Select Board Meeting Minutes

Meeting Date: 8/12/2020
Members in Attendance: Chair Melinda A. Collins, Vice Chair Kathleen M. Conlon, Secretary Arthur J. Doyle, Richard G. Wells, Jr., Michael F. Zullas, Town Administrator Michael Dennehy, Executive Administrative Assistant Hillary Waite
Members Absent: n/a
Meeting Location: Remote via Zoom
Time Meeting Called to Order: 7:04pm
Time Meeting Adjourned: 11:48pm

Call to order
Chair Collins called the meeting to order at 7:04pm and led a moment of silence for the late Bernard Lynch, III, a former member of the Planning Board and President of Milton Access TV, followed by the pledge of allegiance.

Public Comment
Dr. Cindy Christiansen, 59 Collamore Street, came forward to comment on the MIT study of runway 4L.

COVID-19 Discussion
Discussion/Approval – Permitting Block Parties
The Board discussed whether to permit block parties considering the risk of community spread of COVID-19. Based on a recommendation from the Health Department and guidance from the office of the Governor, the Board agreed that block parties should not be permitted while large outdoor gatherings are not permitted by the Commonwealth of Massachusetts.

Ms. Conlon moved, Mr. Wells seconded, and the Board voted 5-0 that block party applications shall be suspended until December 31, 2020 and come under reconsideration at that time.
Collins YES
Conlon YES
Doyle YES
Wells YES
Zullas YES

Discussion/Approval – Large outdoor gatherings
The Board discussed large outdoor gatherings occurring during Phase 3 of COVID-19 reopening and issuing permission or liquor licenses for such gatherings. Based on guidance from the state and Town Counsel, the Board agreed to evaluate requests for large gatherings on a case by case basis and apply the Governor’s guidelines to such requests.

**Discussion – Mandatory Mask Zones**
Following discussion, Mr. Zullas moved that the Board recommend an order to the Board of Health with respect to mandatory mask zones. Ms. Conlon seconded and the Board voted 5-0 in favor.
Collins YES
Conlon YES
Doyle YES
Wells YES
Zullas YES

**Quarterly Report – Building Commissioner Joe Prondak**
Chair Collins recognized Building Commissioner Joe Prondak to give a quarterly report. Commissioner Prondak reported that revenues in the Building Department indicate that the climate of construction in Milton is healthy. He also reported the continued progress of the Hendries development and the work of the Building Department to increase the use of online tools and technology to streamline the permitting process. The Board thanked Mr. Prondak and his staff for their work.

**Update – Massachusetts Port Authority Community Advisory Committee Representative**
Chair Collins recognized Thomas Dougherty, the Town’s representative to the Massachusetts Port Authority Community Advisory Committee. Mr. Dougherty reported on the most recent information from the MIT Study regarding flight paths. MIT has asked the Town to rank the flight paths in order of preference. The Board will schedule a public meeting in September to gather public input on the proposed flight paths.

**Discussion – Town parcel abutting 145 and 167 Lyman Road**
Attorney Kevin Freytag, Town Counsel, joined the Board for discussion of this item. A resident of Milton has expressed interest in purchasing a parcel of Town-owned property between 145 and 167 Lyman Road. Attorney Freytag outlined the steps the Board could undertake to sell the land if it so wished. The Board discussed due diligence that would need to be performed in order to determine whether it wishes to seek Town Meeting’s approval to sell the parcel.

**Approval – Water and Sewer rates**
Chair Collins recognized Director of Public Works Chase Berkeley and the Town’s consultant Toby Fedder to discuss proposed water rates.

