

TOWN OF KINGSTON  
BOARD OF SELECTMEN

MINUTES  
January 5, 2010

Chairman Sandra D. MacFarlane opened the meeting of the Board of Selectmen held on January 5, 2010, at 7:00 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Dennis N. Randall, Richard J. Arruda, Mark S. Beaton, and Town Administrator Jill R. Myers. Paul M. Gallagher was absent.

The Chairman announced the Open Forum and no one came forward to speak.

The Board reviewed the donation made to the Senior Center Building Fund and upon motion made by Mr. Arruda and seconded by Mr. Beaton, following a discussion and a 4-0-0 vote, it was—

VOTED: To accept the donation, with gratitude, to the Senior Center Building Fund of \$50.00 from Barbara Costa in memory of Dorothy V. Cox.

The Board reviewed information provided regarding Thomas Gunn declining the appointment to the Government Study Committee and upon motion made by Mr. Randall and seconded by Mr. Arruda, following a discussion and a 4-0-0 vote, it was—

VOTED: To rescind the appointment of Thomas Gunn to the Town Government Study Committee and further;

Upon motion made by Mr. Randall and seconded by Mr. Arruda, following a discussion and a 3-1 vote, it was—

VOTED: To appoint Richard Dennehy to the Town Government Study Committee.

Mr. Beaton did not support the motion.

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

VOTED: To authorize Chairman MacFarlane to represent the Town and vote the Annual MMA Business Meeting.

John LaBrache, Treasurer was present and discussed the Town Investment Policy that would establish guidelines for managing the Town's Funds. Upon motion made by Mr. Beaton and seconded by Mr. Arruda, following a discussion and a 4-0-0 vote, it was—

VOTED: To adopt the Town Investment Policy as submitted. (Policy is on File in the Selectmen's office).

Mr. LaBrache provided an overview of the Five Year Revenue and Expense Forecast.

Ms. MacFarlane read the public hearing notice for the Transfer of a Wine and Malt License from Duangdee Inc. dba Bandga Garden to Bangna 88 Corp. dba Bandga Garden. Mr. Beaton recused himself because he is the Manager for another licensed establishment and a potential conflict of interest.

Attorney Peter Lim was present representing the petitioner Vuttichai Senabunyarithi. No one present had any questions or spoke in favor or against the application. Upon motion made by Mr. Randall and seconded by Mr. Arruda, following a discussion and a 3-0-0 vote, it was—

VOTED: To approve the Transfer of a Wine and Malt Beverage License as detailed above.

The Board reviewed the Town Administrator's Report. Items discussed are contained in the Town Administrator's report on the Town's Website for January 2, 2010. Ms. Myers advised the Board that the Special Town Meeting could be held at the same time as the Annual as long as the Articles were so identified. Upon motion made by Mr. Randall and seconded by Mr. Arruda, following a discussion and a 4-0-0 vote, it was—

VOTED: To dispense with holding a Special Town Meeting, as acceptable by law, and combine the Special and Annual Town Meeting Articles on the Warrant with the appropriate identification.

Ms. Myers stated that she had reviewed the Surety Bond submitted for the Blockbuster Store Closing and found it to be appropriate and upon motion made by Mr. Arruda and seconded by Mr. Randall, following a discussion and a 4-0-0 vote, it was—

VOTED: To approve the Surety Bond for Blockbuster.

Upon motion made by Mr. Beaton and seconded by Mr. Arruda, following a discussion and a 4-0-0 vote, it was—

VOTED: To accept the minutes of the public session meeting held on December 22, 2009.

Mr. Basler, Highway Supt. came forward and requested that the Board allow him discretionary authority to deviate from the Board's 50-50 sand/salt mixture policy when snow and icing conditions warrant it for road safety. A lengthy discussion ensued on the environmental and public safety issues and upon motion made by Mr. Randall and seconded by Mr. Arruda, following a discussion and a 3-1 vote, it was—

VOTED: To allow Mr. Basler discretionary authority to deviate from the policy of using 50-50 mix of salt and sand, with a written explanation to the Board after such use as to the reason and conditions to warrant the deviation.

Mr. Beaton did not support the motion.

Ms. MacFarlane stated that since Mr. Basler was present she would take the matter of construction debris out of order. Mr. Basler stated that some of the information presented by Claire Sullivan from the South Shore Regional Recycling Cooperative was based in the general cost of disposing of construction debris and that the actual cost was closer to \$100.00 per truckload. Mr. Basler advised that to suspend services without providing time for residents to be prepared could result in improper disposal in public areas. He further suggested raising the fee to cover the costs rather than eliminating the service. The Board discussed the impact of eliminating the service and upon motion made by Mr. Randall and seconded by Mr. Arruda, following a discussion and a 3-1 vote, it was—

VOTED: To hold a public hearing on February 2, 2010 at 7:05 p.m. to allow for public input of whether to continue accepting construction debris at the Transfer Station or eliminate it.

Mr. Beaton did not support the motion.

Further, the Board discussed the immediate impact of the cost to dispose of construction debris and upon motion made by Mr. Randall and seconded by Mr. Arruda, following a discussion and a 3-1 vote, it was—

VOTED: To increase a truckload of construction debris to \$100.00 and a half load to \$50.00 effective January 10, 2010.

The Board reviewed the appointments and resignations and upon motion made by Mr. Beaton and seconded by Mr. Randall, following a discussion and a 4-0-0 vote, it was—

VOTED: To make the following appointments:

Matrons	Michelle Beck Gail Fallon Barbara DeWolfe Patricia Bernard
Solid Waste Advisory Committee	Michael L. Rohr

Upon motion made and seconded, following a discussion and a 4-0-0 vote, it was—

VOTED: To accept the resignation of Robert Ward from the Audit Committee.

The Board reviewed the request to hold the 26<sup>th</sup> Annual Cape Cod Getaway MB Bike Ride on June 26 & 27, 2020 on roads in Kingston as identified on information provided. Upon motion made by Mr. Beaton and seconded by Mr. Arruda, following a discussion and a 4-0-0 vote, it was—

VOTED: To grant permission as requested and for the applicant to contact Lt. Splaine to arrange traffic details as he deems necessary.

Upon motion made by Mr. Beaton and seconded by Mr. Randall, following a discussion and a 4-0-0 roll-call vote, it was—

VOTED: To enter into executive session<sup>1</sup> to discuss a Financial Assistance request.

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 8:35 p.m. and the executive session adjourned at 8:45 p.m.

