

## Select Board Meeting Minutes

**Meeting Date:** 3/14/2023

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

**Guests** Attorney Kevin Freytag, office of Town Counsel

**Meeting Location:** Zoom/Webinar

**Time Meeting Called to Order: 7:00PM**

**Time Meeting Called to Order: 9:36PM**

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

Chair Doyle called the Select Board meeting to order at 7:00PM and reported that the meeting is being held remotely under Chapter 22 of the Acts of 2022, introduced the Members of the Board and Staff and led the Pledge of Allegiance.

### **3. Public Comment**

Maggie Oldfield, 397 Hillside Street, Milton, MA (Town Meeting Member, Precinct 5)

Ms. Oldfield expressed her concerns that the 40 acres of land encompassing Pope's Pond is not under the care and custody of the Conservation Commission as many residents had believed. Ms. Oldfield requested that the Select Board address this matter so that the land can be protected through the Conservation Commission.

Ms. Oldfield also noted that she does not support the Warrant Article that would allow the Select Board to take land by eminent domain. Ms. Oldfield encouraged the Board re-consider their position on this Article.

Chair Doyle noted that the Board would address the FY2024 Capital Budget Recommendation before proceeding to the FY2024 budget.

### **4. Discussion/Approval - Capital Improvement Planning Committee Recommendation for the FY2024 Capital Budget**

Mr. Wells and Mr. Milano highlighted a few of the capital projects that the Committee has voted to fund in FY2024. There is a total of \$123 million in requests over the next five years, 2023-2028. The projects involve replacing existing equipment and improving facilities within the Town and Milton Public Schools. Funding sources include: \$4.2 million-borrowed, \$1.2 million -free cash as well as other sources such as CPA funds.

FY24 Capital Recommendation: \$6,742,022

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\$1Million-Roadway construction

\$100,000 Traffic Calming Needs  
\$1Million-DPW Salt Shed  
\$500,000 Chrome Books -20% annual replacement  
\$200,000 Financial Software Upgrades

Following a brief discussion regarding grant opportunities, Mr. Wells moved to approve the recommendation of the Capital Improvement Planning Committee for the FY 2024 Capital Budget in the amount of \$.6,742,022. The motion was seconded by Mr. Zullas. The Board voted unanimously by roll call (5-0) to approve the recommendation of the Capital Improvement Planning Committee for the FY 2024 Capital Budget in the amount of \$.6,742,022.

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**DOYLE: YES**

**5. Discussion/Approval – Select Board Finance Committee Report: FY2024 Budget Recommendation**

Mr. Zullas, Chair of the Select Board Finance Committee and Mr. Milano, the Town Administrator shared an overview of the FY2024 budget. The Milton will receive \$4.4 million from the Department of Revenue in free cash as well as an increase in state aid. \$750, 000.00 in funds for rising health insurance costs will not be needed. The FY2024 budget provided by the Town Administrator is level funded and balanced. The Town has allocated an \$969,534 for needs based requests.

FY2024 Expenditures

Health Insurance  
0% premium increase for Town and employees  
Debt Service  
Pension  
Blue Hills Vocational

Department budgets:  
Funds level service requests across all departments  
Funds ARPA positions:  
School positions  
Health Department- Community Health Social Worker  
Needs Based Requests across Departments

Use of Free Cash

Capital Budget: \$1.2 million  
Transfer to General Stabilization: \$500,000

OPEB Trust: \$100,000  
One Time Expenses: \$ 711,000, including Reserve Fund Appropriations  
School Building Committee \$275,000  
Operating Budget: \$1.6 million

Ms. Bradley, a Member of the Select Board Finance Committee commended all those who participated in the budget negotiations. It was a good team effort and the Town and Milton Public Schools

Ms. Musto noted that she will need to abstain from voting on the Department of Public Works budget and requested that two separate motions be provided.

Chair Doyle provided the total value of the FY2024 budget et: \$131,578,332 an increase of 6.53% increase over the prior year.

Mr. Zullas moved to approve the Town Administrator's 2024 fiscal Year budget as presented expect with respect for the Department of Public Works line items. The motion was seconded by Ms. Bradley. The Board voted unanimously by roll call (5-0) to approve the Town Administrator's 2024 budget with the exception of the Department of Public Works.

