



TOWN OF KINGSTON
BOARD OF SELECTMEN
OPEN SESSION
MINUTES
TOWN HOUSE-26 EVERGREEN ST. ROOM 200 & VIA ZOOM
November 21, 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; 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 anyone interested in volunteering, we have a number of vacancies on various committees and boards. To see a complete list of the openings, please visit our website at kingstonma.gov.
- New water rates went into effect on November 1st and the increase will be reflected in the March 2024 quarterly bill.
- 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 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.
- On December 5th at 7pm, the Agricultural Commission is sponsoring a presentation by the Woods Hole Oceanographic Institute called "Adaptation in a changing world: sea level rise, climate and land use where Ben Urann, Ph.D. will discuss the impacts and outlook for local sea level changes in Kingston, what will be affected in our coastal community and when. For those interested, that event will take place at the Senior Center on Tuesday, December 5th at 7pm.
- Selectmen Bouchard and Selectmen Crone have created a survey for residents to share with them what you are looking for in the Town's next Police Chief as they complete the recruiting process in collaboration with Public Safety Consultants. That survey is available on the Town's website and closes on Friday, December 1st.
- Several Town buildings will have their normal schedules changed this week due to Thanksgiving. Those changes include:
 - Town House, Water, Sewer, Recreation, Streets, Trees, and Parks– Closed Thursday and Friday.
 - The Library will be closing at 5:00 Wednesday, closed Thursday and Friday.
 - The Transfer Station will follow their normal schedule of closing Thursday and Friday and opening Saturday and Sunday.
- There is a large pile of screened compost available at the Transfer Station for Kingston residents.
- Community Preservation Committee application Deadline is December 15th.
 - Applications will be reviewed on January 4, and February 1st with a public hearing on March 7th.
- Abatements to the Assessor's Office can be done at the beginning of January through February 1st.
- As a reminder, when there is a snow storm, all cars must be moved off of the street as do all basketball hoops so that our plow drivers can safely and quickly clear our streets.
- The Town of Kingston is looking for 20 plow drivers for the upcoming winter season. We have increased our rates this year and also are offering a \$750 insurance stipend for qualified contractors. Please contact the Highway

Department at 781-585-0513 for details and paperwork.

OPEN FORUM:

Nobody was in attendance for open forum.

APPOINTMENTS:

Public Hearing for Classification of Property for Tax Purposes

Ms. Emberg explained that the Principal Assessor was here to speak about the classification.

Ms. Emberg read the public hearing notice:

Pursuant to the provisions of MGL Chapter 40, Section 56, the Board of Selectmen will hold its annual public hearing on the classification of property for tax purposes. The Selectmen shall first determine the percentages of the local tax levy to be borne by each class of real property and personal property for Fiscal Year 2024. During the hearing, the Board of Assessors shall provide all information relevant to making such a determination and the fiscal effect of the available alternatives. Based on the information provided, the Board of Selectmen shall adopt a residential factor to be used by the Board of Assessors to determine the percentages of the Fiscal Year 2024 local tax levy to be borne by each class of real and personal property. Said hearing will be held on Tuesday, November 21, 2023, at 6:00 p.m. at the Town House, Room 200, 26 Evergreen St., Kingston, MA.

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.

Principal Assessor, Mauren Clarke was in attendance and explained the process and moved to the presentation that was in the meeting packet. After the Commissioner of Revenue has certified the Town's assessed values, local elected officials are permitted to determine what percentage of the tax burden is to be borne by each property class.

The information contained in this presentation is intended to provide the Selectmen with the information to conduct a public hearing on the classification options under Mass General Law Chapter 40 Section 56.

Open Space

- There are no parcels currently classified as open space.
- The Board of Assessors voted not to recommend adopting the Open Space Exemption.

