



TOWN OF KINGSTON
BOARD OF SELECTMEN
OPEN SESSION
TOWN HOUSE-26 EVERGREEN ST. ROOM 200 & VIA ZOOM
AUGUST 23, 2022

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, Tyler Bouchard, and Jessica Kramer.

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

ANNOUNCEMENTS:

This meeting is being 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.

Due to a recent resignation from the recreation commission, the recreation commission and Board of selectmen are seeking candidates interested in filling the open seat until the next town election in the spring of 2023. Interested candidates must submit a letter of consideration and qualifications no later than August 31 at 4:30 PM. Please submit your information by mail to:

Kingston Board of Selectmen's office 26

Evergreen Street

Kingston, MA 02364

or by email at ptucker@kingstonma.gov or you can email any of the members of the Board of Selectmen or the Recreation Commissioners. All candidates will be interviewed at a joint recreation commission/selectmen's meeting on September 6.

OPEN FORUM:

Pine duBois of the Jones River Watershed Association was in attendance to alert the Board that they have completed the Maritime Resilience Plan with the Town.

Ms. duBois asked the Board of Selectmen for a letter of support for the grant.

APPOINTMENTS:

ACCEPTANCE OF HAZARD MITIGATION PLAN

Ms. Emberg announced that this Plan is required to be updated every five years by FEMA to allow the Town to participate in FEMA funding, including grants and emergency response reimbursement, and for flood insurance to be available to town residents. All appropriate Town departments have participated in the plan update and have been allowed to contribute and review the final draft Plan. Ms. Valerie Massard, Town Planner, was present to answer any questions the Board had.

Motion by Mr. Alcombright, seconded by Ms. Kramer and a 5-0-0 vote,

VOTE: I move the Board of Selectmen to adopt the Hazard Mitigation Plan presented this evening.

ADDITIONAL ITEMS:

ACCEPTANCE OF PROMOTIONAL TRANSFER TO WATER FOREMAN

Ms. Emberg explained that due to a promotional transfer within the Water Department, the position of Water Foreman is vacant. After the job posting and interviews, the Water Commission recommends that Eric Hillstrom be hired to fill the position.

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

VOTE: I move the Board of Selectmen to appoint Eric Hillstrom for the position of Water Foreman in the Water Department, a Grade L6, Step 8 full-time position within KTEU -Labor with an anticipated start date of August 29, 2022, with the following conditions:

- Satisfactory CORI Check

ACCEPTANCE OF PROMOTIONAL TRANSFER IN WASTEWATER

Ms. Emberg explained that there was an opening for an Operations & Maintenance Technician due to a previous resignation within the Wastewater Department. The Superintendent of Wastewater is recommending the promotional transfer of Jordan Youssef to the position.

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

VOTE: I move the Board of Selectmen to appoint Jordan Youssef for the position of Operations & Maintenance Technician in the Wastewater Department, a Grade L4, Step 6 full-time position within KTEU -Labor with an anticipated start date of August 26, 2022, with the following conditions:

- Satisfactory CORI Check
- Upgrade to an M.A. Wastewater Treatment Operator's License, Grade V, within the first 12 months of transfer

FIRE DEPARTMENT REQUEST FOR ADDITIONAL FIREFIGHTER POSITION

Ms. Emberg introduced Fire Chief Mark Douglass, requesting the Board of Selectmen consider allowing the Fire Department to hire one additional firefighter due to a long-term injury and anticipated retirement.

Mr. Alcombright asked about the calls and where patients were being transported; Chief Douglass discussed that they were transported to Plymouth.

Ms. Vaughn asked about the salary, and Chief Douglass stated that the numbers were based on step 1 of the salary chart. Ms. Emberg asked where the money comes from with a non-budgeted position. Mr. Hickey stated that he has spoken to the Chief and that they will need to take savings from other departments and work with the Finance Committee for a transfer.

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

VOTE: I move the Board of Selectmen to approve the request for the Fire Department to add the additional position as requested.

ACCEPTANCE OF THREE FULL-TIME CDL/LABORER POSITIONS AT STREETS, TREES, AND PARKS

Ms. Emberg stated that Streets, Trees, and Parks currently have three unfilled budgeted positions. The Superintendent has been actively recruiting to fill the positions and recommends hiring the following.

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

VOTE: I move the Board of Selectmen to appoint Christopher Dwyer, William Duggan, and Renee Roberts for the positions of CDL/Laborer, a Grade L3 Step 3, in the FY23 new employee scale, a nonexempt position as part of the KTEU – Labor within Streets, Trees and Parks Department with the following conditions:

- Provision of the necessary identification forms to satisfy the requirements of the U.S. Immigration Reform Act;

- Satisfactory CORI check;
- Satisfactory results from a Town appointed physician stating you can perform the functions of the position based on the description in the posting you applied to, including drug screening;
- Successful completion of a six-month probationary period.

