



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

6:00 p.m. – CALL TO ORDER – ROOM 200

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

Staff Present: Keith Hickey, Town Administrator; and Gloria Mitchell, Assistant Town Administrator.

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.
- Fall Town Meeting is on Tuesday, October 24, 2023, at 7pm at the Kingston Intermediate School.
- The Board of Health is offering flu clinics the next one is on October 18th from 9:00 am-11:00 am at the Town House. Pre-registration is required. Please call the Health Office at 781-585-0503 to register.
- The following Boards/Committees are looking for volunteers. Please reach out to the Board of Selectmen's office for more information
 - Affordable Housing Trust
 - Community Preservation Committee
 - Ichabod Washburn Fund Trustees
 - Open Space Committee
 - Rent Control Board
 - Old Colony Elder Services Board of Directors
 - Meals on Wheels Program is looking for volunteers
- Upcoming Events
 - Fall Fest at Gray's Beach has been moved to October 1st from 3-7PM
 - Boats need to be out of the water by October 1st, reach out to the Harbormaster with any questions.
 - The playground at Gray's Beach is now open!
- Due to a recent resignation with the Planning Board, the Planning Board and the Board of Selectmen are seeking candidates interested in filling the open seat until the next Town election in the Spring of 2024. Interested candidates must submit a letter of interest no later than Wednesday, October 4th at 12:00pm to ptucker@kingstonma.gov or to the Selectmen's office. All candidates will be interviewed at a joint Planning Board/Board of Selectmen's meeting on October 10th.

OPEN FORUM:

There was no one in attendance for open forum.

APPOINTMENTS:

REQUEST FOR APPROVAL OF ROAD CLOSURE FOR A BLOCK PARTY AT LORING AVE

Ms. Emberg explained that a request was received by Paige Starr of Marsh Road to hold a neighborhood block party on Sunday, October 15th from 2pm-5pm. Ms. Starr is requesting that the road be blocked off at Loring Ave to host their event. This was sent to the Police and Fire Chiefs along with the Superintendent of Streets, Trees & Parks for review and approval. Ms. Star was in attendance.

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

VOTE: I move to approve the request for road closure at Loring Ave on October 15th from 2pm-5pm for a block party with the following conditions:

1. Access for emergency vehicles be maintained at all times.
2. The petitioner secures barricades and "Road Closed" signs from the Kingston Highway Department to be erected at both ends of Loring Avenue during the event.
3. Notification is made by the petitioner to the neighborhood residents that are affected by the road closure.

REQUEST FOR APPROVAL OF ROAD CLOSURE FOR A BLOCK PARTY AT WOODLAND AVE

Ms. Emberg explained that a request was received by Mark Trowbridge of Woodland Ave to hold a neighborhood block party on Friday, October 6th from 4pm-9pm. Mr. Trowbridge is requesting that the road be blocked off at 11 Woodland Ave to host their event. This was sent to the Police and Fire Chiefs along with the Superintendent of Streets, Trees & Parks for review and approval. Mr. Trowbridge was in attendance in case there were any questions.

Motion by Ms. Vaughn, seconded by Mr. Bouchard, and a 5-0-0 vote,

VOTE: I move to approve the request for road closure for a block party with the following conditions:

1. Access for emergency vehicles be maintained at all times.
2. The petitioner secures barricades and "Road Closed" signs from the Kingston Highway Department to be erected during the event at the intersection of Woodland Avenue at White Pine Lane and at the intersection of Woodland Avenue at Country Way.
3. Notification is made by the petitioner to the neighborhood residents who are affected by the road closure.

REQUEST FROM PINE DUBOIS TO DISCUSS SILVER LAKE AND MONPONSETT

Ms. Emberg explained that Ms. duBois requested to provide an update to the Board regarding Silver Lake and Monponsett. Ms. duBois provided an update on water draining into Silver Lake and asked for a letter of support for a grant for a fish ladder.

