

TOWN OF KINGSTON  
BOARD OF SELECTMEN

MINUTES  
June 24, 2008

Chairman Paul M. Gallagher opened the meeting of the Board of Selectmen held on June 24, 2008 at 7:00 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were, Vice Chairman Sandra D. MacFarlane, Mark S. Beaton, Jean Landis-Naumann, Dennis N. Randall and Town Administrator Kevin R. Donovan.

The Chairman opened the meeting and announced the Open Forum. Chairman Gallagher stated that if anyone wanted to speak on any issue before the Board during the appointments or new business, the comments would have to be made during Open Forum.

Sewer Commissioner Elaine Fiore came forward to comment on the Wind Turbine Feasibility Study and expressed concern for a number of safety issues related to the location near Waste Water Treatment Plant. Ms. Fiore stated that the Commissioners were in favor of wind turbines but wanted the safety issues addressed.

Peter Cobb stated that his concern was as a taxpayer and wanted the financing of the project to at least break even.

Pine Dubois stated that she supported the petitioners for a traffic study on Landing Road. She advised that the cars are going down Landing Road too fast and that joggers, walkers, people pushing baby carriages or crossing Landing is very dangerous. Sarah Alther a resident of Landing Road was present to support the petitioners for a traffic study. Mike Barton of 8 Landing Road stated he was concerned with the speed in which the road is traveled and supported the traffic study.

Sandra MacFarlane acknowledged the newspaper article written about local hero William C. Gould, Jr.

Green Energy Committee Chairman Brian Spires introduced Andy Bridges from KEMA to provide an overview of the feasibility study. Mr. Bridges gave an overhead summary presentation of the data and findings of the report. The complete report is on file in the Selectmen's office for public viewing.

Mr. Beaton stated that the Green Energy Committee was seeking acceptance of the report as part of the application process to Mass Technology Collaborative. Mr. Randall asked if the report was site specific or transferable to another site

Mr. Bridges stated that the data was accurate for a 1-2 mile radius. Amy Barard of Mass Technology Collaborative was present and stated that the application was site specific. Mr. Gallagher stated that the feasibility study addressed the financial impact and overview of the goals but the negative issues had not been addressed. Mr. Bridges stated that the study approved the 1.5 mhz turbine but the Committee wanted to see if the 2.0 would fit. On the matter of the icing issue, Mr. Bridges stated there were no formal icing plans and the Committee was proactive that it be looked at. He further stated that another firm with the expertise to review the icing would address the matter in the next phase of the study.

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

VOTED: To approve the Phase I application in the amount of \$150,000 to the Massachusetts Technology Collaborative for the purpose of further developing the Wind turbine Project and seeking develop partners for the project.

David McKee was present to discuss a petition signed by resident of Landing Road for the Town to conduct a traffic study on Landing Road. Mr. McKee suggested that the solution to the traffic may be to make the passage under the train bridge one way at a time with a signal light like the Elm Street Bridge. He suggested that the solution should be left to the professionals after the study is completed.

Mr. Gallagher read Mr. Donovan's memo in which he stated that he had contact the Old Colony Planning Council identifying traffic volume, speeds, percentage of heavy vehicles, signage, and accidents, road safety etc. Mr. Donovan added that the request for the study was on the fast track.

Mr. Randall stated he wanted to encourage the use of unofficial signage or advisory or cautionary information regarding the speed and conditions.

Lloyd Geisinger, Thorndike Development Corp. was present to update the Board on the status of the 40R Project at 1021 Kingston Place. Mr. Geisinger advised the following:

- The entitlement financing was successful and the project was moving ahead
- The Environmental Impact Report would take approximately one year to complete
- Mass Highway Engineering drawings of the slip ramp would take about one year to insure proper design
- Expect to submit the plans for Site Plan Review after Labor Day
- Law suits are a big issue-cannot determine how long it will take to resolve
- Current drawings are at 25%
- All off site work is considered State I according the state

Mr. Beaton stated that the project was on the cutting edge with the current gas pricing and the proximity to the MBTA Station, he expected the project to sellout. Mr. Geisinger concluded that he was moving full speed and had never walked away from a project. He further stated that TD Banknorth was the primary lender and that he was excited about the timing of the project and the three year window until the models are open. Mr. Randall stated that the law suits were the public's right and asked if there were any plans to change to apartments vs. houses. Mr. Geisinger stated the project would be built as planned, the economy had no bearing on the plans and that the mix of apartments and homes still worked.

