

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
November 30, 2004

Chairman Mark S. Beaton opened the meeting of the Board of Selectmen held on September 7, 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. Robert Pinato of Mountain Ash Drive advised the Board that he had found several people to serve on the Commission on Disabilities and that he wanted the Board to consider reducing the make-up of the Committee to five members which would make it easier to have a quorum. He also advised that he thought two members from the manufactured housing parks should serve on the Committee looking into reforming Chapter 40B.

Mr. Beaton stated that the Board tried to establish a Housing Partnership as defined in the Town's Affordable Housing Plan and no one came forward. Mr. Kelleher said that he would like to see the group that will address Chapter 40B Reform, consisting of himself and Mr. DeMacedo, to be a sub-Committee of the Housing Partnership. Mr. Beaton stated that the matter would be on Old Business for the next meeting to define the charge and make-up of the Committee,

The Board reviewed the Town Administrator's report. Mr. Gallagher advised that the State had enacted a law to address motorized scooters and made a motion to rescind the vote that established a Town of Kingston Regulation for Motorized Scooters. The Board unanimously supported the motion to regulate the scooters according to this new law and rescind the previously adopted local regulation as state law now supersedes this new regulation.

Mr. Beaton noted that an error had occurred in calculating the tax rate and the rate would be set at \$11.29.

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 November 16, 2004.

Mr. Beaton announced that he would recuse himself from the next item on the agenda; 2005 Annual Alcoholic Beverage License Renewals.

Upon motion made and seconded, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To renew the Annual Alcoholic Beverage Licenses for 2005 as presented. (list attached and incorporated in these minutes).

The Board reviewed the list of appointments and resignations.

Mr. Beaton noted that Mr. Haas had requested an appointment to the Chapter 40B Sub-Committee and he may have intended to request an appointment to the Housing Partnership. Mr. Kelleher stated that he may be more effective on the Housing Partnership and the two-member sub-Committee may be more effective with just two members.

Mr. Gallagher stated that he thought there was some confusion and read the goals of the Housing Partnership as stated in the Affordable Housing Plan. He stated further that the Committee of Mr. DeMacedo and Mr. Kelleher was formed to address one issue of Chapter 40B reform to include manufactured housing as affordable housing. Mr. Gallagher stated that this matter should also be put on Old Business to define the two Committees and their charge and composition and maybe some people interested in serving on the Housing Partnership would come forward.

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

VOTED: To appoint Cynthia Anne Merry as a member of the Commission on Disabilities, and further;

VOTED: To hire Stanton Monahan as Wastewater Operations Technician subject to a pre-placement physical, and further;

VOTED: To accept the resignation of John Burrey from the Recycling Committee.

Mr. Kelleher stated that he felt it was important for the Board to have a liaison to attend the School Committee meetings dealing with the FY06 Budget. Mr. Kenney suggested Mr. Kelleher should represent the Board since he is already attending all the School Committee meetings. Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: For Mr. Kelleher to be the Board's liaison to the School Committee for the FY06 Budget process.

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

VOTED: To request a list of persons eligible for the position of one full time patrol officer and further;

VOTED: To accept donation for Animal Care - \$425.00 and the Fire Dept. - \$500.00.

The Board reviewed the request of the Recreation Commission to dispose of the Kingston Kingdom playground equipment that is at the Opachinski Athletic Complex.

Mr. Beaton stated that Mr. Hurley had not returned his call and wanted to speak to him prior to moving the equipment. He advised that Mr. Basler stated that it could be moved and stored at the landfill. Mr. Beaton stated that it would be on the agenda in two weeks.

The Board reviewed the two requests for Road Opening Permits from Charles Warnock and Brian Wallace. Mr. Kelleher recused himself from the discussion stating that his brother does business with one of the applicants. Mr. Gallagher stated that Mr. Basler did not recommend that the Board grant an exception and issue the permits since no emergency existed. He further stated that the Roads were closed for digging for safety reasons and the potential of bad weather and possibly snow.

Mr. Kenney stated that there could be emergencies that would require granting an exception. Upon motion made and seconded, following a discussion and a 3 to 1 vote, it was—

VOTED: To deny the two requests for Road Opening Permits.

Mr. Gallagher, Mr. Beaton and Mr. DeMacedo supported denying the request and Mr. Kenney did not support denying the request.

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 session¹ for the purpose of discussing bargaining for non-union personnel and to consider the purchase, exchange lease or value of real property and not return to public session at the conclusion of the executive session.

Respectfully submitted:

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

¹ The public session adjourned at 8:05 p.m. and the executive session adjourned at 9:00 p.m.