REQUEST FROM FIRE, FACILITIES, IT, AND COUNCIL ON AGING DEPARTMENTS TO USE ARPA FUND

Ms. Emberg explained that there are five requests to use ARPA funds for needed projects.

Mr. Hickey explained each request prior to the vote and explained that supporting documentation is in the meeting packet. If the Board supports all of the funding requests, the balance will be \$513,529.

- a. Fire Department – The Selectmen approved ARPA funds in July in the amount of \$45,045 to replace the HVAC units at the Central Fire Station. During the replacement of those units, duct cleaning and additional repairs needed to be addressed as well at an additional cost of \$30,978. The Fire Chief is requesting additional ARPA funds for the additional work.

While the Central Fire Station HVAC was being replaced, the HVAC vendor was asked to inspect the Smith Lane HVAC system. The results of the inspection revealed that the system is original to the building constructed in 1986 and was near the end of its useful life. Chief Douglass is requesting \$37,437 in ARPA funds to replace the HVAC system at the Smith Lane station.

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

VOTE: I move the Board of Selectmen approve the use of ARPA funds in the amount of \$30,978 for

improvements to the Central Fire Station HVAC system and \$37,437 for the replacement of the Smith Lane HVAC system

- b. Facilities Department – During the past winter, the Town House fire suppression system froze causing flooding in the Selectmen’s Office. During the review of the system, the Town Administrator noticed a fire suppression system nozzle located in the Town’s computer server room. If this nozzle were to release water, the backbone of nearly all of the Town computer network could be damaged or destroyed, causing significant disruption to Town departments and service to the public.

With the assistance of the Fire Chief, a fire suppression engineer has designed a modification to the suppression system to eliminate the risk of damaging the equipment in the server room. The cost estimate to complete this work is \$53,649.

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

VOTE: I move the Board of Selectmen to approve the use of ARPA funds in the amount of \$53,649 for improvements to the Town House fire suppression system.

- c. IT Department – During the ongoing upgrade of the Town’s computer network to fiber, some additional equipment has been identified to address three network needs. First, the existing switch does not have enough ports for all of the Town’s technological needs. Second, the Town’s financial software, Munis, requires a its own port that is not connected to the Town firewall. Third, there are redundant firewalls that need to be connected to the network. Comcast only offers one fiber connection. There are two options to address this. First is to rent a second fiber connection at a cost of \$12,000 annually or purchase the necessary hardware for \$14,780. Staff recommends purchasing the hardware that addresses all of the issues raised above.

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

VOTE: I move the Board of Selectmen to approve the use of ARPA funds for network improvements in the amount of \$14,780.

- d. Council on Aging Department – The COA, like the Town House, had portion of its fire suppression system freeze and burst during the past winter. With Chief Douglass’s assistance, a fire system engineer has designed improvements that will significantly reduce the risk of another break. The estimated cost for the work is \$58,500.

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

VOTE: I move the Board of Selectmen to approve the use of ARPA funds for improvements to the COA fire suppression system with an estimated cost of \$58,500

REVIEW OF ROAD ACCEPTANCE POLICY

Ms. Emberg explained that at the August 29th Selectmen meeting, Town Planner, Valerie Massard, and Streets, Trees, and Parks’ Superintendent, Paul Basler, presented a recommended road acceptance process for roads that either have not been accepted that abutters would like accepted or roads constructed in new developments.

Ms. Massard explained that the policy was enhanced by adding a betterment option.

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

VOTE: I move the Board of Selectmen to approve the adoption of the Road Acceptance Policy presented this evening effective September 27, 2023

REQUEST TO MODIFY EXISTING WINTER PLOW RATES FOR CONTRACTED PLOW DRIVERS

Ms. Emberg explained 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 difficult. The primary reason for the hiring challenge is 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.

Mr. Basler explained his reasonings for the changes in the rates and adding a \$750 insurance bonus.

Motion by Mr. Bouchard, seconded by Mr. Crone, and a 5-0-0 vote,

VOTE: I move the Board of Selectmen to approve the winter plow rates as proposed this evening.

