

**ANNUAL TOWN MEETING
APRIL 4, 2009**

The Annual Town Meeting was called to order by the Moderator, Frances E. Botelho-Hoeg, at 9:06 a.m., at the Kingston Intermediate School, 65 Second Brook Street, Kingston, Massachusetts. The Moderator welcomed those present and announced there was a quorum of 100 voters present. She led the Town Meeting in reciting the Pledge of Allegiance.

The Moderator asked for a moment of silence in memory of the following former Town officials or employees who passed away in 2008:

Marilyn A. Basler
Alfred J. Bevis
Susan M. Bourne
Cornelius J. Donovan, Jr.
Wilfred C. Emond
Karl R. Krueger, Jr.
Agnes C. Maurer
Mauro Mazzilli
JoAnn Mei
Sr. Mary Agatha Ruhe
Emily C. Scanlon
Leon F. Scott
Gobin Stair

The vote checkers were: Priscilla W. Brackett, Hannah M. Creed, Diane L. Hunt, Mary M. Leone, Roberta G. Reed, Patricia E. Scanlon, Diane T. Scully and Maureen E. Twohig. The doorkeepers were Nancy B. Delaney and Donna M. Farrington.

The sworn tellers were Paul L. Armstrong, Paul F. Basler and James C. Judge.

The Moderator then explained the guidelines under which this Town Meeting would be conducted.

Ms. Botelho-Hoeg announced this was her last opportunity to sit as Moderator since she was not running for re-election. She was elected in 1999; and it has been a pleasure and joy to sit as Moderator and share what she believes is the purest form of democracy. She relayed her special memories of the largest town meeting and the most heated town meeting. She proudly indicated her firsts - the first woman to serve as Moderator, the first town meeting in which children were allowed, and the first town meetings to use the CART system.

Ms. Botelho-Hoeg then personally thanked: Town Clerk Mary Lou Murzyn, Shelley Loring, Mary Leone and the team of people who work the town meetings; the Board of Selectmen; PAC-TV; the tellers; John Creed, who served as Assistant Moderator on several occasions; Bob Pinato and his friends; Town Counsel; and the voters who come and make this a memorable experience. She went on to remember the special folk of town meeting: Mauro Mazzilli, June Ballinger, Benny MacFarlane, Dan Sapir, Pine duBois, Mrs. (Anna) Fiore, Ralph Calderaro, Olly deMacedo, Tom O'Brien and Tom Calter.

Her final wish was that "people realize the importance of this meeting - one person, one vote - where people can speak their mind. It is the people's meeting."

The town meeting body responded with a warm round of applause.

Paul M. Gallagher, Chairman of the Board of Selectmen, presented Ms. Botelho-Hoeg with, a plaque recognizing her service to the community as well as her ten years as Moderator, and a lovely bouquet of flowers. He thanked both her and her husband, Walter, for their joint commitment to the Town of Kingston.

Next, Representative Thomas J. Calter, III, presented Ms. Botelho-Hoeg with a citation from the House of Representatives. He fondly referred to her as the "Equal Opportunity Enforcer."

The town meeting body thanked "Fran" with a standing ovation.

Mr. Gallagher then introduced Jill Myers as Kingston's new Town Administrator, commencing April 27th. He also acknowledged and thanked the members of the search committee: Elaine Fiore, Jason Lelio, Olly deMacedo and Sandra MacFarlane. Mr. Gallagher acknowledged and thanked John "Jack" Healey, interim Town Administrator as well as Nancy Howlett and Town Clerk Mary Lou Murzyn for their efforts in preparing for this town meeting, and introduced Jay Talerman, as new Town Counsel.

At 9:26 a.m., the Moderator suspended the Annual Town Meeting and proceeded to open the Special Town Meeting, which had been called for 9:00 a.m. The Annual Town Meeting resumed business at 9:35 a.m. The Moderator stated that it was obvious that proper notice had been given and the reading of the warrant was waived.