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**DOYLE: YES**

Mr. Zullas moved to approve the Town Administrator's 2024 fiscal Year budget as presented with respect for the Department of Public Works line items. The motion was seconded by Ms. Bradley. The Board voted by roll call (4-0) to approve the Town Administrator's 2024 budget with respect to the Department of Public Works line items.

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: ABSTAIN**  
**DOYLE: YES**

6. Discussion/Update/Approval - Annual Town Meeting warrant articles
  - a. Warrant Articles submitted by the School Building Committee:
    - i. Authorize the Select Board to acquire land owned by the Town of Milton located off Gile Road and Blue Hills Parkway (Assessor's Map D, Block 6A and 6B, Lot 65)
    - ii. Authorize the transfer of various parcels of land and authorize the Select Board to petition the Legislature for approval under Article 97 of the

- Amendments to the Massachusetts Constitution related to a potential school project off Gile Road
- iii. Appropriation for the School Building Committee

Mr. Wells moved to open the Annual Town Meeting Warrant. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call vote to open the Town Warrant.

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**DOYLE: YES**

Mr. Sean O'Rourke, Chair of the School Building Committee was invited by Chair Doyle to join the Select Board and provide a brief overview of the proposed school site and amended warrant articles.

**Into Article 97**

School Street Parcel E17 19	1.33 Acres
Herrick Drive Parcel E 17 35	1.11 Acres
Randolph Ave. Parcel I 38D 10A	6.06 Acres
Canton/Highland Parcel K 2 1A	5.10 Acres
<b>Total In:</b>	<b>15.17 Acres</b>

**Out of Article 97**

Active Recreation	4.45 Acres
Conservation	2.81 Acres
<b>Total Out:</b>	<b>7.26 Acres</b>

The Select Board Members discussed the merits of the warrant article that would authorize the Select Board to acquire land owned by the Town of Milton located off Gile Road and Blue Hills Parkway. Members shared concerns raised by residents about the term: eminent domain. Ms. Musto expressed her reservations. Members made suggestions on how to address the matter. Attorney Kevin Freytag from the Office of Town Counsel was in attendance and shared his recommendations.

Mr. Zullas reviewed the Deed that the Town of Milton signed with the Lamb Family. He also reviewed the Self-Help Agreement that the Town of Milton signed with the MA Secretary of Environmental Affairs in November 1978 that outlined the terms of the sale of the property.

Following the discussion, Mr. Wells moved to amend the warrant article and remove the following text: *“for general municipal purposes, including without limitation.”* The motion was seconded by Mr. Zullas. The Board voted unanimously by roll call (5-0) to approve the amendment to remove text from the warrant article.

*Amended*

*ARTICLE \_\_\_\_ To see if the Town will vote to authorize the Select Board to acquire for school purposes, by purchase, taking by eminent domain or otherwise, all or a portion of parcels of land owned by the Town of Milton and located off Gile Road and Blue Hills Parkway, which parcels are shown on the Town of Milton Assessor's Maps as Map D, Blocks 6A and 6B, Lot 65; and to see what consideration the Town will vote for the purposes of this Article, whether by appropriation, transfer of land or otherwise; and to act on anything relating thereto.*

*Submitted by the Select Board*

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**DOYLE: YES**

Mr. Zullas moved to approve the amended Annual Town Meeting warrant article to acquire land owned by the Town of Milton located off Gile Road and Blue Hills Parkway (Assessor's Map D, Block 6A and 6B, Lot 65). The motion was seconded by Mr. Wells. The Board voted by roll call (4-1) to approve the amended Town Meeting warrant article acquire land owned by the Town of Milton located off Gile Road and Blue Hills Parkway (Assessor's Map D, Block 6A and 6B, Lot 65).

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: NO**  
**DOYLE: YES**

Chair Doyle reviewed the text of the warrant article that would authorize the transfer of various parcels of land and authorize the Select Board to petition the Legislature for approval under Article 97 of the Amendments to the Massachusetts Constitution related to a potential school project off Gile Road. Attorney Kevin Freytag from the Office of Town Counsel requested that the Select Board act to remove the text : "*and approximately five acres of land located at the corner of Highland Street and Canton Ave.*" from this article. After further review of the deeds, the land is currently protected by Article 97 as open space and it would not be appropriate to use to mitigate land from Article 97.

