



TOWN OF KINGSTON
BOARD OF SELECTMEN
OPEN SESSION
MINUTES
TOWN HOUSE-26 EVERGREEN ST. ROOM 200 & VIA ZOOM
AUGUST 29, 2023

6:00 PM – CALL TO ORDER – ROOM 200

Chairman Kimberley Emberg called to order the meeting of the Board of Selectmen at 6:02 PM—selectmen in attendance: Donald Alcombright, Sheila Vaughn, and Tyler Bouchard.

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

ANNOUNCEMENTS:

- This meeting is recorded. 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.
- Special Town Meeting is scheduled for Tuesday, October 24, at the Intermediate School. Any warrant articles are due to the Selectmen's office by September 12, including from all departments, boards, committees, and commissions, as well as any citizen-petitioned articles.
- The Complete Streets Grant Improvements have started at the intersection of Main Street, Evergreen Street, Wapping Road, and Pembroke Street and will be ongoing for another 4-6 weeks, with possible additional work on the traffic signals. Please get in touch with the Planning Department if you have any questions regarding this project.
- If you or someone you know would like to get more involved in the community, we have several openings on Boards and committees. Rather than list the openings, I'll focus on one to give you a clearer picture of what you might do if you volunteer.
- There is one opening on our Capital Planning Committee:
- The Capital Planning Committee advises the Board of Selectmen, the Finance Committee, and the Town Meeting on all capital expenditures, which includes projects and improvements involving major, non-recurring tangible assets and projects, which could be the acquisition of equipment, land, buildings, or infrastructure for a public purpose and include the costs of planning, feasibility, engineering and/or design study services for new construction or major rehabilitation costs of existing public assets.
- If you or someone you know would like to fill this vacancy, contact a member of the Finance Committee.
- For a complete list of openings, please visit the website kingstonma.gov.
- The Agricultural Commission's Produce Sharing Program is up and running. Residents with excess produce can leave items in the gazebo located at the Town House for others to take home and use. Contact the Agricultural Commission if you have any questions.
- For upcoming events, we have:
- Music at the Beach tonight at Grays Beach starting at 6 PM and featuring Adam Frates and Friends
- The next and final Farmer's Market of the 2023 season will be on Sunday, September 3, from 10 AM-2 PM, also at Gray's Beach.
- The Agricultural Fair is confirmed for Sunday, September 10, on the Town House lawn and will feature farm animals and many products for sale, such as honey, soap, alpaca clothing, salts, and fresh flower bouquets. Food and drink vendors will offer pizza, French fries, slushies, ice cream, beer, and wine. Silver Lake Regional

High School's class of 2025 will be holding a cow plop fundraiser and live music and games.

- The next brush chipping day at the Transfer Station is Saturday, September 16
- Also, the Public Library will be closed on Friday, September 1, in preparation for the installation of new carpeting and will reopen on Tuesday, September 5, at 10 AM. Any delays to the reopening will be posted on the library website and social media. Please note that the book return will not be available from the 1st through the 5th, so we ask patrons to hold onto your materials until after the library reopens on September 5.

OPEN FORUM:

Mary Beth Lawton, the Director of Elder Affairs, updated the board about what is happening at the senior center. She stated that they are looking forward to partnering with the Compact Grant to fund the survey for the age of dementia initiative.

There is a change to the food program, and Thursday lunches will no longer be. They will now have café style options at the senior center three days a week from 9:30 AM-1 PM on Tuesdays, Wednesdays, and Thursdays. This will allow more opportunities for the seniors.

Ms. Lawton discussed that she is working with Conservation to install a bocce court to have this reviewed with the commission as it is along the wetlands.

Mayflower will hold a free Zumba on Mondays at 4:30 p.m. for employees.

The outreach coordinator has resigned, and Ms. Lawton is looking into the job description to see how to improve the role.

John Wheble of the Agricultural Commission was in attendance to promote the Agricultural Fair on Sunday, September 10, at the Town House.

APPOINTMENTS:

DECLARATION OF SUICIDE PREVENTION MONTH, SEPTEMBER 2023

Ms. Emberg explained that Teresa Kourtz and Jennie Babcock from Plymouth County Suicide Prevention Coalition requested that the Town of Kingston declare September as Suicide prevention month.

