

Warrant Committee

September 17, 2014

Seventh meeting

Present: T. Hays, P. Pasquerella, K. Sorgi, B. White, M. Maholchic, J. Eckner, LM.
McLean, F. Giuliano, J. Potter, S. McCurdy, D. Turner, J. Schindler, R. Boehler

Absent: N. Bourque

Reserve Fund: \$450,000.00

1. Chair Hays called the meeting to order at 7:32 pm in the Carol Blute Conference room.
2. Chair Hays led a brief discussion of the Warrant process and the timeline for the printer.
3. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 1: RECOMMENDED that the sum of \$5,400,000 be appropriated for the purpose of financing the rehabilitation, replacement or enhancement of the Town's water system, including costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$5,400,000 under and pursuant to Chapter 44, Section 8 (4,5) of the General Laws, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor, and that the Board of Selectmen be and hereby is authorized to accept and expend in addition to the foregoing appropriation one or more grants or gifts from any public or private funding source.12/0/0
4. On a motion made by Member McLean and seconded by Member Giuliano the Warrant Committee voted article 2: RECOMMENDED that the Town vote to accept the provisions of Chapter 44, Section 53F¹/₂ of the Massachusetts General Laws which would authorize the Town to establish a separate account classified as a Sewer Enterprise Fund effective fiscal year 2016. 12/0/0
5. On a motion made by Member Guiliano and seconded by Member White the Warrant Committee voted article 3: RECOMMENDED that the Town vote to accept the provisions of Chapter 44, Section 53F¹/₂ of the Massachusetts General Laws which would authorize the Town to establish a separate account classified as a Water Enterprise Fund effective fiscal year 2016. 12/0/0
6. On a motion made by Member McCurdy and seconded by Member Turner the Warrant Committee voted article 4: RECOMMENDED that the Town vote to amend Chapter 4, Section 17.1 of the General By Laws by deleting the words eight (8) and inserting in their place the words "nine (9)", by adding the words "one (1) member of the Board of Library Trustees" after the words "School Committee", and by referring to the required number of board and committee members with words and numbers, so that said Section 17.1 shall read:

"The Board of Selectmen shall establish and appoint a committee of nine (9) persons to be known as the Capital Improvement Planning Committee. Said committee shall be composed of one (1) member of the Board of Selectmen, one (1) member of the Warrant Committee, one (1) member of the Planning Board, one (1) member of the School Committee, one (1) member of the Board of Library Trustees, the Town Accountant, the Consolidated Facilities Director, and two (2) members of the community at large. Members shall serve for a one (1)

year term beginning on the fifteenth day of August in the year of appointment. The Committee shall choose its own officers." 12/0/0

7. On a motion made by Member McCurdy and seconded by Member Turner the Warrant Committee voted article 5: RECOMMENDED that the Town vote to authorize the Board of Selectmen to accept grants, gifts, or donations on behalf of the Town for the purposes of this article and further that the Town vote no appropriation under this article. 12/0/0
8. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 6: RECOMMENDED that the Town vote to transfer care, custody and control of the land described below from the Board of Selectmen for municipal dump purposes to the Board of Selectmen for general municipal purposes, which land is shown on Town of Milton Assessors' Maps as that portion of Section I, Block 38D, Lot 9 located west of the former landfill access road and containing \pm 3.0725 acres, and that portion of Section I, Block 38D, Lot 8 located west of the former landfill access road and containing \pm 0.28 acres. 12/0/0
9. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 7: RECOMMENDED that the Town vote to amend Section 10 of the General Bylaws, known as the Zoning Bylaws by adding the following language and subparagraphs at the end of paragraph 5 of subsection C of Section III:

Exterior illuminated signs shall also comply with the following:

