

BOARD OF SELECTMEN'S MEETING TUESDAY, OCTOBER 7, 2014

In attendance: Kathleen M. Conlon, Denis F. Keohane, J. Thomas Hurley, Annemarie Fagan, Town Administrator and Paula Rizzi, Executive Secretary

1. Chairman Conlon convened the meeting at 7:00 p.m., in the Cronin Conference Room of the Town Hall.
2. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to approve the September 2, 3, 11, and 29, 2014 meeting minutes as written.
3. Denis F. Keohane moved, J. Thomas Hurley seconded, and the Board voted unanimously to approve the current payroll/vendor warrants.
4. The Board confirmed October 21 and October 27 and 28, 2014 as a future meeting dates.
5. Public Works Director Joseph Lynch met with the Board to discuss the Town's participation in a grant process for stormwater management.

After discussion, J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to participate in a collaborative effort to limit costs and increase the effectiveness of stormwater programs by participating in the FY14 Community Innovation Challenge Grant process and to authorize the Town Administrator to sign all pertinent paperwork on behalf of the Board.

6. Ms. Conlon convened a public ascertainment hearing at 7:17 p.m. for the purpose of reviewing the performance of one of the current cable television operators in Milton, RCN-BecoCom, LLC, during its current license term and to hear testimony on future cable-related needs and interest of the Milton community.

The hearing is mandated by the renewal provisions of the federal Cable Act. The current cable television license held by RCN BeccoCom, Inc. will expire on November 1, 2015 and its purpose is to identify future cable-related community needs and interests, and to review the performance of RCN under its current cable television license.

Ms. Conlon encouraged participants to speak candidly and specifically about any cable-related matters as this information will be included in a Request for Proposal that will inform RCN of the required services the Town expects during any potential renewal term.

Ms. Conlon clarified that there were two related subjects over which the Board of Selectmen have no authority to regulate, the rates that RCN charges for its services and the commercial programming that RCN chooses to show on its cable systems. Ms. Conlon invited participants to comment.

Leslie Frank, 32 Pagoda Street, addressed the Board informing members that during her contract with RCN she has experienced some billing and programming problems but they

were resolved. She felt that the service provided by RCN is good and it is less expensive than other services.

Thomas K. Steele, Jr., Vice President and Regulatory Counsel for RCN, addressed the Board, reviewing RCN's eight year history in Milton. Mr. Steele reported that RCN does not presently have the capability to provide service to the entire Town and that approximately 3,000 households are not able to avail themselves of cable service from RCN.

Seeing no further testimony, Ms. Conlon concluded the hearing and advised the public that there will be a fourteen day comment period to receive additional testimony and comments. Those comments may be submitted to the Board of Selectmen's Office, 525 Canton Avenue, by October 22, 2014. Ms. Conlon also informed the public that the Selectmen's Office (617-898-4848) will address any questions regarding tonight's hearing or the cable television renewal process.

7. Dimitry Petion, Chair of the PILOT Committee, met with the Board to present a status report on the progress of the Committee and its recommendations for drafting a PILOT policy.

The Committee recommended that the Town adopt a PILOT policy similar to current policies adopted by Boston, Brookline and Andover, making minor adjustments to meet the specific needs of the Town of Milton. The Committee feels that contributions to a program should be voluntary and that all nonprofits in Milton that own tax exempt real estate should contribute to the program with allowances for religious organizations and nonprofits that own property valued at less than \$5 million. It was recommended that payments should be based on the value of non-profit's tax-exempt property and should be 25% of what the property would generate if fully taxed.

The report recommended up to a 50% deduction for community benefits and listed criteria for that 50% and for exceeding that cap. It gave specifics for a recommended phase-in period and how institutions would be eligible for property tax credits.

Ms. Conlon thanked the Committee and encouraged residents who have comments to contact the Selectmen's Office and those comments will be forwarded to the Committee. The Committee will report back to the Board to recommend a specific policy.

