

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
July 20, 2010

Chairman Sandra D. MacFarlane opened the meeting of the Board of Selectmen held on July 20, 2010 at 7:00 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Dennis N. Randall, Richard J. Arruda, Mark S. Beaton, Joseph F. Casna, Jr. and Town Administrator Jill R. Myers.

The Chairman acknowledged the retirement of Gordon Pratt an employee at the Highway Dept. for forty years.

Mr. Beaton recommended allowing residents that were present to speak to the Board about the Elm Street Bridge, to speak when the matter is discussed under "new business" rather than open forum. Members agreed to Mr. Beaton's suggestion.

Eagle Scout Chip Comeau was present to acknowledge the people that helped him complete his Eagle Scout project of building a pavilion, located at the Ah-Dee-Nah, dedicated to the men and women in the military.

The Board reviewed the public and executive session minutes of the July 6, 2010 meeting and upon motion made by Mr. Beaton and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To approve the minutes but to strengthen the context regarding Mr. Priolo's demeanor when he addressed the Board.

The Board reviewed the Town Administrator's report. Items discussed were; surplus property sale and auction, the upcoming public hearing on Ocean Hill Estates order of taking, the announcement of the award of the Green Communities Grant in the amount of \$163,528, the finalization of the Wind and Solar RFPs, recruitment of the COA Director and a Highway CDL Driver/Laborer, and an upcoming Seminar for employees titled "Dealing with Difficult People". Upon motion made by Mr. Randall and seconded by Mr. Arruda, following a discussion and a 5-0-0 vote, it was—

VOTED: To authorize the disposal of surplus inventory by sale or auction.

Ms. MacFarlane stated that the Senior Center construction was moving forward and it was exciting to see the foundation and drainage already in place.

Ms. MacFarlane stated that there were two candidates for one vacancy on the Waterfront Committee; Frank Catani and James Scollins. Mr. Catani was present and addressed the Board outlining his qualifications and interest in the filling the vacancy. Mr. Scollins was not able to attend and Ms. MacFarlane suggested holding the appointment until the next meeting so that the Board could interview Mr. Scollins. The Board agreed.

Ms. MacFarlane read the public hearing notice on the hearing to revoke the Fuel Storage license at 141 Main Street; held by Colbea Enterprises, LLC and located at 2050 Plainfield Pike, Cranston, RI. Fire Chief Heath was present and advised that the tenant no longer wanted the gasoline operation and the

tanks had been removed. No one present came forward to speak in favor or against the revocation. Upon motion made by Mr. Beaton and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To close the public hearing.

Upon motion made by Mr. Randall and seconded by Mr. Beaton, following a discussion and a 5-0-0 vote, it was—

VOTED: To revoke the Fuel Storage License for 141 Main Street; held my Colbea Enterprises, LLC and located at 2050 Plainfield Pike, Cranston, RI.

Ralph Calderaro came forward to speak for the Heritage Center Development Committee members who were invited by the Board to update the Board on the eventual uses of the Adams Library Building once the renovation was completed. (Mr. Calderaro distributed a written proposal for the use of the building) Mr. Calderaro advised that in meetings with the Heritage Center Development Committee, Library Trustees and Jones River Historical “Jones River” it was proposed that there would be a collaborative use of the building as a Cultural Arts venue, archival storage and display of rotating historical collections. He stated that Jones River wanted to raise funds to lease space in the building to house its permanent collections and hold activities and further that the Library could free up space by moving the local history room to the building. Mr. Calderaro detailed how the building was being renovated to include a new elevator and the concept of how the space would be used in the joint collaboration.

Members of the Board expressed support for the concept and upon motion made by Mr. Randall and seconded by Mr. Beaton, following a discussion and a 5-0-0 vote, it was—

VOTED: For the Town Administrator to confer with Town Counsel and Jones River to formulate a lease for the use of the building as a reasonable sustainable public education facility.