On the motion of Paul M. Gallagher, VOTED that the following non-residents and non-registered residents be allowed to enter and address the Town Meeting:

Jason R. Talerman, Town Counsel
John F. Healey, Interim Town Administrator
Joan Paquette, Town Accountant
John J. Tuffy, Superintendent of Schools
Robert T. Heath, Fire Chief
Thomas Bott, Town Planner
Lusia Stewart, Library Director
Jennifer Scavone, Secretary to Wage & Personnel Board
Steven Dyer and David Drain, Habitat for Humanity of
Greater Plymouth
Jill Myers, Town Administrator
(commencing on April 27, 2009)

And further,

That, at the recommendation of the Finance Committee and concurrence of the Board of Selectmen, the following articles shall be postponed until an adjourned session of the Annual Town Meeting to be held at 7:00 p.m. on June 2,

2009: Articles 2, 3, 5, 7, 8, 10, and 11, and that all articles not postponed shall be presented in the order in which they appear on the warrant.

ARTICLE 1. On the motion of Paul M. Gallagher, VOTED that the Town accept the reports of the various Town Officers, Boards and Committees as printed in the Annual Town Report.

Paul M. Gallagher, Chairman of the Board of Selectmen, presented his opening statement.

Mathew H. Hamilton, Chairman of the Finance Committee, presented his opening statement.

ARTICLE 4. On the motion of Robert R. Kostka, VOTED UNANIMOUSLY that the Town appropriate \$250,000 for the repair and replacement of water mains throughout the distribution system; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$250,000 under the provisions of M.G.L. c. 44, § 8, or other enabling authority; and that the Board of Water Commissioners be authorized to take any action to carry out this project.

CAPITAL PLANNING COMMITTEE RECOMMENDED FAVORABLE ACTION.

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

ARTICLE 6. Elaine A. Fiore moved that the Town appropriate the sum of \$24,000 for the purpose of providing capital equipment for the Sewer Department as follows:

a Small Utility Vehicle (SUV)

and to meet this appropriation, the sum of \$24,000 be transferred from the Waste Water Surplus Fund, and said expenditure to be under the direction of the Sewer Commissioners.

CAPITAL PLANNING COMMITTEE RECOMMENDED FAVORABLE ACTION.

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

Mark S. Beaton moved to postpone action on this article until the June 2nd adjourned session.

A vote was taken on the motion of Mr. Beaton.

YES - 86; NO - 81

THE MOTION WAS CARRIED.

ARTICLE 9. On the motion of John S. LaBrache, VOTED that the sum of \$20,666.05 be appropriated from the Elizabeth B. Sampson Memorial Fund, and the unexpended balances of prior years previously authorized from the E.B. Sampson Fund totaling \$7,118.95 be transferred from the appropriations authorized by the votes under the articles for the following accounts:

Article 10, 2003 Annual Town Meeting	\$ 197.20
Article 8, 2004 Annual Town Meeting	\$ 117.56
Article 12, 2008 Annual Town Meeting	\$ 5,373.94

Article 4, April 2008 Special Town Meeting \$ 1,430.25
 and be expended for the following projects; and that all
 expenditures shall be under the supervision of the
 respective departments or organizations:

<u>Department/Organization</u>	<u>Purpose</u>	<u>Amount</u>
Town Clerk	CART	\$1,000.00
Fire Dept	Dry Suits/Rescue Suits	\$5,500.00
Luminary	Luminary Expenses	\$3,000.00
Conservation Commission	Land Maintenance	\$1,000.00
Police Department	Bullet Proof Vests	\$6,500.00
KES/KIS	Destination Imagination	\$1,260.00
Selectmen	Replace Flags	\$ 625.00
Recreation	Entertainer	\$ 900.00
Veterans' Department	Decorating Graves	\$5,000.00
Conservation Land Review Committee	Management Plan Camp Nekon	\$3,000.00

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

ARTICLE 12. On the motion of Jean M. Landis-Naumann, VOTED
 that the Town re-establish a revolving fund for the
 operation of recreation programs; re-establish a revolving
 fund for the maintenance of shellfish beds, and re-
 establish a revolving fund for the operation of the
 inspectors in the Building Department as provided in
 General Laws, chapter 44, section 53E ½, all as detailed as
 printed in the Warrant for the Annual Town Meeting, as
 follows:

(A) To re-establish a revolving fund for recreation
 programs as provided in Massachusetts General Laws, chapter
 44, section 53E ½:

That said programs to be supported with these funds in FY
 2010 shall include but not be limited to gymnastics,
 cheerleading, karate, dance, various sports programs, arts
 and crafts, keyboard, babysitting, bumper bowling, ski
 lessons, golf, drama, baton twirling, junior garden club,
 tennis, cooking, sailing, Coast Guard boating safety
 course, summer programs, swimming lessons, basketball
 league, dog training, various instructional programs,
 special trips and events;

