

BOARD OF SELECTMEN'S MEETING THURSDAY, MARCH 12, 2015

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 7:01 p.m., in the Cronin Conference Room of the Town Hall. The Board observed a moment of silence for Dr. William Dolan, long time town meeting member and Planning Board member who passed away recently.
2. Kathleen M. Conlon moved, J. Thomas Hurley seconded and the Board voted unanimously at 7:03 p.m. with Kathleen M. Conlon voting yes, Denis F. Keohane voting yes and J. Thomas Hurley voting yes to enter executive session to release to the public the January 21, 2015 executive session meeting minutes and return to open session. The Board returned to open session at 7:10 p.m.
3. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to approve the January 21, 2015 meeting minutes as written.
4. The Board confirmed March 16, 24 and 31, 2015 as future meeting dates.
5. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to approve the current payroll and vendor warrants.
6. Thomas Magner, 137 Lyman Road, addressed the Board and thanked the employees of Public Works for their "outstanding" work during the recent snow storms.

Cindy Christiansen, 59 Collamore Street, addressed the Board regarding the request by the owners of "The Plate" for a home rule petition seeking authorization to issue a liquor license at its new location at the Milton Marketplace.

7. The Board met with CFO Richard Sullivan, Director of Building and Grounds Robert O'Connell and General Manager of the Ulin Rink Kevin Burchill to discuss the Ulin Rink annual management report.

It is the College's fifth year managing the rink and Mr. Sullivan stated that it is still a challenge to get the rink operation to a sustainable stage. He thinks securing a long term arrangement, a reasonable adjustment to rental rates and the DCR making an investment in the Ulin Rink will help get the rink to a sustainable stage. Future capital expenditures include a new Zamboni and floor leveling where the Zamboni is stored.

8. The Board met with Attorney Robert Sheffield and Suzanne Lombardi, owner of "The Plate", to discuss Ms. Lombardi's request for a home rule petition seeking authorization to issue a liquor license for her new establishment located at the Fruit Center Marketplace. Mr. Sheffield informed the Board that the ending hours for the restaurant would remain the same as was previously authorized by the Board of Appeals (but not observed by the Café at Milton Marketplace, which closed earlier than permitted) and

that Ms. Lombardi would start serving breakfast and lunch and, later in the year, dinner. He also indicated that the license would be site specific and any potential new owner would have to gain the Selectmen's permission for a new/transferred liquor license. The Board took the matter under advisement.

9. Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously to approve a recommendation of the Capital Improvement Planning Committee in the amount of \$200,000 for FY16 for the reconstruction of the DPW locker room and the Cemetery garage.
10. The Board recessed its meeting at 8:29 p.m. to convene a meeting of the Trustees of the Governor Stoughton Fund.
11. The Board reconvened at 8:53 p.m.
12. The Board discussed the revisions to the Town Administrator article and recommended a change in Section 2 (c) to reflect that the suspension of any department head by the Town Administrator would be reported to the Board of Selectmen, not exclusively the Chair.

After discussion, J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to approve the edits made to the Town Administrator article by Town Counsel and the change made by the Board to Section 2 (c).

13. Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously to reopen the 2015 Annual Town Meeting Warrant, remove articles #49 (Accept Gift of Swift Hat House) and #50 (Transfer Control of Land-Adams Street) and close the warrant.
14. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to appoint the following residents to the Swift Hat Shop Preservation Committee to serve through March of 2016: Edward E. Wendell, Jr., Linda Weld, April Lamoureux, Mary Noble, Peter Jeffries and Ned Corcoran.
15. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to reappoint Walter "Buddy" McDermott and Paul Hopkins to the Radio Amateur Communication Emergency Services (RACES) Committee to serve through March 2016.

Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously to appoint Michael Blanchard as the Privacy Officer for the Town to serve through March 2016.

J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to appoint Branch Lane as the Tree Warden for the Town to serve through March 2016.

16. Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously to approve the appointment of Patricia Kelly to the position of Senior Administrative Clerk at the Council on Aging contingent upon approval by the Personnel Board.
17. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to release the January 21, 2015 Executive Session meeting minutes to the public and to withhold item #2.
18. The Board discussed the Chapter 40B/1.5% land area determination and its decision not to seek to intervene in an appeal by the Board of Appeals to the Housing Appeals Committee with respect to the determination by the Massachusetts Department of Housing and Community Development that the Town does not meet the 1.5% land area test under M.G.L. c. 40B. It was noted that the Board of Appeals had previously decided unanimously not file an appeal.

Mr. Keohane felt that the Town should have appealed the decision and sought professional help in calculating the 1.5% land area. Ms. Conlon and Mr. Hurley stated that, in Town Counsel's opinion, which they agreed with, an appeal would have been frivolous and would have had little chance of succeeding. Town Counsel had also advised the Board of Selectmen that it was questionable whether the Board would have legal standing to intervene in the case. Ms. Conlon and Mr. Hurley stated that the 1.5% determination rested on an interpretation of applicable law and that there was no dispute as to acreage on which affordable housing is located.

19. The Town Administrator informed members that the Board of Appeals had issued a comprehensive permit to 131 Eliot Street LLC last evening to build 57 units of housing at the Hendries plant. Ms. Fagan also reported that the snow and ice deficit amount is \$1,055,000 and the emergency management team will have its final meeting tomorrow morning to assess the pothole and damaged hydrant situation.
20. Mr. Keohane discussed procedures for determining and reporting broken water pipes.
21. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously to adjourn at 9:47 p.m.

EXECUTIVE SESSION MEETING MINUTES MARCH 12, 2015

Kathleen M. Conlon moved, J. Thomas Hurley seconded and the Board voted unanimously at 7:03 p.m. with Kathleen M. Conlon voting yes, Denis F. Keohane voting yes and J. Thomas Hurley voting yes to enter executive session to release to the public the January 21, 2015 executive session meeting minutes and return to open session.

1. J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously with Kathleen M. Conlon voting yes, Denis F. Keohane voting yes and J. Thomas Hurley voting yes to approve the January 21, 2015 executive session meeting minutes as amended.

J. Thomas Hurley moved, Denis F. Keohane seconded and the Board voted unanimously with Kathleen M. Conlon voting yes, Denis F. Keohane voting yes and J. Thomas Hurley voting yes to release the January 21, 2015 executive session meeting minutes to the public, withholding item #2.

Kathleen M. Conlon moved, J. Thomas Hurley seconded and the Board voted unanimously at 7:10 p.m. with Kathleen M. Conlon voting yes, Denis F. Keohane voting yes and J. Thomas Hurley voting yes to return to open session.

**MEETING OF THE TRUSTEES OF THE GOVERNOR STOUGHTON FUND MARCH
12, 2015**

The Trustees convened a meeting at 8:29 p.m. in the Cronin Conference Room of the Town Hall.

1. The Trustees met with Steven O'Donnell, Chair of the Historical Commission and Committee members Linda Weld, Meredith Hall and Wallace Sisson to discuss the four acres of Town Farm property that are not being developed by Pulte Homes of New England. Discussion included the renovation of the existing buildings, the benefit of assistance by Historic New England and the effort to have the property listed on the Federal Register.

Denis F. Keohane moved, J. Thomas Hurley seconded and the Board voted unanimously at 8:53 p.m. to adjourn.