

TOWN OF KINGSTON
BOARD OF SELECTMEN

MINUTES
November 6, 2007

Chairman Mark S. Beaton opened the meeting of the Board of Selectmen held on November 6, 2007 at 7:00 pm in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Sandra D. MacFarlane, Paul M. Gallagher, Jean Landis-Naumann and Town Administrator Kevin R. Donovan. Joseph D. Kelleher was absent.

Mr. Gallagher acknowledged the success and offered congratulations to the Youth Football League at the Opachinski Field Complex in the playoff games to the Super Bowl.

The Chairman announced the Open Forum. Chris Mamakos, 3 Woodland Circle came forward to advise about what he perceived to be dangerous traffic conditions in the area of the Silver Lake High School. He advised that the area needed sidewalks, crosswalks, and signage and stated that he had contacted Mass Highway and was advised that the road was under the local jurisdiction. He also suggested that the 20 MPH speed limit should be enforced and a real traffic light should be installed at the intersection of Lake Street and Route 27. Mr. Mamakos stated that pedestrians/student take their life in their hand crossing the street to the school.

Mr. Beaton suggested that the installation of a light would take time and suggested that Mr. Donovan and Mr. Basler look into the matter. He also suggested that the Police make a bigger presence in the area, ticket the violators and use the mobile speed sign on a regular basis.

Mr. Gallagher suggested that Mr. Donovan coordinate an action plan with Highway, Police, Planning Board, and the School Department.

The Board of Selectmen met with the members of the Planning Board in order to make a joint appointment to fill the Associate Member vacancy. Planning Board members present were Thomas Bouchard, Dennis Randall, Susan Farrell, and Michael Ruprecht. Susan Boyer and Ronald Gleason were each given the opportunity to address the Boards and present their qualifications and interest in the position. Members of both Boards posed questions of each applicant. Mr. Beaton called for a roll-call vote; Mr. Bouchard, Mr. Beaton and Mr. Gallagher voted for Ronald Gleason and Dannis Randall, Susan Farrell, Michael Ruprecht, Ms. MacFarlane and Mrs. Landis-Naumann voted for Susan Boyer. Susan Boyer was appointed to fill the vacancy.

The Board reviewed the Town Administrator's Report. Mr. Donovan provided an update on Health Insurance issues and stated that he continued to investigation options and had several meetings with other Town Administrators. He stated that the County Trust audit was nearly complete and he felt certain that it would result in the fact that there was a substantial reserve which would stabilize rates. Mr. Donovan requested that the Board go on record of supporting and formally requesting that the County consider adopting a Section 12 Plan and if they did not to consider joining another Section 12 group. Mrs. Landis-Naumann asked Mr. Donovan if there were any negatives to joining a Section 12 plan. Mr. Donovan advised there were not but that the County's argument would be because it would give them less oversight. He further added that a Section 12 plan would give the Town representation in the plan. Mr. Gallagher asked how it would compare to the State plan. Mr. Donovan advised that the Town would have no say in the State's plan and the State sets everything in the plan. He further added that under a Section 12 plan, management and labor have control over their own destiny.

Upon motion made and seconded, following a discussion and a 4-0-0 vote, it was—

VOTED: To sent a letter to the County Commissioners to investigate and seriously consider changing to a Section 12 plan; and a friendly amendment by Ms. MacFarlane added sending a letter to the other communities in the plan to follow Kingston's lead.

Mr. Donovan reported that a successful Health and Fitness Seminar had been held and that the date for the Customer Service Seminar was November 29th and that all Town House employees were requested to attend. He also reported that the tax re-cap had been submitted to the Department of Revenue and approved the rate of \$11.88 per thousand; an increase of \$1.57 per thousand and that he sent the certified copy of the Special Town Meeting vote requesting Home rule Legislation concerning Smart Growth Zoning District to Rep. Calter for submission to the General Court.

Upon motion made and seconded, following a discussion and a 3-0-1 vote, it was—

VOTED: To accept the public session minutes of October 23, 2007.

Mr. Gallagher abstained from voting.

