



TOWN OF KINGSTON
BOARD OF SELECTMEN
OPEN SESSION
TOWN HOUSE-26 EVERGREEN ST. ROOM 200 & VIA ZOOM
JUNE 20, 2023

6:00 PM – CALL TO ORDER – ROOM 200

Chairman Kimberley Emberg called to order the meeting of the Board of Selectmen at 6:00 PM. Selectmen in attendance: Donald Alcombright, Sheila Vaughn (who began the meeting virtually), and Eric Crone.

Staff Present: Keith Hickey, Town Administrator; Gloria Mitchell, Assistant Town Administrator; Patricia Tucker, Assistant to the Town Administrator and the Board of Selectmen.

ANNOUNCEMENTS:

Ms. Emberg read the announcements:

This meeting is recorded by PACTV. Anyone intending to make an audio or video recording of this meeting should notify the Chair at this time.

Financial Assistance Applications are available on the Town's website or by calling the Selectmen's Office.

Ms. Emberg spoke a few words about Bradford Norman, Facilities Director, who recently passed away. She spoke about his passion and dedication to the community and expressed gratitude for everything he has done for the Town. She expressed her condolences to his family and asked for a moment of Silence in Brad's honor. The moderator is recruiting to fill open seats on the Finance Committee. Anyone interested should reach out to the moderator.

There is an open seat on the Capital Planning Committee. Anyone interested should reach out to the Finance Committee.

There is an opening for Kingston residents on the Old Colony Elder Services Board of Directors.

The Council on Aging is seeking a volunteer to deliver for our Meals on Wheels program.

The Council on Aging is seeking an Associate Member.

Transfer Station Sticker sales began on June 1 at the Highway Department during regular business hours and on the weekends starting Sunday, June 18, through July 9 from 8 AM to 4 PM.

The next Farmer's Market will occur at Grays Beach Park on Sunday, July 2, from 10 AM-2 PM.

The first "Music at the Beach" event is scheduled for Tuesday, July 11, at 6 PM at Grays Beach Park.

OPEN FORUM:

Ms. Elaine Fiore, 60 Cole Street, spoke in remembrance of Brad Norman.

APPOINTMENTS:

REQUEST BY PLYMOUTH COUNTRY RETIREMENT BOARD TO CONSIDER APPROVING A 5% COST OF LIVING ADJUSTMENT TO ITS MEMBERS EFFECTIVE JULY 1, 2025

Ms. Emberg opened the floor of Plymouth County, and Charles Armanetti began the conversation by saying that most

retirees do not receive social security. Back in 2021, Social Security gave a 5.5% increase and then last year they received an 8.75% increase.

Plymouth County only has received 6% in the last few years, and there is a need to increase this but until now, it was not allowed per the existing legislation. He added that Kingston currently has 130 retirees. The legislature only allowed for 3% but voted that communities can increase the amount to 6%, but only if two thirds of the towns that participate in the county retirement fund vote in favor of the increase. Mr. Armanetti respectfully requests the Boards approval on the request.

Tom O'Brien, Treasurer of Plymouth County Retirement Association, discussed this request in greater detail, emphasising that this would be a one-time increase, and the adjustment will be retroactive to July 1, 2022.

Ms. Vaughn joined the meeting in person.

Ms. Vaughn asked about the majority vote, and it was answered that it requires a 2/3rd vote from the Towns.

Mr. O'Brien stated that the Retirement Board and County Commissioners have each recommended the adjustment as have 3 other communities, so far.

Motion by Mr. Crone, seconded by Mr. Alcombright, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen to support the one-time request to increase the cost of living to 5% for eligible Plymouth County Retirement Association employees.

TEMPORARILY ROAD CLOSURE REQUEST-ROCKY NOOK AVENUE FOR A NEIGHBORHOOD EVENT ON JULY 4, 2023

Ms. Emberg stated that a request was received by Rebecca Hebert to close roads within the Nook for the evening of July 4. Ms. Emberg mentioned that there had been some concerns regarding this event and the road closure in the past. The request was reviewed by the Police and Fire Chiefs and the Superintendent of Streets, Trees, and Parks, who provided a recommendation within the packet information.