APPROVAL OF NEW COMMON VICTUALLER LICENSE

Ms. Emberg explained that a new common victualler license application for Luigis Pizza has been submitted. The new restaurant will be located in the Kingston Collection food court. All appropriate departments have reviewed and supported the license being issued. There were no comments by the Board.

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

VOTE: I move to approve the common victualler license for Luigi's Pizza, contingent on final approval by the Board of Health.

APPROVAL OF NEW COMMON VICTUALLER LICENSE

Ms. Emberg explained that a new common victualler license application was submitted for Early Bird Cafe. The restaurant is located at 287 Main Street. This restaurant is currently open and new owner Stephen Coe will be taking over. All appropriate departments have reviewed and supported the license being issued.

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

VOTE: I move to approve the common victualler license for Early Bird Café.

ADDITIONAL ITEMS:

CONSIDERATION OF FINANCIAL ASSISTANCE APPLICATION

Ms. Emberg explained that two residents submitted Financial Assistance Applications asking for help.

The Town representative Tammy Murray reviewed the paperwork and provided comments for each that are in the meeting packet. Ms. Murray was in attendance to answer any questions if needed.

- The first request is for \$3,111 to cover Gas, Electric, Car Insurance, Verizon, and Rent as requested in their application.
- The second request is for \$2,760.20 to cover Gas and Electric as requested in their application.

REVIEW OF DRAFT WARRANT PROPOSED ARTICLES FOR SPECIAL TOWN MEETING

Brian Donahoe and Elaine Fiore were in attendance to discuss the Sewer Commission Article. Mr. Donahoe discussed the history of the municipal sewer system and purpose of the article regarding the Davis property leaching field. Mr. Donahoe and Ms. Fiore provided detailed information regarding the article.

ACCEPTANCE OF DONATION

Ms. Emberg explained that Library director, Donald Colon is requesting the Board approve the below donation.

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

VOTE: I move the Board of Selectmen to accept the donation of \$2,627 from the Estate of Mary Hathaway.

UPDATE ON POLICE CHIEF JOB DESCRIPTION

As part of the Police Chief search, the search firm would like the most recent Police Chief job description. Enclosed in the packet is the job description. The Board Chair is requesting the Board review the description, make any changes deemed necessary, and approve a final version.

Mr. Crone requested a few changes.

- Remove the number of officers under Supervisory responsibility.
- Under Statement of Duties, change matters to matters
- Change the word preferred in place of required.
- Add Shellfish Constable as an employee they oversee.

Motion by Ms. Emberg, seconded by Mr. Crone, and a 5-0-0 vote,

VOTE: I move to approve the job description as amended, contingent on Human Resources and Town Administrator approval.

The Board discussed using the pay range from the recent Wage study in the job description.

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

VOTE: I move to approve the job posting for Police Chief with a salary range of \$141,000 to \$198,000

APPOINTMENT RECREATION PROGRAM AND PROPERTY COORDINATOR

Ms. Emberg explained that the position of Recreation Program and Property Coordinator is a newly created position in Wage and Personnel. The need is for evening programming oversight and will help cover the full schedule of nighttime events, however, the position is not expected to work year-round as evening programs slow down during the summer and over holidays. Susan Woodworth, Director of Parks & Recreation is requesting the hiring of Keith McCready to the position.

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

VOTE: I move the Board of Selectmen to appoint Keith McCready, to the position of Program and Property Coordinator, a FY24 Schedule C1, less than part-time position as part of the Wage and Personnel Bylaw, with the Recreation Department with an anticipated start date of September 27, 2023, consistent with the terms of the offer letter.

RE-OPEN SPECIAL FALL TOWN MEETING WARRANT TO ADD WARRANT ARTICLE FOR SOLAR PILOT AGREEMENT FROM DECEMBER 2020 AND CLOSE SPECIAL FALL TOWN MEETING WARRANT

Ms. Emberg explained that Town Counsel notified the Town Administrator on September 19th that a solar PILOT agreement had not been considered by the Town Meeting in 2020 prior to being approved by the Board of Selectmen, as was recommended by Counsel at the time. Now, counsel has reconsidered and recommends the warrant be reopened to add an article for consideration.

