

TOWN OF KINGSTON  
BOARD OF SELECTMEN

MINUTES  
December 28, 2004

Chairman Mark S. Beaton opened the meeting of the Board of Selectmen held on December 28, 2004 at 7:30 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Paul M. Gallagher, Olavo B. DeMacedo, Joseph D. Kelleher, Richard E. Kenney and Town Administrator Kevin R. Donovan.

The Chairman announced the dates to note and the Open Forum. No one came forward for Open Forum.

Fire Chief David McKee was present to discuss his overtime budget.

Chief McKee stated that he was present to discuss the overtime budget but had two other items he wanted to address first. He introduced the new Captain, David Currier and detailed his background and qualifications. Chief McKee also announced that Entergy would provide \$50,000 in funding if the Town would match the amount for the construction of an EOC. He said there was sufficient funding in the Grant to cover the Town's matching amount. He further stated that he was working with Paul Armstrong to design the EOC.

Chief McKee stated that he would have a significant deficiency in his department's \$151,938 overtime budget. He stated that the deficiency was due to cuts in the budget from previous years, recruit training, vacations, new hires' orientation, two firefighters out with injuries, vacant Captain's position and contract changes resulting in additional vacation time. He stated that he projects he will need an additional \$154,136 which he would off-set with remaining overtime funds of \$29,033 and \$52,312 surplus from the Wage and Personnel Salary Budget which would result in \$72,791 needed to supplement the overtime budget. Chief McKee further stated that the experiment of adding four Firefighters to reduce overtime, did not work.

Mr. DeMacedo stated that he felt it did work and if there had not been two injuries and a Captain leaving the Department, the overtime deficit would have been much less. He asked Chief McKee whether it would be an annual expense and Chief McKee stated that the greatest impact was this fiscal year due to the recruit training.

Mr. Kelleher stated that he appreciated the Chief's efforts, that adding four Firefighters was not a failure and that he did not approve of the cost savings measures the Chief had proposed because it could impact services to the public.

Mr. Beaton stated he was on the Committee that recommended hiring the four Firefighters to cut the overtime and serve the Department. Mr. Gallagher also did not want to implement the Chief's cost savings proposal which would involve closing the Smith Lane Fire Station.

Mr. Donovan advised that what ever was spent this year to supplement the overtime would have an impact on the next year. He stated that at some point in time, we would have a more definitive amount of funding needed.

Chief McKee discussed the need to fill the shifts to maintain four Firefighters on all shifts. Mr. DeMacedo stated that adding four Firefighters was done to alleviate the need to fill all vacant shifts and that the Department could operate with three Firefighters.

Mr. Kenney stated that the Board and the Chief and former Chief have been talking about overtime for six years that he has been on the Board and that the Department did not have a minimum manning requirement. He asked the Chief what was the peak hour for providing services. The Chief responded that he did not recall.

Mr. Beaton thanked the Chief for coming forward and providing the information to the Board.

Mr. Beaton stated that he would recuse himself from discussing the P.A. Landers proposal due to a potential conflict of interest; that being his brother works for P. A. Landers. Mr. Beaton left the table.

Mr. Gallagher took over as Chairman and read the letter submitted by Attorney Angley on behalf of P. A. Landers. Atty. Angley stated that P.A. Landers (Landers) had acquired 32 acres of land and had hired RKG Engineering to provide economic modeling to determine the best use of the property. He introduced Richard Schneider of RKG to detail the proposal. Mr. Schneider stated that they had investigated three options for the land inconsideration of the zoning. He identified the property as being on the Kingston/Plymouth line at Monk's Hill Road overlooking the P.A. Landers gravel operation near the Route 44 bypass and that the land was zoned residential. The options that were identified were; 17 - residential houses, 60 - 40B Units or 2 - manufacturing and or retail buildings. He stated that the favored use was the commercial or industrial use and wanted to swap some parcels with the Town to create a 50 acre parcel and have the land rezoned for the use. Mr. Schneider stated that Landers would propose to extract two million yards of gravel over a ten year process. Attorney Angley stated all the access to this project would be through Kingston and the with the fees charged for earth removal in Kingston the Town would have considerable revenue from the project.

Mr. Gallagher recommended that they make a presentation to the Planning Board. Mr. Schneider stated that they had met with both the Planner and the Assessor. He stated that if the Board wanted to view the site they could contact Business Manager Greg Keland.

Mr. Beaton returned to the meeting table.

Mr. Beaton stated that he wanted the Town to pursue land owned by the Commonwealth of Massachusetts in the same area as the Landers property and requested that the Town Administrator look into the Town acquiring the land from the State.

The Board reviewed the Town Administrator's report. Mr. Kelleher read from the report that a 40B application had been received for Barrow's Brook Condominiums for sixty units, sixteen of which would be affordable.

Mr. DeMacedo stated that he had reviewed the list of conditions set by the Superintendent of Streets for requests for road openings past the deadline and wanted the Board to adopt the conditions as a model and made a motion to that effect. Mr. Gallagher seconded the motion for discussion. Mr. Kenney stated that he thought the conditions were too strict especially for small jobs. Mr. Kelleher stated that he thought it was short sighted to adopt the conditions and wanted more time to look at the impact of the conditions.

Mr. Beaton stated that the roads were closed for a reason, which was safety and the Town cannot manage the weather. He further stated that the conditions were put together because the Board asked for it for a specific project and he would not vote on it tonight.

Mr. DeMacedo agreed to put it off and withdrew his motion, Mr. Gallagher withdrew his second.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To accept the minutes of the public and executive session meeting on December 14, 2004.

Mr. Beaton stated that they were still awaiting information on the Kingston Kingdom. Mr. Kelleher stated he wanted to clarify that he wanted to put the playground equipment in storage since we had ample indoor storage space.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To appoint the following individuals as Special Police Officers; Todd A. Bailey, Bradford P. Barlett, Marks J. Brenner, Jr., Glenn E. Bushee, George V. Cavicchi, Michael A. Close, Darren J. Martin, and Ronald J. Vernazzaro, and further;

VOTED: To appoint George McSherry to the Council on Aging, and further;

VOTED: To promote JoAnn Bray to the position of Senior Bookkeeper in the Collector's office, and further;

VOTED: To hire James Dargan as a Casual Part-time Worker for the Recreation Department, and further;

VOTED: To confirm the list of elected positions to be included on the Annual Town Election warrant and ballot and the proposed political calendar for 2005 Annual Town Meeting and Election as submitted by the Town Clerk, and further;

VOTED: To approve the Change of Manager for the Hillside Social Club to Lawrence J. Mullaney, subject to a CORI check, and further;

VOTED: To approve and sign the Order of Taking for the eminent domain takings on Route 27.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 roll-call vote, it was—

VOTED: To enter into executive session<sup>1</sup> for the purpose of discussing Collective Bargaining and not return to public session.

Respectfully submitted:

Nancy M. Howlett, Assistant to the  
Town Administrator/Board of Selectmen

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<sup>1</sup> The public session adjourned at 9:00 p.m. and the executive session adjourned at 9:16 p.m.