

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
February 27, 2007

Chairman Joseph D. Kelleher opened the meeting of the Board of Selectmen held on February 27, 2007 at 7:00 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.

State Representative Thomas Calter was present to provide the Board with an update on the Governor's FY08 Budget. Representative Calter began by advising that the Board's letter regarding licensing and payment of employment taxes had drawn the third highest interest and it had been assigned to the Committee on Finance and expected that it would find its way to being a law.

Representative Calter stated that the Governor had met with the House in a formal session and detailed his reorganization plan and that his second initiative was a nine point municipal partnership which would focus on flexibility in local government, inclusion in the State's insurance plan and state purchasing. He further detailed the House 1 budget which would include major investments in schools, public safety, tax relief, 5.5% local aid, and full-time kindergarten. Additionally, the Governor proposed to pay for investments with reductions in State agencies through consolidation, the use of interest only from the stabilization fund, elimination of corporate loopholes, new revenue, better debt management, and the consolidation of four state homeless agencies being condensed to two with elimination of homelessness. Representative Calter advised that the Governor's balanced budget was easily understood.

Mr. Gallagher thanked Representative Calter for coming forward and providing the update. He further expressed his concern that Kingston receives a fair share of the distribution of state aid.

Mr. Beaton stated that he was excited that it appeared that the Governor has recognized that the middle class was shrinking in proposing tax relief.

Ms. MacFarlane stated that she thought it interesting to only use the interest on the stabilization fund and hoped it could be done.

Mr. Kelleher asked about the proposed department reorganization and Representative Calter stated that parks and beaches were a priority and that the departments would be reorganized and then funded.

The Board reviewed the Town Administrator's report. Mr. Donovan stated that he and the Treasurer, Finance Committee Chairman and Vice Chairman had met and with current

numbers were estimating a 900,000 deficit and that the Finance Committee would be discussing how to handle it at its next meeting. Mr. Donovan detailed options that were available for Town Meeting including; staying within the levy limit with no override, an amount subject to the passage of an override and if the override does not pass the budget amount would fall back to the levy limit. Mr. Donovan announced that the Town's website had been recognized by Common Cause and an award would be presented on March 15th at the State House. He recognized the work of Shelley Loring for organizing the website and all those that contribute information to the website. Mr. Donovan stated that the Annual Town Report cover would be a picture collage done by Nancy Howlett.

Mrs. Landis-Naumann stated that Marshfield was offering on-line census reporting and asked Mr. Donovan to consider pursuing Kingston doing the same. Mr. Donovan advised that he would consult with the Town Clerk on the matter.

Mr. Gallagher stated that he wanted details on every budget to be available so that voters would see what impact passing or not passing an override would have on services.

Ms. MacFarlane stated that voters should be reminded that they have a choice where to make the cuts and that they do not have to cut Police and Fire personnel when other things could be cut.

Mr. Kelleher read the public hearing notice on the application of Ruelas Inc. dba Cancun for an Inn Holders and Sunday Entertainment license. Mr. Beaton recused himself from participating due to a potential conflict and left the table. Robert Germaine was present representing the applicant. Mr. Germaine stated that they wanted to have entertainment to supplement the dinner atmosphere. He stated that the band would be either a mariachi band or a one to three piece band and would play mood music.

Mrs. Landis-Naumann advised that Mr. Germaine stated that the restaurant was open until 9:30 p.m. but the application stated 11:00 a.m. to 1:00 a.m. on weekends. She further stated that when they came before the Board they stated that there would be no entertainment. Mr. Germaine stated that there would be no band and no cover and that the entertainment would be mood music while people dined. Mrs. Landis-Naumann asked where the entertainment would be playing from and Mr. Germaine stated the lounge. Ms. MacFarlane stated that she had visited the restaurant and was advised that several dining tables would be moved in the lounge to make room for up to a three piece band, that sometimes it would be a single guitar, and the volume level would still allow diners to talk.

Mr. Gallagher stated that once approved the entertainment could take place during all the licensed hours. He further stated that the presentation was that it would be a family restaurant, without the lounge as in the past establishment and it seemed as though they were trying to reestablish the lounge. Mr. Gallagher stated that although Mr. Germaine assured the Board now that the music would be limited to mood music that they had no guarantee that they would not change in the future to a rock band. Mr. Germaine that they he wanted to assure the Board that they had no intention of running a lounge and that the music would remain as a mood music atmosphere with no loud outrageous bands.

