that far exceed 5 acres total, but it is unclear whether the state would pass on this acreage. The Mattapan Station subdistrict should meet the minimum threshold on its own.

Mr. Czerwienski responded to questions/comments from the Members.

Ms. Musto stated that she would be abstaining from the vote. She would like more time to review the proposed changes that were distributed earlier in the day.

Mr. Wells moved to accept the updated changes to the Article regarding the Zoning Bylaw Amendment for compliance with M.G.L. c. 40A, Section 3A Multi-family zoning as-of-right in MBTA communities. The motion was seconded by Mr. Zoll. The Board voted by roll call (4-0-1) to accept the updated changes to the Article and include it in the Warrant for the Special Town Meeting.

MUSTO: ABSTAIN

ZOLL: YES

BRADLEY: YES

WELLS: YES

ZULLAS: YES

At the request of Ms. Hall, Chair of the Planning Board, Chair Zullas stated that he would represent the Select Board at the Planning Board's Public Hearing on Thursday, October 26th at 7PM.

Per Ms. Musto's request, Mr. Milano and Mr. Czerwienski provided the Select Board with the general guidelines pertaining to a public hearing. Mr. Czerwienski did state that he would highlight the changes made to the Zoning Articles during his presentation at the Public Hearing.

b. Zoning Bylaw Amendment for Mandatory Mixed Use in the Milton/Central Station Subdistrict

Mr. Zoll moved to accept the changes to the Mandatory Mixed-Use Amendment Article regarding Milton/Central Ave. Station Sub-District. The motion was seconded by Ms. Bradley. The Board voted by roll call (4-0-1) to accept the updated changes to the Article and include it in the Warrant for the Special Town Meeting.

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

The Select Board Members briefly discussed the benefits of including their recommendations in the Warrant. The Members agreed to review their Bylaws and re-visit this matter prior to the Annual Town Meeting. It has been common practice for the Select Board to review and vote on Warrant Articles prior to the Special Town Meeting or Annual Town Meeting. The Members will continue to follow this practice.

c. Transfer of Land to the Conservation Commission

Mr. Wells moved to approve the Warrant Article with respect to the Transfer of Land to the Conservation Commission. The motion was seconded by Mr. Zoll. The Board voted by roll call (5-0) to approve the Warrant Article.

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

d. School Building Committee Appropriation

Mr. Wells moved to approve the Warrant Article with respect to the School Building Committee Appropriation. The motion was seconded by Ms. Musto. The Board voted by roll call (5-0) to approve the Warrant Article.

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

(a)

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

Mr. Zoll moved to approve the Warrant Article with respect to the updated Zoning Bylaw Amendment for compliance with M.G.L. c. 40A, Section 3A Multi-family zoning as-of-right in MBTA communities. The motion was seconded by Ms. Bradley. The Board voted by roll call (3-0-2) to approve the Warrant Article.

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

(b)

Zoning Bylaw Amendment for Mandatory Mixed Use in the Milton/Central Station Subdistrict

Mr. Zoll moved to approve the Warrant Article with respect to the updated Zoning Bylaw Amendment for Mandatory Mixed Use in the Milton/Central Station Subdistrict. The motion was seconded by Ms. Bradley. The Board voted by roll call (3-0-2) to approve the Warrant Article.

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

(e)

Amend FY2024 Budget

Mr. Zoll moved to approve the Warrant Article with respect to Amending the FY2024 Budget. The motion was seconded by Ms. Bradley. The Board voted by roll call (5-0) to approve the Warrant Article.

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

(f)

Bylaw to Require Recording and Posting of Meetings of Elected Public Bodies

Mr. Milano, the Town Administrator, provided the Members with an update on this article. The Warrant Committee has reviewed it for the second time. The Warrant Committee suggested that sub-committees that are comprised of elected officials be subject to this bylaw as well. Mr. Milano also noted that the Cemetery Trustees and the Board of Health raised concerns about recording their meetings. On occasion, families share personal information/stories that they would prefer not to be repeated or publicly shared.