Mr. Alcombright read the proclamation that was in the meeting packet.

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

VOTE: I move the Board of Selectmen to declare September 2023 as Suicide Prevention Month.

Plymouth County Coalition trained Ms. Vaughn, and they are a great resource.

PUBLIC HEARING 42ND PARALLEL BREWING CO FOR A FARMER SERIES POURING PERMIT LOCATED AT 77 SUMMER STREET

Ms. Emberg explained that the Selectmen's Office received an application from 42nd Parallel Brewing Co. for a Farmer Series Pouring Permit. 42nd Parallel Brewing Co. has already submitted paperwork for their Farmer Brewery License to the State.

Ms. Emberg read the Public Hearing Notice.

In accordance with M.G.L., Chapter 138, a public hearing will be held on August 29 at 6:00 PM in Room 200 at the Town House, 26 Evergreen St, Kingston MA., on the application of 42nd Parallel Brewing Co. for Farmer Series Pouring Permit, Paul Schiele, Manager. Said license located at 77 Summer Street, Kingston, MA, and described as a single retail unit situated within a 4-unit retail strip. This is a one-floor establishment with an L-shaped bar, unisex bathroom, table seating for 15 guests with an occupancy of 25, and an outdoor patio. A copy of the application is available for viewing in the Selectmen's Office.

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

VOTE: I move the Board of Selectmen to open the public hearing.

Paul Scheile, the manager and Kingston Resident, was in attendance. There were no questions from the board, and he

asked about his occupancy permit.

Town Planner Valerie Massard said the following steps should go to Jason Silva.

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

VOTE: I move the Board of Selectmen to close the public hearing.

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

VOTE: I move the Board of Selectmen to approve the request of 42nd Parallel Brewing Co for a Farmer Series Pouring Permit located at 77 Summer Street.

PRESENTATION ON OPTIONS ROAD ACCEPTANCE

Ms. Emberg explained that Town Planner Valerie Massard and Streets, Trees, and Parks Superintendent Paul Basler are here to discuss a recommended road acceptance process for roads that either have yet to be accepted that abutters would like the road accepted or roads constructed in new developments.

Temporary repairs on the Town Meeting warrant

Ms. Massard discussed a possible temporary repair bylaw to be added to the town meeting. She began by saying that for about 20 years or so, the money from Chapter 90 has leveled off at around \$400,000 a year for maintenance and repair of roadways when the cost of everything has significantly increased.

The Town is in a bind from the staff side as they need more money to repair the existing public ways. They are doing their best to find other funds. Recommendations to help them as a community, for public and private roads. The need to have help for residents on private roads.

Ms. Massard discussed that other towns have implemented such a bylaw. If the Town adopts this, it will allow the Town to help the residents with road repairs on private roads and provide an opportunity to engage with each other that is cooperative and forward-thinking.

Mr. Alcombright thinks the idea is excellent and a path forward.

Mr. Alcombright asked about liability on repairs, and it was answered that we can't spend public dollars on private roads, so the Town employees cannot work on these roads.

Ms. Massard went through some specifics, and the Town meeting must appropriate the funds.

Mr. Bouchard thinks this is amazing, and the work done is a very responsible step forward.

The board appreciates the time and effort that was put into this paperwork.

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

VOTE: I move to support adding the draft article on temporary road repair bylaw forward to the Special Town Meeting warrant, as presented.

Discussion of Road Acceptance Policy

Ms. Massard began by stating that this is an overwhelming process for road acceptance and feels the current policy needs more information, and they are asking the board to add more details to the policy. Ms. Massard read a bit from the policy about the items that need to be updated within the policy.

- A petition signed by a minimum 60% of owners and abutters to lay out the way is submitted to the Board of Selectmen (the "Board"), with an appropriate filing fee, as determined by the board.
- The board holds a public hearing to decide whether to proceed with the request if they do not choose to continue.
- If the board decides to continue, they will prepare, at the expense of the petitioner(s), an estimate of any costs to accept the road as public, including any necessary repairs for public safety, and share this cost estimate with the petitioners. The cost estimate will break out the engineering design and conceptual layout plan costs. This estimate will be shared with the petitioners. At this point, the petitioners can opt out of the

process. If the petitioners want to continue, they may be bettered for the costs to do the engineering design and conceptual layout of any necessary public improvements, and 60% of the owners/abutters of the way must sign off on this request.

