

## **BOARD OF SELECTMEN'S MEETING TUESDAY, JUNE 16, 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 7:04 p.m. in the Cronin Conference room at Town Hall.
2. Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to approve the meeting minutes from April 29, 2015, May 4, 2015, May 5, 2015, May 14, 2015 and May 19, 2015 as written.
3. The Board confirmed Tuesday July 7, 2015 and Tuesday, July 21, 2015 as future meeting dates.
4. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the current payroll and vendor warrants.
5. During Citizens Speak, Judith Kennedy of 170 Atherton Street thanked the Board for the letter they are drafting to the FAA to oppose two new RNAV that are proposed.
6. Police Chief Richard G. Wells, Jr. presented an update from the Traffic Commission. He explained the process behind the Commission's recommendations to the Board, that parking on Antwerp Street and Martin Terrace can be congested and difficult for residents in the area, and therefore they recommended installing "No Parking" signs. Chief Wells also noted that another area of concern is around the East Milton post office, where they are looking to enforce employee parking in Service Zones and could potentially have a proposal for taking space behind the Milton Art Center for parking in the fall. Chief Wells also informed the Board that the Traffic Commission has been working with School Committee Chairman Mike Zullas and the School Transportation Public Safety Committee in regards to creating safer walking routes for students in town, more specifically Collicot/Cunningham and also improving the traffic flow and safety of the drop-off/pick-up area of Pierce.  
  
Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to approve the following amendments to the Traffic Rules and Orders: Article V, Section 1: Antwerp Street: Install "No Parking" signs on even numbered side of Antwerp Street between Granite Avenue and Wood Street, Install "No Parking" signs on the odd numbered side of Antwerp Street between Granite Avenue and Dependable Cleaners, Article V, Section 7: Antwerp Street: Install "30 Minute Parking" signs on the odd numbered side of Antwerp Street from Dependable Cleaners to the intersection of Wood Street, Martin Terrace: Install "No Parking 7 a.m. – 5 p.m." signs on Martin Terrace on the even numbered side of the street.
7. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the recommendation of the Police Chief to appoint the following resident to the Police Cadet Program: Joseph D. Marinelli of 154 Cabot Street, contingent on approval from the Personnel Board.
8. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the recommendation of the Director of Public Works to hire the following individuals as seasonal employees in the Public Works Department: Benjamin Donahue, 117 Reedsdale Road, Anthony Rota, 326 Thacher Street, Brendan Flaherty, 30 Martin Road, and James Crowley, 35 Woodville Avenue, contingent on approval from the Personnel Board

9. The Board met with DPW Director Joseph Lynch to discuss storage of soil that will be displaced by the water main replacement project on Canton Avenue. The soil being excavated tested positive for petroleum, so it needs to be handled and disposed of in a specific manner. Mr. Lynch requested using a section of land in the “Hurricane Lot” off the landfill access road to store the material during the duration of the project in that area.

After discussion, David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to authorize the Department of Public Works to utilize land adjacent to the landfill access road to temporarily store surplus regulated material that will be displaced during their water main replacement project, until such time it can be permanently removed and properly disposed of, and to authorize the Town’s Licensed Site Professional to control the activity of the site.

10. At 7:31PM a Public Hearing regarding a sign application for Super Petroleum at 310 Granite Avenue commenced. Planning Board Chair Emily Keys Innes joined the Board for the hearing. Business owner Muftah Bugazia and Town Planner William Clark described the proposed sign and some additional changes to the building. The lit portion of the sign, for which the hearing was held, would be an aluminum panel on which the only light would be through cuts in the metal that spell out the first word of the business name, “Super”. The additional proposed signs to advertise the market and auto repair services offered would be unlit panels. Mr. Bugazia would like to change the color of the awnings over the doors and the stripe that goes around the canopy over the pumps. Town Planner Clark detailed two plans from the Sign Review Committee to try to decrease the intensity of the numbers of the price on the sign: Mr. Bugazia had a rheostat installed that would let him turn down the brightness at dusk, and he also has smoked glass that can be installed over the numbers to decrease the illumination emitted. Mr. Clark explained there would be no change in the height of the sign, but the lit pricing portion would be moved down slightly to accommodate the addition of the two unlit panels. Kathleen M. Conlon noted that the lit portion that was being discussed emitted less light than the previous business’s version.