Ms. Vaughn asked why the motion states, "Instruct the Police Department to take appropriate legal action against private citizens who use, possess, or sells fireworks." Ms. Emberg commented that fireworks are illegal.

Mr. Hickey answered that there were concerns brought up in the Department Head meeting that there have been some accidents regarding fireworks in the Town and also surrounding towns, so it was suggested that this be added.

Mr. Hickey added that by including this language within the suggested motion, the Board would be supporting the Police Chief in the hopes that he is proactive with his staff regarding taking the required legal action with regards to illegal fireworks.

Ms. Emberg stated that a concern about the fireworks is often their storage and where they are being held.

Motion by Mr. Alcombright, seconded by Mr. Crone, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen to approve the request from Rebecca Herbert to close a portion of East Avenue at Bayview Avenue, West Avenue at Bayview Avenue, Cole Street at Bagnell Street, and a portion of Rocky Nook Avenue from the intersection of East Avenue at Bayview Avenue to the intersection of Rocky Nook Avenue at North Street on Tuesday, July 4, 2023, during the hours of 6:00 PM thru 11:00 PM, with the following conditions:

1. Access to emergency vehicles is always maintained. All barricades must be placed to allow emergency responders to move them quickly. Sections of closed roads must have a width of ten (10) feet to allow for apparatus access.
2. The petitioner secures barricades and road-closed signage from the Highway Department to be erected by the petitioners during the event.
3. The petitioner notified the neighborhood residents affected by the road closure.
4. Instruct the Police Department to take appropriate legal action against private citizens who use, possess, or sell

fireworks.

5.

Mr. Hickey explained that he spoke with the requestor, and she was not part of the group that does set off the fireworks.

REQUEST FROM AGRICULTURAL COMMISSION TO USE TOWN PROPERTY FOR SEPTEMBER 10, 2023

Ms. Emberg explained that the Agricultural Commission is requesting the use of the Town Property on Sunday, September 10, 2023, for the Agricultural Fair.

Ms. Jean Landis-Naumann attended to discuss that they have had this agricultural fair at the Town Green since 2008. She continued to say that after speaking with the police chief, holding this at the Town Hall was suggested due to eliminating street closing and police details. Mr. Hickey asked if a cleanup would occur after the event, and Ms. Landis-Naumann stated there would be a cleanup.

Motion by Ms. Emberg, seconded by Mr. Crone, and a 4-0-0 vote,

VOTE: I move to approve the request of the Agricultural Commission to use the Town House lawn and parking lot in the afternoon of September 10, 2023, from 12:30 PM-4:30 PM, closing one entrance and working closely with Facilities and Streets, Trees, and Parks and following all required animal regulations.

PROPOSAL BY AGRICULTURAL COMMISSION TO USE TOWN PROPERTY FOR PRODUCE SHARING PROGRAM FOR RESIDENTS

Ms. Emberg explained that the Agricultural Commission is proposing a sharing program for excess produce grown by residents.

Ms. Landis-Naumann explained that this would allow home gardeners to share their bounty with others who may not be able to grow fresh produce. After consideration, she explained that they would like to use the gazebo on the Town House property. Mr. Hickey explained that Ms. Lawton, Director of Elder Services, also offered the Senior Center as an option as it was discussed that there were health concerns from the Health Agent regarding possibly animals getting into the produce.

Motion by Ms. Crone, second by Mr. Alcombright, and a 4-0-0 vote,

VOTE: I move to approve the request of the Agricultural Commission to use Town Property for a Produce Sharing Program for Residents at the Town House gazebo; the Health Agent can move to the COA if there are any health-related issues.

REQUEST FOR ONE DAY LIQUOR LICENSE FROM UPLAND ALE CO DBA BREWERY 44 FOR GRAY'S BEACH MUSIC EVENTS

Ms. Emberg explained that Michael Johnson of Brewery 44 is requesting a one-day liquor license for Gray's Beach Music Nights at Gray's Beach on July 11, 2023, July 25, 2023, August 15, 2023, and August 29, 2023, from 5 PM-8 PM and September 23, 2023, from 2-6 PM. Provided with the application signed off on by the Chief of Police and Fire is a certificate of insurance. Recreation Director Susan Woodworth requested to approve this request with any rain dates that may be necessary.