- (a) Exterior Sign illumination: Signs may be illuminated during regular business hours after dusk or before sunrise and, if so illuminated, shall be illuminated by a stationary steady light. Illumination shall be shielded or directed so that it does not shine directly onto neighboring properties. Signs shall not be illuminated by blinking, flashing or fluttering lights or by other illuminating devices that have a changing light intensity, brightness or color. High intensity lights shall not be used provided that the Board of Selectmen for good cause and superior design may authorize lights that have no adverse impacts.
 - (b) Exterior Signs with Moving Parts or Text: Signs shall display no moving parts and shall not provide a changing message, text or appearance provided that signs may display the time and temperature and further provided that the Board of Selectmen for good cause and superior design may authorize signs which display moving parts or text and which have no adverse impacts. 12/0/0
10. On a motion made by Member Turner and seconded by Member Guiliano the Warrant Committee voted article 8: The Warrant Committee had no recommendation at the time of printing. 12/0/0
 11. On a motion made by Member Turner and seconded by Member Guiliano the Warrant Committee voted article 9: The Warrant Committee had no recommendation at the time of printing. 12/0/0
 12. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 10: RECOMMENDED that the Town vote to amend Section 10 of the

General Bylaws, known as the Zoning Bylaws, adding the following after the word “building” in the third sentence of Section V “provided that with respect to a building constructed before 1950 the term “story”, as used in this paragraph, shall not include a basement so long as the finished floor height of the first story is no more than six (6) feet above the mean grade of the ground contiguous to the building,” so that Section V as amended shall read:

A. 1. Building Heights in Residence AA, A, B and C Districts.

In a Residence AA, A, B or C district, no building, including dwellings, accessory buildings, buildings for educational or religious use, and any other structures of whatever sort shall be erected or altered to exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height, whichever is less, provided that if the building is set back from each street and lot line fifteen (15) feet or more farther than is required by section VI, it may have three (3) stories but shall not exceed thirty-five (35) feet in height. The Board of Appeals, upon a finding that additional height is reasonably necessary for use of a building and will not be detrimental to the neighborhood in which the building is located, may authorize by special permit a building for religious or educational use not to exceed fifty (50) feet in height with no more than two (2) stories. The term “story”, as used in this paragraph, shall not include a basement so long as the finished floor height of the first story is no more than four (4) feet above the mean grade of the ground contiguous to the building provided that with respect to a building constructed before 1950 the term “story”, as used in this paragraph, shall not include a basement so long as the finished floor height of the first story is no more than six (6) feet above the mean grade of the ground contiguous to the building. 12/0/0

13. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 11: The Warrant Committee had no recommendation at the time of printing. 12/0/0
14. On a motion made by Member Guiliano and seconded by Member Maholchic the Warrant Committee voted article 12: RECOMMENDED that the Town vote to amend Section 10 of the General Bylaws, known as the Zoning Bylaws, by striking paragraph 1 of Subsection D of Section VI and by substituting the following paragraph 1: In a Residence AA, A, B or C district no building except a one-story building of accessory use, not greater than 21 feet in height above the average grade of the building footprint, shall be erected or maintained within 30 feet of the rear lot line, provided that no building need be set back from the rear lot line more than 30 percent of the mean depth of the lot and further provided that, if there shall be a retaining wall within 30 feet of a rear lot line which raises the average grade of the building footprint, the rise in average grade shall be deemed a part of the height of any one story building of accessory use constructed thereon. 12/0/0
15. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 13: RECOMMENDED that the Town vote to authorize the Board of Selectmen and the Planning Board to appoint a Master Plan Implementation Committee for the purpose of reviewing the implementation plan within the Town’s Master Plan, established under Massachusetts General Laws, Chapter 41, Section 81D, at least twice annually, and to recommend to the Planning Board and the Board of Selectmen the actions necessary to implement such plan, including timing, resources, and responsibilities. Said Committee is expected to report to the Planning Board and the Board of Selectmen at least twice annually.

Said Committee will report to Town Meeting at least annually, at the Town Meeting regularly scheduled in October or, if no such meeting is held, the next Annual Town Meeting. The report will contain the following information:

- (a) implementation steps accomplished within the past year;
- (b) anticipated steps to be accomplished within the next two years; and
- (c) resources, including Town Meeting appropriations or other actions, necessary to complete those steps.