That funds deposited into this account shall include fees
 charged to individuals participating in a program,
 donations and gifts earmarked for said programs, and
 private sponsorship of programs and rental fees charged for
 the use of the Reed Community Building;

That the Recreation Commission shall authorize all
 expenditures of funds from this account. Funds will be
 used in direct support of the listed programs for the
 following items: supplies for the programs, contractual
 services required to present a program, administrative
 expenses required to run the program, wages of part-time
 staff for time spent running the program, repair of
 equipment used in a program, repair of facilities used for
 a program, rental of facilities and/or equipment used in a
 program;

And that the amount of the funds to be expended from this
 account in FY 2010 shall not exceed \$231,993.00; and
 further

(B) To re-establish a revolving fund for the maintenance of shellfish beds, as provided in Massachusetts General Laws, chapter 44, section 53E ½;

That funds deposited into this account shall include fees charged for the use of said beds;

That said expenditures to be supported with these funds in FY 2010 shall include but not be limited to the maintenance and seeding of the shellfish beds in Kingston Bay. Provided further that the Harbormaster/Shellfish Constable, with the approval of the Waterfront Committee, shall authorize all expenditures of funds from this account;

And that the amount of the funds to be expended from this account in FY 2010 shall not exceed \$2,000.00 unless additional limits are approved by the Board of Selectmen and the Finance Committee; and further

(C) To re-establish a revolving fund for the operation of the Inspectors in the Building Department as provided in Massachusetts General Laws, chapter 44, section 53E ½;

That funds deposited into this account shall include fees charged for plumbing, gas, electrical and sewer connection permits;

That said expenditures to be supported with these funds in FY 2010 shall include but not be limited to direct support for staff stipends and wages for inspectors, mileage reimbursement, cost of related inspection equipment including meters, tools and safety gear and necessary forms and supplies;

That the Inspector of Buildings and Town Administrator shall authorize all expenditures of funds from this account;

And that the amount of the funds to be expended from this account in FY 2010 shall not exceed \$50,000.00, unless additional limits are approved by the Board of Selectmen and the Finance Committee.

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

ARTICLE 13. On the motion of John S. LaBrache, VOTED that the question be divided into eight questions: one for establishing required reserve and administrative expenses and one for each of the seven contemplated projects for which an expenditure of CPA funds is sought.

Motion 1: On the motion of John S. LaBrache, VOTED that the Town appropriate or reserve from Fiscal Year 2010 Community Preservation Fund estimated annual revenue amounts as follows:

<u>Reserve:</u>	
Open Space	\$ 67,100
Historic Resources	\$ 67,100
Community Housing	\$ 67,100
Total	\$ 201,300

Appropriate:

Administrative Expenses

Personal Services	\$ 2,000
Expenses	\$ 31,550
Total	\$ 33,550

Total-Reserves and Expenses \$ 234,850

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

Motion 2: On the motion of John S. LaBrache, VOTED that the Town appropriate and transfer \$78,500 from the Historic Reserve Fund balance and \$321,500 from the Community Preservation Fund balance for the purpose of preserving the Frederic C. Adams Library.

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

Motion 3: On the motion of John S. LaBrache, VOTED that the Town appropriate and transfer \$28,714 from the Community Preservation Fund balance for the purpose of renovating and restoring the Faunce School; and further, that said appropriation for the preservation of the Faunce School shall include a requirement that the Town of Kingston be granted a preservation restriction in the property meeting the requirements of G.L. c. 184; and further, to authorize the Board of Selectmen to accept said restriction.

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

Motion 4: On the motion of John S. LaBrache, VOTED that the Town appropriate and transfer \$125,000 from the Community Preservation Fund balance for the purpose of restoration of the Reed Center; and further, that said appropriation for the restoration of the Reed Center shall include a requirement that the Town of Kingston be granted a preservation restriction in the property meeting the requirements of G.L. c. 184; and further, to authorize the Board of Selectmen to accept said restriction.

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

Motion 5: On the motion of John S. LaBrache, VOTED that the Town appropriate and transfer \$20,000 from the Community Preservation Fund balance for the purpose of conducting a community-wide historic properties survey.

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION.

Motion 6: John S. LaBrache moved that the Town appropriate and transfer \$75,000 from the Community Preservation Fund balance for the purpose of restoring the Holmes/Watson Boatyard; and further, that said appropriation for the restoration of the Boatyard shall include a requirement that the Town of Kingston be granted a preservation restriction in the property meeting the requirements of G.L. c. 184; and further, to authorize the Board of Selectmen to accept said restriction.

