

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
June 9, 2009

Chairman Sandra D. MacFarlane opened the meeting of the Board of Selectmen held on June 9, 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 commended the employees that accepted the wage freeze and noted that the budget had passed at the Town Meeting without changes.

The Chairman called upon Alan Cabral to join her at the podium. Ms. MacFarlane presented Mr. Cabral with a Certificate of Recognition and Appreciation upon his retirement as a Police Officer.

Ms. MacFarlane announced that due to a posting problem the Housing Authority originally scheduled to meet with the Board at 7:00 p.m. would be postponed until 8:00 p.m.

Ms. MacFarlane announced the open forum and Mark Guidoboni came forward as a member of the Conservation Land Review Committee, and advised that the Board needed to appoint a member to the represent the Board on the Committee.

The Board considered the meeting minutes. Upon motion made and seconded, following a discussion and a 5-0-0 vote, it was—

VOTED: To accept and approve the minutes of the public sessions on April 28 and May 26, 2009.

The Board reviewed the Town Administrator's report. Items discussed were; FY10 Budget Preparation, FY09 Budget Status, and the Insurance Advisory Committee annual meeting and an effort to reach out to four employees on Master Health Plus to suggest comparable plans at a lower cost for the Town. Ms. Myers also noted that the hearing for Verizon license would be scheduled in the next week or two. Bob Pinato from the Cable Advisory Committee was present and stated that the Committee did not meet as schedule and would be meeting next week.

Ms. MacFarlane requested that a member of the Board consider filling the position the Conservation Land Review Committee which she previously held. Upon motion made by Ms. MacFarlane and seconded by Mr. Gallagher, following a discussion and a 5-0-0 vote, it was—

VOTED: To appoint Richard Arruda as the Boards representative to the Conservation Land Review Committee.

Under old business, Mr. Gallagher advised that the Senior Center Building Committee had received approvals from the Planning Board and the Building Committee would be contacting and meeting with the Architect to move forward with bids for August. Mr. Beaton requested that the Board contact the Plymouth Board of Selectmen to meet jointly to finalize the Economic Target Area. Upon motion made by Mr. Beaton and seconded by Mr. Arruda, following a discussion and a 5-0-0 vote, it was—

VOTED: To request Town Administrator Jill Myers to contact the Plymouth Board of Selectmen and request a joint meeting to discussion the Economic Target Area.

At 7:15 p.m., the Chairman opened the public hearing by reading the notice regarding the issuance of three (3) licenses for Shellfish Aquaculture on ten (10) acres in the inner-tidal zone.

John Wheble, one of the applicants for a license stated that he and two others had applied almost two years ago, attended 5-6 meetings and had addressed many questions on the matter. Ms. Myers stated that according to MGL Chapter 130, Section 57, within sixty (60) days after written application the Town could vote to grant the licenses following a public hearing. She further advised that the application was to be issued by the Town and suggested that the applicant reapply on the proper form. The Board reviewed the regulations drafted by Ms. Myers and the feasibility of using volunteers to be the enforcement agency under the direction of the Harbormaster/Shellfish Constable.

Ms. MacFarlane asked if anyone present wanted to speak in favor or against the matter. Elaine Fiore of the Rocky Nook Park Beach Association stated that the group was in favor of granting licenses and it was not different than when the Town granted mussel licenses a few years ago. William Vanduzer came forward and advised that he submitted an application as directed by the former Harbormaster and wanted to know where he stood to get a license.

Mr. Gallagher responded that the first three applicants had applied for the initial 10 acre offering. He stated that after years 2 or 3 the Board would consider additional applications. Mr. Vanduzer noted he had no problem issuing it to the three other applicants.

Bill Napalitano came forward and suggested that the rules and regulations accepted prior to considering the applications. Mr. Guidoboni advised that he was a member of the Waterfront Committee and was 100% in favor of Shellfish Aquaculture in Kingston and the Town's ability to apply for grants once it is in place.

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

VOTED: To close the public hearing.

A motion made by Mr. Randall to open up not more than twelve (12) acres subject to the rules and regulations was not seconded.

