

TOWN OF KINGSTON

BOARD OF SELECTMEN

MINUTES

August 17, 2010

Chairman Sandra D. MacFarlane opened the meeting of the Board of Selectmen held on August 17, 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 announced voter registration information for the September primary election.

Ms. MacFarlane requested that Richard Kelley, Silver Lake Regional High School Principal to come to the podium at which time she said that the Board wanted to honor and recognize Mr. Kelley for being named the Principal of the Year 2010 by the National Association of Secondary School Principals. Ms. MacFarlane gave a summary of Mr. Kelley's illustrious career and presented him with a plaque recognizing his achievement.

Ms. MacFarlane announced the Open Forum. Pine Dubois and Sara Alther came forward. Ms. Dubois requested that the Board follow up on a traffic study conducted by the Old Colony Planning Council (OCPC) many years ago on the Landing Road area particularly around the bridge. Ms. Dubois and Ms. Alther (41 Landing Road) both expressed concerns for the safety of pedestrians, people on bicycles and vehicles due to excessive speed of vehicles traveling the road. Ms. Dubois stated that the historic area was becoming heavily used and suggested finding solutions to the safety issues in follow up to the OCPC report. She requested that the Board act swiftly on the matter. Ms. MacFarlane requested Ms. Myers to follow up and schedule a meeting.

Mr. Beaton requested that members of the Board submit FY11 Goals and Objectives promptly so that they can discuss and come to a consensus at a meeting very soon.

The Board reviewed the request of the Duxbury Triathlon to travel on streets in Kingston during a race on September 18, 2010. Upon motion made by Mr. Casna and seconded by Mr. Arruda, following a discussion and a 5-0-0 vote, it was—

VOTED: To approve the request.

The Board reviewed the minutes of the July 20 and August 3, 2010 public and executive session meetings and 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 minutes as presented.

The Board reviewed the appointments and resignations and upon motion made by Mr. Randall and seconded by Mr. Casna, following a discussion and a 5-0-0 vote, it was—

VOTED: To appoint Dorothy Mazzilli to the Board of Registrars representing the Democratic Party.

Ms. MacFarlane stated that Linda Felix had resigned from the Council on Aging Board and the elected Recreation Commission position. Upon motion made by Mr. Beaton and seconded by Mr. Arruda, following a discussion and a 5-0-0 vote, it was—

VOTED: To declare the vacancy on the Recreation Commission caused by the resignation of Linda Felix and to notify the Town Clerk to place the vacancy on the 2011 election ballot for a one-year term and to seek volunteers to fill the vacancy which will be accomplished by a joint appointment of the Board of Selectmen and the Recreation Commissioners, and further;

VOTED: To accept the resignation of Linda Felix from the Council on Aging Board with gratitude for her years of service.

The Chairman opened the public hear to amend the Aquaculture/Shellfish Regulations by reading the hearing notice. Mr. Beaton and Mr. Randall stated that they believed the amendments were reasonable and within the rights of those doing aquaculture farming. No one present requested to speak on the matter. Upon motion made by Mr. Randall and seconded by Mr. Casna, 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 voted, it was—

VOTED: Amend the Special Shellfish Regulations: Shellfish/Aquaculture Grant Program #5 to read; “grants may be issued for a five (5) year period”; and further

VOTED: To amend #24 to read; “The digging, taking, and harvesting of shellfish and maintenance of shellfish beds is permitted seven days a week”, and further;

VOTED: To amend #26 to read; “Shellfish may be harvested in two ways – 1. By hand; or 2. By Oyster rake and basket behind a boat. No hydraulic or water pressure devices are permitted”.

Ms. Myers stated that the Regulations would be provided to the Town Clerk and the Division of Marine Fisheries. A question was asked if all grants were being worked. John Wheble was present and advised that the three grant to were issued by the Board were being actively worked. Ms. Myers stated that an annual report was required by the grant holders and upon motion made by Mr. Arruda and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To require the submittal of the annual report by October 31, 2010.

The Board reviewed the request of the Streets, Trees and Parks Superintendent Paul Basler to hire a Light Truck Driver/Laborer. Mr. Basler came forward and introduced Kevin Dykes, the person he was recommending to the Board to be hired. Upon motion made by Mr. Casna and seconded by Mr. Arruda, following a discussion and a 5-0-0 vote, it was—

VOTED: To hire Kevin Dykes as a Light Truck Driver/Laborer at a Grade 7, Step 1 \$16.63 per hour and to work Wednesday through Sunday.

Mr. Beaton read a memo he submitted to the Board regarding the proposal to establish a Community Farming operation on Town owned land at the Hall property adjacent to the Opachinski Field Complex, Calista Farm and the Cranberry Watershed Preserve and seek input from Conservation Commission, Open Space Committee, Community Preservation Committee, Silver Lake Regional High School Horticultural Dept., Agricultural Commission, Conservation Land Review Committee, the Finance Committee and neighboring Communities that have put forth similar projects.