Pine duBois moved to amend by replacing the words "be granted" with "acquire." The Moderator ruled the amendment outside the scope of the article.

Discussion followed.

FINANCE COMMITTEE RECOMMENDED UNFAVORABLE ACTION.

John P. Creed moved the question.

THE MOTION WAS CARRIED.

On the motion of John S. LaBrache, VOTED that the Town appropriate and transfer \$75,000 from the Community Preservation Fund balance for the purpose of restoring the Holmes/Watson Boatyard; and further, that said appropriation for the restoration of the Boatyard shall include a requirement that the Town of Kingston be granted a preservation restriction in the property meeting the requirements of G.L. c. 184; and further, to authorize the Board of Selectmen to accept said restriction.

YES - 106; NO - 76

THE MOTION WAS CARRIED.

Motion 7: On the motion of John S. LaBrache, VOTED that the Town appropriate and transfer \$50,000 from the Community Preservation Housing Fund for the purpose of aiding in the development of affordable housing being constructed by Habitat for Humanity at 138 Grove Street in Kingston; and further, that said appropriation for the development of said affordable housing shall include a requirement that the Town of Kingston be granted a long-term affordability restriction meeting the requirements of G.L. c. 184; and further, to authorize the Board of Selectmen to accept said restriction.

Motion 8: John S. LaBrache moved that the Town appropriate and transfer \$49,323.52 from the Community Preservation Open Space Reserve Fund and \$10,276.48 from the funds approved under Article 16 of the 2008 Annual Town Meeting for the purchase of a portion of land on Assessors' Map 44, Lot 49, being approximately one-third acre, more or less, said expenditure to be utilized by the Jones River Watershed Association ("JRWA") for the dam removal and river restoration project more particularly described in a Letter of Intent from the landowner, Daniel J. Galambos, Owner of the Jones River Realty Trust to JRWA dated April 1, 2009, and for the purposes of restoring historic fish passage in the Jones River and creating a new town park to be known as "Triphammer Park". The property comprising Triphammer Park will be conveyed to the Town subject to a Conservation Restriction both meeting the requirement of G.L. c. 184 and restricting the use of the property for a public park and for recreational access and conservation with historic markers; and further, to authorize the Board of Selectmen to accept said restriction.

Pine duBois moved to amend by adding to the end of the motion the following sentence:

"These funds are contingent upon the awarding of additional grant funding covering the costs for final design and permitting of the river restoration project, the receipt of which is anticipated in 2009."

FINANCE COMMITTEE RECOMMENDED FAVORABLE ACTION
ON BOTH AMENDMENT AND MOTION.

A vote was taken on the amendment of Ms. duBois.

THE AMENDMENT WAS CARRIED.

On the motion of John S. LaBrache, as amended, VOTED that the Town appropriate and transfer \$49,323.52 from the Community Preservation Open Space Reserve Fund and \$10,276.48 from the funds approved under Article 16 of the 2008 Annual Town Meeting for the purchase of a portion of land on Assessors' Map 44, Lot 49, being approximately one-third acre, more or less, said expenditure to be utilized by the Jones River Watershed Association ("JRWA") for the dam removal and river restoration project more particularly described in a Letter of Intent from the landowner, Daniel J. Galambos, Owner of the Jones River Realty Trust to JRWA dated April 1, 2009, and for the purposes of restoring historic fish passage in the Jones River and creating a new town park to be known as "Triphammer Park". The property comprising Triphammer Park will be conveyed to the Town subject to a Conservation Restriction both meeting the requirement of G.L. c. 184 and restricting the use of the property for a public park and for recreational access and conservation with historic markers; and further, to authorize the Board of Selectmen to accept said restriction. These funds are contingent upon the awarding of additional grant funding covering the costs for final design and permitting of the river restoration project, the receipt of which is anticipated in 2009.

At 10:55 a.m., the Moderator called for a brief recess. The meeting resumed at 11:03 a.m.

ARTICLE 14. To see if the Town will vote to set the charge for each demand issued by the collector of taxes a fee of \$30.00 to be added to and collected as part of the tax, as authorized by M.G.L. chapter 60, section 15 effective as of July 1, 2009, or take any other action relative thereto.

THERE WAS NO MOTION MADE UNDER THIS ARTICLE.

