

**Town of Kingston
Community Preservation Committee**

MINUTES
July 13, 2010

Chairman Dalton opened the meeting of the Community Preservation Committee held on July 13, 2010 at 7:06 pm room 203 of the Town House in Kingston, MA.

Present: Pine duBois, Don Ducharme, David Gavigan, John LaBrache and Ken Moalli
Absent: Mat Hamilton, Marilyn Kozodoy, and Paul Ricci

Upon motion by Mr. Moalli and seconded by Mr. LaBrache, following discussion and a 5-0-1 vote, it was:

VOTED: to accept the minutes of June 15, 2010 as amended

Mr. Gavigan abstained

Mr. Ducharme reported he is interested in creating an affordable housing CPA trust. He will research this option with Tom Bott.

Mr. Dalton reported the resignation of the CPA secretary effective 6/30/10. Upon motion by Ms. duBois and seconded by Mr. Gavigan, following discussion and a 6-0-0 vote, it was:

VOTED: to request the CPA Chairman be involved in the hiring process for a new secretary with the Town Administrator

Mr. LaBrache indicated the Committee could petition the Wage & Personnel Board to have an Executive Secretarial position for CPC.

Upon motion by Mr. LaBrache and seconded by Mr. Moalli, following discussion and a 6-0-0 vote, it was:

VOTED: to pay \$165 to King Information Systems for a bill dated 2/9/10 for town report preservation.

Upon motion by Mr. Moalli and seconded by Mr. LaBrache, following discussion and a 6-0-0 vote, it was:

VOTED: to pay \$2800 to S.G. De Castro Appraisal for a bill dated 7/1/10 from CPA Administrative funds for a second appraisal of the Calista property.

Upon motion by Mr. Moalli and seconded by Mr. LaBrache, following discussion and a 6-0-0 vote, it was:

VOTED: to pay \$38.23 to Community Newspaper Co. for bill dated 6/27/10 from the CPA Administrative Fund for the 5/11/10 public hearing notice.

Triphammer Update:

Ms. duBois reported all documents have been reviewed by both lawyers. She requested the CPC send a memo to the Board of Selectmen allowing the Town Administrator to finalize purchase.

Mr. Dalton questioned once the property is closed on, what will the schedule be?

Ms. duBois explained JRWSA is now in the permitting process. They have filed for Chapter 91 from DEP and have an order of conditions from Conservation. Both the 401 and 404 permits will be filed with DEP. We expect the dam will come down in late November.

Upon motion by Mr. Moalli and seconded by Mr. Ducharme, following discussion and 5-0-1 vote, it was:

VOTED: for Chairman Dalton to send a memo to the Board of Selectmen informing them all due diligence is complete for the Trihammer project and to request they proceed with the closing.

Ms. duBois abstained

Leigh/Larson Update:

Ms. duBois reported there is a need for someone to review the purchase & sales agreement, obtain surveys and title examinations on properties.

Mr. LaBrache stated we should send a memo to the Town Administrator stating there is CPA money for closing costs on the properties and she should take control of the closing process. Mr. Moalli concurred stating once the project receives Town Meeting vote, CPC no longer has authority over project in moving it to closing.

Upon motion by Ms. duBois and seconded by Mr. Moalli, following discussion and 6-0-0 vote, it was:

VOTED: to send a memo to the Town Administrator stating the amount of CPA money available for closing costs on all property purchases and request that she take action to close properties as soon as possible and to include Conservation and Preservation Restrictions.

Ms. duBois stated Wildlands Trust is willing to work with the Town on the Conservation Restrictions.

Ms. Kozodoy wants to make sure the purchase & sales agreement for the Hall Property includes the specific uses of the property as well as the Conservation Restriction.

Ms. duBois cautioned there is not a Conservation Restriction on the Marshall Joyce property because the ball was dropped.

Mr. Gavigan stated a checklist needs to be established for future closings.

Ms. duBois state the Leigh/Larson property owners will need to provide clear deeds. Mr. LaBrache indicated the CPC does not have authority to waive taxes. They will need to request a waiver from the Tax Collector.

Hall Update:

Mr. Moalli inquired since the Conservation Restriction needs to be held by a private organization, can KYSA hold it? Ms. duBois stated it needs to be held by a Conservation organization.

Calista Update:

Ms. duBois reported she has been working on the Open Space grant and now has letters of support from Representative Calter, Senator Murray, Board of Selectmen, Conservation Commission, and Wildlands Trust. She will try to obtain a letter from L. Knife.

Ms. duBois also reported the purchase & sales agreement is being worked on by Town Counsel. There are a few revisions. There has been ongoing discussion regarding the sewer betterment fees. Town Counsel has indicated there is no way to get rid of the betterment.

Holmes/Watson Boatyard Update:

Ms. duBois stated they still have not heard on the Chapter 91 permit but are ready to begin work within the month. They should have a bill by the next meeting.

Upon motion by Mr. Moalli and seconded by Mr. Ducharme, following discussion and 5-1-0 vote, it was:

VOTED: to table reorganization of the Committee until full membership is present

Mr. Dalton voted in the negative

Future meeting dates were established for August 10, 2010 and August 24, 2010.

Upon motion by Mr. Moalli and seconded by Mr. Gavigan, following discussion and a 6-0-0 vote, it was:

VOTED: to cancel the meeting scheduled for July 27, 2010

Upon motion by Mr. Moalli and seconded by Mr. Gavigan, following discussion and a 6-0-0 vote, the meeting was adjourned at 8:15 pm.

Respectfully Submitted,

Priscilla W. Brackett
Secretary