REQUEST TO MODIFY EXISTING WINTER PLOW RATES FOR CONTRACTED PLOW DRIVERS

Ms. Emberg stated that Kingston has historically relied on contracted plow drivers to support Streets, Trees, and Parks employees with sanding and salting Town roads. Over the past couple of winter seasons, hiring contracted drivers has become more complex. The primary reason for the hiring challenge is that other surrounding communities and MassDOT have increased the hourly rate offered to a contracted plow driver. Contracted plow drivers supply the driver, truck, and sander. All costs are included in the hourly rate.

Last year the Town was about ten drivers short. Streets Trees and Parks, Superintendent Paul Basler was in attendance to discuss a 20% increase in the rates with a \$3 an hour sign-on bonus for the first time.

Ms. Emberg asked where the money would come from, and Mr. Basler stated that it comes from the snow and ice budget, and it was discussed that this is the only budget you can deficit spend on.

Ms. Kramer asked about the \$3 sign-on bonus and would like to see if this helps with the problem.

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

VOTE: I move the Board of Selectmen to approve the winter plow rates for the 2022/2023 winter season as proposed.

DISCUSSION ON REMOVING THE REGULATORY SPEED LIMIT AND IMPLEMENT A STATUTORY SPEED LIMIT ON MAIN STREET

Ms. Emberg explained that MassDot responded to Kingston's request to reconsider the 35-mile-per-hour speed limit on the section of Main Street from Evergreen Street to Summer Street. As indicated in MassDot's letter to the Selectmen, MassDot has determined that the current 35 MPH speed limit is appropriate for that section of road based on traffic counts, average speed, and accident history. Enclosed in the Board materials is a memo from the Town Administrator providing additional information, the letter from MassDot, and the sections of Mass. General Law identified in MassDot's letter.

MassDot did indicate that the Board of Selectmen has the authority to remove the regulatory speed limit designation and replace it with a statutory speed limit. This section of the roadway meets the thickly settled criteria so that the speed limit can be reduced to 25 MPH.

MassDot did indicate to the Town Administrator that if the regulatory speed limit were removed, enforcement would be more difficult to enforce on the road with a statutory speed limit.

Ms. Emberg briefly read portions of some of the emails that were received from the residents. Ms. Emberg added that if the Board votes to remove the regulatory and adopt a statutory speed limit for an officer to give a speeding vehicle a ticket, it will have to follow the car for at least .8th of a mile to provide a ticket.

Ms. Emberg allowed residents who were in attendance to speak.

Adam Sherman of 215 Main Street would like the speed limit changed to a statutory speed limit. Mr. Sherman stated that he believes that the traffic study information in the meeting packet is inaccurate. The first traffic study was done during COVID, and the other was based on a flashing sign which he believes gives a false representation of how fast people would travel on the street if the flashing sign were not there.

Roseann Pratt of 10 Center Street supports lowering the speed limit on Main Street.

Ken Goldberg of Main Street stated that his house had been hit three times. Mr. Goldberg would like the speed limit kept

the same with the enforcement of speeding vehicles.

Gail Arieta of 220 Main Street urged the Board to lower the speed limit.

Tricia Arieta of 3 Longview Drive Ocean Hill Estates was in attendance to speak on behalf of her sister-in-law, who lives at 216 Main Street and would like the speed limit lowered to 25 mph.

Mr. Alcombright shared his screen to show the data from OCPC which showed the vast majority of the traffic traveling down Main Street is going below 45 and a majority are going 40mph or slower.

Jodie Elgee of 243 Main Street stated that the speed limit is not enforced, and she would like a police presence on Main Street.

Ken Stevens of 217 Main Street urged to change the e statutory speed limit or revise the regulatory speed limit.

Pine duBois of 93 Elm Street believes the Board's responsibility to lower the speed limit.

Mr. Bouchard's mentioned that the Board is part of this community and is very concerned. His view is to go off data and not emotions; he added that the residents' stories and feelings are valid.

Mr. Alcombright stated that he is on the same page as Mr. Bouchard.

Ms. Kramer discussed that most roads have statutory speed limits, and the residents look to be the same as other thickly settled roads here in Kingston.

The Board discussed this in length.

Ms. Emberg stated that the representative at OCPC shared information that lowering the speed limit does not stop people from speeding but that repainting the lines on the road so that the lanes are narrower does actually work to slow people down and suggested the Board should pursue something like that instead.

