

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
January 2, 2007

Chairman Joseph D. Kelleher opened the meeting of the Board of Selectmen held on January 2, 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.

Mrs. Landis-Naumann announced that the Emergency Planning Calendar was mailed to residents and contained very important information. She also suggested that maybe the press would publish the information that the calendars were available.

The Chairman announced that State Representative Thomas O'Brien had just arrived and he called him to the podium and presented him with a Certificate of Recognition for his ten years of service representing Kingston in the 12th Plymouth District.

Laurence Pizer, Plymouth Town Clerk was present and presented a certificate to Representative O'Brien from the MA Clerks Association.

The Chairman stated that the Board would recess until 7:25 p.m. for the public to meet and greet Representative O'Brien.

The meeting reconvened at 7:30 p.m. Mr. Kelleher announced the Open Forum and Dennis Randall came forward. Mr. Randall stated that he was a citizen and a member of the Planning Board and wanted to address the Town Meeting Article concerning the 40R ByLaw. He stated that the Board should require such articles to be by petition, that it was not a Town article and that it was the developer's article. He further stated that the public was not afforded the opportunity to speak on the details or language of the article prior to it being considered at Town Meeting. Mr. Randall stated that at no time did the Board of Selectmen vote to create a 40R ByLaw article. He asked that the Board require such articles in the future to be by petition.

Mr. Kelleher stated that the Board would take the matter under advisement.

Pine DuBois came forward and expressed concern that straight rock salt was being used in sensitive areas near the Jones River. She further stated that the amount of salt used for snow and ice was causing a substantial effect on the river. She requested that the Board investigate using sand instead of salt.

Mr. Kelleher stated that they would question the Highway Superintendent about the matter. Mr. Beaton suggested that a "no salt area" be posted to alert the public when sand is used in the sensitive areas.

Mr. Kelleher read the public hearing notice on the Amendments to the Town's Affordable Housing Plan. Town Planner Thomas Bott was present and stated that the amendment would amend the plan to allow for residential preference of 70% of the affordable housing units in 40B and 40R developments.

Mr. Gallagher asked whether it was realistic to fill that many units with local residents. Mr. Bott advised that they are reserved and would be filled through a lottery process similar to the one used by Kingston Housing Authority. Mr. Gallagher stated that the public could speak on the matter through the public hearing process. No one came forward to speak.

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

VOTED: To close the public hearing, and further;

VOTED: To approve the amendment to allow for local preference, as presented. (a copy of the amendment is available in the Selectmen's office)

Town Treasurer John LaBrache was present to discuss the five year Revenue and Expense forecast. Mr. LaBrache gave an overview of the plan through FY11 and stated that for FY 08 he and the Town Administrator was factoring in 4% in State aid increases but would not know firm numbers until the Governor submitted his budget.

Mr. Donovan stated that expense budgets had been frozen for seven years with only contractual increases and that the fat had already been trimmed down years ago. He further stated it was the increased costs for retirement and health insurance that was out of the Town's control.

Mr. Beaton asked if we would be looking for an override and Mr. LaBrache stated that we probably would.

The Board discussed the ramifications of cutting budgets by 5-10%, if an override was not approved. Mr. LaBrache stated that with a 5% cut, personnel would be cut.

Mr. LaBrache stated that he had met with the Finance Committee on the Financial Guidelines and had made some changes to the draft policy. Mr. Beaton asked how much surplus revenue should be put away for the Water and Sewer Enterprise Funds. He further suggested 25% of the operating budget with the remainder resulting in a rate reduction for the property owners.

Ms. MacFarlane asked whether the Treasurer reviewed request to increase the fees charged by Departments. Mr. LaBrache stated that it was the Board of Selectmen that did the review and increase of fees. Ms. MacFarlane stated that she thought it should be discussed with the Treasurer because he had a greater expertise.

Mr. Gallagher commended Mr. LaBrache for the great work done on the Financial Forecast and Guidelines.

The Board reviewed the Town Administrator's report. Items discussed were the deadline for submission of articles for the Annual and Special Town Meeting and the Cable Advisory Committee's meeting scheduled with Town Counsel on January 17th.

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

VOTED: To approve the public and executive session minutes of December 12, 2006.

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

VOTED: To approve the payment from the Wetland Protection Fund for clerical staff to record the minutes of the Conservation Commission meetings, and further;

VOTED: To appoint Thomas Bolus to the Cable Advisory Committee and John LaBrache to the Community Preservation Committee, and further;

VOTED: Darren J. Martin, Glenn C. Bushee, Peter E. Pateline, Thomas E. Mori, Brian P. Wilson, Sean S. Percy, Todd A. Bailey, Mark J. Brenner, Jr., Thomas A. Harrison, Christopher A. Manzelli, Mark S. Shubert, and John M. Bateman as Special Police Officers and Michelle Beck, Gail Fallon, Donna-Marie Forand, Barbara DeWolfe, Joan Neary, Tayna Neubauer, Erin Gleason, and Megan Duarte as Police Matrons.

The Board reviewed the proposed amendment to the Zoning ByLaws and Zoning Map which included the Design Standards and Procedures for the Smart Growth District.

Mr. Gallagher praised the work of the Design Committee in their diligence to develop the design standards. Mr. Beaton added his praised and stated that the Committee was comprised of volunteers who incorporated into the procedures design, environmentally sensitive standards.

Mr. Gallagher stated that the process would continue with the public being given the opportunity to give input to the Planning Board during a public hearing on the Standards.

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

VOTED: To forward the articles to amend the Zoning ByLaw and Zoning Map for Smart Growth Development to the Planning Board and include on the warrant the articles for transfer of a parcel of land on Cranberry Road from general Municipal purposes to roadway purposes and to grant an easement for said property as presented.

Mr. Beaton made a motion to save a place on the warrant should the Planning Board wish to include an article for guidelines and restrictions for Smart Growth Development. The motion was supported by a 4 to 1 vote. Mr. Kelleher did not support the motion.

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

VOTED: To accept donations for the Fire Department from Kelly and David Hegg - \$25.00 and Sam's Club Foundation - \$750.00 and for the Veteran's Dept., \$500.00 from The Bonney-Glenn Co., Inc.

Mr. Gallagher requested a breakdown from the Veteran's Agent as to how the donation would be expended.

The Board reviewed the request of the MBTA to consider the extension of hours of operation, beyond 10:30 p.m. for the Commuter Rail from the Kingston Station.

Mrs. Landis-Naumann suggested they hold a public hearing on the matter. Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To schedule a public hearing to allow for public input on the MBTA's request to extend the hours beyond 10:30 p.m., and further;

VOTED: To confirm the proposed list of positions for the Annual Town Election and the proposed dates for the 2007 political calendar.

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

VOTED: To declare the Old Town House building as available for sale.

Mr. Beaton made a motion to forward to Senator Murray, Representative Calter and Massachusetts cities and towns, a copy of the Board's policy regarding licensees who are found guilty of flagrant violations of not paying the state meals tax or not paying employees in accordance with Internal Revenue Service or state Department of Revenue guidelines subject to revocation of their license after the Board conducts a hearing. The Board unanimously supported the motion.

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 collective bargaining and financial assistance.

Respectfully submitted:

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

¹ The public session adjourned at 8:40 p.m. and the executive session adjourned at 9:25 p.m.