ARTICLE 15. On the motion of Mark R. Guidoboni, VOTED UNANIMOUSLY that the Town amend the General By-Laws, Chapter 19 entitled HARBOR REGULATIONS by adding Article 2. Demarcation of Kingston Bay Waterways, as follows:

Article 2. Demarcation of Kingston Bay Waterways

The Town of Kingston shall demarcate without prejudice all Kingston Bay water, waterways or channels suitable for navigation, with at least 5 foot of depth at mean low water, with aids to navigation approved for use by, and in accordance with, United States Coast Guard regulations. Aids to navigation shall be in place seasonally from May 1st to October 15th annually at a minimum. (Petition)

ARTICLE 16. Sandra D. MacFarlane moved that the Town amend the General By-Laws, Chapter 4, Article 2 **Collector of Taxes** by adding a new section as follows:

4-2-5. The Collector of Taxes shall maintain a lockbox for the collection of amounts due to the Town.

Considerable discussion followed.

Pine duBois moved the question.

THE MOTION WAS CARRIED.

A vote was taken on the motion of Ms. MacFarlane.

THE MOTION WAS NOT CARRIED.

ARTICLE 17. Elaine A. Fiore moved that the Town amend the General By-Laws, **Chapter 20** entitled **SEWER BY-LAW** by deleting **Article 1. Service Connection** in its entirety and replacing it with the following:

Article 1. Service Connection

Property owners shall be required to connect their buildings to the Town's sewer system within six (6) months of sewer service becoming available for such connection, or in such manner as provided by Board of Health regulations relating to the connection of buildings to the Town sewer system. Said connection to be in accordance with any and all regulations promulgated by the Board of Sewer Commissioners.

Mark S. Beaton moved to amend by replacing "six (6) months" with "twelve (12) months".

THE AMENDMENT WAS NOT CARRIED.

On the motion of Elaine A. Fiore, VOTED that the Town amend the General By-Laws, **Chapter 20** entitled **SEWER BY-LAW** by deleting **Article 1. Service Connection** in its entirety and replacing it with the following:

Article 1. Service Connection

Property owners shall be required to connect their buildings to the Town's sewer system within six (6) months of sewer service becoming available for such connection, or in such manner as provided by Board of Health regulations relating to the connection of buildings to the Town sewer system. Said connection to be in accordance with any and all regulations promulgated by the Board of Sewer Commissioners.

ARTICLE 18. Jean M. Landis-Naumann moved that the Town amend the General By-Laws, **Chapter 2 TOWN MEETING, Article 3. Annual Town Election** by striking the first sentence and replacing it with the following new sentence: "The annual election of such officers and the determination of matters of law as are required to be elected or determined by ballot shall be held on the first Saturday of May."

Discussion followed.

John C. Veracka, Jr. moved the question.

THE MOTION WAS CARRIED.

A vote was taken on the motion of Ms. Landis-Naumann.

YES - 63; NO - 87

THE MOTION WAS NOT CARRIED.

ARTICLE 19. That the Town amend the amount of the surcharge imposed on real property under the Community Preservation Act, M.G.L. c. 44B et seq., which Act was accepted by the October 20, 2004 Special Town Meeting and by the voters of the Town at the April 23, 2005 Annual Town Election, by reducing the surcharge on real estate tax levy on real property from 3% to 1%; provided further, that in accordance with the Community Preservation Act, the amendment to the surcharge will not take effect until approval by the voters at the 2009 Annual Town Election, or take any other action relative thereto. (Petition)

THE MODERATOR RULED THIS ARTICLE OUT OF ORDER SINCE IT DID NOT MEET THE REQUIREMENTS OF M.G.L. c. 54, sec. 42C. SHE FURTHER RULED THAT THIS ARTICLE COULD NOT BE HEARD AT THE ADJOURNED SESSION OF THIS TOWN MEETING.

ARTICLE 20. To see if the Town will eliminate the amount of the surcharge imposed on real property under the Community Preservation Act, M.G.L. c. 44B, et seq., which Act was accepted by the October 20, 2004 Special Town Meeting and by the voters of the Town at the April 23, 2005 Annual Town Election, by eliminating the surcharge on real estate tax levy on real property; provided further, that in accordance with the Community Preservation Act, the amendment to the surcharge will not take effect until approval by the voters at the 2010 Annual Town Election, or take any other action relative thereto. (Petition)

THE MODERATOR RULED THIS ARTICLE OUT OF ORDER SINCE IT DID NOT MEET THE REQUIREMENTS OF M.G.L. c. 54, sec. 42C. SHE FURTHER RULED THAT THIS ARTICLE COULD NOT BE HEARD AT THE ADJOURNED SESSION OF THIS TOWN MEETING.