8. The Board met with MPEG Access Executive Director Michael Lynch to discuss MPEG's annual report and a four year renewal of MPEG's contract with the Town. The following MPEG Board members were also in attendance: Bernard J. Lynch, III, Ella Welz, James G. Mullen, Jr. and Becky Pandera. Mr. Keohane is also a member of the MPEG Board.

Mr. Lynch reviewed MPEG's annual report including a review of its financial statements for calendar years 2012 and 2013 and a budget summary. The Board requested copies of

meeting minutes to be submitted monthly, as required by the contract, and a time frame for wiring of the Senior Center.

Ms. Conlon suggested a short term 60 day extension to give residents a public comment period.

Following discussion, J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted 2-1-0 with Kathleen M. Conlon voting yes, J. Thomas Hurley voting yes and Denis F. Keohane voting no to extend the MPEG Access contract with the Town for 60 days to December 16, 2014, and to invite public comment.

9. Council on Aging Director Mary Ann Sullivan met with the Board to discuss a request for a full time (37.5 hours per week) van driver position. There has been an increase in the demand for transportation for the elderly and Ms. Sullivan has had to deny a number of requests.

After discussion, J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to approve the request of the Council on Aging Director to create a full-time van driver position for FY16 and to forward that approval to the Personnel Board.

10. The Board met with Building Commissioner Joseph Prondak to discuss the demolition bid for 0 Central Avenue. Mr. Prondak and the bidder extended the bid to October 21. The Town Administrator, Mr. Prondak and a member of the Board will meet with the bidder to try to negotiate some of the points of the bid.
11. The Board discussed hiring a legal consultant to help the Town prepare the Town's comments on various 40B projects. The attorney would work with department heads and the Town Administrator so that the interests of the Town are well represented in the 40B process. The Town Administrator recommended attorney Kathleen O'Donnell as a potential candidate. Ms. O'Donnell has worked on 40B projects and affordable housing in her capacity as town counsel and has over thirty years of experience in real estate law.

After discussion, J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted 2-1-0, with Kathleen M. Conlon voting yes, J. Thomas Hurley voting yes and Denis F. Keohane voting no, to retain Attorney Kathleen O'Donnell as a consultant to represent the Town in the 40B process at an hourly rate not to exceed \$150 per hour.

12. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to approve the RFP for consulting services to complete a town-wide technology assessment and a technology strategic plan.
13. The Board discussed the FY16 budget and agreed to request both level service and level dollar budgets from department heads under its jurisdiction.

14. Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously to appoint Edward E. Wendell, Jr., 187 Randolph Avenue, to the Historical Commission to serve through September 2017.
15. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to appoint Health Director Caroline Kinsella to the Massachusetts Port Authority Community Advisory Committee.
16. Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously to approve the recommendation of the Police Chief to appoint Twanda Moore, 100 Blue Hill Avenue, to the position of Substitute Traffic Supervisor in the Police Department.
17. Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously to approve and sign the 2014 November State Election warrant.
18. The Town Administrator reported that the Manager's Union employees and the Chapter 13 employees are starting to receive badges that will identify them as employees of the Town.
19. The Chairman reported that the Housing Production Plan has been filed and thanked Karen Sunnarborg and all who were involved in its preparation.
20. Mr. Keohane reported that he had toured the East Milton theater building that is to be converted into a restaurant.
21. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously at 9:59 p.m. to recess its meeting to convene a meeting of the Trustees of the Governor Stoughton Fund.
22. Ms. Conlon reconvened the meeting at 10:02 p.m.
23. Kathleen M. Conlon moved, J. Thomas Hurley seconded and the Board voted unanimously at 10:02 p.m. to enter executive session to consider the purchase, exchange, lease or value of real property (Deer Run Lane), believing that having this discussion in open session would compromise the bargaining position of the body and to return to open session to adjourn.
24. Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously to adjourn at 10:31 p.m.