The Board reviewed the Town Administrator's report. Items discussed were; request for state funding to repair the brushbreaker that is used for mutual aid, final transition to the Section 12 Group Health Insurance Plan, and the Town of Norwell's request for support regarding Chapter 40B laws. Mr. Donovan advised that the ZBA Secretary position would be re-advertised and that because he had acted as the hearing officer in a matter, he was requesting the Board to grant him the authority to appoint an independent hearing officer to act on a matter involving the same

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

VOTED: To grant Mr. Donovan the authority to appoint and independent hearing officer.

Mr. Randall stated on the matter of the ZBA secretary, he was requesting a detailed report of the events and processes used. Mr. Gallagher stated he did not understand what kind of report Mr. Randall was requesting. Mr. Randall stated that the ZBA had nominated a candidate for appointment and the Board had taken it under advisement and he wanted a timeline list of events. Mr. Gallagher stated that the Board was aware of the issues and concerns up to this date and Ms. Landis-Naumann stated they had been informed by the Town Administrator by email. Mr. Randall stated that whatever the Board knew the public should be made aware of also. Ms. MacFarlane stated that it should be officially placed on the Agenda then discussed. Mr. Randall agreed and requested that it be on the next Agenda and that the timeline and report be part of the discussion.

Mr. Gallagher stated that it was not for the Agenda, it was being consolidated for Mr. Randall. He further advised that what the public needs to know is the matter has been straightened out and the position would be re-advertised. Mr. Gallagher stated that in two weeks, Mr. Donovan and he would be on vacation and not in attendance at the meeting. He stated that the ZBA was working with a secretary from the clerical pool and should continue that arrangement.

Mr. Randall agreed to put the matter off until the Town Administrator returns from his vacation. He also added that the report was not for himself but for the whole Board. Mr. Gallagher added that it was being consolidated for Mr. Randall because everyone else was satisfied but it would be available should anyone else want to review it.

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

VOTED: To accept the minutes from the public and executive session on June 10, 2008.

Mrs. Landis-Naumann abstained from voting.

Under Old Business, Ms. MacFarlane stated that the Conservation Land Review Committee had visited Camp Nekon and had viewed problems and damage from dirt bikes and quads. She advised that the Committee was working on a Management Plan for the Board's approval for the site which would include recommendations to continue to include the Boy Scouts as a presence on the property. Ms. MacFarlane stated that the Casino Task Force had cancelled the June meeting but they continued to battle to be kept in the loop with the state.

Mr. Gallagher advised that he attended the Plymouth County Advisory Board meeting in which they discussed concerns for a tight budget. He stated that employees had taken ten days off without pay in an effort to save money. He further advised that the budget was being balanced with the sale of a building and there was a concern for balancing the budget with one-time revenue.

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

VOTED: To appoint Debra Mueller as Interim Animal Inspector and to hire Marcus Mazyck as Sailing Instructor the Recreation Department, and further;

VOTED: To make the annual appointment to the Boards and Committees as follows:

Name	Appointed	Committee	Term
Christine M. Nava	X	Agricultural Commission	3 years
Philip R. Burnham	X	Agricultural Commission, Associate	1 Year
Jean M. Landis-Naumann	X		
William S. Napolitano	X		
Paul L. Armstrong	X		
William J. Arrowsmith	X	Cable Advisory Committee	3 Years
Edmund J. Bielecki	X		
John W. Perry	X		
Robert M. Pinato	X		
William D. Underhill	X	Conservation Commission	3 Years
Maureen A. Thomas	X	Conservation Agent	1 Year
Delia N. Ferreira	X	Council on Aging	3 Years
A. Daniel Sapir	X		
Muriel A. Boyce	X	Council on Aging, Director	1 Year
Michele L. Benza	X	Cultural Council	3 Years
C. Weston Meiggs	X	Educational Fund Trustee	5 Years
Mark R. Douglas	X	Deputy Director Emergency Management	1 Year
Walter W. Hoeg	X	Fence Viewer	1 Year
Peter C. Cobb	X	Fish Committee	1 Year
Pine Dubois	X		
James Moran	X	Green Energy Committee	Duration Of Com
Craig N. Dalton	X	Historical Commission	3 Years
David Pepe	X		
Sharon T. Collins-Hazley	X		
Robert T. Murphy	X		
John C. Veracka, Jr.	X	Ichabod Washburn Fund Trustee	3 Years
Robert H. Gleason	X	Insurance Advisory Committee	1 Year
Matthew J. Darsch	X	Local Water Resource Mgmt. Agency	1 Year
Walter W. Hoeg	X	Measurer of Wood and Bark	1 Year
Muriel A. Boyce	X	Old Colony Elderly Services, Alternate	1 Year
Paul F. Basler	X	Old Colony Planning Council Joint Transportation Committee	1 Year
Nancy M. Howlett	X	Parking Clerk	3 Years
Paul L. Armstrong	X	Permanent Building Committee	3 Years
Thomas S Bouchard, Sr.	X	Plumbing and Gas Inspector	1 Year
Norman E. Bouchard	X		
Richard S. Eldgridge	X		
Douglas G Hawthorne	X		
John E. Coyle	X	Recycling Committee	1 Year Each
Jean M. Landis-Naumann	X		

Kathleen C. Condon	X		
Michael L. Rohr	X		
Brian S. Whidden	X		
Eugene W. Wyatt, Jr.	X		
Sharon T. Collins-Hazley	X		
David W. Gavigan, Jr.	X	Rent Control Board	5 Years
Richard J. Cussen	X	Right-to-Know Coordinator	1 Year
Harold E. Tuttle	X	Sealer of Weights and Measures	1 Year
Rochelle R. Smith	X	South Shore Community Action Council	1 Year
Paul F. Basler	X	South Shore Recycling Cooperative	1 Year
John C. Veracka, Jr.	X	Survey Board	1 Year
Paul F. Basler	X	Tree Warden	3 Years
Jon T. Cazeault	X	Waterfront Committee	3 Years
Nathaniel H. Murray	X		
Lionel B. Warner	X	Wire Inspector	1 Year
Steven E. Ellis	X	Alternate Wire Inspector	1 Year
Stephen R. Peterson	X		
Michael T. Romano	X		
Robert J. Ward	X	Audit Committee – BOS appt.	3 Years
Paul F. Basler	X	Capital Planning Committee – BOS appt.	3 Years
Jason F. Lelio	X	Community Preservation Committee-Cit.@Lg. BOS appt.	1/9/11

Mr. Randall stated that he was concerned that some Committees were behind on filing and posting meeting minutes and that a standard should be set. Mr. Gallagher stated that Mr. Donovan had issued a memo requesting that minutes be brought up to date.

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

VOTED: To grant a license to buy scrap gold and precious metals to NASR Jewelers, and further;

VOTED: To approve the transfer of a Common Victualler License from Marksie’s Mighty Dogs to D & L Enterprises dba Marskie’s Mighty Dogs and Ice Cream, and further;

VOTED: To approve the request of KYSO to place signs on Town property advertising registration days.

The Board reviewed the request from Wingate at Silver Lake for a sign permit for a sign, measuring 8.75 sq. ft., that was placed on the island on Lake Street. Mr. Randall stated that the usual sign is a small acknowledgement of the person/business responsible for caring for the island under the Garden Club program. He stated that the sign looks commercial and the sign should conform to the Garden Club

policy. Ms. MacFarlane added that it looks much more extensive than the usual signs and it should meet the sign requirements. Upon motion made by Mr. Beaton and seconded by Ms. MacFarlane, following a discussion and a 5-0-0 vote, it was—

VOTED: To deny the sign permit.

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

VOTED: To enter into executive session<sup>1</sup> for the purpose of discussing pending litigation and financial assistance.

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 8:55 p.m. and the executive session adjourned at 9:05 p.m.