

Select Board Meeting Minutes

Meeting Date: 3/1/2023

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

Late Arrival: Richard Wells; Secretary

Guests: Attorney Kevin Freytag, office of Town Counsel

Meeting Location: Zoom/Webinar

Time Executive Session called to Order: 3:04 PM

Time Executive Session adjourned: 3:44PM

1. Call to Order

Chair Doyle called the Select Board meeting to order at 7:01PM and reported that the meeting is being held remotely under Chapter 22 of the Acts of 2022 and introduced the Members of the Board and Staff.

2. 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 3:06PM, 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 return to Open Session. The motion was seconded by Mr. Zullas. The Board voted by roll call to enter Executive Session.

ZULLAS: YES

BRADLEY: YES

MUSTO: YES

DOYLE: YES

The Select Board returned to Open Session at 3:41PM.

3. Discussion/Approval - litigation strategy against the Massachusetts Bay Transit Authority regarding the condition of the stairs located at the MBTA station located at Adams Street, Milton, MA

Chair Doyle provided an update regarding the Adams Street, MBTA station.

MBTA has informed the Town of Milton that demolition of the Milton Station stairs will take place from March 6 to March 9. Work will take place overnight from 9 pm to 5:30 am. The MBTA has [posted an alert that shuttle buses will replace trolley service](#) each night beginning at 8:45 pm.

Abutters were sent a letter from the MBTA's contractor Apex Abatement and Demolition, dated February 26, 2023, with details about the work. It will begin on Monday, March 6, 2023 at approximately 9 pm and occur overnight so that the trolley line can remain in service during the day. The contractor will be demolishing the staircase with a hydraulic hammer and they will attempt to mitigate the noise.

There is no plan to immediately replace the stairs after demolition work is complete, despite the Town's repeated requests to the MBTA that it repair the stairs.

4. Adjourn

At 3:44PM, Mr. Wells moved to adjourn from the Executive Session and return to Open Session. Ms. Musto seconded the motion. The Board voted unanimously by roll call (5-0) to adjourn.

ZULLAS: YES

WELLS: YES

BRADLEY: YES

MUSTO: YES

DOYLE: YES

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

Document:

Norfolk Superior Court -Clerk's notice

Norfolk Superior Court -Memorandum of Decision