Ms. MacFarlane said she is was very supportive of the proposal and wanted to start a dialog on the idea and expressed that the Voc Tech School had been interested in the cranberry bogs on the Cranberry Watershed Preserve. Mr. Beaton suggested a round-table discussion of those he mentioned and asked if Ms. Myers could put a notice together to send out to arrange a time and date to meet.

Mr. Randall suggested that a Community Garden with raised beds would make it possible for the handicapped and elderly to participate. Barry Mathias from the Agricultural Commission was present and suggested that they focus on the Calista property because of the location, on Town water, easily accessible and would not be prone to vandalism.

Ms. MacFarlane read the letter sent to the residents of Ocean Hill Estates regarding the eminent domain taking for street acceptance and public hearing. She acknowledged an email submitted on behalf of the Ocean Hills Estates Association in which they thanked the Board for following through with the efforts to accept the streets in the development. Ms. MacFarlane asked if anyone on the Board or present at the meeting wanted to speak on the matter. No one came forward. Upon motion made by Mr. Randall and seconded by Mr. Casna, 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 roll-call vote, it was—

VOTED: Adopt an Order of Taking by eminent domain as approved by Article 35 at the June 1, 2010 Annual Town Meeting, the land consisting of the subdivision roadways within the Ocean Hill Estate subdivision as shown on plans entitled “Ocean Hill Estates” prepared by Charles J. Kane Associates dated October 22, 1993, recorded with the Plymouth County Registry of Deeds, Plan Book 36, Pages 711-716; “Ocean Hill Estates Phase II” prepared by R.H. Cole Associates

dated November 21, 1994, recorded with the Plymouth County Registry of Deeds, Plan Book 37, Pages 1016-1017; and "Ocean Hill Estates Phase III" prepared by Daylor Consulting Group Inc., dated September 23, 1996, recorded with the Plymouth County Registry of Deeds, Plan Book 39, Pages 749-751, for the purpose of accepting the subdivision streets as public ways and to award no damages for the taking of the roadways.

Commission on Disability Chairman Alan Gifford was present to provide the Board with an update of the business of the Commission under "Old Business". He introduced members; MaryAnn Martin, Cynthia Merry, and Elaine Coughlan-Gifford. He advised that the Commission did not have a budget and they had taken on reviewing and updating the 1994 Americans with Disabilities Act Compliance Report. He also stated that during the recent spraying for EEE, the hearing impaired were not notified and slept with the windows open because they did not know about the spraying. He requested that efforts be made to insure that the hearing impaired would be provided the notifications. Ms. Myers stated that the notification was provided by the Sheriff's dept. and she would check into the matter and that the website also had the information about the spraying.

Mr. Randall expressed his thanks to the Commission for updating the plan.

Mr. Beaton read a memo he submitted regarding traffic calming devices that he was proposing for consideration to be used at the Elm Street Bridge. He said that while the bridge is still in design, conduit and underground cables could be incorporated to accommodate a speed sign and camera to deter speeding in the area. Mr. Beaton stated that there was legislation pending that would allow for tickets to be written for drivers whose license plates are captured by camera when speeding over the bridge. Mr. Randall thanked Mr. Beaton for his efforts in researching the matter.

The Board reviewed the Town Administrator's report. Items discussed included; the issuance of the RFPs for the Wind Turbine and Solar Installation due on August 27<sup>th</sup>, a request to lift the hiring freeze to fill the Secretary to the Community Preservation Committee, Municipal Relief Package for early retirement, and other items all contained in Ms. Myers written report available on the town's website.

Ms. Myers stated that the duties of the Secretary to the CPC had evolved to needing an individual who had availability during the day to meet with applicants, coordinate appraisals, purchase and sales agreements, title searches and other matters, which the Selectmen's office was now handling in the absence of a Secretary. She stated that the position had been posted with one applicant, a full-time employee had applied but due to limited availability during the day, it was determined that it would be necessary to contact other Towns and potentially share services of a CPC Secretary to also work for Kingston or solicit to the outside market. Upon motion made by Mr. Beaton and seconded by Mr. Randall, following a discussion and a 5-0-0 vote, it was—

VOTED: To lift the hiring freeze to fill the CPC Secretary position.

Ms. MacFarlane announced that the position is funded through the CPA funds and not the General Fund. Ms. Myers advised there was a budget of \$1,500 for approximately 100 hours per year.

Ms. Myers provided information on the process for the early retirement option and stated that a plan would be prepared and provided to the Board which would list those eligible to be considered and the impact in replacing employee who opt to take advantage of the early retirement. She stated that the Wage and Personnel Board affirmed the COA Director starting at a step higher than entry level. Ms. Myers acknowledged the collaborative efforts of the Town Clerk and Nancy Howlett in updating the Committee Handbook.

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

VOTED:            To adjourn at 8:16 p.m.

Respectfully Submitted:

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