

TOWN OF KINGSTON  
BOARD OF SELECTMEN

MINUTES  
July 25, 2006

Chairman Joseph D. Kelleher opened the meeting of the Board of Selectmen held on July 25, 2006 at 7:30 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Mark S. Beaton, Sandra D. MacFarlane, Jean M. Landis-Naumann and Town Administrator Kevin R. Donovan. Paul M. Gallagher was absent.

The Chairman announced the dates to note and the Open Forum. No one came forward to speak at Open Forum.

The Chairman read the public hearing notice on the application of Pizzeria Uno for a Change of Corporate Officers and Change of Trade Name. Mr. Beaton recused himself from participating in the discussion. Mr. Kelleher asked if anyone from the public wanted to speak either for or against the application. No one came forward. Upon motion made and seconded, following a discussion and a 3 to 0 to 0 vote, it was –

VOTED: To close the public hearing.

Upon motion made and seconded, following a discussion and a 3to 0 to 0 vote, it was –

VOTED: To approve the application of Pizzeria Uno for a Change of Corporate Officers and Change of Trade Name.

The Chairman announced that the members of the Conservation Commission were present to discuss proposed uses and maintenance of the Cranberry Watershed Preserve. Chairman Gary Langenbach was present representing the Conservation Commission.

Mr. Langenbach advised the following:

- Since the property was acquired with the assistance of Self Help Funding from the State and according to the Management Plan, the property should be under the purview of the Conservation Commission.
- That the cranberry grower that had leased the property also used the house and assisted with the Management Plan as did former tenant Mr. Pezzella.
- Three of the nine bogs were considered abandoned and would require a long process to put them back into service.
- Six remaining bogs still have agricultural exemption but have a complex group of issues that need to be addressed.
- Suggested small Committee; one member of Open Space, Conservation Commission and Board of Selectmen to address the issues and review the Management Plan.

Mrs. Landis-Naumann suggested including a member of the new Agricultural Commission. Mr. Beaton asked whether or not the Board of Selectmen ever signed the Management Plan. Mr. Langenbach stated it had not but should have signed. Mr. Beaton stated that the house at

the end of a dirt road could become a liability and wanted the Committee to come back with a recommendation for its use.

Mr. Kelleher stated that an RFP had been issued but with all the problems and a soft market and a potential five-year turn around, cranberry growers were not interested.

Mrs. Landis-Naumann stated that the Board should authorize the Committee to look at the specific property. Mr. Langenbach stated that there were other properties with issues too.

Ms. MacFarlane stated that she would volunteer as the Selectmen's representative to the Committee. She further stated that she wanted to work with the SLRHS students to rehab the barn.

Mr. Kelleher stated that they could also use the services of the UMASS Collaborative in addition to the Horticultural Dept. and the Agricultural Commission.

Mr. Langenbach suggested the Committee should be comprised of two members of the Conservation Commission and Open Space Committee and one member of the Finance Committee, Board of Selectmen and the Agricultural Commission. Upon motion made and seconded, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To establish a Conservation Land Review Committee comprised of two members of the Conservation Commission and Open Space Committee and one member of the Finance Committee, Board of Selectmen and the Agricultural Commission, and further that each Board or Committee appoint its representative(s) and that Sandra MacFarlane will be the Board of Selectmen's representative.

Mr. Beaton stated that he wanted to share information regarding the duties of a Services Facilitator used by Barnstable and Sandwich to assist applicants through the application process before various Boards and Committees and further advised that the fee for the services is paid by the applicant. Mr. Beaton stated that he wanted to investigate whether it would have any merit for Kingston.

Mr. Langenbach added that the Conservation Agent and Secretary perform that same function in assisting applicants.

There was no Town Administrator's report due to Mr. Donovan being on vacation the week prior to the meeting.

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

VOTED: To accept the minutes of the July 11, 2006 public session meeting.

The Board reviewed the list of appointments to be made and agreed to put off the appointment of Town, Labor and Special Counsel until the full Board is in attendance at the next meeting. Upon motion made and seconded, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To appoint William Napolitano to the Agricultural Commission as an Associate Member and Daune Frey as Citizen-at-Large member and Winifred Avery as member of the Heritage Center Development Committee, and further;

VOTED: To accept the resignation of Michael J. Kelleher from the Zoning Board of Appeals.

Mr. Kelleher abstained from voting as Michael Kelleher is his brother.

Chairman Kelleher stated that applications to fill the vacancy would be accepted for a month.

The Board reviewed the offer for the Town to purchase 61A Land as shown on Map 9 as Lot 85 consisting of 11.48 acres, owned by Nancy and James Nava. Mr. Beaton stated that he did not want to see it turned into a development. Mrs. Landis-Naumann stated to do that it would have to go before the Planning Board. Upon motion made and seconded, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To waive the option to purchase the land located on Map 9, Lot 85.

Upon motion made and seconded, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To accept the donation of a mooring from Edward Gould, and further

VOTED: To send a letter of interest in participating in the American Dream Downpayment Initiative South Shore Consortium administered by South Shore Housing, and further;

VOTED: To accept the donation of a \$5,000 prize awarded by Family Fun Magazine to the Felix Family to benefit the Council on Aging Building Fund.

The Board expressed its sincere appreciation to the Felix Family for all its charitable contributions to the Town, particularly to the Seniors.

The Board reviewed the recommendation for list of Consulting firms to be hired under the Consultant By-Law and the list of fees. Upon motion made and seconded, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To accept the recommendation as written. (Note: A copy of the list and fee schedule is on file in the Selectmen's office).

Upon motion made and seconded, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To waive the ambulance fee in the amount of \$808.99, due to a financial hardship.

Upon motion made and seconded, following a discussion and a 4 to 0 to 0 roll-call vote, it was –

VOTED: To enter into executive session<sup>1</sup> to consider two applications for financial assistance and not return to public session its conclusion.

Respectfully submitted:

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

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<sup>1</sup> The public session adjourned at 8:10 p.m. and the executive session adjourned at 8:20 p.m.