Mr. Wells moved to amend the warrant article and remove the following text from paragraphs 1 and 2 "*for general municipal purposes, including without limitation*" and in paragraph 4 "*and approximately five acres of land located at the corner of Highland Street and Canton Ave..*"

The motion was seconded by Mr. Zullas. Ms. Musto offered a friendly amendment to remove from paragraph 3: *“for general municipal purposes, including without limitation.”* The friendly amendment was accepted by Mr. Wells and Mr. Zullas.

At Ms. Musto’s request, the Members and Attorney Freytag discussed the benefits of including a reversion clause in the warrant article. Attorney Freytag provided the text of the reversion clause and recommended that it appears as a new paragraph (6) at the end of the article.

Mr. Zullas moved to adopt paragraph 6, to what has been previously moved and seconded: *“provided that, in the event that the Town does not appropriate funding for the aforementioned school purposes on the Blue Hills Parkway Parcel on or before June 30, 2028, the Blue Hills Parkway Parcel shall be transferred back to the care, custody and control of the Milton Conservation Commission, to be subject to the provisions of Article 97, the Randolph Avenue Parcel, the School Street parcel, and the Herrick Drive Parcels shall be transferred back to the Select Board to be used for general municipal purposes, and the Gile Road Parcel shall be transferred back to the Parks and Recreation Department for active recreation purposes, and the Select Board shall be authorized to petition the General Court to enact special legislation to authorize the Town of Milton to use the Randolph Avenue Parcel, the School Street parcel, and the Herrick Drive Parcels for general municipal purposes and without any restrictions imposed on such use by Article 97 and to act on anything relating thereto.”* The motion was seconded by Ms. Bradley. The Board voted by roll call to adopt the reversion clause.

**ZULLAS: YES**  
**BRADLEY: YES**  
**MUSTO: ABSTAIN**  
**DOYLE: YES**

*Amended*

*ARTICLE \_\_\_ To see if the Town will vote:*

*(1) to transfer to the care, custody, management and control of the Select Board, for school purposes, approximately 2.81 acres of land located between Blue Hills Parkway and Gile Road, as shown on a plan, a copy of which is on file at the office of the Director of Planning and Community Development, which are presently under the care, custody and control of the Milton Conservation Commission, and*

*(2) to transfer to the care, custody, management and control of the Select Board, for school purposes, approximately 4.4 acres of land located between Blue Hills Parkway and Gile Road, as shown on a plan, a copy of which is on file at the office of the Director of Planning and Community Development, which are presently maintained by the Parks and Recreation Department for recreation purposes, and*

*(3) to authorize the Select Board to petition the General Court to enact special legislation, in accordance with Chapter 274 of the Acts of 2022, otherwise known as the Public Lands Preservation Act, to authorize the Town of Milton to use said land for school purposes, and*

*without any restrictions imposed on such use by Article 97 of the Amendments to the Massachusetts Constitution (“Article 97”), and*

*(4) to transfer to the care, custody, management and control of the Conservation Commission, and to be subject to the provisions of Article 97, approximately six (6) acres of land located on Randolph Avenue, and approximately three (3) acres of land located on Herrick Drive, and approximately one (1) acre of land located on School Street, and possibly other land to be determined prior to Town Meeting, which are all held by the Town for general municipal purposes, as shown on plans, copies of which are on file at the office of the Director of Planning and Community Development, and*

*(5) to authorize the Select Board to obtain all necessary Governmental approvals necessary to accomplish the purpose of this article;*

*(6) and provided that, in the event that the Town does not appropriate funding for the aforementioned school purposes on the Blue Hills Parkway Parcel on or before June 30, 2028, the Blue Hills Parkway Parcel shall be transferred back to the care, custody and control of the Milton Conservation Commission, to be subject to the provisions of Article 97, the Randolph Avenue Parcel, the School Street parcel, and the Herrick Drive Parcels shall be transferred back to the Select Board to be used for general municipal purposes, and the Gile Road Parcel shall be transferred back to the Parks and Recreation Department for active recreation purposes, and the Select Board shall be authorized to petition the General Court to enact special legislation to authorize the Town of Milton to use the Randolph Avenue Parcel, the School Street parcel, and the Herrick Drive Parcels for general municipal purposes and without any restrictions imposed on such use by Article 97 and to act on anything relating thereto.*

