



TOWN OF KINGSTON
BOARD OF SELECTMEN
OPEN SESSION
MINUTES

TOWN HOUSE-26 EVERGREEN ST. ROOM 200 & VIA ZOOM
November 7, 2023

6:00 p.m. – CALL TO ORDER – ROOM 200

Chairman Kimberley Emberg called to order the meeting of the Board of Selectmen at 6:00 p.m.—selectmen in attendance: Donald Alcombright, Sheila Vaughn, Tyler Bouchard, and Eric Crone.

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

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.
- For the month of November, the Kingston Public Library will be hosting a collection drive for new clothing, toys and food for the Plymouth Area Coalition for the Homeless. The library will also be collecting items for the Kingston Animal Shelter as well. A complete list of items needed is available on the library's website and social media pages. Donations may be brought to the Kingston Public Library during regular business hours. Please contact the library at 781-585-0517 for more information.
- There is a large pile of screened compost is available at the Transfer Station for Kingston Residents.
- 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
 - Kingston 300th Committee
 - Rent Control Board
 - Old Colony Elder Services Board of Directors
 - Meals on Wheels Program is looking for volunteers
- New Water Rates have begun and will be reflected in the next invoices.
- Thank you to everyone who attended the Special Town Meeting.

OPEN FORUM:

Jean Landis Naumann was in attendance to let everyone know that the Affordable Housing Trust has posted their 2nd video on Affordable Housing on their website.

On December 5th there will be a presentation at the Senior Center hosted by the Agricultural Commission on Adaptation in a Changing World, on sea level rise, climate, and land use.

APPOINTMENTS:

PUBLIC HEARING: PETITION FROM VERIZON NEW ENGLAND INC AND NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY TO RELOCATE ONE JOINTLY OWNED POLE ON PEMBROKE STREET

Ms. Emberg read the Public Hearing Notice:

Notice is hereby given that the Kingston Board of Selectmen will hold a public hearing on the Petition of NSTAR Electric Company dba NSTAR Electric dba Eversource Energy to request permission to locate poles wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public ways:

Pembroke Street:

To relocate one jointly owned pole 156/82 on Pembroke Street.

The hearing shall take place on Tuesday, November 7, 2023, and the meeting will begin at 6:00 p.m. in Room 200 at the Town House, 26 Evergreen Street, Kingston, MA. Persons interested are invited to attend and be heard in this matter.

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

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

Ms. Emberg asked if there was someone to speak on behalf of Eversource or Verizon, Tom Stanton representative from Verizon was in attendance who stated that this request is from Eversource to move the pole 37 feet.

Mr. Stanton discussed that this pole has already been moved, with the old pole still in.

Mr. Hickey asked when the old pole is removed can all the old poles on Main Street be removed as they have been there a better part of over a year.

Eileen Backus of 51 Pembroke Street lives 2 houses down from the neighbor who has the pole in their driveway. Ms. Backus is in support of this removal so that her neighbor will no longer have a pole in her driveway.

Mr. Stanton stated he will reach out to Eversource regarding the old poles in town to have them removed.

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

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

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

VOTE: I move the Board of Selectmen to approve the request from Verizon and NSTAR Electric Company dba of Eversource to Relocate one Jointly Owned Pole 156/82 on Pembroke Street.

APPROVAL OF NEW COMMON VICTUALLER LICENSE

Ms. Emberg explained that a new common victualler license application was received for Perry-Lima Cafe. The new restaurant will be located in the Kingston Collection food court. All appropriate departments have reviewed and supported the license being issued.

Kami Perry was in attendance and said that she has a restaurant in Hyannis and is excited to come to Kingston.

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

VOTE: I move the Board of Selectmen to approve the common victualler license for Perry Lima Cafe, contingent on final approval by the Board of Health.

REQUEST FROM SHELLFISH CONSTABLE TO ADD AN ADDITIONAL RAZOR CLAM LICENSE

Ms. Emberg explained that The Shellfish Constable is requesting to increase the number of razor clam licenses from eleven to twelve. Ms. Emberg introduced Joe Zlogar the Shellfish Constable who started by stating over the last few years the days of harvest has decreased over the years. Mr. Zlogar spoke to Marine Fisheries, and they do not believe the razor clams will be depleted with the addition of a new license. Ms. Emberg discussed that several licensees have not harvested over the last few years and if they started, they could deplete, and Mr. Zlogar agreed. Mr. Bouchard stated that he is not certain the right step is to add another license, without knowing what it would be like for all 11 holders to harvest. Ms. Emberg discussed possibly adding use it or lose it language to the policy to allow other residents the opportunity to move on the list. Mr. Alcombright agreed.