Cindy Christiansen of 59 Collamore Street and Michael Maholchic of 5 Bunton Street attended the meeting as representatives of the East Milton Neighborhood Association. Ms. Christiansen expressed the desire of the EMNA for the Board to reject this sign application, and requested to have a seat at the table with the Board and Sign Review Committee to determine that the sign fits in with the neighborhood and the goals set forth in the Master Plan. She also read a letter in support of the EMNA’s stance written by Colin & Kerry Kelly of 54 Belcher Circle. Mr. Maholchic stressed the fact that the neighbors want to work with the owner in this process.

Timothy Driscoll of 299 Granite Avenue stated he had concerns regarding the height of the sign, and the fact it will be backlit. Mr. Bugazia addressed Mr. Driscoll’s concerns by informing him of the 30+ stations Mr. Bugazia owns and operates in the state, and that he knows image means a lot and he would like the neighbors to also be customers, so he is willing to take the neighbor’s input under consideration in the process. Chairman Hurley inquired as to the shut off time for the lights at the station, Mr. Bugazia answered that the lights are turned off when the station closes, which is 11 p.m. at the latest.

Kathleen Ferraro of 300 Granite Avenue told the Board that in a tight, small neighborhood the bright lights of the pricing are invasive. She showed pictures of her view of that portion of the sign to the Board as supporting evidence. Amy Lenane of 99 Grafton Avenue spoke against approving the sign, saying the Board should be as stringent to the bylaw as written. She then read the portion of the bylaw she believes should be followed in this instance, however Planning

Director Clark informed the Board that this sign is in fact in a business, not residential, district and therefore falls under different guidelines.

Kathleen M. Conlon advised continuing the hearing on this sign to a later date giving time to clarify some points in order to reach the best possible decision. She said she wanted Mr. Clark to speak to Town Counsel to determine if this sign would fall under grandfathering rules or, due to certain changes in size, should it be considered a new application. She noted she wanted to determine what changes on the sign were approved and when. Ms. Conlon would also like the owner to meet with the neighborhood association and abutters.

Planning Board Chairman Emily Keys Innes informed the Board that the Planning Board is looking to modernize the Town's sign bylaws in order to give the Selectmen 21<sup>st</sup> century tools to deal with 21<sup>st</sup> century signs, and that they are in the process of appointing a committee to discuss these issues, on which they would like a representative of the Selectmen to sit. Ms. Innes also informed the Board of a Zoning Workshop the Planning Board has planned for the public on Monday, June 29, which will discuss several of the zoning articles proposed for the October 2015 Special Town Meeting.

Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to continue the hearing on the Super Petroleum sign to Tuesday, July 21, 2015.

11. A conference was held with Attorney Karis North of Murphy, Hesse, Toomey & Lehane regarding the comment letter to the FAA relating to the proposed Runway 4L RNAV. Attorney North informed the Board that the questions the Town submitted to the FAA regarding the comment letter on the Proposed Runway 4L RNAVs had in fact been answered earlier that day. Attorney North plans to incorporate the new information into the comment letter. Attorney North noted she was careful to link her arguments to Runway 4L, because that is the area of focus of the FAA regarding these letters. She informed the Board that the letter compares FAA goals of four runways versus their actual usage, showing that Milton has a higher instance of air traffic and the Town wants to see that reduced.