Keith Elder, Chairman of the Town Government Study Committee was present to update the Board on the activities and progress of the Committee. Mr. Elder stated the Committee met twice a month and was researching effective and efficient means of government and was specifically looking at; elected vs. appointed positions, an organizational chart, open Town Meeting vs. representative Town Meeting members, and Town Manager vs. Town Administrator. He stated that the Committee began in November 2009 with the intention of reporting to Town Meeting in April 2011 and that the challenges of the Committee would require more time. Mr. Elder requested that the Board extend the timeline until April 2012. Upon motion made by Mr. Beaton and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To extend the time for the Town Government Study Committee to make recommendations and a report to April 2012.

Mr. Elder asked the Board to clarify the role of the alternate member of the Committee. Ms. MacFarlane stated that if the Board needed a member to make a quorum, the Alternate member could step in. Mr. Randall suggested making the alternate member a full member. Mr. Beaton expressed concern because it would make it a Committee of ten members and would then have to go to eleven to make it an uneven number. Mr. Elder stated they were a group that usually voted by consensus. Upon motion made by Mr. Randall and seconded by Mr. Beaton, following a discussion and a 5-0-0 vote, it was—

VOTED: To make the Committee ten voting members if approved by Town Counsel.

Ms. MacFarlane stated that the Board had received many comments about the replacement of the Elm Street Bridge. Mr. Beaton stated that it was not possible to please everyone and commended Representative Calter for his efforts on behalf of the Town.

Ms. MacFarlane allowed members of the audience to speak as the Board deliberated on whether to issue a letter of support for the Elm Street Bridge project.

The following residents came forward;

Frances Botelho-Hoeg – expressed desire for the project to include traffic calming measures and asked the Board to look at other projects done under the Accelerated Bridge Program in other parts of the state that were more historic and would keep the area historic and scenic.

Representative Calter – lights and signage could be addressed by the Town after the bridge was built but safety issues were the responsibility of the state through the MDOT.

Mr. Beaton suggested moving forward with the endorsement of the project so that the design process could continue. Mr. Randall stated that after meeting with residents, there were overwhelming improvements made to the design of the bridge.

Craig Dalton came forward as Historical Commission Chairman and presented a letter to the Board, outlining concerns and details about other bridges in the state. He stated that he was surprised at the lack of concern expressed for the safety of Elm Street.

Ms. MacFarlane stated that the Board was concerned about safety but at hand was the request to send endorsement of the project or to kill it. She further stated that the Town could not afford to replace the bridge on its own.

Fire Chief Heath came forward and expressed concern that if the bridge was not replaced it would eventually need to be closed and it would impact the response time for the area surrounding Elm Street if apparatus had to detour around Brook Street.

Mr. Beaton stated that it was not now the time to discuss the design and traffic but the time to endorse the project so that it could move forward and requested the Chairman to move the question.

Ms. MacFarlane stated she wanted to give the residents who were present the ability to be heard.

Mr. Randall stated that they had received 150 signatures supporting the bridge replacement.

John Bonomi of Station Street came forward and said that a steel bridge could be built off-site, without the use of Federal money, by the Town for much less than the proposed three million dollars and could be set in place. He provided names of other Town that had done replacement as he described.

Pine DuBois, 93 Elm Street came forward and stated she was unclear about the process and whether the Planning Board would have to issue permits. She further stated that this was essentially a take it or leave it situation without the requirement for design review before the Planning Board. She offered ideas on traffic calming measures to include a rotary at Brook and Elm Streets.

Rep. Calter said the design of the bridge had taken many residents concerns into consideration and the following items had been addressed; length, width, design, speed, historic measures and the use of the steel beam on the existing bridge to give an esthetic appeal, drainage and runoff, sediment control,

construction schedule would be changed so as not to interfere with the fish run, fish ladder would remain intact, Mr. Blackman's issues addressed with no taking of his property, and utilities would be underground.

Geralde Buckley, 3 Cross Street came forward and stated that traffic calming was part of the project and that they had been misinformed. She sited the Town of Dalton had proved that fact and received a historically significant bridge to go over a river.