Residential Exemption

- The Selectmen may adopt a Residential Exemption for owners of occupied residential property.
- The exemption reduces the adopted percentage ranges from 1-35% of the average assessed value of ALL residential properties. The residential exemption does not reduce the residential share of the tax levy, rather, the total tax reduction is offset by an increase in the residential tax rate which shifts the taxes from the owner-occupied properties to the non-owner-occupied properties. The Town will raise the full amount of the tax levy despite the higher tax break to eligible homeowners.
- The Board of Assessors voted not to recommend adopting the Residential Exemption

Small Commercial Exemption

- The intent of the exemption is to give a tax reduction to small commercial property owners at the expense of the larger commercial and industrial parcels (This does NOT include industrial or personal property)
- To qualify, businesses must have occupied the property as of January 1, 2023, and must have no more than 10 employees. The building must have a value of less than 1 million dollars. Like the residential exemption, the tax levy does not change, and the exemption is borne within the commercial class resulting in an overall increase of the Commercial/Industrial/Personal Property tax rate.
- The Board of Assessors voted not to recommend adopting the small commercial exemption

Average Assessed Home

FY 23 Average single family home valuation was \$537,519.

FY 23 Tax Rate = \$13.36 or an average of \$7,181 Tax Bill

FY 24 Average single family home valuation is \$591,440.

FY 24 Proposed Tax Rate = \$ 12.71

or an average of \$7,517 Tax Bill

Valuation Difference is \$53,921

Average Tax Bill Difference Between FY23-FY24 = \$336.00

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To qualify, businesses must have occupied the property as of January 1, 2023, and must have no more than 10 employees.

The building must have a value of less than 1 million dollars. Like the residential exemption, the tax levy does not change, and the exemption is borne within the commercial class resulting in an overall increase of the Commercial/Industrial/Personal Property tax rate.

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 vote in accordance with M.G.L., Chapter 40, Section 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2024 tax rates and set the Residential Factor at 1.0 with a corresponding CIP shift of 1.0, pending approval of the Town's annual tax recap by the Massachusetts Department of Revenue.

Request from Elaine Fiore to Discuss Thursday Luncheon at the Senior Center

Ms. Emberg explained that Ms. Fiore made a formal request to attend the Board meeting to discuss the elimination of the weekly Thursday luncheon with the implementation of the café.

Ms. Fiore was in attendance and made a statement. She said she wanted to begin by correcting a few statements made about the Friends; Ms. Fiore wanted to let everyone know that everyone who attends the center is allowed to the Friends luncheon. She is requesting the structured Thursday 11:30am lunches be reinstated and added that this is a tradition that many seniors would like to continue.

Ms. Fiore discussed the timeline of the meetings since September regarding the Thursday luncheons.

Tonight, as a family, Ms. Fiore is speaking on behalf of a group requesting the return of the structured luncheons.

Mr. Bouchard asked Ms. Fiore what Thursday lunch was before switching to the cafe. Previously at Thursday lunch, lunch would be served at 11:30am and everyone would eat the same food, at the same time. The group would begin with the pledge of allegiance and the singing of the National Anthem. The police would join and talk with the seniors to share updates and safety tips. Additionally, birthdays were announced monthly and announcements were made.

Ms. Emberg asked if non-friend members were allowed at the Thursday luncheons. Ms. Fiore answered that the Friends do not manage the lunch on Thursdays and added that attendees were both Friends of the COA and non-members as well.

Ms. Emberg said that when researching the responsibilities of the Council on Aging versus the friends of the COA, she found the August 2015 handbook on what the role of a friend's group should be that was provided by the state and is available on Mass.gov's website. She read several sections which state that the role of the Friends group is to support the efforts of the COA under the guidance and goals of the Director. Ms. Fiore said that the Friends only funded the holiday luncheons and were not involved in the regular Thursday lunch.

Ms. Emberg added that not all departments have an advisory board, and explained the reason for asking those who did not like the change to go to the Advisory Board is because that is the appropriate place to start.

Ms. Bouchard asked if there were 2 days of café and Thursday lunch, would the group be happy. There was minimal opposition to the 30 or so people who attended tonight.

