

TOWN OF KINGSTON  
BOARD OF SELECTMEN

MINUTES  
October 17, 2006

Chairman Joseph D. Kelleher opened the meeting of the Board of Selectmen held on October 17, 2006, at 7:30 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston. Present were Vice Chairman Mark S. Beaton, Paul M. Gallagher, Sandra D. MacFarlane, Jean M. Landis-Naumann and Town Administrator Kevin R. Donovan.

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

Assessors William Twohig and Anne Dunn were present for the annual Classification Hearing.

Mr. Kelleher read the legal notice of the hearing. Mr. Twohig stated that annually the Board of Assessors makes a recommendation to the Board of Selectmen on the residential factor for the Assessors to use to determine the percentages of the fiscal year local tax levy to be borne by each class of real and personal property. Mr. Twohig stated that the recommendation was for a factor of one. He further explained that eighty-five percent of the properties were residential and to split the tax rate would have a catastrophic effect on the businesses and not give much relief to the residents.

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

VOTED: To close the hearing.

Upon motion made by Mr. Gallagher and seconded by Ms. MacFarlane, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To set the residential factor of one for the Assessors to use to determine the percentages of the fiscal year local tax levy to be borne by each class of real and personal property.

Mr. Kelleher read the hearing notice on the application of John T. Cataldi Restaurant Inc., DBA Solstice Restaurant for an Alteration of Premises for the All Alcoholic Beverage License.

Mr. Beaton recused himself from participating in the hearing and left the room.

Mr. Cataldi was present representing Solstice Restaurant and advised that 25 seats would be added to the existing occupancy. Ms. MacFarlane asked whether or not one person would be stationed in the room at all times and Mr. Cataldi stated that the room would be used for overflow dining as his staff would be in the room.

Mrs. Landis-Naumann asked what the size of the addition would be and Mr. Cataldi stated it was 680 square feet and the existing restaurant had an occupancy of 88 to which he would add

25 seats. When asked about whether there would be an increase to parking spaces, Mr. Cataldi stated that it would not be required because of adequate parking but he did intend to add 6 spaces.

Mrs. Landis-Naumann asked whether the addition would have a bar and Mr. Cataldi stated that it would not.

Mr. Kelleher and Mr. Gallagher both reported that they visited the premises and had no problem with the expansion.

Phillip Burnham an abutter to the restaurant reported that Mr. Cataldi ran a fine establishment and improved the Downtown area.

Upon motion made by Mr. Gallagher and seconded, by Ms. MacFarlane, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To close the public hearing.

Upon motion made by Mr. Gallagher and seconded, by Ms. MacFarlane, following a discussion and a 4 to 0 to 0 vote, it was –

VOTED: To approve the Alteration of Premises for Solstice Restaurant.

Mr. Beaton returned to the meeting.

Doug Buitenhuys, Chairman of the Solid Waste Advisory Committee was present at the Board's invitation to discuss his request for funds to conduct a solicitation of taxpayers' opinions for solid waste recommendations.

Mr. Buitenhuys stated that he wanted the Board to give the Solid Waste Advisory Committee some direction and requested that recycling funding be authorized to allow the Committee to send out a survey to find out what people think about curbside, pay-as-you-throw, etc.

Mrs. Landis-Naumann stated that the idea for the Committee originated from the Finance Committee, when she was a member and it was to ascertain the proper method to increase recycling and save money on the disposal of solid waste. She stated that we pay dearly for trash disposal and in view of the cost to reconfigure the Transfer Station, we should look at pay-as-you-throw and curbside collection in order to be fiscally reasonable and that she did not support having the Committee conduct a survey. She advised that the Committee was directed to evaluate disposal options and make recommendations to the Board of Selectmen.

Ms. MacFarlane stated that the Committee should be given the direction to look at recycling.

Mr. Buitenhuys stated that they were looking at recycling and that Kingston had the worst record on the South Shore for recycling. He further stated that increasing recycling would bring down the cost for disposal and that he personally did not like pay-as-you-throw.

Mr. Beaton stated that he did not expect the Committee to come up with a schematic of how to reconfigure the Transfer Station and that a professional Architect would do that. He further stated that he was interested in learning what people want and was not opposed to a questionnaire that would result in input from citizens on what they like and don't like about the Transfer Station.