Motion by Ms. Vaughn, second by Ms. Kramer, and a 2-3-0 vote (Ms. Emberg, Mr. Alcombright, and Mr. Bouchard voted against)

VOTE: I move the Board of Selectmen to accept the request to rescind the regulatory speed limit on Main Street.

RECONSIDERATION OF TOWN LETTER OF SUPPORT FOR "THE GREENWAY" RECLAMATION PROJECT AT 48 MARION DRIVE

Ms. Emberg discussed that in October 2015, the Board of Selectmen voted to support a proposal brought forward by Mary O'Donnell to have reclaimed soil delivered to 48 Marion Drive to be used to replace fill that has been removed to support residential development. Ms. Emberg read from the letter in 2015 that is in the meeting packet.

Ms. Emberg read from a letter in the meeting packet from MassDEP that they have determined that the O'Donnell Family Trust is in non-compliance with the Administrative Consent Order (ACO-SE-16-3P-003) that was executed on October 7, 2016, and amended on May 26, 2021.

Also in the packet is an enforcement letter dated June 20, 2022, from the Building/Zoning Enforcement Officer with three violations and was ordered to cease and desist from any activities on the site.

Before the Board tonight is a letter of reconsideration of the Town's support of this project.

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

VOTE: I move the Board of Selectmen to send a letter to MassDEP revoking the Town of Kingston's support of using reclaimed soil at the property located at 48 Marion Drive.

ACCEPTANCE OF DONATION

Ms. Emberg explained that the Veteran's Department is requesting that the Board accept the following donations:

Motion by Ms. Kramer, second by Mr. Bouchard, and a 5-0-0 vote,

VOTE: I move the Board of Selectmen to accept the following contributions to the Veteran's Department
\$100 donation from an anonymous donor
\$1,000 donation from the Hilltop Athletic Association

TOWN ADMINISTRATOR'S REPORT:

REPORT OF THE TOWN ADMINISTRATOR - AUGUST 23, 2022

Mr. Hickey read from his report:

The \$400,000 LAND grant has been reimbursed to the Town and will replenish CPC funds used for the initial purchase.

- Kingston received its first opioid settlement payment of \$10,001.09 recently. Kingston will continue to receive annual July payments until 2038. Over that period, Kingston will receive a total of \$287,923. These funds are earmarked for addiction prevention, harm reduction, community, treatment, and recovery options.
- The Accounting Department has submitted all the necessary paperwork to the Massachusetts Emergency Management Association (MEMA) for reimbursement for the winter storm emergency declared on January 29 - 31. Kingston will be reimbursed \$104,800 for eligible charges incurred.
- Materials will begin to be delivered in the next couple of weeks for the solar array at the former landfill. There will be little to no impact on users of the Transfer Station.
- The Conservation Department received \$216,754 through the Department of Fish & Game In-lieu Fee Program for engineering, permitting, and construction activities involved with the ecological restoration of the cranberry bog and impoundment on the recently purchased Winthrop Street property.
- The Commonwealth has adopted a new zoning law that requires an MBTA community have at least one zoning district of reasonable size in which multifamily housing is permitted as of right and meets other criteria outlined in the statute: The requirements include:
 1. The minimum gross density of 15 units per acre
 2. Located not more than 1/2 mile from a commuter rail station, subway station, ferry terminal, or bus station, if applicable.
 3. No age restrictions, and suitable for families with children

Kingston is designated a Commuter Rail Community in this new zoning law. When applying the new requirements to Kingston, a minimum of 805 multifamily living units must be constructed on 50 acres.

The Board of Selectmen is scheduled to discuss the options available to Kingston at their September 6, 2022 Board meeting.

MEETING MINUTES:

APPROVAL OF OPEN SESSION MINUTES - AUGUST 1, 2022 AND AUGUST 9, 2022

Motion by Mr. Alcombright, second by Ms. Vaughn, and a 4-0-1 vote (Ms. Kramer abstained),

VOTE: I move the Board of Selectmen to approve the August 1, 2022 and August 9, 2022, Open Session Minutes.

SELECTMEN COMMENTS:

Mr. Bouchard wanted to say a word regarding the passing of Joe Casna's mother and stated he was sorry for his loss.

Respectfully submitted,

Patricia Tucker
Assistant to the Town Administrator/Board of Selectmen
Approved: October 4, 2022

DOCUMENTS USED AT THE MEETING

Hazard Mitigation Plan
Hiring information
Memo from Chief Douglass
Plow Rates
Regulatory Speed Limit Information
Back up for 48 Marion Drive
Donation
Minutes
Town Administrator Report
Addendum