The Board briefly discussed new policy changes that, if adopted, would go before the Board for approval at another time and ideally would be in effect prior to the beginning of the next fiscal year.

Motion by Mr. Alcombright, seconded by Mr. Crone, and a 4-1-0 vote, Ms. Vaughn voted against.

VOTE: I move the Board of Selectmen not approve the request from the Shellfish Constable to increase the number or razor clam licenses to twelve.

REQUEST BOARD OF SELECTMEN TO ACCEPT A BODY WORN CAMERA GRANT AND AUTHORIZE THE PURCHASE AND IMPLEMENTATION OF BODY CAMERAS FOR ALL SWORN KINGSTON POLICE OFFICERS

Ms. Emberg explained that a request for body-worn cameras was before the Board. The meeting was turned over to Chief Splaine who discussed that during the most recent collective bargaining sessions with the unions covering police officers, the Selectmen and Town Administrator requested language be placed in the collective bargaining agreement to implement body-worn cameras. The requested language was included in the CBA's. Chief Splaine discussed how they are working on policies for each union. He went on to say that the Police Department applied for and was awarded a \$50,000 grant for the body-worn cameras through a state grant. The Police Department is requesting support to accept the grant as well as support the remaining cost of \$93,000 in funding through a lease or use of ARPA funds.

Mr. Hickey thanked Chief Splaine and Lt. Skowyra and their work on the grant work. Mr. Hickey discussed there is a balance of \$513,000 in the ARPA funds and fund the \$93,000 with those funds.

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

VOTE: I move the Board of Selectmen approve the acquisition and implementation of body worn camera by all sworn police officers consist with the policy developed by the Police Chief. Further, I move the Board authorize the use of ARPA funds to fund the remaining cost of acquisition.

UPDATE FROM THE POLICE CHIEF ON POLICE DEPARTMENT ACTIVITIES

Chief Splaine was in attendance and provided an update from the department, some of the items he highlighted was:

- KPD and KFD Channel 2 have started the migration and integration process into its Project 25 Digital Radio System (P25).
- Statistics from July 1, 2023
 - 3,161 calls for service
 - 1,954 officer initiated events
 - 72 misdemeanor crimes charged
 - 93 felony crimes charged
- Accreditation is a self-initiated process by which police agencies voluntarily strive to meet and maintain standards that have been established for the law enforcement profession by the profession.
- There were cell inspections by the Department of Public Health on October 2, 2023
 - At the time of the inspection, no violations were noted in the facility.
 - Suicide Hazards – Ceiling ventilation grill work
 - Water leak into evidence room – Public Rest Room in front lobby had a broken faucet and water leaked in the evidence room which is in the basement. Evidence officers inventoried evidence and there was some minor water damage to packing labels, however, no evidence was compromised.
 - KPD also houses new radio equipment and 911 equipment in the basement. The station does not have an IT room. Other plumbing or sprinkler system leaks could cause significant harm to both police/fire communication equipment.
 - HVAC/compressor failure – a temporary fix was made.
 - The septic system, as part of our ongoing preventive maintenance plan, was just pumped this week. It should be noted that police headquarters has a 1500-gallon residential designed system. If it fails, a new system will likely cost in excess of \$250,000.00.
- Update on Grants
 - Office of Grants and Research – AED Equipment Program
 - Office of Grants and Research – Byrne JAG Municipal Law Enforcement Funding Opportunity
 - Body Worn Cameras Grant

- Update on Professional Development
 - Legal Update
 - Rules of the Road
 - Reports and Testimony
 - Officer Wellness: We Are What We Do
 - Annual CPR/First Responder Requirement (M.G.L. c. 111, § 201)
 - Peace Officer Standards and Training (POST) Commission training [Online Only]
 - Annual Firearms Requalification & Training
 - Use of Force/ECW – Taser Training
 - School Resource Officers – just completed their additional SRO Certification requirements
- ALICE Drills were just completed at KES/KIS
- KPD participated in the DEA’s Drug Take Back Program – KPD was a designated site.
- KPD was recently honored by the residents of Town and Country Estates at their “Public Safety Appreciation Luncheon”. Chief Splaine noted that it was an awesome ceremony and that it was nice to interact in such a positive way with our residents. They also provided us with a donation and a proclamation from the House of Representatives recognizing our public service.
- In conjunction with KFD, the police department will be doing our annual Santa's dry run through Kingston on Sunday Dec 3rd with an 8:15am departure from Station 1. This year, Santa will be throwing candy from the Tower Truck while Car 3 and KPD’s new pickup will be collecting toys for Toys for Tots. KPD/KFD will be setting up the Santa tracking app and posting it on Facebook.
- In December, KPD employees will serve the senior citizens their Annual Christmas Dinner at the COA, which they have been doing for well over twenty-five years.
- KPD is planning to run RAD Classes for both Kids and Women after the new year.