*Submitted by the Select Board*

Mr. Zullas moved to approve the amended Annual Town Meeting warrant article to authorize the transfer of various parcels of land and authorize the Select Board to petition the Legislature for approval under Article 97 of the Amendments to the Massachusetts Constitution related to a potential school project off Gile Road. The motion was seconded by The Board voted by roll call to approve the amended Annual Town Meeting warrant article to authorize the transfer of various parcels of land and authorize the Select Board to petition the Legislature for approval under Article 97 of the Amendments to the Massachusetts Constitution related to a potential school project off Gile Road. The motion was seconded by Ms. Bradley. The Board voted by roll call to approve the amended Annual Town Meeting Warrant article.

**ZULLAS: YES**

**BRADLEY: YES**

**MUSTO: ABSTAIN**

**DOYLE: YES**

Chair Doyle read the Warrant Article relative to the appropriation for the School Building Committee.

Following a discussion, Mr. Zullas moved to approve the warrant article for an appropriation of \$275,000 for the School Building Committee for inclusion in the Annual Town Meeting warrant.

The motion was seconded by Ms. Bradley . The Board voted unanimously to approve the appropriation of \$275,000 for the School Building Committee for inclusion in the Annual Town Meeting warrant.

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**DOYLE: YES**

Mr. Wells moved to close the Annal Town Meeting Warrant. The motion was seconded by Mr. Zullas. The Board voted unanimously to close the Annal Town Meeting Warrant.

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**DOYLE: YES**

**7. Discussion/Approval – Letter of support for the Forbes House grant application for the restoration of the barn and carriage house**

Ms. Heidi Vaughn, the Executive Director of the Forbes House Museum joined the Members to request the Board’s support in favor of a grant to restore the barn and carriage house.

Mr. Wells moved to approve the Letter of Support to the MA Historical Commission Preservation Projects Fund for the Forbes House grant application to restore the barn and carriage house. The motion was seconded by Ms. Musto. The Board voted unanimously by roll call (5-0) to approve the letter of support to the MA Historical Commission Preservation Projects Fund for the Forbes House grant application.

**ZULLAS: YES**  
**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**DOYLE: YES**

**8. Discussion/Approval – Request of the Milton Art Center to rent the space for a political fundraiser on March 26, 2023**

Chair Doyle recused himself from the discussion and asked Mr. Zullas to act as Chair on this matter.



Chairman Zullas reviewed the policy that allows Milton Art Center to use the property for political events.

Following a brief discussion with Attorney Freytag, Mr. Wells moved to approve the request of the Milton Art Center to rent the space for a political fundraiser on March 26, 2023. The motion was seconded by Ms. Musto. The Board voted by roll call (4-0) to approve the request of the Milton Art Center.

**WELLS: YES**  
**BRADLEY: YES**  
**MUSTO: YES**  
**ZULLAS: YES**

**9. Town Administrator’s Report**

No report at this time.

**10. Chair’s Report**

No report at this time.

**11. Public Comment Response**

Ms. Musto requested that the Board designate custody of Pope’s Pond to the Conservation Commission as a warrant article during a future Town Meeting.

**Future Meeting Dates:**

The Board will meet on Tuesday, March 21, 2023, Tuesday, April 4, 2023, Tuesday, April 11, 2023 (Quarterly Meeting of the Governor Stoughton Trustees), Tuesday, April 18, 2023

**12. Adjourn**

Mr. Zullas moved to adjourn at 9:34PM. The motion was seconded by Ms. Musto. 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

Documents

Warrant Article-Acquire Land of Gile Road

Warrant Article-Land Swap

Request from Milton Art Center

Policy for the Milton Art Center regarding political fundraisers

Letter of support to the MA Historical Commission Preservation Projects Fund for the Forbes House Museum