Jeanette Gleason, 240 Pembroke Street suggested that the Board form an oversight committee.

Ronald Maribett, 269 Elm Street came forward and expressed concern for speed on Elm Street and the difficulties in exiting his driveway which would be made worse with the widening and straightening out of the bridge.

Louis Blackman, 35 Elm Street came forward and requested that Board to move forward but to listen to the concerns expressed. He said the new design was 200% better than the first design.

David Gavigan, 78 Wapping Road stated that the replacement of the bridge was a no-brainer and he hated it when the bridge was closed many years ago.

Ms. MacFarlane thanked the residents and Rep. Calter for coming forward and asked how the Board felt about appointing an oversight group. Ms. Myers stated that it was best that all contact with MDOT was funneled through one person.

Upon motion made by Mr. Randall and seconded by Mr. Beaton, following a discussion and a 5-0-0 vote, it was—

VOTED: To send a letter of support to MDOT endorsing the Elm Street Bridge replacement under the Accelerated Bridge Program.

At 8:50 p.m. the Board took a brief break and returned at 9:00 p.m.

Ronald Gleason came forward as the Chairman of the Permanent Building Committee and stated that the engineering services of the design work for a long term solution for the septic/sewer systems at the Highway, Animal Control, new Senior Center and Town House was being offered by Webby Engineering. Dan Palotta the Senior Center Owner's Project Manager stated that the design would be a start to fulfill the desire of the Permanent Building Committee to accommodate both a pump/forced main and gravity feed. He stated that the Senior Center project was moving forward at a rapid pace and could not wait for outcome and funding of the design work being offered.

Mr. Randall stated that this was an opportunity to begin a unified plan and that the Board should accept the gift of the design services.

Upon motion made by Mr. Beaton and seconded by Mr. Casna, following a discussion and a 5-0-0 vote, it was—

VOTED: To accept the donation of design services from Webby Engineering to prepare plans to connect the Town's Senior Center, Animal Control shelter, Highway Barn and Town House to the existing sewer line under Evergreen Street.

The Board reviewed the documents for the CPA funding of the purchase of Triphammer Park and upon motion made by Mr. Beaton and seconded by Mr. Arruda, following a discussion and a 5-0-0 vote, it was—

VOTED: To sign the Quitclaim Deed, Easement and Entry Agreement, Conservation Restriction, and Stormwater Drainage Easement for the Triphammer Land Acquisition with CPA Funds for Jones River Watershed Association.

The Board reviewed the local option for all alcoholic beverage license restaurants to serve alcohol at 10:00 a.m. on Sundays. Mr. Beaton recused himself from the discussion

Upon motion made by Mr. Casna and seconded by Mr. Arruda, following a discussion and a 3-1 vote, it was—

VOTED: To offer the local option for all alcoholic beverage license restaurants to serve alcohol at 10:00 a.m. on Sundays.

Ms. MacFarlane did not support the motion, Mr. Casna, Mr. Arruda and Mr. Randall did support the motion.

Upon motion made by Mr. Randall and seconded by Mr. Casna, following a discussion and a 5-0-0 vote, it was—

VOTED: To accept the resignation of Dan King from the Conservation Commission.

Upon motion made by Mr. Randall and seconded by Arruda, following a discussion and a 5-0-0 vote, it was—

VOTED: To appoint Kenneth Vandal as Wastewater Treatment Plant Chief/Operator and Carol Lormer as the Cultural Council's representative to the Heritage Center Development Committee.

Upon motion made by Mr. Randall and seconded by Casna, following a discussion and a 5-0-0 toll-call vote, it was—

VOTED: To enter into executive session¹ (MGL C. 39, S 23B) exemption #2.²

Respectfully Submitted:

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

¹ The public session adjourned at 9:20 p.m. and the executive session adjourned at 9:43 p.m.

² New MGL C. 30A S. 11 ½