

Select Board Meeting Minutes

Meeting Date: 6/27/2023

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

Special Note: Mr. Wells left at 7:14PM

Meeting Location: Council on Aging - Hybrid

Time Meeting called to Order: 7:06PM

Time Meeting Adjourned: 11:11PM

1. Call to Order
2. Pledge of Allegiance

Chair Zullas called the meeting of the Select Board to order at 7:06 PM under Chapter Two of the Acts of 2023. The Chairman led the Pledge of Allegiance.

3. Discussion–Decorum and curtesy at Public Meetings

Chair Zullas reviewed the recent decision of the Massachusetts Supreme Judicial Court ruling dated March 7, 2023 that a public comment policy used by the Town of Southborough was unconstitutional.

The Court stated: “Although civility of course is to be encourage, it cannot be required.”

Chair Zullas encouraged Milton residents and local leaders practice civility. During the annual Town Meeting in May and at a Select Board Meeting there were instances that lacked civility, courtesy and kindness. Sometimes it seemed intentional, sometimes it seemed to be a slip of the tongue, an offhand remark or an unguarded Zoom mistake. It has not been one person or one manner of action.

Chair Zullas noted that when in a public setting, leaders such as the Select Board Members are seen as models to adults and children. In his opinion, it is best for the town and the efficient conduct of the Select Board Meetings to encourage each member to re-commit within the context of their own style to seek the highest levels of courtesy and civility and respect to one another and all who participate in our meetings. Milton is a town of neighbors and one that is forgiving to those who make mistakes.

Ms. Bradley apologized to the residents of Milton for her choice of words during the Select Board Meeting on June 13th. She explained that she was not swearing at anyone, it was said out of frustration. She is deeply sorry and stated that she is taking responsibility for her action.

Mr. Wells began his remarks but sharing a life lesson passed on by his father “to live a life of service to the public is a true honor.” Mr. Wells stated that as Members of the Select Board, we serve as defenders and champions of everything that is important to our citizens, our employees and the community.

The mission of the Board includes respecting human dignity and integrity. Respect for individual rights can never be abused or trampled upon, especially by an elected official of Milton. Mr. Wells shared some of Ms. Bradley’s actions/comments.

Mr. Wells requested Ms. Bradley's resignation. Mr. Wells noted that he would not participate in any future public meetings where Ms. Bradley is in attendance but would continue to serve in other capacities as a Member of the Select Board. He apologized to the residents of Milton.

Mr. Wells left the meeting at: 7:14PM

Ms. Musto began her remarks by sharing the roles and responsibilities of the Select Board. Ms. Musto stated that the Board represents the people in the community and sets the bar on behavior, respect and integrity. There are always different viewpoints, but we must respect those viewpoints.

Ms. Musto highlighted Ms. Bradley's pattern of behavior and stated that they do not emulate the characteristics outlined in the Select Board duties/guidelines. She shared feedback from Milton residents regarding M. Bradley's recent comments. Ms. Musto noted that any Select Board member who displays belittling, bullying and disrespect has no business representing the people of Milton. Milton residents deserve better.

Mr. Zoll began his remarks by accepting Ms. Bradley's apology. He hopes the lesson that we can send to our children about this discussion is that we are neighbors, and we should try to work together. We are not perfect, mistakes are made, but we can ask for forgiveness and then move on.

4. Public Comment

Mr. Zullas noted that there is a 15-minute allotment for Public Comment. He asked residents who are participating to sign in and limit their remarks to three minutes. Mr. Milano and Chair Zullas will keep time.

Beverly Ross Denney- 107 Columbine Road

Ms. Denny shared her support in favor of Ms. Bradley. Ms. Denny suggested that we use Ms. Bradley's gaffe as an opportunity to learn, grow and forgive.

Andrew D' Amato – Town Meeting Member, Precinct 7 (REMOTE)

Mr. D'Amato shared his concerns regarding the comments Ms. Bradley made during the June 13th Select Board Meeting regarding a small business grant that Ms. Lombardi received through the Town's ARPA funds for her restaurant, The Plate.