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

VOTE: I move the Board of Selectmen to approve the reopening of the Fall Town Meeting warrant.

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

VOTE: I move the Board of Selectmen to approve the addition of a warrant article on the Fall Town Meeting warrant for consideration of a solar PILOT agreement.

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

VOTE: I move the Board of Selectmen to close the Fall Town Meeting warrant.

REVIEW OF DRAFT WARRANT PROPOSED ARTICLES FOR SPECIAL TOWN MEETING

Mr. Hickey explained the articles and the Board went through them, asking questions, then continued on to vote on all of them.

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

VOTE: I move favorable action for Article 1, Amend Regional Agreement Between Silver Lake and Kingston School Department

Motion by Mr. Bouchard, second by Mr. Crone, and a 5-0-0 vote,
VOTE: I move favorable action for Article 2, Prior Year's Bills

Motion by Mr. Bouchard, second by Mr. Alcombright, and a 5-0-0 vote,
VOTE: I move favorable action for Article 3, FY24 Transfer to Employment Liability Reserve Fund

Motion by Mr. Alcombright, second by Mr. Crone, and a 5-0-0 vote,
VOTE: I move favorable action for Article 4, Supplement FY24 Operating Budget

Motion by Mr. Bouchard, second by Mr. Crone, and a 5-0-0 vote,
VOTE: I move favorable action for Article 5, Supplement Grant Funding for Evergreen/Pembroke Street Intersection Improvements

Motion by Mr. Bouchard, second by Mr. Crone, and a 5-0-0 vote,
VOTE: I move favorable action for Article 6, Upgrade of Municipal Finance Software

Motion by Mr. Crone, second by Mr. Alcombright, and a 5-0-0 vote,
VOTE: I move favorable action for Article 7, Establish an Opioid Stabilization Account

Motion by Ms. Vaughn, second by Mr. Bouchard, and a 5-0-0 vote,
VOTE: I move favorable action for Article 8, Fund Opioid Mitigation

Motion by Mr. Crone, second by Mr. Bouchard, and a 5-0-0 vote,
VOTE: I move favorable action for Article 9, Establish a Tax Title Processing

Motion by Ms. Vaughn, second by Mr. Bouchard, and a 5-0-0 vote,
VOTE: I move favorable action for Article 10, Funding for Tax title Processing

Motion by Mr. Bouchard, second by Mr. Crone, and a 5-0-0 vote,
VOTE: I move favorable action for Article 11, Collect Collective Bargaining Funding from General Fund to Water Fund

Motion by Mr. Crone, second by Mr. Alcombright, and a 5-0-0 vote,
VOTE: I move favorable action for Article 12, Correct Collective Bargaining Funding from General Fund to Water and Wastewater Funds

Motion by Mr. Bouchard, second by Mr. Alcombright, and a 5-0-0 vote,
VOTE: I move favorable action for Article 13, Community Preservation Fund Appropriation to fund the Opachinski Fields/Drainage Improvements

Motion by Mr. Vaughn, second by Mr. Bouchard, and a 5-0-0 vote,
VOTE: I move favorable action for Article 14 Repurpose Water Department Use of Retained Earnings

Motion by Mr. Crone, second by Mr. Bouchard, and a 4-1-0 vote, Ms. Emberg voted against
VOTE: I move favorable action for Article 15, Approve Wastewater Leaching Fields

Motion by Ms. Vaughn, second by Mr. Crone, and a 5-0-0 vote,
VOTE: I move favorable action for Article 16, Transfer of Land from Silver Lake Regional School District to the Kingston Conservation Commission

Motion by Mr. Bouchard, second by Mr. Crone, and a 5-0-0 vote,
VOTE: I move favorable action for Article 17 FY Wage and Personnel By-Law; Amendments and Compensation
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Schedule