The Members each shared their points of view. They agreed to allow Town Counsel time to review and offer his recommendation on the best way to move forward.

Chair Zullas asked the Members to return to Agenda Item 8C: "Index and Greeting Pages."

(8c)

Index and Greeting Pages

Mr. Zoll moved to approve the Index and Greeting Pages for the Special Town Meeting Warrant. The motion was seconded by Ms. Musto. The Board voted unanimously (5-0) by roll call vote to approve the Index and Greeting Pages.

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

(g)

Bylaw to Establish a Local Historic District Commission and the Milton Village Local Historic District

Select Board Members deferred taking action on the Bylaw to Establish a Local Historic District Commission and the Milton Village Local Historic District. Members thought it would be best to wait until after the Public Hearing tentatively scheduled for November 6th to offer their input.

(h)

Citizen’s Petition to Transfer Pope’s Pond (Map C, Block 34A, Lot 4) to the care, custody, and control of the Conservation Commission

Mr. Zoll moved not to support the Citizen’s Petition. The motion was seconded by Ms. Bradley. Following a brief discussion regarding this article, Mr. Zoll withdrew the motion.

10. Discussion/Approval – Acceptance of Gift and Grant Agreement with the Copeland Foundation with the Animal Shelter Building Project

Mr. Milano, the Town Administrator, did note that Town Counsel has been in contact with the attorneys for the Copeland Foundation. He will continue to keep the Board updated as new information becomes available.

11. Discussion – Response to *Boston Globe* article “Beyond the Gilded Gate: Milton Home Prices – A Boston Globe Spotlight Team Report on the Housing Crisis”

The Members shared their concerns regarding the *Boston Globe* article “Beyond the Gilded Gate: Milton Home Prices – A Boston Globe Spotlight Team Report on the Housing Crisis.”

Recess: Meeting of the Trustees of the Governor Stoughton Trust

At 9:10PM, Mr. Zoll moved to recess the Select Board Meeting for a meeting of the Trustees of the Governor Stoughton Trust. The motion was seconded by Ms. Musto. The Board voted unanimously by roll (5-0) call to recess for a meeting of the Trustees of the Governor Stoughton Trust.

MUSTO: YES

ZOLL: YES

BRADLEY: YES

WELLS: YES

ZULLAS: YES

Return to the Select Board Meeting

At 9:4PM, the Select Board returned from the meeting of the Trustees of the Governor Stoughton Trust.

Chair Zullas suggested that the Members address item 15: Discussion/Approval – Milton Landing. The Members had no objection.

(15)

Discussion/Update/Approval – Milton Landing

- a. Winter Boat Storage**
- b. Harbormaster**

Mr. Wells, Chair of the Select Board Landing Committee provided a progress report on the Committee's work and to request the support of the Select Board on the following proposal for a Municipal Boat Storage Program for Lot A. The Select Board would need to notify the Milton Yacht Club that Lot B is no longer available for use. The Yacht Club currently uses Lot B for storage without an award for a lease. There is currently an RFP open for Lot B

Lot A - Boat Storage Application

Storage from October to June

\$12.00 per ft.

\$3000,000 insurance liability

Representatives from the Milton Yacht Club were in attendance and Chair Zullas offered them an opportunity to speak.

Mr. Bill Coughlin, Commodore at the Yacht Club

Mr. Coughlin informed the Members that the Yacht Club were working to negotiate. The Club made a post RFP offer and a follow-up offer in August, but did not receive a response. They were recently informed that a new RFP would be issued. Mr. Coughlin suggested that it would have been easier if the Town offered Lot B for Storage, rather than A. Mr. Coughlin did state that the Club is willing to pay rent as they have in the past on a pro-rated basis for the use of Lot B.