- Once the petitioners agree to continue, the board will do the preliminary engineering design and conceptual layout plan, which will show any easements needed and will include input from the Planning Board, department heads, and other stakeholders. This information will be shared with the petitioners again, with an updated cost to build any necessary public improvements and remaining estimated costs to accept the way. At this stage, the petitioners can still opt out of the process. If the petitioners agree to proceed, at least 90% of the owners and abutters to the way must sign off on the conceptual layout, and any waivers, easements, and releases needed must be secured from 100% of the affected owners and abutters.
- Once the above approvals and signatures are received, the approved Conceptual Layout Plan will be forwarded to the Planning Board for review to advise if the road is adequately built and constructed. The Planning Board shall ask for input from other departments and make these recommendations at a public meeting.
- Upon receipt of the Planning Board's report, and once all the necessary releases, waivers, and easements are received, the board shall review the requested street acceptance at a public meeting, where it will vote. If the board does not vote in favor, the process has ended. If the Board votes, it will order the proposed layout, with an update or confirmation of the estimated costs to lay out and improve how the board may assess as a betterment.
- The board will place the layout before the Town Meeting for acceptance and any other related relief or appropriation. The process has ended unless the Town Meeting accepts the way.
- Following acceptance by the Town Meeting, title to the way and any easements shall be secured, and the board will assess betterments for such portion of the costs of laying out and improving the way.

The board will not be voting this evening on this policy. This will be discussed at a future meeting.

PRESENTATION OF PROPOSED SNOW PLOWING ON UNACCEPTED ROAD POLICY

Town Planner Valerie Massard and Streets, Trees, and Parks Superintendent Paul Basler presented a policy for plowing unaccepted roads in Kingston.

Ms. Emberg asked if there were any concerns, and the board had none.

Tree Kuharich of 5 Post Court, a private road, stated that her road will not meet the new standard as it is only 10 feet wide. Mr. Basler stated that, as with any public emergency, the road must be open for vehicles to get there. He assured Ms. Kuharich that 16' wide does not have to be paved and that their intention was not to drop streets off their list but to have residents responsible.

Mr. Basler will work with the residents of Post Court on this.

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

VOTE: I move to approve the policy for plowing unaccepted roads presented this evening as presented

REQUEST FOR A ONE-DAY LIQUOR LICENSE FROM BREWERY 44 FOR THE AGRICULTURAL FAIR ON SEPTEMBER 10, 2023

Ms. Emberg explained that Micheal Johnson of Brewery 44 had submitted a request for a One Day Liquor License for the Agricultural Fair being held on Sunday, September 10th at the Town House.

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

VOTE: I move the Board of Selectmen to approve the request from Brewery 44 for a One Day Liquor License for the Agricultural Fair taking place on September 10, 2023, at the Town House from 1:00 PM to 4:00 PM

ADDITIONAL ITEMS:

APPOINTMENT OF THE FULL-TIME ADMINISTRATIVE ASSISTANT IN THE WASTEWATER DEPARTMENT, LESS THAN PART TIME Public Health Nurse in the Health Department AND TRANSFER STATION OPERATOR

Ms. Emberg explained that the positions are currently vacant. After the recruitment process, the Department Heads recommend the following:

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

VOTE: I move the Board of Selectmen to appoint Jeanne Dunn to the position of Administrative Assistant in the Wastewater Department, an FY24 Grade 2, Step 7, a non-exempt position as part of the Kingston Town Employee Union – Clerical, with the Wastewater Department with an anticipated start date of September 5, 2023, consistent with the terms of the offer letter.

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

VOTE: I move the Board of Selectmen to appoint Michael Divirgilio to the position of Public Health Nurse in the Health Department, an FY24 Grade 6, Step 10, less than a part-time position as part of Wage and Personnel, with the Health Department with an anticipated start date of August 30, 2023, consistent with the terms of the offer letter.

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

VOTE: I move the Board of Selectmen to appoint Michael Rubera to the position of Transfer Station Operator with the Transfer Station Department, a FY24 Grade 5, Step 5, non-exempt position within the Kingston Town Employee Union – labor, with the Transfer Station Department with an anticipated start date of September 2, 2023, consistent with the terms of the offer letter.