Mr. Wells moved, Mr. Doyle seconded, and the Board voted 5-0 to approve the four-tier water and sewer rates as set forth in the letter from Director of Public Works Chase Berkeley.
Collins YES
Conlon YES
## Water Rates

<table>
<thead>
<tr>
<th>Tier</th>
<th>Unit</th>
<th>FY 20 Rate</th>
<th>Proposed increase</th>
<th>FY 21 Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0-600</td>
<td>$5.99</td>
<td>4.0%</td>
<td>$6.23</td>
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<tr>
<td>2</td>
<td>601-3000</td>
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</table>

## Sewer Rates

<table>
<thead>
<tr>
<th>Tier</th>
<th>Unit</th>
<th>FY 20 Rate</th>
<th>Proposed increase</th>
<th>FY 21 Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0-600</td>
<td>$7.16</td>
<td>1.0%</td>
<td>$7.23</td>
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<td>2</td>
<td>601-3000</td>
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<td>3001-6000</td>
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<td>4</td>
<td>Over 6001</td>
<td>$15.87</td>
<td>1.0%</td>
<td>$16.02</td>
</tr>
</tbody>
</table>

### Approval – Massachusetts Water Resources Authority Water and Sewer Bonds

Ms. Conlon recused herself from this item and left the meeting.

Mr. Wells moved to vote that the sale of the $1,264,000 Water Bond of the Town dated August 17, 2020, to Massachusetts Water Resources Authority (the “Authority”) is hereby approved and the Town Treasurer or other appropriate Town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on August 15 of the years and in the principal amounts as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Installment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
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</tr>
<tr>
<td>2022</td>
<td>126,400</td>
</tr>
<tr>
<td>2023</td>
<td>126,400</td>
</tr>
<tr>
<td>2024</td>
<td>126,400</td>
</tr>
<tr>
<td>2025</td>
<td>126,400</td>
</tr>
</tbody>
</table>

and: that the sale of the $287,500 Sewer Bond of the Town dated August 17, 2020, to Massachusetts Water Resources Authority (the “Authority”) is hereby approved and the Town Treasurer or other appropriate Town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the
The bond shall be payable without interest on August 15 of the years and in the principal amounts as follows:

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</tr>
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<tbody>
<tr>
<td>2021</td>
<td>$28,750</td>
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<tr>
<td>2022</td>
<td>28,750</td>
<td>2027</td>
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<tr>
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<tr>
<td>2024</td>
<td>28,750</td>
<td>2029</td>
<td>28,750</td>
</tr>
<tr>
<td>2025</td>
<td>28,750</td>
<td>2030</td>
<td>28,750</td>
</tr>
</tbody>
</table>

and: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing vote.

Mr. Zullas seconded and the Board voted 4-0 in favor.
Collins YES
Doyle YES
Wells YES
Zullas YES

Ms. Conlon returned to the meeting.

**Approval – Community Preservation Act ballot question notification to the Town Clerk**
Following discussion, the Board agreed to approve the notification at a future meeting.

**Approval – September 1 Massachusetts Primary Election Warrant**
Ms. Conlon moved, Mr. Wells seconded, and the Board voted 5-0 to approve and sign the warrant for the September 1 Primary Election.
Collins YES
Conlon YES
Doyle YES
Wells YES
Zullas YES

**Approval – Acceptance of Grant to the Health Department**
The Board deferred this item to a future meeting.

**Discussion/Approval – Warrant Closing Date for Special Town Meeting**
Following discussion, the Board agreed to defer this item to a future meeting.

**Reappointment – Cheryl Tougias to the Master Plan Implementation Committee**
Mr. Wells moved, Ms. Conlon seconded, and the Board voted 5-0 to reappoint Cheryl Tougias to the Master Plan Implementation Committee.
Collins YES
Conlon YES
Appointment – Equity and Justice for All Advisory Committee
Mr. Wells moved, Mr. Zullas seconded, and the Board voted 5-0 to appoint Karen Groce-Horan of Courageous Conversations Towards Racial Justice, Patricia Latimore of Citizens for a Diverse Milton, and The Reverend Lisa Ward of the Milton Interfaith Clergy Association to the Equity and Justice for All Advisory Committee.

Collins YES
Conlon YES
Doyle YES
Wells YES
Zullas YES

Discussion/Approval – Equity and Justice for All Advisory Committee – Process to select and appoint remaining committee members
Due to the level of public interest in service on the Equity and Justice For All Advisory Committee, Attorney Freytag presented three approaches the Board could take to review applicants and select committee members.

