

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES

January 6, 2009

Chairman Paul M. Gallagher opened the meeting of the Board of Selectmen held on January 6, 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, and Town Administrator Kevin R. Donovan. Vice Chairman Sandra D. MacFarlane joined the meeting at 7:03 p.m. and Dennis N. Randall joined the meeting at 7:05 p.m.

The Chairman announced the Open Forum and no one present requested to speak.

The Chairman announced that the Cable Television Public Hearing would have to be postponed to the next meeting. Upon motion made by Mrs. Landis-Naumann made and seconded, following a discussion and a 3-0-0 vote, it was—

VOTED: To open the public hearing to determine whether to issue a cable television license to Verizon, and further;

VOTED: To continue the hearing until January 2, 2009 at 7:00 p.m.

Ms. MacFarlane and Mr. Randall were not present to participate in votes detailed above .

Fire Chief Robert Heath was present to discuss his request to increase fees for permits issued and inspections conducted by the Fire Department. Mrs. Landis-Naumann stated that she had a concern about the proposed increases and questioned how the fees compared to other Towns and if the proposed fees would cover the cost for the service. Chief Heath stated that they were not out of line, that they were equal to or less than other Towns and the fees would cover the cost of providing the service. Mr. Beaton stated that there were a lot of closed storefronts and was not in favor of increasing the fees for the commercial permits and inspections. He further stated that small businesses keep getting squeezed and the proposed fees have gone too far too fast. Chief Heath stated that the fees go to the General Fund not to his departmental budget.

Mr. Randall asked what percentage of the budget is devoted to the inspections and permitting process. Chief Heath stated that the Deputy Fire Chief does the inspections and 40% of the Deputy's salary of \$70,000 would be a fair assessment. Chief Heath further stated that the proposal would bring the costs and revenue more in line.

Ms. MacFarlane stated that the single tax rate was an incentive for businesses since commercial property is assessed at the same rate as residents. She further stated that residents should not bear the expense of the inspections for the businesses.

Mr. Gallagher stated that not all businesses would be doing all the inspections all the time and did not think the fees were excessive and that the Department needed to cover the costs.

Chief Heath stated that the fees for occupancy would be computed using a formula that Building Inspector Paul Armstrong helped him develop.

Upon motion made by Mr. Randall and seconded by Mrs. Landis-Naumann, following a discussion and a 4-1 vote, it was—

VOTED: To adopt the fee schedule proposed by Chief Heath, for Chief Heath to document how much time was spend doing permitting and inspections and to revisit the matter in six months.

Mr. Beaton did not support the motion.

The Chairman stated that the Board would conduct a hearing on the application of RK Associates to remove/prune trees at Cranberry Crossing and the abutting Town owned property. David Baker was present representing the petitioner. Mr. Baker advised that Paul Basler, Tree Warden was an employee of RK Associates, as a property manager and could not conduct the hearing due to a conflict. Mr. Baker further advised that they had an order of conditions from the Conservation Commission for the work they want to do along Mile Brook where it abuts RK Associates property. Mr. Baker stated that they had applied to Mass Highway and had a meeting schedule with Mass Highway on January 15th. He advised that the intention was to clean up trash and winter sand along the property lines of RK Associates along with cutting and pruning trees to improve the line of sight for the property from the road.

Ms. MacFarlane stated her first impression was to appoint and Acting Tree Warden to conduct the hearing but after reviewing the matter she felt the Board could make the decision and made a motion to approve the request. The motion was seconded by Mrs. Landis-Naumann. Mr. Beaton asked if there was a bond in place to ensure that the work would be completed as stated. Mr. Baker advised that the work was stated in the Order of Conditions issued by the Conservation Commission, who would re-inspect the work area annually. Mr. Beaton made a friendly amendment to include the requirement for a bond. Ms. MacFarlane added that the amount could be determined by the Conservation Commission for two growing seasons. Upon motion made by Ms. MacFarlane, amended by Mr. Beaton and seconded by Mrs. Landis-Naumann, following a discussion and a 4-0-1 vote, it was—

VOTED: To approve the request to cut/prune trees according to the plan submitted and the Conservation Commissions' Order of Conditions and to require a bond to be posted at an amount to be determined by the Conservation Commission.

Mr. Gallagher abstained from voting.

The Board reviewed the Town Administrator's report. Items discussed were Local Aid and the possibility of needing a Special Town Meeting to address the Governor's cuts, the depletion of the Snow and Ice budget resulting in the need for the Board to approve deficit spending and the increase in Veteran's Benefits spending due to the number of Veterans that are out of work.

Upon motion made by Mrs. Landis-Naumann and seconded by Ms. MacFarlane, following a discussion and a 5-0-0 vote, it was—

VOTED: In accordance with the provisions of MGL c. 44, §31D, to approve the expenditure in excess of the appropriation in the Snow and Ice Account.

Mr. Beaton stated that the Economic Target Area (ETA) proposal from Plymouth was not ideal it was still a good deal for Kingston to be involved. He suggested that Kingston get on board with Plymouth because it would help to attract businesses. Upon motion made by Mr. Beaton and seconded by Ms. MacFarlane, following a discussion and a 5-0-0 vote, it was—

VOTED: To accept the terms offered by Plymouth to be included in the Economic Target one.

Ms. MacFarlane reported that the Casino Task Force has been on hold but plans to meet on January 15th and the Conservation Land Use Committee is continuing to work on the management plan for Camp Nekon.

Upon motion made by Ms. MacFarlane and seconded by Mrs. Landis-Naumann, following a discussion and a 4-0-1 vote, it was—

VOTED: To appoint Dennis Randall representing the Planning Board, Jean Landis-Naumann, representing the Board of Selectmen and Gary Langenbach, representing the Conservation Commission to the Earth Removal Review Committee and Richard Davies to the Technology Advisory Committee.

Mr. Beaton abstained from voting.

Ms. MacFarlane stated that she had spoken with Maureen Thomas who stated she had copies of model Earth Removal ByLaws available if the Committee wanted to use them.

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

VOTED: To adjourn at 8:00 p.m.

Respectfully Submitted:

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