Roxanne Musto, Chair of the Board of Health and chair of the Airline Noise Advisory Committee, commended the Board for taking on this issue. Ms. Musto noted 40% of air traffic from Logan flies over Milton, and she is concerned with potential health issues that could arise. Ms. Musto informed the Board that the Board of Health is also drafting a letter regarding this issue. Cindy Christiansen, the Milton CAC representative, noted that she wants the public to understand that Runway 4L isn't used until Runway 4R is overloaded, and that if the FAA can fix the issues with Runway 4R that Runway 4L wouldn't have such a significant impact on the Town.

Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to approve the comment letter from the Board of Selectmen to the FAA as drafted by Town Counsel in substance, subject to revisions based on comments received to date.

Kathleen M. Conlon noted that the email address for complaints had been misprinted in the Milton Times, so she read the corrected address out loud. Cindy Christiansen and Health Director Caroline Kinsella asked to be copied on any email a resident submits, so they gave their email addresses as well. The Board agreed to send a thank you letter to Congressman Stephen Lynch for his efforts to arrange a meeting with the FAA.

12. DPW Director Joseph Lynch informed the Board of two types of grants offered by FEMA for which he is considering applying. One is a local non-competitive grant for a Hazard Mitigation Planning Grant, and two are nationwide competitive grants for Pre-Disaster Mitigation Grant and Flood Mitigation Assistance Grant. Mr. Lynch said that FEMA contributes the funding for the grants, but they are administered at the state level by MEMA and the DCR, and that the Town has received both types of grant in the past. He mentioned the purpose of a grant he would like to pursue, which is creating or enhancing snow farms. After the record snowfall, the DPW encountered issues of where to put snow once they removed it from various places in Milton. He mentioned the Hurricane Lot as a possible viable option, noting the negative impact storing snow in several parking lots had through the course of the winter and that they would like to have a better system in place for the next big storm. Director Lynch said the applications are due in August and October, and he will update the Board as his efforts progress. Ms. Conlon noted that the Housing Production Plan contemplates using land off the landfill access road for future affordable housing. The Board took that matter under advisement.
13. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the recommendation of the Engineering Department to award a contract for Year 10 of 10 of the Town's Sewer System Infiltration Rehabilitation program to Inland Waters, Inc. in the amount of \$659,822 to perform the work under Contract S15-1, and to authorize the Town Administrator to sign the contract on behalf of the Board of Selectmen.
14. Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to approve the recommendation of the Engineering Department to award contracts for material supply as specified below and to authorize the Town Administrator to sign all pertinent paperwork on behalf of the Board:
  1. **CEMENT CONCRETE BLOCKS & PRECAST MANHOLES** to M.J. Pirolli & Sons, Inc.
  2. **DRAIN AND SEWER CASTINGS** to E.J. USA, Inc.
  3. **PORTLAND CEMENT AND CONCRETE MIX** to M.J. Pirolli & Sons, Inc.
  5. **GRANITE CURBING** to Williams Stone Co, Inc.
  6. **BANK GRAVEL** to G. Lopes Construction and Kingstown Corporation
  7. **CRUSHED BANK GRAVEL** to Lorusso Corporation
  8. **WASHED STONE** to Lorusso Corporation and S.M. Lorusso & Sons, Inc.
  9. **CRUSHED STONE, STONE DUST & CRUSHER RUN AND RECLAIMED PAVEMENT BORROW MATERIAL** to Lorusso Corporation and J & J Landscaping Supply Co. LLC.
  10. **SAND** to G. Lopes Construction, Inc., and Kingstown Co.
  11. **LOAM** to J & J Landscape Supply Co. LLC. and Lorusso Corporation
  12. **PURE PINE BARK MULCH** J & J Landscape Supply Co. LLC.
  13. **RENTAL OF HEAVY CONSTRUCTION EQUIPMENT** to Paul E. West Crane Service, Inc., Araco Sewer & Drain Service, Inc., and J & J Landscape Supply Co. LLC.
  14. **GRASS SEED TYPE A, B, & C** to J & J Landscape Supply Co. LLC.