There was no discussion of the Board.

Motion by Mr. Alcombright, second by Ms. Vaughn, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen to approve the one-day liquor license for Michael Johnson of Brewery 44 for

events at Gray's Beach on July 11, 2023, July 25, 2023, August 15, 2023, and August 29, 2023, from 5:00 PM to 8:00 PM and September 23, 2023, from 2:00 to 6:00 PM, along with any rain dates that may be determined by the Recreation Commission.

ADDITIONAL ITEMS:

ANNUAL REAPPOINTMENTS

Ms. Emberg explained that the Board Packet lists all yearly renewals of Board and Commission reappointments and their expiration dates.

Ms. Emberg asked the Board if they had reviewed the list and if there were any questions or concerns with the requests. Mr. Alcombright said he would like to sit on the Agricultural Commission as it is a Selectmen seat.

Motion by Ms. Emberg, second by Mr. Crone, and a 4-0-0 vote,

VOTE: Move that the Board of Selectmen appoint Don Alcombright as the Selectmen representative on the Agricultural Commission, effective July 1, 2023 through June 30, 2024.

Ms. Emberg asked Mr. Hickey if, at any time, the Board of Selectmen can remove an individual from a Board or Committee if they don't represent that Board or Committee well, and Mr. Hickey confirmed that the Board could remove them at any time.

Motion by Mr. Alcombright, second by Ms. Vaughn, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen to approve the list of candidates up for reappointment to their Board or Commission showed on the master list, as amended.

ANNUAL REAPPOINTMENT TO COA ADVISORY BOARD

Ms. Emberg explained that the following four Council on Aging Board members are up for reappointment:

- Austin Sennett
- Joan Hutchinson
- C Weston Meiggs
- Maureen Elwood

Ms. Emberg explained that Austin Sennett, Joan Hutchinson, and Maureen Elwood requested reappointment, leaving one unfilled seat, owever, Ms. Hutchinson has served on the COA Board for four consecutive terms, and Ms. Elwood has served three consecutive terms. She explained that the Board would need to waive Section 4-10-1 of the COA bylaw to allow Ms. Hutchinson and Ms. Elwood to serve another three-year term.

Motion by Ms. Vaughn, second by Mr. Alcombright, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen to waive Section 4-10-1 of the COA bylaw and appoint Joan Hutchinson and Maureen Elwood to a three-year term on the Council on Aging effective July 1, 2023 -June 30, 2026.

Motion by Ms. Vaughn, second by Mr. Crone, and a 4-0-0 vote,

VOTE: I move to appoint Austin Sennett to a three-year term on the Council on Aging, effective July 1, 2023 -June 30, 2026.

APPOINTMENT OF RECREATION PROGRAM ADMINISTRATOR AND ASSISTANT TOWN TREASURER

Ms. Emberg explained that due to a recent retirement from the Recreation Department and a vacancy in the Treasurer's Office, the Recreation Program Administrator and Assistant Town Treasurer positions are vacant. After the recruitment process for both positions, Brandi Gordon's promotional transfers to Recreation Program Administrator and Nicholas Derbes's Assistant Treasurer's position are recommended for Board consideration.

There was no discussion by the Board.

Motion by Ms. Vaughn, seconded to Mr. Alcombright, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen to appoint Brandi Gordon, to the position of Recreation Office Program Administrator, an FY23 Grade C3, Step 10, a nonexempt position as part of the Kingston Town Employee Union – Clerical, with the Recreation Department with an anticipated start date of June 21, 2023, with the following condition:

1. Satisfactory CORI check.

Motion by Ms. Vaughn, seconded to Mr. Alcombright, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen to appoint Nicholas Derbes to the position of Assistant Town Treasurer, an FY24 Schedule D/Grade 7, Step 1, exempt position as part of Wage and Personnel, with the Treasurer's Office with an anticipated start date of July 3, 2023, with the following condition:

1. Satisfactory CORI check.
2. Successful completion of a six-month probationary period.

SET A SPECIAL TOWN MEETING DATE

Ms. Emberg explained that there is a need to hold a Special Fall Town Meeting this year.