The Members weighed the pros and cons of the Landing Committee's proposal. Due to the onset of winter, Ms. Bradley and Mr. Zoll suggested that we work together to address a plan that will meet the needs of all interested parties for the 2024 winter season and implement a program/policy in advance of the 2025 winter season.

Mr. Wells suggested that for the 2024 winter season only (October 30th-June 1st) boat storage would remain in Lot. B based on the terms outlined on the application. Mr. Wells asked Mr. Milano to help orchestrate a meeting with the Yacht Club on this matter. Lot A would remain vacant.

Mr. Spencer Day – 7 Cottage Place

Executive Board Member of the Milton Yacht Club

Mr. Day clarified the Yacht Club's payment schedule to the Town of Milton. As it has in the past, the Yacht Club will continue to work with its partners at Milton Landing and remain in good standing with the Town.

Mr. Day shared concerns regarding the gravel driveway surrounding Lot A. The rocky surface makes it hard to maneuver the boats. Lot B is a little more conducive. He also shared a concern regarding the RFP process.

Heeding the concerns of the Select Board and Milton Yacht Club, Mr. Wells moved that for the 2024 winter season (October 30th-June 1st) boat storage could remain in Lot. B as long as owners complete the application process and meet the criteria. The motion was seconded by Ms. Musto.

Mr. Zoll informed the Members that he would not support this motion.

Chair Zullas suggested that representatives from the Milton Landing Committee: Mr. Milano and Mr. Wells schedule a meeting with Members of the Milton Yacht Club to address the need for boat storage for this season and report back to the Select Board on Nov. 14th with a proposal that will satisfy the interest of all parties.

Mr. Wells agreed and withdrew his motion.

b. Harbor Master

Mr. Wells provided a brief update on the Harbor Master Position. He noted that Ms. Eppolito, the HR Director worked to develop a part-time Harbor Master position with the support of Town Counsel. The Personnel Board approved the position in 2022. The funds would be derived from a Revolving Fund. Mr. Wells suggested that the position and funding source be reviewed by the Finance Committee before it is posted.

Mr. Wells informed the Members that there is a state statute in place for Harbor Masters. Milton's position adheres to the statute.

The Members had a brief discussion on the position.

12. Discussion/Update – Select Board Finance Committee Report

a. Economic Development Earmark

Mr. Milano, the Town Administrator provided the Members with an update on the Economic Development Earmark. The Finance Committee Members discussed the long-term forecast and how they can diversify the tax base. Milton is one of seven communities that can access a state budget earmark of \$1million to be shared equally for the purposes of Economic Development.

Mr. Milano recommended that as an initial step, Milton could conduct a market analysis to see what commercial uses would work best in our community.

Mr. Zoll, a Member of the Finance Committee offered his support in favor of this recommendation. The Town needs to expand its tax base and help ease the burden on residential property owners.

The Members agreed by consensus to move forward.

13. Discussion/Approval – First Reading: OPEB Policy

Mr. Milano provided an update on the OPEB policy. Now that the Milton retirement system is funded ahead of schedule, the Town needed to re-evaluate and restructure its OPEB policy. By investing in long term liabilities, Milton will provide a cushion for the retirement fund if economic instability occurs. The Members agreed by consensus to move the OPEB Policy to a second reading.

14. Discussion/Update – Affordable Housing Trust Update

Mr. Zoll provided an update from the Affordable Housing Trust during the meeting of the Governor Stoughton Trustees.

15. Discussion/Update/Approval – Milton Landing

- a. Winter Boat Storage
- b. Harbormaster

The Select Board Members discussed Milton Landing earlier in the evening.

16. Discussion/Approval – Letter of Support for the South Shore Regional Chamber of Commerce application for a Regional Economic Development Organization (REDO) grant from the Commonwealth of Massachusetts

Mr. Zoll moved to approve the letter of Support for the South Shore Regional Chamber of Commerce application for a Regional Economic Development Organization (REDO) grant from the Commonwealth of Massachusetts. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the letter of support.