Ms. Emberg shared that both the Director and Advisory Board are in favor of the café instead of the Luncheon and mentioned that there was discussion about the difficulties with serving everyone the same food at the same time.

Mr. Bouchard stated that he has communication from 47 residents, unhappy with the director and the current structure of the café. Mr. Bouchard stated some problems need to be addressed.

Mr. Crone asked if the pledge of allegiance and police presence could still be at the center with the café if it is not a structured lunch.

Ms. Vaughn added that we need to iron out the issues and recognize the residents in the room.

Mr. Alcombright asked if there was a specific reason why only Tuesday, Wednesday, and Thursday were picked for the café and asked about changing the dates of the café to allow a Thursday luncheon.

A resident said that they needed Monday to prepare for the week.

Mr. Hickey attended last week's COA Advisory Board meeting to get the Friends group and they did not speak up at the meeting. Also discussed is that the pledge will be said, birthdays will be announced, and police presence will be able to happen again at the café on Thursdays.

Mr. Bouchard wants to hear from the Advisory Board and ask why this can't be accomplished and they need to find a solution.

Caty Starr, the Chair of the COA Advisory Board began by saying that one of the reasons for the café is for more inclusiveness, the cost of the Thursday lunch far exceeded what was being brought in the door. Ms. Starr discussed that there is room for more compromise.

Mr. Hickey asked that this be discussed at a future meeting, so costs can be discussed. Mr. Bouchard said that the COA Advisory Board and Director to discuss and figure it out.

Joe Favaloro, previous COA Advisory Board member for 9 years stated there are misconceptions, first as far as the budget is set by the Selectmen, and the food budget is \$17,000 exclusive for Thursday lunches. He said that the past two directors used the food budget for other things.

Kitchen staff, Lucy Colletta provided some insight on how they count the number of meals for totals of the number of participants and reiterated the challenges that the Thursday lunches posed, advocating for people to try the café and be open minded.

Ms. Fiore explained that nobody is against the café, they just want a structured lunch. Mr. Bouchard asked if there was a specific time for announcements, police announcements, etc. at the café on Thursday if that would be a reasonable compromise, and Ms. Fiore said it was a start.

Ms. Emberg asked the COA Board to work with the seniors who are unhappy with the current situation to work together find a middle ground.

The Board took a two-minute recess.

7:00 P.M. Dangerous Dog Hearing

Ms. Emberg explained that an email was received on October 27th from a Kingston resident who was bitten by a dog on August 21, 2023. The person bitten has requested the Selectmen hold a dangerous dog hearing.

Town Counsel, Stephen Chaplin was in attendance, and explained the process, based on the incident the Board needs to first decide if they find the dog a nuisance dog or a dangerous dog or neither.

Attorney Stephen Chaplin swore in the witnesses.

Matthew Frazier, the dog owner began by saying this is a very unfortunate accident, and he feels horrible about it, they have abided by the quarantine since the day of the incident when only 10 days were required.

James Chaplin, the dog owner's father who was there the day of the incident explained the incident in his words.

Attorney Stephen Chaplin swore in the Animal Control Officers.

Ms. Emberg asked Animal Control if their recommendations were amendable.

Soyna Buckner, Assistant Animal Control Officer stated the request for a muzzle is in public spaces. Joanna Boudreau, Animal Control Officer said that is up to the Board for how long the dog should wear a muzzle.

Mr. Crone asked Animal Control if there was a way to determine if she was a dangerous dog.

Ms. Boudreau does not feel this dog is dangerous.

Attorney Stephen Chaplin swore in victim, Nancy Whittall.

Ms. Emberg asked Ms. Whittall what she wanted to say, and Ms. Whittall shared her story. She has medical bills and PTSD. She explained her injuries and is asking the Board to protect her neighborhood.

Mr. Crone asked about the refusal of medical treatment in the police report, and Ms. Whittall answered she went to her medical facility.