Mr. Beaton advised that Mrs. Landis-Naumann requested that the sale of the Town House be put on the agenda. He stated that the debate at the Special Town Meeting was based on misinformation and that even though the request to rezone old Town House did not pass, the Purchase and Sales Agreement in which the Board had entered into prior to the Special Town Meeting, was still in effect and the buyer was going forward without the zoning change. He advised that the Planning Board had signed off on the plan and that they were addressing the Historical Committees requests. Ms. Landis-Naumann stated that she wanted to clarify this because at the meeting she was not recognized by the Moderator. She further advised that people at the Special Town Meeting voted without the full information and if they had the information may have voted differently. Mrs. Landis-Naumann advised that in summary; that two bids had been received and the other bidder had not responded with more details on his proposal, and the Board had been given the authority to sell in April and enter into a Purchase and Sales Agreement and the Board was obligated to sell under the Purchase and Sales Agreement. She further stated that she was happy to see that the owner would be responsible to maintain the exterior of the Town House, that the longer the building sat the further it would deteriorate and she was pleased to move forward so that the building could be loved again by a new owner.

Ms. MacFarlane suggested that it was important to note that attempts to lease or sell since 2004 had failed and that the Board had not rushed into an agreement. She read the history of the dates of the attempts to dispose of the building through lease or sale and stated that the since being built it had always house offices. She further advised that the new owner would have returned the building to it its former glory inside and out with the zoning change and that she felt the Town lost a great opportunity by not rezoning the building in having offices and an art gallery occupy the building. She further stated the buyer was only obligated to maintain the outside of the building under the current residential zoning and that an educational opportunity to have the building open to the public and the archway brought back to life was lost. Mr. Gallagher stated that the deal was made in good faith and that they had the opportunity to work with someone who would benefit the Town. He advised that the Board was given the authorization to sell the building and it did not require further discussion on the sale of the Town House and they asked for the zoning change because the plan to renovate was exciting and beneficial to the Town. Mr. Gallagher advised that they (the Board) had done the best they could in the agreement to maintain the historical structure and unfortunately the zoning this not go through. Mr. Beaton questioned whether an article to rezone the building would have to wait three years. Mr. Donovan advised that he did not know but that an area variance would be needed for the undersized lot.

Upon motion made and seconded, following a discussion and a 4-0-0 vote, it was—

VOTED: To appoint Matthew Libbey to the Industrial Development Finance Authority and Peter Peterson as Alternate Zoning Board of Appeals member, and further;

VOTED: To approve the application of Rocma, Inc. DBA/Fuji Chen for a Common Victualler License.

The Board reviewed the letter submitted by the Garden Club for several spaces under the Adopt-a-Space program that are not being cared for. Mr. Beaton made a plea for volunteers to come forward to take care of the designated areas and that they would be recognized with a sign.

Mr. Gallagher suggested putting a notice on the PAC-TV Bulletin Board and in local papers for public service advertising.

Ms. MacFarlane stated that all four areas identified were under the administration of the Garden Club. She read the location of the spaces from the letter and the suggestion of the Club to either clean out the areas, mulch or pave them over and set out whiskey barrels for plantings. Ms. MacFarlane advised that the locations were at busy intersections and seen on a daily basis and suggested that they work hand in hand with the Highway Dept. on these locations.

Mrs. Landis-Naumann stated that she admired the maintenance of the islands on the streets in Eastham, where she vacations and would be willing to personally take on the island on Elm Street. She urged community groups, neighborhoods, families and service organizations to come forward and adopt the vacant spaces. She added that there are lots of plants that do not require too much water and she preferred that the spaces were left green.

Mr. Gallagher stated that he would adopt the space at Whits' Market. He further added that many of the islands are still established and needed reclamation and weeding.

The Board reviewed the request of the KTEU for consideration of closing the Town House the day after Thanksgiving and having employees utilize vacation or personal time during the closing. Mrs. Landis-Naumann asked Mr. Donovan if the building should be open for the public to transact business and Mr. Donovan advised in the past that there was little or no activity on that day.

Upon motion made and seconded, following a discussion and a 4-0-0 vote, it was—

VOTED: To close the Town House to the public on the Friday after Thanksgiving and require all employees who wish to have the day off to use personal or vacation time but to allow anyone to work who does not want the day off.

Upon motion made and seconded, following a discussion and a 4-0-0 vote, it was—

VOTED: To adjourn at 8:15 p.m.

Respectfully Submitted:

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