ARTICLE 21. To see if the Town will vote to amend the Zoning By-Law Chapter 4.0. entitled Use Regulations, Section 4.15. 1021 Kingston's Place Smart Growth District by inserting a new section **4.15.4.48. PRESERVED WOODLANDS** as follows:

4.15.4.48. PRESERVED WOODLANDS - Areas located within the Conservation/Recreation subdistrict, adjacent to Smelt Brook, Raboth Road, and/or adjacent properties. These Preserved Woodlands shall mostly include existing tree canopy, but may also include stormwater infrastructure and cleared areas for underground utilities, trails, grading, and/or wildlife habitat. Portions of the Preserved Woodlands may be Future Open Space. No road other than that for municipal use, utilities, fire protection, or open space recreation access shall be permitted within or across a preserved woodland area or through an open space buffer."

Or take any other action relative thereto.

THERE WAS NO MOTION MADE UNDER THIS ARTICLE.

ARTICLE 22. To see if the Town will vote to amend the Zoning By-Law Chapter 4.0. entitled Use Regulations, Section 4.15. 1021 Kingston's Place Smart Growth District by inserting a new **Section 4.15.11.4. Open Space Buffer**, as follows:

4.15.11.4. Open Space Buffer. Development shall be designed taking into account the open space buffer along Smelt Brook and Raboth Road, within the Conservation/Recreation sub-district designated on the Zoning Map. No road other than that for municipal use, utilities, fire protection, or open space recreation access shall be permitted within or across a preserved woodland area or through an open space buffer.

Or take any other action relative thereto.

THERE WAS NO MOTION MADE UNDER THIS ARTICLE.

ARTICLE 23. To see if the Town will vote to amend the General By-Laws, Chapter 3 FINANCE COMMITTEE AND BUDGET PROCESS, in Article 1. **Finance Committee**, under Section 3-1-1. entitled Composition, by adding to the end of that section, the following sentence:

"The Finance Committee shall be composed of individuals having independence from the day-to-day operations of the town; and who shall not simultaneously hold any other elected or appointed town position."

Or take any other action relative thereto. (Petition)

THE MODERATOR RULED THIS MOTION OUT OF ORDER SINCE IT WOULD NOT BE A LEGAL MOTION.

ARTICLE 24. James C. Judge moved that the Town amend the General By-Laws, Chapter 4 TOWN OFFICERS, BOARDS AND COMMITTEES, in Article 8 **Capital Planning Committee**, under Section 4-8-1. entitled Composition and Term of Office, by adding to the end of that section, the following sentence:

"The 5-Member Capital Planning Committee shall be composed of individuals having independence from the day-to-day operations of the town; and who shall not simultaneously hold any other elected or appointed town position."
(Petition)

Discussion ensued.

John P. Creed moved the question.

THE MOTION WAS CARRIED.

A vote was taken on the motion of Mr. Judge.

THE MOTION WAS NOT CARRIED.

ARTICLE 25. Mark R. Guidoboni moved that the Town authorize the Board of Selectmen to declare surplus and offer for sale, the parcels of land identified as appearing on Assessors' Map 66, Lot 39, containing .72 acres and located on Thomas Street, and Map 66, Lot 34, containing .32 acres and located on Thomas Street. (Petition)

After considerable debate, Robert R. Kostka moved the question.

THE MOTION WAS CARRIED.

A vote was taken on the motion of Mr. Guidoboni.

ON VOICE VOTE, THE MODERATOR DECLARED THE MOTION WAS NOT CARRIED AND DID NOT MEET THE 2/3 REQUIREMENT.

On the motion of Paul M. Gallagher, VOTED to adjourn this meeting to Tuesday, June 2, 2009, at 7:00 p.m., at the Kingston Intermediate School, 65 Second Brook Street.

There were 63 voters from Precinct 1, 81 voters from Precinct 2, 37 voters from Precinct 3 and 50 voters from Precinct 4, for a total of 231 voters.

Adjournment was at 12:40 p.m.

Respectfully submitted,

Mary Lou Murzyn, MMC/CMMC
Town Clerk