Paul Hogan-56 Pierce St

Mr. Hogan shared his concerns regarding the proposed intersection improvement project at Randolph Ave. and Chickatawbut Road. Mr. Hogan noted that the Town's concerns have not been well received by MassDOT. A petition in opposition to the roundabout has been signed by 1,800+ Milton residents.

Jackson Humphreys- 34 Hoy Terrace

Mr. Humphreys shared his thoughts on the MBTA Communities Zoning Law and suggested that the Town request to be re-classified. Milton is currently a Rapid Transit Community.

Jim Davis – 345 Center St. (REMOTE)

Mr. Davis shared his thoughts on the MBTA Communities Zoning Law and suggested that the Town request to be re-classified. Milton is currently a Rapid Transit Community.

5. Presentation/Discussion/Approval – MassDOT Project at Randolph Ave and Chickatawbut Road

Josh Bartus of MassDOT, Steven Tyler and Jessica Lizza from Howard Stain and Hudson (“HSH”) joined the Select Board to provide a project update and answer questions related to the current design.

Mr. Bartus informed the Board that the Massachusetts Department of Transportation (“MassDOT”) has continued progress towards 100% design and is preparing various submittals for permitting and land acquisition.

Mr. Bartus and the representatives from Howard Stain and Hudson notified the Board that MassDOT has engaged HSH for a corridor traffic study to determine short term, medium term and mobility improvements, analyze alternatives in MPO Route 28 Corridor Study and conduct road safety audits at the intersections of Route 28 and Reedsdale Road and Route 28 and Hallen Avenue. The Study will also include the development of conceptual sketches and planning level cost estimates for up to three corridor alternatives as well as control strategies for several area intersections.

Following the update from Mr. Bartus, Mr. Tyler and Ms. Lizza the Select Board Members inquired about several areas of concern:

- ❖ Detailed traffic report information regarding alternative options for the Route 28 and Chickatawbut intersection.
- ❖ Short term safety improvements that could be implemented prior to construction.
- ❖ How will the results of the Corridor Traffic Study be incorporated into the design when it is nearly complete?

The Board Members agreed to draft a letter to MassDOT Secretary Gina Fiandaca to request that MassDOT pause its design and permitting work on the proposed roundabout until additional information is shared with the Town and until the Route 28 Corridor Traffic Study has been completed.

6. Discussion/Update – Milton Coalition re: Teen Activity

Margaret Carels, Co-Chair of the Milton Coalition, Chief of Police, John King and Tony Wells from the Cunningham Park Foundation joined the meeting to share their concerns with the Board Members regarding after dark teen activity at Cunningham Park. The woods at Cunningham Park is no longer a safe place for teens to congregate. Once considered a rite of passage, times have changed. Alcohol, drugs and peer pressure are triggers for inappropriate behavior that could please serious consequences. The Select Board Members were receptive of their concerns and offered their support.

7. Discussion/Approval – Animal Shelter Building Project Site Selection /Request for Proposals

Mr. George Tougias, a Member of the Animal Shelter Advisory Committee joined the Select Board to provide them with an update on the Committee’s timeline and progress.

Ms. Musto moved to approve the Animal Shelter Building Project Site Selection / Request for Proposals. The motion was seconded by Mr. Zoll. The Board voted unanimously (4-0) to approve.

8. School Building Committee Update and Report re: evaluation of land (Blue Hill Ave: B 7 5 and 676 Brush Hill Road: B 7 4)

Mr. Sean O’Rourke, Chair of the School Building Committee joined the Board Members to provide an overview of the Committee’s progress in determining whether a new school can be built on the parcel of land located on Blue Hill Ave and Brush Hill Road that total 6.8 acres.

The School Building Committee has completed their site walk and have an overlay design for the land on Blue Hill Ave. The School Building Committee Members will now assess using a score sheet as they have done in the past.