MUSTO: YES

ZOLL: YES

BRADLEY: YES

WELLS: YES

ZULLAS: YES

17. Discussion/Approval – Statement with Respect to Israel; Placement of Israeli Flag in the Baron Hugo Gazebo

The Members discussed how to demonstrate their support for Israel. Ms. Musto offered to donate the flag of Israel to hang in the gazebo. Ms. Musto and Mr. Zoll will work together to prepare a statement on the Board's behalf.

Mr. Wells moved to approve flying the Flag of Israel in the Baron Hugo Gazebo for the month of November. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve flying the Flag of Israel in the Baron Hugo Gazebo

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

18. Discussion/Approval – Arbor Day Proclamation

Mr. Zoll moved to approve the Arbor Day Proclamation. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the Arbor Day Proclamation.

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

19. Discussion/Approval – Board and Committee Appointments

a. Milton Retirement Board

Mr. Wells moved to appoint Johanna McCarthy to the Milton Retirement Board for a term to expire on July 31, 2024. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call to approve the appointment.

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

20. Discussion/Approval – Meeting Minutes- September 5, 2023 and September 12, 2023

Mr. Wells moved to approve the meeting minutes for September 5, 2023 and September 12, 2023. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the meeting minutes.

MUSTO: YES

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

21. Town Administrator's Report

Mr. Milano expressed his appreciation to Paige Eppolito, the Assistant Town Administrator and Human Resources Director for her eight years of service to the Town of Milton. Ms. Eppolito will be leaving on Friday to begin a new chapter in her career with the Town of Foxborough.

Mr. Milano also requested volunteers to serve on Milton's Boards and Committees. Please visit the Board and Committee Page on the Town's website for details or call the Town Administrator's office.

22. Chair's Report

The Chair has deferred his report.

23. Public Comment Response

Chair Zullas noted that the Board will research and follow-up on the issues raised by Ms. Felton.

24. Future Meeting Dates

The Board will meet on Tuesday, November 14, 2023, Tuesday, November 28, 2023 and on Monday, December 4, 2023 prior to the Special Town Meeting.

The Board is tentatively scheduled to meet on Wednesday, November 1, 2023 for a Site Visit with Representative from MassDOT at the Intersection of Randolph Ave and Chickatawbut Road. A meeting at Town Hall is scheduled following the site visit.

25. Executive Session: Pursuant to M.G.L. c. 30A, § 21(a)(3) - Discussion/Strategy with respect to threatened litigation against the Town

At 11:08PM, Chair Zullas moved to adjourn from the Open Session and enter into Executive Session to discuss strategy with respect to threatened litigation against the Town 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 not return to Open Session. The motion was seconded by Mr. Zoll. The Board voted by roll call (5-0) to adjourn the Open Session and enter into Executive Session.

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

26. Future Agenda Items

Chair Zullas encouraged Members to contact him with topics for discussion at future meetings.

27. Adjourn

The Select Board adjourned their Open Session meeting at 11:08PM.

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

Documents

Recommendation of the School Building Committee – Owner’s Project Manager for the new school project

Warrant Article: Zoning Bylaw Amendment for a Multi-family Overlay District

E-Mail Correspondence from Tim Czerwienski, Director of Planning and Community

Development to Nicholas Milano, Town Administrator regarding changes to the Warrant Article:

Zoning Bylaw Amendment for a Multi-family Overlay District and Mandatory Mixed Use

Zoning Article

Warrant Article: Zoning Bylaw Amendment for a Multi-family Overlay District -Amended

Warrant Article - Mandatory Mixed-Use Zoning – Amended

Draft of the December 4, 2023 Special Town Meeting Warrant

Draft of the OPEB Policy

Letter of Support – Regional Economic Development Organization (REDO) grant application filed by the South Shore Chamber of Commerce

Arbor Day Proclamation

Meeting Minutes – September 5, 2023 and September 12, 2023