Mr. Buitenhuis stated that the Committee wanted to get the public's feedback and that the Recycling Committee was basically a dead issue with only one member; Michael Rohr.

Mr. Beaton stated that it may be possible with the survey to breath new life into a dead Committee.

Mr. Gallagher stated that he opposed creating the task force and that the reason for discussing the Transfer Station was financial. He stated that fees were recently increased and that consideration should be made when setting the fee to cover the cost of disposal. Mr. Gallagher stated that there were no problems or complaints about the Transfer Station other than the time it takes to get through the line and the need to make it more user friendly for recycling. He added that recycling starts at home and the money should not be spent on a survey but should be spent to provide information about recycling. Mr. Gallagher suggested that those that have private collection should continue if that is how they want to dispose of their trash and that consideration should be given to giving the Committee a new direction.

Mr. Beaton expressed concern and embarrassment that Kingston had the worst recycling record in the region and suggested spending a few dollars to conduct a survey might give some needed answers.

Mr. Buitenhuis advised that the Town of Weymouth had an outstanding recycling record and sends out a book with recycling information.

Mrs. Landis-Naumann stated that the money in the Recycling budget is to fund educational information on the benefits in encouraging recycling. She further stated that she wanted to see the money go to print information to provide to the citizens and that the recommendations from the Committee would assist the Board in its financial analysis of options for Town Meeting.

Mr. Gallagher stated that he felt they were headed in the right direction and asked if the Solid Waste Advisory Committee could do the work of the Recycling Committee. Mr. Buitenhuis stated the Recycling Committee should be made up of volunteers.

Ms. MacFarlane stated that the Committee was comprised of five enthusiastic people who wanted to do more research on their ideas and did not want to discourage them. She further suggested combining the Solid Waste Advisory Committee with the Recycling Committee. Mr. Gallagher stated that all the members may not want to do that since they are on other Committees and have other obligations.

Mr. Beaton made a motion, seconded by Ms. MacFarlane to give the Solid Waste Advisory Committee \$1,200 to research recycling and find out why recycling was not effective. Mr.

Gallagher amended the motion to research the information provided by the Town of Weymouth and make a recommendation to the Board about recycling.

Mr. Beaton stated that the Committee had five members who were excited about their task and they should be given the resources to come forward with a recommendation.

Mr. Gallagher stated that he was not opposed to use the funds to get together a pamphlet of information and asked what the Committee would like to do.

Mr. Buitenhuys stated that it was unanimously voted by the Committee to get feedback from the public on the option available.

Mr. Gallagher asked what could be done to increase recycling and stated that shutting down the Transfer Station was not the solution.

Mrs. Landis-Naumann stated that the issued should not be muddled and that she was looking for recycling to be part of any option that was considered. She further stated that what she was looking for from the Committee was a nice report with a summary of all the options available for the collection and disposal of solid waste and the information would be used by the Board or Town Meeting to debate. Mrs. Landis-Naumann stated that it was possible for the Committee to use the data to come up with a fact sheet.

Ms. MacFarlane stated that the survey would not have to be a full blown questionnaire but rather questions on what areas could be improved. She further stated that the Superintendent had been doing a great job and just needed feedback to make improvements.

Mr. Gallagher stated that the meetings were open to the public and that people who have problems with the Transfer Station should go to the Solid Waste Advisory Committee and it was not his intention to exclude the public by not supporting the survey.

Mrs. Landis-Naumann stated that they needed to determine the best way to handle solid waste before spending one million dollars to reconfigure and construct the Transfer Station. Mr. Gallagher stated that the Recycling Committee was needed to generate interest and get people to start addressing recycling.

Mr. Beaton asked that the question be moved.

Upon motion made by Mr. Beaton and seconded by Ms. MacFarlane, following a discussion and a 3 to 2 vote, it was –

VOTED: To authorize the expenditure of \$1,200 for the Solid Waste Advisory Committee to send out a survey to research recycling and find out why recycling was not effective in the Town of Kingston.

Mr. Gallagher and Mrs. Landis-Naumann did not support the motion.