Mr. Hickey explained that he has spoken to the School Superintendent and Recreation Director regarding a date that meets their needs.

He explained that Tuesday evening, October 24, meets the Silver Lake Regional School District's timeline to vote on an amended Regional Agreement and the Recreation Department's best chance of completing the Opachinski Complex improvements before the spring sports season. Mr. Hickey stated that all of the documentation for the articles that will go onto the Special Town Meeting warrant will be on the website and shared with the public as soon as they are available.

Motion by Mr. Alcombright, second by Mr. Crone, and a 5-0-0 vote,

VOTE: I move the Board of Selectmen to approve the proposed Tuesday, October 24, 2023, Special Fall Town Meeting date and timeline.

ACCEPTANCE OF DONATION

Ms. Emberg explained that the Veteran's Department and Council on Aging received several donations for both the Veteran's Department and the Kingston Veteran's Memorial and the COA, and both are requesting the Board of Selectmen to accept them.

There was no Board discussion.

Motion by Ms. Vaughn, second by Mr. Crone, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen accept the following donations to the Veteran's Department:

- \$250 donation in gift cards from an anonymous donor
- \$100 donation from Andrew and Carmen Risio
- \$100 donation from Rui and JoAnn Santos

Motion by Ms. Vaughn, second by Mr. Alcombright, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen accept the following donations to the Veteran's Memorial.

- \$250 from William Martin
- \$250 from Goodrich Lumber Co
- \$100 from Barbara Holmes
- \$200 from Dennis Reddy

- \$10 from Jane Corr
- \$70 from Election Day donations
- \$100 from Deborah Grace
- \$100 from Ronald Perry
- \$50 from Ann Gavoni
- \$790 in T-Shirt sales (March – June)

Motion by Ms. Vaughn, second by Mr. Alcombright, and a 5-0-0 vote,

VOTE: I move the Board of Selectmen accept the following donations to the Kingston Council on Aging

- \$102 donation from Stop and Shop for the Meals on Wheels Program

REQUEST TO HAVE THE BOARD OF SELECTMEN AUTHORIZE AGREEMENT TO PARTICIPATE IN MEDIATION

Ms. Emberg explained that the Zoning Board of Appeals had been asked to participate in mediation for the Board's decision on a 40B project on May Avenue. The mediation will include the developer, the Town of Kingston, and an abutter. The cost to the Town is anticipated to be more than \$2,500. The town counsel has asked the Board to approve and sign the Agreement to Mediate which was provided to the Board in the meeting materials.

The Board had no discussion.

Motion by Mr. Alcombright, second by Mr. Crone, and a 5-0-0 vote,

VOTE: I move the Board of Selectmen to approve an Agreement to Mediate the Zoning Board's decision on their May Avenue 40B project.

SEASONAL EMPLOYEE APPOINTMENT FOR THE RECREATION DEPARTMENT

Ms. Emberg explained that the Recreation Department recommends Adison Willett's appointment as season recreation staff – counselor.

Motion by Ms. Alcombright, second by Mr. Crone, and a 4-0-0 vote,

VOTE: I move the Board of Selectmen to appoint Adison Willett as a seasonal recreation staff counselor Effective June 21, 2023.

MEETING MINUTES: There were no minutes for approval.

TOWN ADMINISTRATOR'S REPORT:

Mr. Hickey read from his report.

TOWN ADMINISTRATOR'S REPORT - JUNE 20, 2023

Financial Updates

- The Finance Department is reviewing departmental expenditures to determine what budget transfers are needed for year-end. Those proposed transfers will be presented to the Selectmen on July 11 and the Finance Committee shortly after.