Mr. Kelleher stated that the Board could restrict the hours of the entertainment license as well as the type of entertainment and suggested 4:00 to 11:00 p.m. Mrs. Landis-Naumann stated that she wanted to clarify if once the license was issued what could happen if they did not comply. Mr. Donovan stated that they could hold a show-cause hearing as to why the license should not be revoked.

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

VOTED: To close the public hearing.

Upon motion made by Ms. MacFarlane and seconded by Mrs. Landis-Naumann, following a discussion and a 3 to 1 vote, it was —

VOTED: To grant the Inn Holders License for Live Entertainment and the Sunday Entertainment License for a one to three piece band for the purpose of mood music for diners.

Mr. Gallagher did not support the motion. Mr. Beaton rejoined the meeting.

Mr. Kelleher stated that if an override did not pass, and cuts would have to be made across the board, he wanted the Board of Selectmen to consider voting in the future to eliminate health insurance for part-time elected officials.

Mr. Beaton stated that the state is in flux and that it would be premature to cut the benefit from the elected officials who put in an incredible amount of time and the only perk they receive is the health insurance.

Ms. MacFarlane stated that on the surface it seemed black and white to save the Town \$75,000 over three years. She further stated when you look at the overall budget it is less than 1% and more importantly than dollars it is the people factor. She added that passing this would eliminate a pool of talented people from the volunteer base and that a truly altruistic person, one that doesn't care about the benefit may not be as qualified as someone who could not afford to or want to volunteer without it. Ms. MacFarlane stated that if phased in over three years and have people who have served for 20 years have come to rely on the benefit, effecting themselves and their families. She concluded with stating that because of these far reaching consequences that it was an issued that should not go forward and it did should not be supported.

Mr. Gallagher stated that this was one incentive for Elected Officials to have quality candidates come forward. He further stated that although the Board of Selectmen had the authority to take the benefit from 28 Elected Officials, they should allow the opportunity for those individuals to debate the issue.

Michael Ruprecht, Planning Board member stated that as one of the people that partake in the benefit, he suggested notifying the participants to speak and give their point of view. He further suggested that as a way to save there were some programs that gave a reduced rate for a family of two rather than the full family plan. Mr. Kelleher advised that the County does not offer that option.

Mr. Gallagher stated that Representative Calter had spoken earlier in the evening on local assistance from the State and participation in State insurance programs. Mr. Donovan stated that it would require coalition bargaining and on the surface sounds extremely difficult.

The Board reviewed the request from the Heritage Center Development Committee to change the Finance Committee and MPIC appointments to the Committee to citizen-at-large since no members of either Committee have been appointed to serve. The Finance Committee submitted a letter supporting the change. Mr. Gallagher suggested changing the MPIC appointment also. Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To change the Finance Committee's and the MPIC's membership on the Heritage Center Development Committee to a citizen-at-large.

Mr. Beaton advised that he wanted to look again at the number of ambulance runs to Chipman Way because he felt the amount reported at the presentation by Wingate at Silver Lake was not accurate. Mr. Beaton suggested that the developer provide an ambulance to the Town due to the number of ambulance runs and that the Board suggest to Boards and Committees to keep this idea on the table when the developer was seeking permits.

Mr. Gallagher stated that in all fairness, the ambulance runs had decreased. Mrs. Landis-Naumann stated that there was still a good number of call and man-hours used to service the facility and it was still significant to have 10% of the total number of calls to one address.

Ms. MacFarlane stated that between 2004 and 2005 the amount had been increasing and now they were adding more units. Mr. Gallagher reminded the Board that the 178 people were Kingston residents.

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

VOTED: To accept the donation in the amount of \$300.00 from Sovereign Bank for the Secure Energy Future Committee to pay the dues to become a member of the ICLEI, Local Governments for Sustainability.

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

VOTED: To enter into executive session¹ for the purpose of discussing collective bargaining and financial assistance and not return to public session.

Respectfully submitted:

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

¹ The public session adjourned at 8:12 p.m. and the executive session adjourned at 9:10 p.m.

