

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
December 12, 2006

Chairman Joseph D. Kelleher opened the meeting of the Board of Selectmen held on December 12, 2006 at 7:30 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Mark S. Beaton, Paul M. Gallagher, Sandra D. MacFarlane, Jean M. Landis-Naumann and Town Administrator Kevin R. Donovan.

The Chairman announced the dates to note and the Open Forum. No one came forward to speak at Open Forum.

Mr. Gallagher stated that he had watched the Planning Board meeting the night before and praised the quality of the sound and the new microphone system.

Mark Wagner, Manager of the Independence Mall was present to provide a summary of the renovation to the Mall, specifically to the theater. He advised that the theater seating would increase from 2800 to 4000 seats in 18 theaters. Mr. Beaton stated that this was the opportunity to add access points to the Mall and Mr. Gallagher expressed concern for the vast layout of the parking lot and pedestrian traffic to the Mall. Ms. MacFarlane asked how many parking spaces would be added and Mr. Wagner stated that 4075 spaces would be required and they would seek a waiver for approximately 400 spaces. Mr. Beaton suggested the possibility of a parking deck to accommodate a greater number of spaces in a smaller area, giving consideration to the water overlay district. Mr. Wagner stated that the entrance off the back of the Mall was yet to be determined and that it would require three more acres of pavement to meet the parking requirement.

Mr. Gallagher stated that there was still a great deal of work to be done in the permitting process and the information Mr. Wagner provided was just preliminary information. Mrs. Landis-Naumann asked what the time was for completion. Mr. Wagner stated that they were just starting the permit process but when that was finished the renovation would take less than a year.

Mr. Kelleher stated that he would recuse himself from participating in the public hearing on the application for a transfer of an all-alcoholic beverage license from Tuscon Taco's Inc. to Double Dixon, Inc. Mr. Beaton also recused himself from participating. Mr. Gallagher stated that he would chair the hearing and read the hearing notice. Michael Lynch and Frank and Deanna Dixon were present for the petitioners. Deanna Dixon stated that the food would be BBQ and that the interior of the restaurant would remain unchanged. Mr. Dixon stated that he has been in the restaurant business for 27 years. Ms. MacFarlane asked if the present staff would be staying on and Mr. Dixon said that they would. Mrs. Landis-Naumann asked if they would require a smoker for the BBQ. Mr. Dixon stated that with the present technology they use an oven that achieves the same result and does not exceed any fire and smoke regulations.

There were no questions or comments from the public and no one spoke in favor or against the transfer. Upon motion made and seconded, following a discussion and a 3 to 0 to 0 vote, it was –

VOTED: To close the public hearing, and further;

VOTED: To approve the transfer of license from Tuscon Taco's Inc. to Double Dixon, Inc.

Mr. Kelleher and Mr. Beaton rejoined the meeting. Mr. Kelleher read the public hearing notice on the application of Verizon and N/Star to locate a pole in front of the property on 139 Elm Street. Darryl Crossman was present from Verizon and stated that the pole would provide support to an existing pole on which a new service would be added. Ms. MacFarlane asked if the road would have to be closed and Mr. Crossman stated that it did not.

There were no comments from the public and upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To close the public hearing.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To approve the petition to locate a pole at 139 Elm Street.

The Board reviewed the Town Administrator's report. Items discussed were the closing of the warrant for the Annual and Special Town Meeting, an upcoming Customer Service Training Seminar, the Selectmen's new meeting schedule, Five-year Financial projections presentation by John LaBrache, and the Town House holiday closing schedule.

Mrs. Landis-Naumann questioned the closing date for the warrant, stating that she thought it was too soon and asked whether the Board could accept articles after the warrant closed. Mr. Donovan advised that the date is set by the Board to give the Finance Committee and the Board the time needed to review the articles and that accepting articles after the warrant closes is at the discretion of the Board. Mr. Gallagher stated that while the Board has discretion to open the warrant, every effort should be made to have them submitted on time. Mrs. Landis-Naumann asked if all employees will be required to attend the seminar for Customer Service Training and Mr. Donovan stated that all Town House employees would be required to attend.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To accept the public and executive session minutes of November 28, 2006.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To accept the resignation of Carrie Elliott as the Library's representative to the Heritage Center Development Committee, and further;

VOTED: To appoint Rui David Santos to the Agricultural Commission, James Hathaway to the Conservation Land Review Committee, representing SLRS, Kris Kjellander as a KEMA volunteer, and Joyce Rossi as the Library's representative to the Heritage Center Development Committee

Two candidates for the vacancy on the Conservation were present; David Fitzgerald and James T. Dehner. Each was given the opportunity to present their qualifications to fill the vacancy.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To appoint James T. Dehner to the Conservation Commission.

Three candidates were present to fill the one vacancy on the Secure Energy Future Committee; Michael O'Meara, Jeanne M. Forti, and Stephen Sechovicz. Each was given the opportunity to present their qualifications to fill the vacancy.

Mrs. Landis-Naumann stated that she was impressed with all three candidates and did not want to turn anyone away and made a motion to change the membership of the Committee to nine members. Mr. Gallagher seconded the motion and stated that he agreed that he too was impressed with the candidates but questioned if there would be a problem getting a quorum with nine members. Mr. Beaton stated that if it became a problem they could reduce the membership. Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To increase the membership of the Secure Energy Future Committee to nine members and to appoint Michael O'Meara, Jeanne M. Forti, and Stephen Sechovicz to serve on the Committee.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To approve the payment in the amount of \$2,375.00 from the Wetland's Protection Fund to pay the cost of a soil scientist.

Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To approve the renewal of licenses for Automatic Amusement, Sunday Entertainment, Inn Holder, Class I, II, and III Motor Vehicles, and Common Victualler as presented on a list. (complete list available in the Selectmen's office)

Mr. Beaton gave the highlights of the Smart Growth Conference he attended and stated that he had give the members of the Board a copy of his notes from the Conference.

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

VOTED: To enter into executive session¹ for the purpose of discussing the purchase or lease of public property and a request for financial assistance.

Respectfully submitted:

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

¹ The public session adjourned at 8:45 p.m. and the executive session adjourned at 9:05 p.m.