Said Committee shall consist of five members to be appointed jointly by the Planning Board and the Board of Selectmen for terms that are renewed annually. One member shall be a member of the Planning Board or its designee and a second member shall be a member of the Board of Selectmen or its designee. The other members shall have expertise in planning, architecture, economic development, landscape architecture, real estate, or other relevant fields.

The Master Plan Implementation Committee will exist for ten years from the date of establishment by Town Meeting. Such term may be extended by vote of Town Meeting. At the end of ten years, said Committee shall report to the Planning Board, the Board of Selectmen, and Town Meeting its recommendation as to whether the Master Plan shall be updated under Massachusetts General Laws, Chapter 41, Section 81D. 12/0/0

16. On a motion made by Member Pasquerella and seconded by Member White, with a friendly amendment made by Member McCurdy the Warrant Committee voted article 14: RECOMMENDED that the Town vote to authorize its Boards, Commissions and Committees, including without limitation the Board of Selectmen and the Fire Department, to apply for state and/or federal funds to assist and/or to reimburse the Town in connection with the purposes of this article; to authorize the Board of Selectmen to accept grants, gifts, or donations on behalf of the Town for the purpose of this article; and to authorize the Board of Selectmen, with input from the Fire Space Needs Committee, to determine, within the scope of any restriction applicable to such grant, gift or donation, the expenditure of any funds so raised for further study of the potential renovation, reconstruction and/or construction of fire station facilities in the Town of Milton, including, without limitation, the following:

- Retention of an architectural firm and/or other consultants and professionals to refine and expand upon the initial findings of the Fire Space Needs Committee, including the development of plans and cost estimates for implementation of proposed work.
- Review of existing documentation and existing conditions at three fire stations.
- Analysis of proposed sites for their suitability to accommodate fire stations that will meet anticipated needs.
- Functional and space needs program for each station based on Committee and Fire Department input and current industry standards and best practices.
- Comparison of the relative advantages, disadvantages and costs of renovation/additions vs. new construction for each station.
- Concept plans, narrative descriptions (inclusive of site work and MEP systems) and outline specifications sufficient to establish a scope, level of quality and cost for each station.
- Design and construction schedule for the three stations.
- Construction and total project cost estimates.
- Conduct public meetings to share preliminary findings.

and further that the Town vote no appropriation under this article. 11/1/0

17. On a motion made by Member Turner and seconded by Member Maholchic the Warrant Committee voted article 15: RECOMMENDED that the Town vote to authorize the Board of Selectmen, during Fiscal Year 2015, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities; and to abandon or relocate easements acquired for any of the foregoing purposes. 12/0/0
18. On a motion made by Member Pasquerella and seconded by Member Potter the Warrant Committee voted article 16: RECOMMENDED that the Town vote, pursuant to Massachusetts General Laws Chapter 40, Section 5B, to establish a Special Purpose Stabilization Fund for the purposes of balancing the General Fund budget. 12/0/0
19. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 17: RECOMMENDED that the Town vote to authorize the Board of Selectmen to acquire, by gift, taking by eminent domain, or otherwise, a certain parcel of land containing approximately one thousand two hundred twenty (1,220) square feet, together with any structures and improvements thereon, which parcel is located at Central Avenue and Eliot Street, Milton, Massachusetts, between property owned by the Town of Milton and property owned by Carrick Realty Trust, and which parcel is also identified in Section 1 of Chapter 215 of the Acts of 2014, and further that the Town make no appropriation under this article. 12/0/0
20. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 18: The Warrant Committee had no recommendation at time of printing. 12/0/0
21. On a motion made by Member Turner and seconded by Member Pasquerella the Warrant Committee voted article 19: The Warrant Committee had no recommendation at time of printing. 12/0/0
22. On a motion made by Member McLean and seconded by Member Boehler the Warrant Committee voted unanimously to adjourn at 10:30 pm. 12/0/0

Reserve Fund: \$450,000.00

Respectfully submitted,
Tricia Cahill, Warrant Committee Clerk