15. **FERTILIZER** to Central Garden & Pet, Inc., and J & J Landscape Supply Co. LLC.
  16. **TRAFFIC LINE PAINT & GLASS SPHERES** to Hi-Way Safety Systems, Inc.
  18. **BITUMINOUS CONCRETE, COLD PATCH AND ASPHALT BERN MIX** to M. Susi HMA and T.L. Edwards, Inc.
15. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the recommendation of the Engineering Department to award contracts for waterworks supplies as specified below and to authorize the Town Administrator to sign all pertinent paperwork on behalf of the Board:
- A. **DUCTILE IRON PIPE** to Ferguson Waterworks
  - B. **MAIN PIPE FITTINGS/REPAIR CLAMPS/WATER SERVICE & GATE BOXES** to Ferguson Waterworks, HD Supply Waterworks, Ti Sales, Stiles Company Inc., Waterline Supply and Waterworks Supply
  - C. **FIRE HYDRANTS** to Ferguson Waterworks
  - D. **BRASS GOODS** to HD Supply Waterworks, Stiles Company Inc., and Ferguson Waterworks
  - E. **PVC SEWER PIPE/CLAY TO PVC TRANSITION COUPLINGS** to Ferguson Waterworks, HD Supply Waterworks, Stiles Company, Inc., and Waterworks Supply
16. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to award a bid for Stop Loss Insurance for Fiscal Year 2016 to Cook & Cook Insurance Services, Inc.
17. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to accept a supplemental voluntary PILOT payment in the amount of \$14,048.76 for the fiscal year that began on July 1, 2014 which represents the then current real estate tax on the College's acquired property and accompanying lot at 1016 Brush Hill Road.
18. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to reappoint Ingrid Beattie and Arthur Doyle to the Conservation Commission, to serve through May 2018.
- Kathleen M. Conlon thanked Conservation Commission member Craig MacNaught for his years of service, as well as the other Conservation Commission members for their work on the Town's behalf.
19. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to reappoint Jean Leslie, Carolyn Everette, Barbara Jackson, Louise Voveris, Loraine Sumner and Michael Balfe to the Council on Aging Board of Directors through June 2018, and Natalie Fultz and Deborah Neely to the Council on Aging Board of Directors through June 2017.
20. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to reappoint Robert Adkisson, Michael Blanchard, Charles Caputo, Brian Carlisle, William Clark, John Fleming, Margaret Gibbons, John Grant, Chris Grazioso, Brian Greeley, Jay Hackett, Paul

Hopkins, Carline Kinsella, Brian Linehan, Joseph Lynch, Bernard J. Lynch III, Michael Lynch, Robert Mallett, Walter McDermott, Cynthia Page, Joseph Prondak, William Ritchie, Mary Ann Sullivan, Richard G. Wells, Jr., Mark Williams to the Local Emergency Planning Committee through June 2016.

21. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to reappoint David Godine as the Alternate Milton Massport Liaison through October 2016.
22. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to appoint Clare Keating, 28 Harland Street, to the Max Ulin Rink Lease Committee through May 2016.
23. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve the application for a One Day Liquor License for the Milton Art Center at 334 Edge Hill Road on Friday, June 26, 2015 from 7:00PM to 10:00PM for a celebration fundraiser.
24. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve and forward to the Warrant Committee for approval a 3% transfer request from the Milton Public Library in the amount of \$12,000 from the salary and wage line to the general expense line to be used for printers and toner, and to address various building related issues  
  