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

VOTED: To schedule a public hearing for the acceptance of the applications from John Wheble, Thomas Taylor, and Greg Barker to be awarded Shellfish Aquaculture Licenses for farming on three (3) three (3) acre sites located in the inner-tidal zone previously identified, surveyed and affirmed by the State of Massachusetts Division of Marine Fisheries as compatible and meets all guidelines and requirements set by the state.

The Board reviewed the proposed regulations and application form. Upon motion made by Mr. Randall and seconded by Mr. Gallagher, following a discussion and a 5-0-0 vote, it was—

VOTED: To set the time period for holding the public hearing following the posting of the public hearing notice at ten (10) days and to remove the requirement to notify abutters within 750' of the grant locations from the regulations.

The Housing Authority members came forward to hold a joint meeting with the Board. Present were James Farrell, Bob Pinato, Victoria Benassi and Cynthia Fitzgerald. Two candidates came forward; Donald Ducharne and Mary Beth Haberi and were allowed to speak about their qualifications and interest in serving on the Housing Authority. Upon nomination made by Mr. Farrell and seconded by Mrs. Fitzgerald, members of the Housing Authority and the Board of Selectmen, unanimously voted –

VOTED: To appoint Donald Ducharne to serve as a member of the Housing Authority to serve until the next annual Town election.

The Chairman read the list of donations made for the Memorial Day Parade. Upon motion made and seconded, following a discussion and a 5-0-0 vote, it was—

VOTED: To accept the donations with gratitude.

The Chairman noted that certificates of appreciation will be given to those that made donations.

The Board reviewed the list of annual appointments. A motion was made by Mr. Beaton and seconded by Mr. Gallagher to vote the reappointment list and the recommendations for appointment from the Interim Harbormaster. Mr. Randall made an amendment to the motion to replace John Haas with Daniel King on the Zoning Board of Appeals, the amendment was seconded by Mr. Arruda. Mr. Beaton and Mr. Gallagher questioned why Mr. King was being considered since he had put in for four different Committees. Mr. Beaton suggested having Mr. King and Mr. Haas in attendance at the next meeting to speak to the appointment and made a motion to that effect. Mr. Gallagher seconded the motion. After a lengthy discussion both motions and seconds were withdrawn and Mr. King was to be contacted to ascertain which Committee he was most interested in serving on. Upon consensus, both Mr. Kingston and Mr. Haas were invited to attend the next Board meeting.

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

VOTED: To appoint the list as presented on the reappointment list and the Assistant Harbormasters and Shellfish Constables as recommended by the Interim Harbormaster as follows:

Name	Committee	Term
Joseph B Mathias	Agricultural Commission	3 years
Philip R. Burnham	Agricultural Commission-Associate	1 year
Paul L Armstrong	Americans with disabilities Act Coord	Indefinite
Paul L Armstrong	Bldg Insp./Zoning Enforcement Officer	3 years
Michael J. Clancy	Local Inspector	3 years
James E Colman Jr	Assistant Zoning Enforcement Officer	3 years
Thomas E Bolus	Cable Advisory Committee	3 years
Mary Ann Martin	Commission on Disability	3 years
Cynthia Anne Merry	Commission on Disability	3 years
William J Kavol	Conservation Commission	3 years
Marilyn R Kozodoy	Conservation Commission	3 years