APPROVAL OF AMENDMENT ON AGREEMENT FOR RELOCATION OF LEASED PREMISES AND ADDITIONAL EQUIPMENT ON ELM STREET WATER TANK

Ms. Emberg explained that they received a request from the Water Department to approve an amendment to an existing contract to relocate existing cell antennas and add new cellular equipment at the Elm Street Water Tank. There is no cost associated with this amendment. The Water Commission supports this amendment.

The board reviewed the paperwork and had no comments. Ms. Emberg mentioned that she asked the Fire Chief about emergency antennas, and since the Town owns the water tank, permission is not needed to add one if the need arises.

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

VOTE: I move the Board of Selectmen to approve the first amendment to the lease agreement between the Town of Kingston and New Cingular Wireless PCS, LLC, to relocate existing equipment and install additional cellular-related equipment on the Elm Street Water Tank as presented this evening.

ACCEPTANCE OF DONATION

Ms. Emberg explained that the Director of Elder Affairs requests the Board of Selectmen accept the following donations on behalf of the Council on Aging.

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

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

- \$25 donation from James Garvy in memory of his wife, Joan Garvey
- \$25 donation from Michael and Jeanne White

MEETING MINUTES:

OPEN SESSION MEETING MINUTES: AUGUST 9, 2023, AUGUST 15, 2023, AND AUGUST 15, 2023, A JOINT MEETING WITH THE SILVER LAKE SCHOOL COMMITTEE.

Ms. Emberg explained that she sent suggested edits to the Open Session Meeting Minutes: August 9, 2023, August 15, 2023, and August 15, 2023, a joint meeting with the Silver Lake School Committee.

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

VOTE: I move the Board of Selectmen to accept the open session meeting minutes of August 9, 2023, August 15, 2023, and August 15, 2023, minutes of the joint meeting with the Silver Lake Regional School Committee as amended.

TOWN ADMINISTRATOR'S REPORT:

Ms. Mitchell read from Mr. Hickey's report:

REPORT OF THE TOWN ADMINISTRATOR - AUGUST 29, 2023

Financial Updates

- Finance Director Carol McCoy and I met with the Water Commission on August 22 to discuss the Water Department's need to raise more revenue to balance their budget. The commission must decide how revenue will increase before the next billing cycle.

Project Updates

- Phase 2 of the Playground Project is ongoing. Equipment installation was completed during the week of August 21. The pour-in-place material for the ground will be installed on August 29th and 30th, weather permitting. The playground is expected to be reopened for the Labor Day weekend.

Personnel Update

- Payroll Coordinator Katelyn Drapeau has resigned effective September 1.
- Transfer Station Operator Brian Murphy resigned effective August 22.

Miscellaneous Updates

- I met with Jill Proulx and School Board Chair Timothy Lewis last week to discuss a modification to the budget bylaw that would push back the budget submission date to early in the calendar year and the Town Meeting bylaw, moving the Town Meeting date to May instead of April. Overall, the meeting went well. I will work with counsel to finalize the bylaw timeline and send it back for the School Committee review.

SELECTMEN COMMENTS:

Mr. Alcombright asked about the Chief reports at the meetings and stated that Departments can come as needed, and he would like the the chief reports quarterly.

Ms. Emberg stated that she received a request from a resident to reconsider the transformer from the last meeting, and the board individually said they were comfortable with their vote.

Ms. Vaughn stated with excitement that school starts tomorrow!

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

VOTE: I move to adjourn.

The meeting adjourned at 7:38 PM.

NEXT REGULAR MEETING:

THURSDAY, AUGUST 31, 2023

Respectfully submitted,

Patricia Tucker
Assistant to the Town Administrator/Board of Selectmen

Documents used at the meeting:

Agenda

Agenda Addendum

Declaration of Suicide Prevention Month

Alcohol License Application

Policy for Roads

Hiring information

Donation

Minutes

Report of the Town Administrator

TUESDAY, SEPTEMBER 12, 2023

Respectfully submitted,

Patricia Tucker
Assistant to the Town Administrator/Board of Selectmen