The property on Blue Hill Ave includes 400 ft of frontage space, 750 ft in length as well as a slope. An overlay design of a school will fit, but there is limited space for parking, a play area and a loop for public safety vehicles. The design also adheres to the two zoning offsets (50 ft), that will shrink the overall parcel from 6.8 acres to approximately 4.8 acres.

The adjacent property on Brush Hill Road contains three structures: two historic homes and a barn. The Town could meet resistance if it plans to demolish the homes to make space for roadway access for the school.

Mr. O’Rourke informed the Select Board that the parcel of land must be purchased as a whole.

Ms. Musto asked Mr. O’Rourke to provide the Select Board Members with the overall building specifications for this location and how it compares to the Pierce Middle School. Mr. Zoll inquired about zoning bylaws and the Americans with Disabilities Act, (“ADA”) compliance regulations regarding the land slope.

Municipal Broadband Committee update re: I-Net Design including Lower Mills

Chair Zullas, a Member of the Municipal Broadband committee provided an update on their progress. The current I-Net design does not include Lower Mills. The Committee would like to extend their design plan and request a cost specification for including Lower Mills. The Select Board agreed to the Municipal Broadband Committee's request.

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

The Board Members weighed the benefits of drafting a letter to the Department of Housing and Community Development, (DHCD) to request a re-classification as a Rapid Transit Community per the suggestion of the Planning Board.

Chair Zullas will follow up with Mr. Czerwienski, Director of Housing and Community Development and Ms. Hall, Chair of the Planning Board on this matter.

10. Discussion/Approval - Class II Dealer License Renewal- RBM Motor Masters, Inc. d/b/a Milton Auto Repair located at 944 Canton Ave., Milton, MA move to before committee appointments

Following an update from Mr. Milano, Ms. Musto moved to approve the Class II Dealer License Renewal- RBM Motor Masters, Inc. d/b/a Milton Auto Repair located at 944 Canton Ave., Milton, MA. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

11. Discussion/Approval – Committee Appointments and Reappointments

a. Airplane Noise Advisory Committee

Mr. Zoll moved to reappoint Andrew Schmidt to the Airplane Noise Advisory Committee for a one-year term to expire on June 30, 2024. The motion was seconded by Ms. Musto. The Board voted unanimously to approve.

b. Keeper of the Lock-Up

Ms. Musto moved to reappoint John E. King, Chief of Police, as Keeper of the Lockup for a one-year term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

c. Local Historic District Study Committee

Ms. Musto moved to reappoint the following individuals to the Local Historic District Study Committee for a one-year term to expire on June 30, 2024: Larry Lawfer, Williams S. Mullen and Mallory Walsh. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

d. Municipal Broadband Committee

Ms. Musto moved to reappoint the following individuals to the Municipal Broadband Committee for a one-year term to expire on June 30, 2024: Mark Day, Robert F. Lynch, Jr., Johns E. Sullivan, Jr. and Josphe Chamberlin. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

Ms. Musto moved to increase the Membership to the Municipal Broadband Committee to two Members and update the Charge. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

e. Equity and Justice for All Committee

Ms. Musto moved to appoint Ralph Parent and Kenji Metayer. to the Equity and Justice for All Committee for a one-year term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

f. Open Space and Recreation Planning Committee

Ms. Musto moved to reappoint Winston Daley as the Parks and Recreation Designee to the Open Space and Recreation Committee for a one-year term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

g. Select Board Landing Committee

Ms. Musto moved to reappoint the following individuals to the Select Board Landing Committee for a one-year term to expire on June 30, 2024: Richard Burke, Theodore Carroll and Tim Czerwienski. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

h. Youth Task Force

Mr. Zoll moved to appoint Christina Lilliehook .to the Youth Task Force for a term of one year to expire on June 30,2024. The motion was seconded by Ms. Musto. The Board voted unanimously to approve.