Maureen A Thomas	Conservation Agent	1 year
Bruce K Bird	Council on Aging	3 years
Muriel A Boyce	Council on Aging Director	1 year
Carol E Lormer	Cultural Council	3 years
Justin E Manley	Economic Development Commission	5 years
David W Gavigan	Educational Fund Trustees	5 years
Mark R Douglass	Deputy Director Emergency Mgmt	1 year
Walter W Hoeg	Fence Viewer	1 year
Peter C Cobb	Fish Committee	1 year
Pine duBois	Fish Committee	1 year
David M Carvalho (Paid)	Asst Harbormaster/Shellfish Constable	3 years
Jeffrey S Bond	Assistant Harbormaster	3 years
Richard A Krueger Jr	Assistant Harbormaster	3 years
Thomas E Bolus	Deputy Shellfish Constable	3 years
Gregg S Bouley	Historical Commission	3 years
Robert H Gleason	Insurance Advisory Committee	1 year
Matthew J Darsch	Local Water Resources Mgmt Agency	1 year
Walter W Hoeg	Measurer of Wood & Bark	1 year
Muriel A Boyce, Delegate	Old Colony Elderly Services	1 year
Paul F Basler	Old Colony Planning Council	1 year
Hazel E Foley, Rep.	OCPC Area Agency for Aging	1 year
Susan T Boyer	Planning Board Associate Member	3 year
Norman E Bouchard	Plumbing & Gas Inspector	1 year
Thomas S. Bouchard Sr.	Plumbing & Gas Inspector	1 year
Richard S Eldridge	Plumbing & Gas Inspector	1 year
Douglas G Hawthorne	Plumbing & Gas Inspector	1 year
Sharon T Collins-Hazley	Recycling Committee	1 year
Jean M Landis-Naumann	Recycling Committee	1 year
Eugene W Wyatt Jr	Recycling Committee	1 year
Joseph F Casna Jr	Rent Control Board	5 years
Richard J Cussen	Right-to-Know Coordinator	1 year
Harold E. Tuttle	Sealer Of Weights & Measures	1 year
Rochelle R. Smith, Rep	South Shore Com. Action Council	1 year
Paul F Basler	South Shore Recycling Cooperative	1 year
Douglas M Buitenhuys	South Shore Recycling Cooperative	1 year
John C Veracka Jr	Survey Board	1 year
Mark R Guidoboni	Waterfront Committee	3 years
Lionel B Warner	Wire Inspector	1 year
Steven E Ellis, Alternate	Wire Inspector	1 year
Stephen R Peterson, Alt	Wire Inspector	1 year
Michael T Romano, Alt	Wire Inspector	1 year
Francis Ferioli	Deputy Shellfish Constable	3 years
Thomas E Connors	Assistant Harbormaster	3 years
Jon Cazeault	Assistant Harbormaster	3 years
Joseph V. Zlogar Jr.	Assistant Harbormaster	3 years

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

VOTED: To approve the request of Kingston Cub Scout Packs to hold a Flag Retirement ceremony on the Town Green on June 14, 2009 at 6:30 p.m., and further;

VOTED: To approve the request to transfer funds from Highway 01422-52253 to Street Lights 01424-52211 in the amount of \$7,500, and further;

VOTED To appoint Jill R. Myers as the representative to the Plymouth County Health Group.

The Board reviewed the request to place signs for a fundraising event sponsored by Fairy Dogparents on town owned property. Mr. Beaton stated that he had nothing against the event but thought a policy should be in place to regulate what kind of signs should be allowed, i.e. historical or educational events. He further added that he did not want to deny this request but suggested a policy for future requests. Mr. Arruda expressed his concern that the sign By-Law was not enforced and stated that the regulations should be followed.

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

VOTED: To allow the signs to be placed on Town property from June 21-28, 2009.

Mr. Beaton suggested putting the adoption of a sign policy on a future agenda and to obtain similar policies from surrounding Towns.

The Board reviewed the request to set the fees for the Harborfront since the current regulations stated the incorrect fees. Upon motion made and seconded, following a discussion and a 5-0-0 vote, it was—

VOTED: To set the fees as follows: General Facilities Fee - \$5.00 per foot, Town owned Slip - \$135 per season + \$5.00 per foot, Town owned rack - \$100 per season + \$5.00 per foot, Town owned mooring - \$50 per season, Tender Tie ups - \$10 per season, Non-resident parking - \$150.

The Board reviewed the request of the Kingston Educational Foundation to hold two fundraisers on the lawn and parking lot at the Town House. Upon motion made by Mr. Gallagher and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To grant permission to Kingston Educational Foundation to hold two fundraisers in the parking lot of the Town House and not to use the front lawn, and said permission is contingent upon obtaining any insurance required by the Town's insurer.

The Chairman read the proclamation declaring June 20, 2009 as "Jones River Village Historical Society Day" commemorating the Jones River Village Historical Societies one hundredth anniversary. Upon motion made by Paul Gallagher and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To endorse the proclamation.

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

VOTED: To enter into executive session¹ for the purpose of discussing Financial Assistance and Collective Bargaining.

Respectfully Submitted:

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

¹ The public session adjourned at 9:05 p.m. and the executive session adjourned at 9:51 p.m.