The Board reviewed the Town Administrator's report. Items discussed were; Smart Growth Development Meeting held at Senator Murray's office, Cable TV Renewal Hearing set for November 14, 2006, KEMA Drill scheduled for October 25, 2006 and the request for the Selectmen's participation, Regional Disaster Drill being conducted by the Fire Department and the Town Clerk Mary Lou Murzyn's achievement of the designation of Master Municipal Clerk.

Mrs. Landis-Naumann stated that she wanted the Board to adopt the month of April as Volunteer Recognition Month in order to recognize the dedicated people who volunteer their services to the Town. Upon motion made by Mrs. Landis-Naumann and seconded by Mr. Beaton, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To adopt the month of April as Volunteer Recognition Month.

Mrs. Landis-Naumann stated that Joseph Chaves was interested in exploring the use of solar panel at the schools in order to save on energy costs. Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To forward a request to the Secure Energy Future Committee to review and evaluate the benefit of using solar energy at the schools and municipal buildings.

Mr. Gallagher stated that regardless of the 40R project near the Train Station, Mass Highway needs to address traffic problems in that area.

Ms. MacFarlane suggested posting the letter advising the Board of the Town Clerk's achievement on the Town's website.

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

VOTED: To approve the public session minutes with corrections noted for the meeting of October 3, 2006.

Ms. MacFarlane read aloud some of the comments from Wage and Personnel employees regarding the proposed Performance Evaluation System. She stated that it seemed as though the Board was headed in the right direction and express her appreciation for the good responses.

Mr. Donovan advised that the next component would be to update the MMA Consulting Compensation Study, conducted in 1995 for Wage and Personnel employees. He stated that as we move forward with the Merit Based System, this would be the final component. Upon motion made and seconded, following a discussion and a 5 to 0 to 0 vote, it was –

VOTED: To authorize the Town Administrator to have the MMA Consulting Study reviewed and updated for Wage and Personnel Employees.

It was noted that the Conservation Land Review Committee had four out of seven members and encouraged the Open Space Committee to make its two appointments and the Agricultural

Committee to make its appointment. Mrs. Landis-Naumann stated that the Agricultural Committee was scheduled to meet and would be forthcoming with its appointment. Ms. MacFarlane stated that she would contact the Horticultural Dept. as Silver Lake High School regarding its representation on the Committee.

Upon motion made and seconded, following a discussion and a 4 to 0 to 1 vote, it was –

VOTED: To waive the ambulance fee in the amount of \$489.00 due to a financial hardship.

Mrs. Landis-Naumann abstained from voting.

The Board reviewed the site plan for South Shore Medical Center and made no comments to be forwarded to the Planning Board.

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

VOTED: To appoint Carol Lormer to the Cultural Council and William J. Arrowsmith to the Cable Television Advisory Board.

The Board reviewed the Town of Kingston Financial Guidelines prepared by Treasurer John LaBrache.

Mrs. Landis-Naumann expressed her appreciation to Mr. LaBrache and stated that it was a good plan and good capture of items.

Mr. Beaton stated the wanted to see more clarification on item #5 and have 5% of expenses to the Stabilization Fund at the beginning of the process, when funds are available, rather than the end. Also, that Free Cash (item #4) not be used to fund operating budgets but limited to one-time purchases.

Mr. Gallagher stated that the Guidelines were recommendations and agreed that item #4 needed more clarification.

Mrs. Landis-Naumann stated that the Guidelines were to set policy in respect to procedures that Bond Counsel would like to see in place.

Mr. Beaton stated that it limited the use of Free Cash to 40% and in the past we have used 100%. He also wanted to see the consideration of using surplus revenue in Enterprise Funds to reduce the rates and give tax payers a break.

Mrs. Landis-Naumann stated that the surplus revenue in the Enterprise Funds is used for long-term projects.

Mr. Beaton stated that there was always excess revenue and there has never been a rate reduction and in the 11<sup>th</sup> hour at the Annual Town Meeting any money left was spent.

Mr. Gallagher stated that he would recommend that the Financial Guidelines be followed.

The Board agreed to invite Mr. LaBrache to the next meeting to discuss the Financial Guidelines.

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

VOTED: To sign the State Election Warrant.

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

VOTED: To adjourn at 8:35 p.m.

Respectfully submitted:

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