

BOARD OF SELECTMEN'S MEETING TUESDAY, DECEMBER 15, 2015

In attendance: J. Thomas Hurley, David T. Burnes, Kathleen M. Conlon, Annemarie Fagan, Town Administrator, Emily R. Martin, Executive Secretary

1. Chairman J. Thomas Hurley convened the meeting at 7:02 p.m. in the Cronin Conference Room in the Town Hall.
2. Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to approve the minutes from November 17, 2015 as written.
3. The Board confirmed January 5, January 12, January 19 and January 26, 2016 as its next meeting dates, with an Executive Session only on December 22, 2015.
4. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the current payroll and vendor warrants.
5. David Shea of 307 Highland Street informed the Board of his concern resulting from the Planning Board meeting on December 10, 2015. Mr. Shea noted that serious charges were made against the Building Commissioner by Thayer Nursery, and he wants the Board to respond to these accusations. He also cautioned that appointing a designee for the Building Commissioner to investigate complaints in the Special Permit for Thayer Nursery could set a dangerous precedent in Town.

Stephanie Hartwell of 9 Artwill Street, Brian Stafford of 18 Hope Avenue, Charles Bonsu and Isaline Duberry-Bonsu of 96 Brook Road, Ann Marie Martens of 1435 Canton Avenue, David Heaton of 17 Loew Circle and Lisa McDonough of 13 Crane Road spoke in favor of the Board keeping Richard Wells as Police Chief.

6. Town Accountant Amy Dexter and Parker Elmore of Odyssey Advisors presented the actuarial valuation of the Town's Other Post-Employment Benefits Plan for the fiscal year ending June 30, 2015.
7. Richard Sullivan of Powers & Sullivan attended the meeting with his associates, Kathryn Senesi and Daniel Rice, along with Town Accountant Amy Dexter, and presented the Town's FY2015 Audit. The Board discussed the terms of the management letter with Mr. Sullivan.
8. Director of the Department of Public Works Joseph Lynch attended the meeting with Julie Conroy from the Metropolitan Area Planning Council and Ian Cooke from the Neponset River Watershed Association to discuss establishing a Stormwater Utility, which has been proposed for the February 8, 2016 Special Town Meeting in order to fulfill an unfunded federal mandate on stormwater. Several options were presented to fund the mandate including a flat fee (based on the amount of money needed divided by the number of parcels in Town), a proportionate fee (based on the amount of impermeable surfaces on a property) or an average fee (based on the average amount of impermeable surfaces of single family homes in Town).

DPW Director Lynch summarized the presentation saying the residential and commercial taxes have been paying for stormwater treatment, therefore the tax exempt properties in Town have not contributed to that cost. By enacting a Stormwater Utility fee, the burden of fulfilling the unfunded Federal mandate will be more evenly distributed. Ian Cooke noted that passage of a warrant article for a Stormwater Utility fee at the February 8, 2016 Special Town Meeting would authorize the Selectmen to charge a fee, and help to educate residents on what the mandate requires and how the process will work.

9. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the Town's Snow and Ice Control Policy as written.
10. Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to approve the Index and Greeting pages for the February 2016 Special Town Meeting.

After discussion, Kathleen M. Conlon stated she has a concern about the timing of the Stormwater Utility Article and the amount of work to be done before it is ready for Town Meeting. As such she requested that article be a separate vote from the others for inclusion in the warrant. Ms. Conlon also noted that the Central Avenue PUD Article submitted by the Planning Board should be co-sponsored by the Board of Selectmen, the other members agreed.

David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the following articles for inclusion on the February 8, 2016 Special Town Meeting Warrant: Amend Chapter 10 of the General Bylaws – Landscaping Business Use, Amend Chapter 10 of the General Bylaws – Central Avenue Planned Unit Development and Amend Chapter 10 of the General Bylaws – Parkway Planned Unit Development.

David T. Burnes moved, Kathleen M. Conlon seconded for discussion, and the Board voted 2-1, with Kathleen M. Conlon voting no, to approve the following article for inclusion on the February 8, 2016 Special Town Meeting Warrant: Amend Chapter 21 of General Bylaws – Stormwater Management.

11. Attorney Robert Sheffield attended the meeting to represent Mr. Chan's Restaurant at the Board's discussion of the Common Victualler License for an expanded restaurant.

David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the 2016 Common Victualler License for Ho Jarn, Inc., d/b/a Mr. Chan's, 534 Adams Street.

12. Attorney Sheffield accompanied Suzanne Lombardi, owner of The Plate, to the Board's discussion of a Common Victualler License for the new location at 10 Bassett Street.

David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the 2016 Common Victualler License for Lombardi Enterprises, LLC, d/b/a The Plate at 10 Bassett Street.

13. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the request of Abby Park at 550 Adams Street and Novara at 556 Adams Street to extend hours of operation from 12 a.m. to 1 a.m. on January 1, 2016. Mr. Burnes accepted a friendly amendment made by Ms. Conlon that the approval for Novara is conditional on the ABCC's approval of a liquor License.
14. Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to approve the "Town of Milton Other Post-Employment Benefits Trust" Trust Agreement as written.
15. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to reappoint Richard Neely of 23 Russell Street, John Cronin of 130 Wendell Park, Philip Mathews of 154 Reedsdale Road and Leroy Walker of 452 Truman Parkway to the Town Government Study Committee to serve through November 2016.
16. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to reappoint Lawrence Johnson of 8 Churchill Street, Raymond Thill of 457 Eliot Street and John Zychowicz of 8 Morton Terrace to the Sign Review Committee to serve through December 2016.
17. Town Administrator Annemarie Fagan wished the Board and Town happy holidays and a happy and health new year.
18. J. Thomas Hurley echoed the sentiments of the Town Administrator.
19. Kathleen M. Conlon responded to the statement made by David Shea at Citizens Speak, noting Building Commissioner Prondak has the full support and confidence of the Board. J. Thomas Hurley noted Mr. Prondak is fair and kind, and it was an unfair characterization of him by Thayer Nursery at the Planning Board meeting as he has a difficult job and does his best. Ms. Conlon commended Planning Board Chair Emily Keys Innes for handling the situation well at the meeting.
20. Future agenda items discussed were financial policies, PILOT, MPEG's annual report and the Town Administrator search process.
21. J. Thomas Hurley moved, David T. Burnes seconded, and at 9:46 p.m. the Board voted unanimously to enter into Executive Session to discuss strategy with respect to litigation, and to consider the purchase, exchange, taking, lease or value of real property, believing that having such discussions in Open Session would have a detrimental effect on the litigating or negotiating position of the Board, and to return to Open Session for the purpose of adjournment.
22. The meeting adjourned at 12:00 a.m.