

TOWN OF KINGSTON  
BOARD OF SELECTMEN

MINUTES  
April 28, 2009

Chairman Paul M. Gallagher opened the meeting of the Board of Selectmen held on April 28, 2009 at 7:00 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Sandra D. MacFarlane, Richard J. Arruda, Mark S. Beaton, Dennis N. Randall and Town Administrator Jill Myers.

Mr. Gallagher announced that the first order of business would be to reorganize.

Mr. Arruda nominated Ms. MacFarlane as Chairman and Mr. Randall seconded the nomination. Upon motion made and seconded, following a discussion and a 3-2 vote, it was—

VOTED: For Ms. MacFarlane to assume the roll of Chairman.

Mr. Beaton and Mr. Gallagher did not support the motion.

Upon motion made by Mr. Arruda and seconded by Ms. MacFarlane, following a discussion and a 3-2 vote, it was—

VOTED: For Mr. Randall to assume the roll of Vice Chairman.

Mr. Beaton and Mr. Gallagher did not support the motion.

Chairman MacFarlane announced the Open Forum.

Mark Guidoboni came forward to request that the Board support an Article on the Special Town Meeting Warrant to rezone a property to be included in the Wind Turbine Overlay District. The Board took no action at this time but later in the meeting under discussion of the Special Town Meeting Warrant the Board voted 4 to 1 to forward the Article to the Planning Board to be included in the Public Hearing. Mr. Gallagher did not support the motion but added that he was not against the idea of the intent of the Article but thought it should be handled in the Fall.

The Board reviewed the application of Spindle City Inc. for a Precious Metals License to be used the Independence Mall on May 12-17, 2009 for a special event. Applicant Jeffrey Niedbala stated that they would follow all the rules outlined in the regulations, they were bonded in Massachusetts, Incorporated and paid taxes, all property received would be held 30 days and reports would be made daily to the Police Dept.

Mr. Beaton stated his concern for a transitory nature of the business. Ms. MacFarlane stated she was not comfortable with it either.

A motion made by Mr. Arruda and seconded by Mr. Gallagher to grant the license, following a discussion failed by a 2-3 vote. Mr. Gallagher and Mr. Arruda supported the motion, Mr. Beaton, Ms. MacFarlane and Mr. Randall did not support the motion.

Ms. MacFarlane read the notice for the public hearing on the transfer of an All-alcoholic Beverage Package Store License from Myette's County Liquors to VS Liquors, Inc. dba Myette's County Liquors, Falu R. Patl, Manager. Attorney Arthur Pearlman was representing the applicant and stated that the store would be essentially run the same but under new Management. No one from the public spoke in favor or against the application. Upon motion made by Mr. Gallagher and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To close the public hearing; and further

VOTED: To grant the transfer of license.

Paul Armstrong, Building Inspector was present to request that the Board review and establish the fees for Certificate of Inspection. Upon motion made and seconded, following a discussion and a 5-0-0 vote, it was—

VOTED: To establish the fees as recommended by the Building Inspector. (A complete list of the fees are available in the Building Inspector's office).

Mr. Armstrong stated he was also present to offer a recommendation for rezoning a portion of land between Copper Beech Drive and the MBTA Station owned by the Town. He stated that by rezoning the property to R40 it would enable only homes such as the ones on Copper Beech Drive to be built there keeping it the same as the neighborhood. Members of the Board voiced their support for insuring the buffer zone be kept in place. Ms. MacFarlane asked if abutters had been notified of the change of use and Mr. Randall stated they would have the opportunity to express their opinion at the Public Hearing. Upon motion made and seconded, following a discussion and a 4-1 vote, it was—

VOTED: To place and Article to rezone the land to R40 on the Special Town Meeting Warrant and to forward it to the Planning Board for inclusion in the Public Hearing.

Mr. Gallagher did not support the motion.

The Board reviewed a request to waive the ambulance fee due to a financial hardship and upon motion made and seconded, following a discussion and a 5-0-0 vote, it was—

VOTED: To deny the request at the recommendation of the Fire Chief.

The Board reviewed an easement document that required the Board re-signing due to an error in the spelling of the grantor's name. Upon motion made by Mr. Beaton and seconded by Mr. Arruda, following a discussion and a 5-0-0 vote, it was—

VOTED: To sign the Correira Easement to Hathaway Preserve.

A motion was made to adjourn and prior to taking the vote, Douglas Dondero entered the meeting room and asked for permission to address the Board. He expressed concern for the discussion that had taken place earlier in the meeting to re-zone Town owned land behind Copper Beech Drive. Mr. Dondero was informed that the Planning Board would be holding a hearing on May 18<sup>th</sup> on the zoning articles for the Special Town Meeting.

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

VOTED: To adjourn at 8:35 p.m.

Respectfully Submitted:

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