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

VOTE: I move favorable action for Article 18, Amend to General Bylaw Chapter 2 Town Meeting

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

VOTE: I move favorable action for Article 19, Amend to General Bylaw Chapter 3 – Finance Committee and Budget Process

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

VOTE: I move favorable action for Article 20, Amend General Bylaw; Chapter 4 – Council on Aging

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

VOTE: I move favorable action for Article 21, Amend the Zoning Bylaw

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

VOTE: I move favorable action for Article 22, Establish New Temporary Repairs to Private Way General Bylaw

Motion by Ms. Vaughn, second by Mr. Bouchard, and a 2-3-0 vote, Ms. Emberg, Ms. Vaughn, and Mr. Crone voted against

VOTE: I move favorable action for Article 23 Grant Eversource Easement on Kingston Public Library Property

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

VOTE: I move favorable action for Article 24, Accept Prudent Investor Rule for Investment Diversification

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

VOTE: I move favorable action for Article 25, Ratification of Solar PILOT Agreement

OPEN SESSION MEETING MINUTES: SEPTEMBER 6, 2023, AND SEPTEMBER 12, 2023

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

VOTE: I move the Board of Selectmen accept the open session meeting minutes of September 6, 2023, and September 12, 2023

TOWN ADMINISTRATOR'S REPORT:

Mr. Hickey read from his report:

Financial Updates

- The Fall Town Meeting Warrant will be posted by the end of business on Tuesday, October 10th as Monday, October 9th is a holiday.
- Free Cash for 2024 was certified by the Department of Revenue. Below are the Free Cash amounts for each fund along with General Fund Free Cash for 2020-2023.

<u>Fund</u>	<u>Free Cash Amount</u>
General Fund	\$3,494,036
Water	\$97,660
Wastewater	\$93,676
Renewable Energy	\$9,401

Fiscal Year	
2023	\$3,644,017
2022	\$2,067,369
2021	\$3,246,412
2020	\$2,318,244

Project Updates

- The Playground Project is complete and open to the public.
- The pedestrian improvement project at the Pembroke/Evergreen/Main St. intersection continues to progress. Sidewalk improvements are nearly complete. Final paving will occur sometime over the next couple of weeks. The installation of the crosswalk signals will begin in mid to late September. The project is expected to be finished by the end of October.

Personnel Update

- There are no personnel updates this week.

Miscellaneous Updates

- The Waterfront Committee will host Fall Fest at Greys Beach on Sunday, October 1st from 3:00 to 7:00 pm. Music, food trucks, and vendors are available. All proceeds support next year's live music events at Gray's Beach. Tickets are on sale now: adult tickets are \$20, kids 12 and under are \$10, and kids 5 and under: are free.
- The Board of Health will sponsor a free flu shot clinic on Wednesday, October 18, 2023, from 9:00 am to 11:00 am at the Town House, Room 200. Preregistration is required. Please call the Health Department at 781-585-0503 to register.
- I will be out of the office attending my annual municipal manager's conference beginning Thursday, September 28th. I will be back Wednesday afternoon, October 4th in time to attend the Finance Committee meeting that evening.

SELECTMEN COMMENTS:

Mr. Alcombright asked for an update on the crosswalks and Mr. Hickey will provide it soon.

Mr. Bouchard added that hunting season has begun.

Ms. Vaughn added that there is a college fair at the High School on Tuesday night.

Ms. Emberg added that there will be a police update on the November 7th agenda.

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

VOTE: I move to adjourn

The meeting was adjourned at 9:57 p.m.

Respectfully submitted,

Patricia Tucker
Assistant to the Town Administrator/Board of Selectmen

Documents used at the meeting:

Agenda

Agenda Addendum
Road Closure Information
ARPA Funding Request
Road Acceptance Policy
Plow Rates for Contracted Plow Drivers
New Common Victualler License
Town Meeting Warrant
Town Administrator Report