The Select Board could post an agenda for a meeting to discuss filling positions on the Committee, identifying all potential appointees, and discussing each one at the meeting. Doing so would require identifying all applicants to be discussed on the meeting agenda. The Select Board could also create a subcommittee subject to the Open Meeting Law as a screening committee to review applicants, returning to the full Select Board with a short list of finalists. This option would require identification of all applicants to be discussed on the meeting agendas of the subcommittee and require the finalists to be identified on the Select Board’s agenda. Thirdly, the Board could select a single member to review all applications and compose a slate of members for appointment to the Equity and Justice for All Advisory Committee, returning to the full Select Board with the slate. Only the slate for appointment would be identified on the Select Board’s agenda.

Mr. Wells moved, Mr. Doyle seconded, and the Board voted to proceed with the third option as described by Town Counsel.

Collins YES
Conlon YES
Doyle YES
Wells YES
Zullas YES

Ms. Conlon moved, Mr. Doyle seconded, and the Board voted 4-0 to delegate Michael Zullas to select and recommend the eight committee members.

Collins YES
Conlon YES
Discussion/Approval – Equity and Justice for All Advisory Committee – Change in proposed membership (Alternate Member Position(s))
The Board discussed Mr. Doyle’s suggestion that the Equity and Justice for All Advisory Committee have two appointed alternate members who could replace members if appointed members were to become unable to vote or serve. Mr. Wells expressed concern that the establishment of alternate members could set a precedent for other Town boards and committees and that too large a committee may have difficulty achieving quorum at meetings.

Following discussion, Mr. Zullas moved to amend the proposal for the Equity and Justice for All Advisory Committee to include two alternate members as presented. Ms. Conlon seconded and the Board voted 4-1 in favor.

Discussion/Approval – Equity and Justice for All Advisory Committee Funding
Mr. Wells moved, Ms. Conlon seconded, and the Board voted 5-0 to authorize a $5,000 reserve fund transfer for the Equity and Justice for All Advisory Committee.

Approval – Meeting Minutes
The Board deferred this item to a future meeting.

Confirm Future Meeting Dates
The Board agreed to meet on Tuesday, August 18 at 9am.

Town Administrator’s Report
Mr. Dennehy reiterated Mr. Prondak’s report that construction continues in Milton and thanked Paul Dimanno of the Department of Parks and Recreation for organizing the Town’s summer camp.

Chair’s Report
Chair Collins had no report.

Members’ Reports
Mr. Wells thanked the Parks Department for their work to keep the Town’s parks and fields in excellent condition and reported his positive experience over the last few weeks with Milton youth baseball and softball leagues.

Ms. Conlon thanked the Department of Public Works for their work, particularly during the recent heat waves.

Mr. Doyle thanked the Cemetery staff for their work to keep the Cemetery clean and beautiful.

Mr. Zullas thanked Milton youth baseball and softball leagues for providing safe recreational opportunities to the children of Milton.

**Executive Session**
Chair Collins moved to enter executive session for the following business and not to return to open session:

- to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual
- to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, specifically the Director of Consolidated Facilities

and to defer the following agenda item:

- to consider the purchase, exchange, lease or value of real property, believing that having such discussion in open session may have a detrimental effect on the negotiating position of the public body, specifically the Town parcel abutting 145 and 167 Lyman Road

Ms. Conlon offered a friendly amendment to add “believing that having such discussion in open session may have a detrimental effect on the negotiating position of the Board” after “Director of Consolidated Facilities”. Chair Collins accepted the amendment, Mr. Wells seconded, and the Board voted 5-0 in favor.

Collins YES
Conlon YES
Doyle YES
Wells YES
Zullas YES

Following the executive session, the meeting adjourned at 11:48pm.
Respectfully submitted by Hillary Waite, Executive Administrative Assistant to the Select Board