Mr. Alcombright thanked the Chief for the update, he stated that a couple of residents said thank you as they saw there are more patrols out there, and they were thankful.

REQUEST FROM THE FIRE CHIEF TO INCREASE AMBULANCE FEES AND ESTABLISH FEES FOR ENERGY SYSTEM INSPECTIONS

Ms. Emberg introduced Fire Chief Mark Douglass, who discussed the billing of ambulances and the fees.

Chief Douglass stated that he is requesting the ambulance rate increase the increase is as follows:

- Increase Basic Life Support (BLS) Rate from \$1,750 to \$1,850
- Increase Mileage Rate from \$40 to \$50 per mile

The current fees for the BLS transport and the mileage have been in place since 2016/17. The proposed rates are comparable to surrounding communities.

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

VOTE: I move the Board of Selectmen to approve the following fee increases effective December 1, 2023:

- Increase the basic life support fee to \$1,850.
- Increase the ambulance transport mileage rate to \$50 per mile.

Chief Douglass discussed the general fee schedule and recommended establishing fees for inspecting solar energy systems. The recommended fees are:

Energy System / Auto Charging Residential \$50.00	Commercial \$50.00 Per Station
Energy Storage System	Commercial \$50.00 Plus \$5.00 /kwh
Energy Storage Multifamily	Commercial \$50.00 Plus \$5.00/kwh
Welding / Hot work	Commercial \$50.00 Fire Watch Req'd 4-hour minimum

The addition of energy system fees is commensurate with the plan review and inspection requirements. Additionally, they provide the Town with a small amount of revenue to offset the purchase of the required equipment to deal with related hazards.

Fees for Welding / Cutting / Hot work permits were previously covered by miscellaneous and should be separated out and more clearly defined.

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

VOTE: I move the Board of Selectmen to approve the solar energy system fees as presented this evening effective December 1, 2023.

Mr. Hickey added that the Kingston Fire Department is proactive in getting training in battery-operated events.

DISCUSSION ON DELAYING THE HIRING OF FOUR FIREFIGHTERS APPROVED AT THE 2023 ANNUAL TOWN MEETING

Mr. Hickey explained that he wanted to have a conversation with the Board and that the FY25 budget parameters were recently established by the Budget Advisory Committee. The direction given was a level service budget along with identifying recommended budget reductions recommended by the Town Administrator for a budget with no more than a three percent (3%) increase in operational expenses.

The Town Administrator has provided a summary of what a 3% budget increase would be to illustrate the budget impact. The Town Administrator is asking the Board to consider delaying the four new firefighters funded in the FY24 budget until the Selectmen and Finance Committee determine the proposed FY25 budgets they support presenting at the Town Meeting. This will be to save money for the Town. There is currently a \$800,000 budget deficit.

The Board is in agreement that these additional firefighters were unanimously approved by this Board as well as Finance Committee and was ultimately approved at the Town Meeting, and they will go against what the Town voted in favor of. The Board thanked Mr. Hickey for thinking about all of the potential options to provide both a level services and 3% budget proposal.

ADDITIONAL ITEMS:

POLICE CHIEF SEARCH UPDATE AND NEXT STEPS

Mr. Crone stated that the search stated there are 13 applications and they are due at the end of the week and there is the expectation of receiving more. There is a survey on the Town website to get residents' input on what they would like to see in the applicants and encouraged folks to complete the survey.

ACCEPTANCE OF DONATION

Ms. Emberg explained that the Veteran's Department as well as the Police Department have received the following donations and is requesting the Board of Selectmen accept.

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

VOTE: I move the Board of Selectmen to accept the following donations:

- \$700 donation of in gift cards from an anonymous donor to the Veteran's Department.
- \$900 donation to the Kingston Police Department in recognition of their courageous service and dedication to protecting the residents of Kingston.
- \$123 donation from Stop and Shop for the Bloomin for Good Program to the Council on Aging.

REVIEW OF PROPOSED TOWN MEETING TIMELINE

Ms. Emberg discussed that we are planning for the Spring Town Meeting and discussed that there is a draft Town Meeting timeline for the May 2024 Annual Town Meeting. This proposed timeline is consistent with the revised Town Meeting bylaw approved at the Fall Town Meeting.

Motion by Mr. Alcombright, seconded by Mr. Bouchard, and a 5-0-0 vote,
VOTE: I move the Board of Selectmen to accept the proposed Annual Town Meeting Timeline as presented this evening.

DISCUSSION ON REVIEWING TOWN COUNSEL OPTIONS

Ms. Emborg explained that she requested this item for this week, as it has been about 3 years since the last discussion regarding legal counsel. The current contract with the law firm that currently provides the Town with both labor and Town counsel services does not have an end date and as 3 years have passed and there are two new Board members since the last discussion, she wanted to ask the Board if they wanted to go out to bid on legal counsel.