i. Sign Review Committee

Mr. Zoll moved to appoint Deborah Azerrad Savona and Lara Simondi to the Sign Review Committee for a one-year term to expire on June 30, 2024. The motion was seconded by Ms. Musto.. The Board voted unanimously to approve.

j. Community Preservation Committee

Ms. Musto moved to appoint Cheryl Tougias as the Planning Board Designee and Kathleen O'Donnell as the Select Board Designee to the Community Preservation Committee for a three-year term to expire on June 30, 2026. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

Mr. Milano noted that Ms. O'Donnell will complete Mr. Levash's term through June 2025. Ms. Musto and Mr. Zoll accepted the amended term for Ms. O'Donnell.

k. Council on Aging Board of Directors

Ms. Musto moved to reappoint Roberta Leary as a Member of the Council on Aging Board of Directors for a three-year term to expire on June 30, 2026 and appoint Denisse Rochlin and reappoint John Fleming as Associate Members for a one-year term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

l. Commission on Disability

Ms. Musto moved to reappoint the following individuals to the Commission on Disability for a (three-year term to expire on June 30, 2026): Diane DiTullio-Agostino, Coleman Irwin, Charlene Neu, Alex Rosenberg and Kathryn Upatham. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

13. Discussion/Approval – Grant of Easement to USC LLC over the Dump Access Road

Ms. Musto moved to approve the Grant of Easement to USC LLC over the Dump Access Road 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.

14. Discussion/Approval - Contracts:

a. Contract with Foulsham Corp. for the Milton Public Library Handicap Ramp project

b. Contract with Foulsham Corp. for the Colicott/Cunningham Stormwater BMP

Following a brief update by Mr. Milano, Ms. Musto moved to approve the contract with Foulsham Corp. for the Milton Public Library Handicap Ramp project. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

Ms. Musto moved to approve the contract with Foulsham Corp. for the Colicott/Cunningham Stormwater BMP. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

15. Discussion/Approval - Town Administrator's Annual Performance Evaluation

Ms. Bradley shared the results of the Select Board Members' evaluations of Mr. Milano's job performance. Three of the five members submitted their evaluations. Per the results, Mr. Milano has done exceptionally well.

Ms. Musto raised concerns regarding the evaluation process as a whole. She requested that the results are shared with the Board Members before they are presented to the Town Administrator and the public.

The Board Members agreed to move forward and approve the evaluation in accordance with Mr. Milano's contract. Ms. Bradley will share the report/results with the Members so they can review and ratify.

Mr. Zoll moved to approve the Town Administrator's Annual Performance Evaluation in accordance with his contract. The motion was seconded by Ms. Musto. The Board voted unanimously to approve.

16. Town Administrator's Report

Mr. Milano provided an update on the goings on at Town Hall.

Mr. Milano welcomed Emily Conner, the new Assistant Health Director to Milton. He also noted that there were new employment opportunities in the Health Department, Department of Public Works, Information Technology and the Treasurer's Office.

The MBTA hosted a public meeting on June 20th regarding the Mattapan Line Transportation program.

The Department of Planning and Community Development hosted a Public Forum on June 15th to discuss the MBTA Communities Zoning Law.

The MBTA is conducting a sound study of the Hyde Park - Readville line. While the MBTA requested input from Milton residents, the questionnaire was not made available. The link will be made available on the Town of Milton's website for residents who wish to participate.

17. Chair's Report

Chair Zullas thanked the Eustis Estate for hosting a Juneteenth Celebration.

On behalf of the Select Board and the Town of Milton, Chair Zullas offered congratulations to the Milton High School Wildcat Baseball Team on their second consecutive Championship victory.

Chair Zullas expressed his appreciation to the “We Are Milton” team for hosting the Milton Music Festival. It was a great event!

18. Public Comment Response

Ms. Bradley expressed her apologies to Ms. Lombardi of the Plate and Mr. D’Amato for her remarks on June 13th regarding ARPA grant award disbursements.