David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to approve and forward to the Warrant Committee for approval a 3% transfer request from the Parks and Recreation department in the amount of \$12,866 from the salary and wage line to the general expense line to be used towards their Field Turf Maintenance Program and Fertilizer Application Program.
25. David T. Burnes moved, Kathleen M. Conlon seconded, and the Board voted unanimously to authorize Chairman Hurley, on behalf of the Board, to approve and forward to the Warrant Committee for approval, all 3% transfer requests and Reserve Fund transfer requests that may be submitted after this meeting.
26. Kathleen M. Conlon moved, David T. Burnes seconded, and the Board voted unanimously to approve and sign letters of recognition for Eagle Scout candidates David G. Buchanan and William X. Zalewski that will be presented at the Court of Honor ceremony on Saturday June 20, 2015 at 2:30 p.m. at St. Michael's Episcopal Church as 112 Randolph Avenue.
27. Town Administrator Annemarie Fagan presented her report on progress toward fulfilling her Goals and Objectives for FY2015. She discussed areas of success such as creating a five year financial forecast, reorganizing several departments to increase efficiency, creating a database of current Planning projects for better access of information, funding and hiring a new position of Assistant Town Planner, and addressing areas of improvement as suggested by the Auditors. Ms. Fagan noted some of her goals were not fully met but rather in progress, such as improving efficiency of the Selectmen's meetings, planning for funding of an infrastructure maintenance budget shortfall, developing training programs for Town employees and consolidating the Town and School administrative and accounting functions. The Board commended the Town Administrator for her progress with these goals, as some were made difficult to achieve due to staffing issues.

28. Town Administrator Annemarie Fagan reported that the Fox 25 Zip Trip to Milton would be held on Friday, June 26, and that the We Are Milton Music Festival and Celtic Sunday would be held at Hutchinson Field on Saturday June 27 and Sunday June 28.
29. Chairman J. Thomas Hurley reported that the full Board had attended the neighborhood meeting put on by Curry College the evening before. He said it was a positive meeting, and that he thinks the estate plans for 1016 Blue Hill Avenue look great.
30. David T. Burnes reported that the Milton Youth Street Hockey League that was launched this year was a great success. He said over 200 children were involved in the league, culminating with a championship game at Cunningham Park on Saturday, June 20. Mr. Burnes thanked John Shea and Bryan Haggerty for creating and running the league.

Kathleen M. Conlon reported that the following evening, Wednesday, June 17, the final hearing on the proposed 40B project at 711 Randolph Avenue would be occurring at the Board of Appeals meeting.

31. Kathleen M. Conlon responded to a Citizen's Speak item that had occurred at the last Board meeting. She said that William Kring of 80 Eliot Street had raised concerns about the due process, however his matter had not been an agenda item at the Traffic Commission meeting in question. It had been mentioned by the DPW Director in conjunction with another matter on the Traffic Commission's agenda, but his specific problem was not addressed at that meeting. A special meeting of the Traffic Commission was held earlier in the evening to address Mr. Kring's parking issue, which yielded a good discussion that made some progress.
32. Kathleen M. Conlon suggested a discussion about the FY17 budget process as a future agenda item. J. Thomas Hurley agreed.
33. J. Thomas Hurley moved, David T. Burnes seconded, and at 9:16 p.m. the Board voted unanimously to recess the meeting of the Board of Selectmen to convene a meeting of the Governor Stoughton Trust, and reenter open session of the Board of Selectmen for the purpose of entering Executive Session.
34. J. Thomas Hurley moved, Kathleen M. Conlon seconded and the Board voted unanimously with Kathleen M. Conlon voting yes, David T. Burnes voting yes and J. Thomas Hurley voting yes at 10:56 p.m. to enter Executive Session to discuss strategy with respect to litigation, believing that having such discussion in Open Session would have a detrimental effect on the litigating position of the body, and to reconvene in Open Session to adjourn.
35. J. Thomas Hurley moved, Kathleen M. Conlon seconded, and the Board voted unanimously at 11:53 p.m., with Kathleen M. Conlon voting yes, David T. Burnes voting yes and J. Thomas Hurley voting yes, to leave Executive Session and return to open session for the purpose of adjournment.
36. J. Thomas Hurley moved, Kathleen M. Conlon seconded, and the Board voted unanimously to adjourn at 11:54 p.m.