Ms. Vaughn stated that likes the current counsel and added that there is a lot going on and thinks it is better if we stay with the firm that we have. She added that it is beneficial to work with the same firm for both Town and labor counsel. Mr. Crone stated that while he agrees with Ms. Vaughn, the federal government goes out to bid on all contracts every year so it is reasonable to go out to bid, even if we decide that staying with the current firm is the best option and that he would be in favor of going out to bid. Mr. Bouchard stated that while he also agrees with Ms. Vaughn, he thinks the Board should go out to bid to at least see what is out there. Mr. Alcombright said he feels the same sentiments.

Mr. Hickey discussed that he can get information regarding an RFP for a future meeting for further discussion and suggested having this before the Board at the December 5th meeting.
The Board along with Mr. Hickey what they want to look for in the RFP including asking the firms submitting proposals if they offer a flat-fee option and if so, to provide the cost.

Motion by Ms. Emborg, seconded by Mr. Alcombright, and a 4-1-0 vote, Ms. Vaughn voted against.
VOTE: I move to direct the Town Administrator to create an RFP to be brought back to the Board of Selectmen at the December 5th meeting to review for possible modification.

OPEN SESSION MEETING MINUTES: SEPTEMBER 26, 2023, AND OCTOBER 10, 2023, OCTOBER 24, 2023, AND NOVEMBER 2, 2023

Motion by Mr. Bouchard, seconded by Mr. Crone, and a 5-0-0 vote,
VOTE: I move the Board of Selectmen accept the open session meeting minutes September 26, 2023, October 10, 2023, October 24, 2023, and November 2, 2023.

TOWN ADMINISTRATOR'S REPORT:

Mr. Hickey began by saying that there is a groundbreaking memorial in front of the Town House for the new Veteran's memorial, on Friday, November 10th at 10:45am in front of the Town House and all are welcome to attend.

Mr. Hickey read from his report:

The Building Commissioner suggests that your furnace and boilers should be checked on a regular basis.

Financial Updates

- I have distributed the Capital Improvement and FY25 budget documents and guidelines to the department heads. CIP requests are due by November 10th and the proposed budget by November 28th.
- Any proposed amendments to the Wage and Personnel bylaw are due by December 24th.
- The Assessing Department has submitted the property valuation changes for 2024. Total residential tax valuation growth for FY24 totals \$752,027, which includes \$467,965 residential multifamily property.

Total commercial tax levy growth totals \$21,296 and personal property tax levy growth of \$810,711. Large growth accounts in personal property include Eversource and Kearsarge Energy. Eversource's Fiscal 2024 value is \$51,302,310 – resulting in \$685,399 in tax dollars. Kearsarge Energy 2024 value is \$3,706,880 – resulting in \$49,524 tax dollars.

Amended growth from Fiscal Year 2023 is included from National Grid and totals \$135,434.

Total real and personal new growth valuation totaled \$118,565,419, resulting in total tax levy growth in Fiscal Year 2024 of \$1,584,034.

Project Updates

- A crosswalk has been installed on Main Street

Personnel Update

- Town Accountant Carol McCoy has submitted her letter of resignation effective December 13, 2023. Carol is willing to continue working until a replacement is found and trained if the Town is interested. Below is the timetable to fill the position. I would like to establish an interview committee made up of a Selectman, Finance Committee member, HR Coordinator and one Department Head. I would interview the candidates the committee recommend moving to the next stage. Once I have a finalist, I will bring my recommendation to the Selectmen for their consideration.

Miscellaneous Updates

- The Board of Assessors will attend the November 21st Board meeting for the classification of property for tax purposes public hearing as part of the tax rate setting process.

SELECTMEN COMMENTS:

Ms. Vaughn said Happy Veteran's Day!

Ms. Emberg added that Town Offices are closed on Friday in observance of Veteran's Day.

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

VOTE: I move to adjourn to executive session to not return to executive session for the purpose of: Executive Session pursuant to Open Meeting Law (Chapter 30A Section 21 (a)(2) - To conduct strategy sessions in preparation for negotiations with nonunion personnel and contract negotiations with nonunion personnel – Fire Chief, Assistant Town Administrator

The meeting adjourned at 8:03 p.m.

NEXT REGULAR MEETING:

November 21, 2023

Respectfully submitted,

Patricia Tucker
Assistant to the Town Administrator/Board of Selectmen

Documents used at the meeting:

Agenda

Agenda Addendum

Public Hearing Information
Common Victualler License
Police Backup
Fire Chief memo
Donation
Town Meeting Timeline
Minutes