Attorney Stephen Chaplin swore in, Mr. Whittall, who shared his experience of receiving a call from his wife during the attack.

Ms. Emberg is looking at the recommendations for animal control which consist of:

a muzzle in public spaces until training has continued. She asked if he objected to the terms. He does not.

Attorney Steve Chaplin asked if the owner would consider a fence and he stated he would like to but the cost is expensive. Also stated the dog cannot be deemed to be removed out of the community. The description from the packet of a nuisance or a dangerous dog.

Based upon what is heard, Ms. Boudreau does not deem this dog dangerous, first offense, no complaints, the dog is licensed and vaccinated.

The Board reviewed their options.

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

VOTE: I move the Board of Selectmen find the Belgium Malinois named Wren, owned by Matthew Frazier, a nuisance dog.

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

VOTE: Further the Board orders the owner or keeper of the dog to take remedial action to ameliorate the cause of the nuisance behavior. Including the recommendation by the ACO,

1. Wren shall be walked on a leash not more than three (3) feet in length which is made of material suitable for a dog and the size and strength of Wren's breed. All walking shall be conducted by a responsible and capable adult. An electric collar or retractable leash shall not be acceptable.
2. Wren shall be humanely muzzled whenever she leaves the Owner's property, such as for taking walks.
3. Wren shall receive behavioral/obedience training by a professional trainer acceptable to the ACO and AACO within 60 days. The certificate of completion is to be given to the ACO and AACO. The Owner may request from the ACO and AACO additional time to complete this provision. If the ACO and AACO have reason to believe the Owner has failed to reasonably comply with this condition, they may report the same to the Board for consideration of possible enforcement action.
4. Wren shall, within 60 days, be altered so she is no longer reproductively intact. Compliance shall be

monitored by the ACO and AACO, who may grant additional time if they deem the same necessary in accordance with recommendations by Wren's veterinarian. If the ACO and AACO have reason to believe the Owner has failed to reasonably comply with this condition, they may report the same to the Board for consideration of possible enforcement action.

5. The Owner shall forthwith obtain liability insurance on his homeowner's policy to insure against any claim, loss, damage, or injury to persons, domestic animals or property resulting from the acts of the dog. The Owner shall, as soon as is practicable, provide proof of such insurance to the Town Administrator's Office.
6. The Owners shall purchase and install, within 60 days, a roofed dog run consistent with the recommendations of the ACO and AACO. The Owner may request from the ACO and AACO additional time to complete this provision and the ACO and AACO may allow additional time if they determine, in exercise of their professional discretion, that the same is warranted under the circumstances. If the ACO and AACO have reason to believe the Owner has failed to comply with this condition, they may report the same to the Board for consideration of possible enforcement action.

Request for One Day Liquor License from Micheal Johnson of Brewery 44 for the Weir Family Christmas Tree Farm for November 24th and 25th

Michael Johnson of Brewery 44 has submitted a request for a One Day Liquor License for a Christmas Tree Festival at Weir's Christmas Tree Farm 57 Pembroke Street on November 24 and 25, 2023 from 10 am-2 pm.

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

VOTE: I move the Board of Selectmen to approve the request from Brewery 44 for a One Day Liquor License for a Christmas Tree Festival at Weir's Christmas Tree Farm 57 Pembroke Street on November 24 and 25, 2023 from 10 am-2 pm.

ADDITIONAL ITEMS:

Appointments of less than part-time Substitute Circulation Assistant at the Library and Part Time Administrative Assistant for Collector/Treasurer's Office

Substitute Librarian

The position of Substitute Circulation Assistant with the Library is a standing position at the library. The Director recruit's individuals when the pool of individuals runs low, and these are filled on an as-needed basis. After the recruitment process, Donald Colon is requesting the hiring of Donna Keene for the position.

Administrative Assistant – Collector/Treasurer's Office

The position of part-time administrative assistant within the Collector/Treasurer's office is new. This position was included in the FY24 budget and is part of the transition to a combined Treasurer Collector. After the recruitment process, Ken Moalli is requesting the hiring of Angela Kerstein for the position.

