

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
January 20, 2009

Vice Chairman Sandra D. MacFarlane opened the meeting of the Board of Selectmen held on January 20, 2009 at 7:00 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Mark S. Beaton, Jean Landis-Naumann, Dennis N. Randall and Town Administrator Kevin R. Donovan. Chairman Paul M. Gallagher was absent.

The Chairman announced the Open Forum and Treasurer John LaBrache came forward to ask the Board to vote to approve the sale of \$1,279,000 2.50 percent General Obligation Bond Anticipation Note dated January 29, 2009. Upon motion made and seconded, following a discussion and a 4-0-0 vote, it was—

VOTED: To vote to approve the sale of \$1,279,000 2.50percent General Obligation Bond Anticipation Note dated January 29, 2009. (Full description of the vote is on file in the Selectmen's office).

Mr. LaBrache asked the Board to sign the notes in the Town Clerk's office before 9:00 p.m.

Ms. MacFarlane opened the continued hearing for Verizon's Cable Television License. A member of the Cable Advisory Committee asked the Vice Chairman if they could delay the hearing for five to ten minutes while they try to complete negotiations with Verizon. Mr. Randall suggested resuming the hearing at 7:15 p.m. Mr. Beaton suggested closing the hearing and having Verizon reapply when they have the final document and not try to rush it through. A motion made by Mr. Randall and seconded by Mrs. Landis-Naumann following a discussion and a 3-1 vote, it was—

VOTED: To continue the hearing until 7:15 p.m.

Mr. Beaton did not support the motion.

The Board reviewed the Town Administrator's report. Items discussed were the impact to budget with projected reductions in State Aid and Mr. Donovan's announcement that he had been offered a job as CEO for South Shore Tri-Town Development Corporation which is the entity entrusted with the redevelopment of the 1,400 acre former Naval Air Station at South Weymouth that geographically sits in Weymouth, Rockland and Abington. Ms. MacFarlane stated that there would be a big void when Mr. Donovan leaves. Mr. Beaton made a motion to form a search committee in order to act quickly to fill the vacancy and if possible not need to appoint and interim Town Administrator. Upon motion made by Mr. Beaton and seconded by Mr. Randall, following a discussion and a 4-0-0 vote, it was—

VOTED: To form a Search Committee comprised of the following; Member of the Board of Selectmen, Finance Committee, Representative from the Silver Lake Regional School District/School Committee, a Department head, a Citizen-at-Large, for Mr. Donovan to also be a part of the Search Committee if his schedule allows and for Mr. Donovan to prepare and place an ad to solicit resumes to fill the position.

Ms. MacFarlane stated that the hearing for the Verizon Cable Television License was now open. Upon motion made by Mr. Randall and seconded by Mrs. Landis-Naumann, following a discussion and a 4-0-0 vote, it was—

VOTED: To dispense with the reading of the hearing notice.

Ms. MacFarlane outlined the rules of the public hearing and invited Mr. Arrowsmith, Chairman of the Cable Advisory Committee to address the Board. Mr. Arrowsmith advised that the Committee had been negotiating a contract with Verizon to present to the Board but they need more time and suggested continuing the hearing until February 3, 2009. He stated they were very close to an agreement and that it would not be prudent to start the hearing process over again. Mr. Randall stated that members of the public that were present should be given the opportunity to speak.

Mr. Arrowsmith stated that the Committee was not ready yet to make a recommendation. Mr. Beaton stated that he did not want to vote on hearsay and suggested postponing the discussion and asking the public to come back. Ed Beilechi, Secretary of the Cable Advisory Committee stated that they were doing what was best for the Town and the Town needed competition.

James McGrail was present representing Verizon and stated that the discussion had been productive and should be wrapped up by the next Selectmen's meeting. He added that Verizon was eager to bring in competition and fios. Mrs. Landis-Naumann said that she would like to be better informed and wanted to hear from the public.

Ms. MacFarlane asked if anyone from the public wanted to ask any questions. No one came forward. She asked if anyone wanted to speak in favor and a number of hands were raised. Carry Crossland, Eleanor Target, Mike Shanley and Shawn McDill spoke in favor of the license. All stated they were either Verizon employees or related to a Verizon employee and residents of Kingston. No one present requested to speak against the license.

Mr. Randall stated that he was agitated of the predatory practice of Comcast and wanted to be sure the consumer protection rights were protected in the negotiation with Verizon. Mr. Beaton suggested having the license renewal period for both Comcast and Verizon to be done at the same time to make the agreements comparable. Mr. Arrowsmith stated they wanted them not on the same schedule in order to keep the Committee working and in place and not dormant between long spans of time.

Town Counsel was present and advised that the consumer protection rights were covered under the FCC Customer Service Standard. Mrs. Landis-Naumann expressed that the Comcast broadcast of the Selectmen's meetings were terrible sound quality and there was background noise and it had been there for a long time. Mr. Arrowsmith stated that there were adjustments being made and the Committee was seeking in the agreement to have a direct link to the Silver Lake Regional High School.

Upon motion made by Mrs. Landis-Naumann and seconded by Mr. Beaton, following a discussion and a 4-0-0 vote, it was—

VOTED: To continue the hearing until February 3, 2009 at 7:15 p.m.

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

VOTED: To accept the minutes of the December 23, 2008 and January 6, 2009 public session meetings.

Mr. Beaton advised that he provided a list of fees from surrounding Towns for comparison to the fees voted at the last meeting for the Fire Department and for discussion in six months.

Ms. MacFarlane requested that the Board possibly reconsider their involvement in the Casino Task Force. She further advised that she felt the Task Force was moving toward a position of being opposed to the Casino rather than being a fact finding group. She stated that the mission statement was to insure that the communities had a seat at the table to get mitigation for negative impacts. Ms. MacFarlane asked the Board how they felt about

taking a step back from the Task Force in that she was not willing to go back to meetings with the tactic they are taking.

Mr. Randall suggested writing a letter expressing the concerns regarding the political action group. Mrs. Landis-Naumann suggested sending a letter to all the member Towns of the Task Force asking them what they want to the Task Force before withdrawing from the group.

Upon motion made by Mr. Beaton and seconded by Mr. Randall, following a discussion and a 4-0-0 vote, it was—

VOTED: To send a letter expressing concern for the direction that the Task Force is taking and send it to the Task Force as well as the member communities.

The Board reviewed the warrant for the Annual Town Meeting. Mr. Beaton suggested removing Article 15 and holding a place for two Articles from the Green Energy Committee, should they be necessary.

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

VOTED: To set the warrant with the removal of Article 15 and with two Articles for the Green Energy Committee.

The Board reviewed Mass Housing's request for comments on the Pond Properties Application for a 40B development. Mr. Beaton made a motion for unfavorable action on the application, which was seconded by Mr. Randall. Members of the Board expressed concern for the pond and possible water contamination as well as the need for the 40B considering the 40R development. Mrs. Landis-Naumann stated she was not ready to vote against the project. Upon motion made and seconded, following a discussion and a 3-1 vote, it was—

VOTED: To send a letter to Mass Housing advising that the Board does not support the Pond Properties Application.

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

VOTED: To approve the Best Buddies Challenge Road Race.

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

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

Respectfully Submitted:

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