Project Updates

- The Elm St drainage improvement project is proceeding well. The contractor expects to have the project near the end of June. The road will reopen before project completion, but that date is unknown.
- Bids were opened on the Rte. 106/Rte./Rte. 27 intersection improvement project on June 15. Three bids were received and ranged from a low of \$456,531 to \$630,480. A complete street grant of \$399,331 was received to offset the cost of the project.

Costs of materials rose so quickly in 2022-2023 that MassDOT has required bids for the 2023 construction season, under all statewide Complete Streets grant awards, to use numbers from within the 90 days preceding the bid letting. This indexing approach attempts to account for the unprecedented cost increases that continue to persist. It's important to note that such a requirement is exceedingly rare.

During a meeting between TEC, Planning, and Streets, Parks, and Trees, the impact of the material cost increases on the initially estimated budget submitted in fall 2022 for the grant was discussed. Considering the new

projected costs, TEC and the Town collaborated to significantly scale back the project before releasing the bid request. This adjustment aimed to stay within the grant's allocated funds. As part of the modifications, sidewalks in all directions were shortened to only connect to the crosswalks.

An additional \$94,270 from Chapter 90 funds allocated by Streets, Parks, and Trees was sourced to cover the necessary milling and paving of the intersection. The grant does not cover this work.

The project, which has been scaled back, was bid to achieve an overall budget of \$493,601.25. It was anticipated that if the bids came in at that value, TEC could handle the inspection work and construction oversight. However, the grant will not fund the bids received today for engineering oversight.

Streets, Parks & Trees, and the Planning Departments could split the estimated over-budget funds (\$90,169.53 each) from the Public Benefit accounts and the FY24 \$500,000 construction funding allocation, respectively, to move forward.

Miscellaneous Updates

- The Landing Road/Maple Street intersection meeting with representatives from the Town, State DOT, State Representatives, and residents was invited by Old Colony Planning Council on June 8. OCPC has indicated that the traffic/accident data does not support installing stop signs on Landing Road. However, they have identified some alternative suggestions that will be further explored.

1. One of the suggestions is to establish a no-through trucking zone on Bay/Landing Road, with the proposed alternative route being Tremont Street to Rte. 3A. As Bay Road runs through Duxbury, their support is required for the proposed no-through trucking zone and alternative route. I have sent an email to the Duxbury Town Manager but am still awaiting a response as of the writing of this report. I will provide an update to the Board on Tuesday evening.
2. Another consideration is to evaluate the feasibility of installing stop lights on both sides of the Landing Road bridge, creating one traffic lane at a time under the bridge. A similar approach was implemented at the Elm Street bridge before its replacement.
3. Additionally, there are plans to make minor redesigns to the Maple Street/Landing Road intersection, focusing on reducing speed.

- The Old Colony Planning Council will finalize its report by the end of June. Our staff will review the proposed improvements and provide a recommendation to the Board.
- Baymont Hotel discussed temporary housing. Mr. Hickey said that there has been an increase in police activity at the hotel.

Ms. Vaughn asked about the hotel closing for long-term housing, and she has the same concerns as Mr. Hickey.

County Treasurer Tom O'Brien will be here Friday at 11:15 AM to present an ARPA check and Mr. Hickey invited the entire Board to attend.

SELECTMEN COMMENTS:

Mr. Crone provided an update on the Lake Street intersection; Mr. Basler and Mr. Jason Fraser from the Silver Lake Regional School Committee worked with the State regarding grants. Federal funding to cover the entire project. Update every other meeting.

Ms. Vaughn reiterated what Ms. Fiore said about Brad and said that he is a huge loss to the Town.

Motion by Ms. Vaughn, second by M Alcombright, and a 4-0-0 vote,
VOTE: I move the Board of Selectmen to adjourn.

The meeting adjourned at 7:15 PM.

NEXT REGULAR MEETING:
July 11, 2023

Respectfully submitted,
Patricia Tucker
Assistant to the Town Administrator/Board of Selectmen

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Documents used at the meeting:

Agenda

Agenda Addendum

Road Closure Request

Agricultural Commission Request

Reappointments

Town Meeting Timeline

Donation

Hiring Information

Town Administrator Report