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

VOTE: I move the Board of Selectmen to appoint Donna Keene, to the position of less than part-time Substitute Circulation Librarian, with the Kingston Public Library with an anticipated start date of November 27, 2023, consistent with the terms of the offer letter.

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

VOTE: I move the Board of Selectmen to appoint Angela Kerstein, to the position of Administrative Assistant, with the Collector/Treasurer's Office with an anticipated start date of November 28, 2023, consistent with the terms of the offer letter.

Police Chief Search Update and Next Steps

Mr. Bouchard discussed a meeting on Thursday, there are 22 applicants. He said they had a very good meeting with the working group and added that the next step is to go through and weed out the resumes. Hopefully, next week there will be 8-10 candidates that move to the next step.

Ms. Emberg added there is a survey on the homepage that will close on December 1st asking for resident input on what they would like to see in the next Police Chief.

Appointment to Kingston 300th Committee

The following request was received to be appointed to the Kingston 300th Committee. Reverend Emily Bruce has attended the past two Kingston 300th meetings.

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

VOTE: I move the Board of Selectmen appoint Reverend Emily Bruce to the Kingston 300th Committee effective immediately through the duration of the project.

Acceptance of Donation

The Veteran's Department received the following donation, and they are requesting that the Board approve it.

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

VOTE: I move the Board of Selectmen to accept the donation of \$4,405 from the Arbor Hills Neighborhood Association to the Kingston Veteran's Donation Fund.

MEETING MINUTES: Open Session Meeting Minutes: November 7, 2023

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

VOTE: I move the Board of Selectmen to accept as amended by Kimberley Emberg the open session meeting minutes of November 7, 2023

TOWN ADMINISTRATOR'S REPORT:

Mr. Hickey read from his report:

Financial Updates

- I have received department capital requests and have nearly finished compiling the requests in a spreadsheet. Once completed I will send the Capital Planning Committee a draft shortly after returning from the Thanksgiving weekend.

Project Updates

- The Pembroke/Evergreen intersection pedestrian improvements have been completed. People using the intersection now can cross with traffic stopped.
- There will be a final meeting on the boat ramp project on November 21st. A final visit to the Conservation Commission will occur in December with hopes to begin reconstruction early in 2024.

Personnel Update

- Water Foreman Eric Hillstrom has resigned effective December 1st.

Miscellaneous Updates

- Streets, Trees, and Parks Superintendent Paul Basler met with members of the Silver Lake Safety, Fees, and Revenues Subcommittee about safety improvement options at the Pembroke/Lake Street intersection. After a presentation by the engineering firm retained to study the options, the subcommittee supported the construction of a roundabout to address the current safety issues.
- Town staff and I will be meeting with the new owners of the Kingston Collection on Monday, November 20th. I will provide the Board with an update on the meeting at the Selectmen's meeting. They are looking to update the property with no final decision. They discussed how they will continue to work with the Town.
- Found a panel for the Finance Director and asked a member of the Board to join. Ms. Vaughn joined, with Ms. Emborg as a backup.

SELECTMEN COMMENTS:

Happy Thanksgiving!!

Ms. Vaughn mentioned that this coming weekend is Small Business Saturday.

Mr. Bouchard wanted everyone to know that the opening day for deer hunting begins on November 27th and that everyone to take caution.

Motion by Ms. Vaughn, second by M, Bouchard and a 5-0-0 vote,
VOTE: I move to adjourn

The meeting was adjourned at 9:13 p.m.

NEXT REGULAR MEETING:

December 5, 2023

Respectfully submitted,

Patricia Tucker
Assistant to the Town Administrator/Board of Selectmen

Documents used at the meeting:

Agenda
Agenda Addendum
One Day Liquor Request
Dangerous dog Information
Hiring Information
Tax Classification Powerpoint
Report of the Town Administrator
Minutes

Approved: December 5, 2023