Ms. Musto expressed her appreciation to all the residents who participated in this evening’s meeting. She also reiterated her concerns regarding the recent actions/remarks made by her colleague.

19. Discussion/Approval -Meeting Minutes – June 3, 2023, June 13, 2023

Mr. Zoll moved to approve the meeting minutes for June 3, 2023 and June 13, 2023. The motion was seconded by Ms. Musto. The Board voted unanimously to approve the meeting minutes.

20. Future Meeting Dates

The Board will meet on Tuesday, July 11, 2023, Tuesday, July 25, 2023 and Tuesday, August 8, 2023

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

- a. Milton Clerical Unit of the Southeastern Public Employees Association**
- b. Milton Professional Management Association**
- c. Milton Firefighters, Local 1116**

At 10:27PM, Chair Zullas moved to enter into Executive Session to discuss strategy with respect to collective bargaining.

- a. Milton Clerical Unit of the Southeastern Public Employees Association
- b. Milton Professional Management Association
- c. 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 (4-0) to enter Executive Session.

MUSTO: YES
ZULLAS: YES

BRADLEY: YES

ZOLL: YES

22. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(6) – To discuss the purchase, exchange, lease or value of real property (Blue Hill Ave: B 7 5 and 676 Brush Hill Road: B 7 4)

Chair Zullas moved to enter into Executive Session to discuss the purchase, exchange, lease or value of real property (Blue Hill Ave: B 7 5 and 676 Brush Hill Ave: B 7 4) 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 (4-0) to enter Executive Session.

MUSTO: YES

ZULLAS: YES

BRADLEY: YES

ZOLL: YES

23. 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)

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 (4-0) to enter Executive Session.

MUSTO: YES

ZULLAS: YES

BRADLEY: YES

ZOLL: YES

24. Discussion/Approval - Memorandum of Agreement with the Milton Clerical Unit of the Southeastern Public Employees Association for July 1, 2022 to June 30, 2025

Prior to Entering Executive Session, Chair Zullas noted that this matter will be deferred.

The Board returned from Executive Session at 10:55PM.

25.. Discussion/Approval - Lease Agreements for the Town Landing, Wharf Street

This matter has been deferred.

26. Adjourn

At 10:55PM, Ms. Musto moved to adjourn. The motion was seconded by Mr. Zoll.
The Board voted unanimously to adjourn.

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

Documents:

Statement from Richard Wells, Select Board Member regarding curtesy and decorum.
Correspondence between the Town of Milton and MassDot regarding the intersection improvements at Route 28/ Randolph Ave and Chickatawbut Road.
Memo dated June 21, 2023 from the Animal Shelter Advisory Committee
RFP-Modular Construction of the Milton Animal Shelter
Report from the Town of Milton, Board of Appeals -Decision relative to 944 Canton Ave.
Application of Rawad Bouumjahed: RBM Motor Masters, Inc. d/b/a: Milton Auto Repair located at 944 Canton Ave. for a Class II Dealer License
Volunteer applications for the Equity and Justice for All Committee
Ralph Parent
Kenji Metayer
Volunteer Applications for the Youth Task Force
Lisa Courtney
Allison Gagnon
Christina Lilliehook
Neal Piliavin
Stephen Popkin
E-mail from Tim Czerwienski, Director of Planning and Community Development re: Sign Review Committee Members
Volunteer Applications for the Sign Review Committee
Lara Simondi
Deborah Azerrad Savona
E-mail from Robert Levash, Chair of the Community Preservation Committee
Volunteer Application for the Community Preservation Committee
Kathleen O'Donnell
E-mail from Christine Stanton, Director of the Council on Aging and Lorraine Summer, Chair of the COA Board of Directors regarding Committee Appointments
Grant of Easement to USC LLC over the Dump Access Road
Contract with Foulsham Corp. for the Milton Public Library Handicap Ramp project

Contract with Foulsham Corp. for the Colicott/Cunningham Stormwater BMP

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