

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
May 26, 2009

Chairman Sandra D. MacFarlane opened the meeting of the Board of Selectmen held on May 26, 2009 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, Paul M. Gallagher and Town Administrator Jill R. Myers.

The Chairman acknowledged the wonderful job done by the Memorial Day Parade Committee and the Hillside Social Club for the annual parade and cookout. She stated that a list was being compiled and donations and volunteers would be acknowledged at the Board's next meeting.

Pine DuBois came forward at Open Forum to announce an event at the Jones River Landing on Saturday June 27th.

Mark Guidoboni came forward to request the Board to accept a donation in the amount of \$350.00 for the purchase of shellfish seed as required in mitigating damages that may be caused when he installs a new dock at his property in Rocky Nook. Upon motion made by Mark Beaton and seconded by Dennis Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To accept the donation of \$350.00 for the purchase of shellfish seeds.

Barry Mathias came forward representing the Agricultural Commission to request permission to use the Town Green for the Agricultural Fair to be held on September 12, 2009, with a rain date of September 13. He further requested that Green Street be closed for the event from 4 p.m. to 7 p.m. and that the Highway Department assist with placing barrels marking the closure. Mr. Mathias asked the Board to arrange for a Police detail and notify the Fire Department. Upon motion made by Mr. Gallagher and seconded by Mr. Beaton, following a discussion and a 5-0-0 vote, it was—

VOTED: To approve the use of the Town Green and the closure of Green Street on September 12th for the Agricultural Fair.

Gene Wyatt, Chairman of the Recycling Committee came forward to give the Board an update of the Committee's work. Upon motion made by Mr. Beaton and seconded by Mr. Gallagher, following a discussion and a 5-0-0 vote, it was—

VOTED: To send a letter on to Representative Calter and Senator Murray acknowledging the Board's support of HB3346, an update of the existing Bottle Bill.

The Board requested that Mr. Wyatt's recycling report be posted on the Town's website.

The Board reviewed the Town Administrator's report on the procedure for establishing Shellfish Aquaculture. Mr. Gallagher stated that he wanted to move forward with the three license applications received from three knowledgeable Kingston residents and made a motion to grant the three licenses on a three-year trial basis on the ten acres identified by the Division of Marine Fisheries with the potential to open up 53 additional acres. Mr. Beaton seconded the motion for discussion.

Mr. Gallagher stated that the Board should set the policy and reserve the grants for residents only.

Mr. Beaton stated that an advertisement needed to be posted in the newspaper fourteen days prior to hold a public hearing on whether or not the Town should allow shellfish aquaculture and how to give out licenses. Mr. Gallagher stated he would amend his motion to hold a public hearing at the next meeting if the Board would agree to give the licenses to the three applicants that have already applied.

Mr. Beaton stated that they had to post the public hearing on its own and should be at the next available meeting.

Mr. Randall stated that the aquaculture would result in privatizing a public resource and suggested Special Legislation to offset the public benefit and allow for setting great rates for the grants.

Mr. Gallagher stated that there was not need for a Home Rule Petition for this process. He added that granting the licenses would allow three Kingston residents to make a living and suggested that the meeting be posted to grant the licenses. Mr. Beaton stated that would be out of order and withdrew his second on the motion previously made. Mr. Gallagher withdrew the motion.

Upon motion made by Mr. Randall and seconded by Mr. Gallagher, following a discussion and a 5-0-0 vote, it was—

VOTED: To schedule the public hearing for Shellfish Aquaculture at the next available meeting to allow for the legal posting requirement.

Mr. Wheble, one of the applicants came forward and advised that the application process allowed for the applicants to be named prior to the public hearing. Mr. Gallagher stated that at the public hearing all the steps and regulations would be addressed.

The Board reviewed the Town Administrator's Report. Ms. Myers discussed the FY10 Budget and recommended wage freeze status and impact to Unions that did not accept the freeze. Ms. MacFarlane stated that the Unions that accepted the freeze should be commended.

Ms. Myers also discussed the change in County government in the transfer of County Sheriffs to the State and the impact of transferring assets and the keeping the liabilities of retirement with the County and passing on to the Towns. Mr. Beaton made a motion to send a letter to Senator Murray regarding the matter and upon motion made by Mr. Beaton and seconded by Mr. Gallagher, following a discussion and a 5-0-0 vote, it was—

VOTED: To send the letter opposing the State transferring the assets unless all the liabilities of the County Sheriffs are assumed by the State.

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

VOTED: To approve and accept the minutes of the public session meetings on February 17, February 24, March 31, April 14 and may 12, 2009 and the executive session meetings on February 17, February 24, March 31 and may 12, 2009.

Upon motion made by Ms. MacFarlane and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To authorize the Conservation Land Review Committee to commence with the Forestry Plan for Camp Nekon utilizing the \$3,000 funds granted from the Sampson Fund.

The Board reviewed the request of the Jones River Historical Society to place signs on Town property advertising the Bradford House Brunches during the summer months. Upon motion made by Mr. Randall and seconded by Mr. Gallagher, following a discussion and a 5-0-0 vote, it was—

VOTED: To grant permission for the signs at the locations designated on the request.

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

VOTED: To accept the resignation of Douglas Billings on the Technology Advisory Committee.

The Board reviewed the application of John Michel Steele for the transfer of a Common Victualler license from Marksie's Mighty Dogs to the Frosty Cow. Upon motion made and seconded, following a discussion and a 4-0-1 vote, it was—

VOTED: To approve the transfer of license from Marksie's Mighty Dogs to the Frosty Cow.

Mr. Beaton abstained from voting.

The Board reviewed the Articles for the adjourned session of the Annual Town Meeting and the Special Town Meeting. The Board voted as follows:

Annual Town Meeting

Article 2	Budget	4-0-1	(Mr. Beaton abstained)
Article 3	Water Budget	Wait for Town Meeting	
Article 4	Sewer Budget	3-0-2	(Mr. Beaton & Mr. Gallagher abstained)
Article 8	W&P	5-0-0	

Special Town Meeting

Article 1	Supplemental Funding	5-0-0	Motion by Ms. MacFarlane
Article 2	Street Correction	5-0-0	Motion by Mr. Randall
Article 3	Slip Lane Land Swap	5-0-0	Motion by Mr. Gallagher
Article 4	Chapter 90	5-0-0	Motion by Mr. Arruda
Article 7	MV Excise Exempt	5-0-0	Motion by Mr. Martin
Article 8	MV Excise Exempt	5-0-0	Motion by Mr. Martin
Article 9	Circuit Breaker	5-0-0	Motion by Mr. Donnelly

No Motion on Article 5 & 6

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