



TOWN OF KINGSTON
BOARD OF SELECTMEN
OPEN SESSION MINUTES
ROOM 200/ZOOM
February 8, 2022

Chairman Kimberley Emberg called to order the meeting of the Board of Selectmen at 6:00 PM. Selectmen in attendance: Donald Alcombright, Sheila Vaughn, and Richard Arruda. Jessica Kramer attended virtually.

Due to some of the staff being in attendance virtually the Board.

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

Announcements Ms. Emberg read:

- 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, please call 781-585-0501
- Nomination papers for town officials are available in the Town Clerks Office. The last day to obtain nomination papers is March 2, 2022.
- Snowplow contractors are needed for the Highway Department please call 781-585-0513
- The Town is updating the Hazard Mitigation Plan and there is a survey on the homepage for residents to complete.
- Koi Pond Estates located in Kingston has a lottery for two 2 affordable dwelling units being held on April 4th, more information is available on our website.
- Annual Town Election is being held on April 23rd at Kingston Elementary School
- Annual Town Meeting is being held on May 14th at Kingston Intermediate School

OPEN FORUM

There was no one to speak at open forum.

APPOINTMENTS

Request from Promotor Line Inc. to hold their 38th Annual Cape Cod Getaway Bike Ride

Ms. Emberg explained that a request was received by Promotor Line Inc. to hold their 38th Annual Cape Cod Getaway Bike ride on June 25, 2022, through the streets of Kingston. The Police and Fire Chief's both reviewed the paperwork and provided recommendations which are in the motion.

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

VOTE: I move the Board of Selectmen approve the request from Promotor Line Inc. to hold their 38th Annual Cape Cod Getaway MS Bike Ride on June 25, 2022, according to the traffic control plan presented with the following conditions:

- The applicant successfully acquires the proper permits to hold said event from MassDOT.
- The applicant contacts the Kingston Police Department to schedule detail officers as recommended by the Police Chief.

Continuation Public Hearing for Earth Removal Permit at 11 Wapping Road

Ms. Emberg explained that the application from 19 Wapping Road, LLC for an earth removal permit at 11 Wapping Road has been continued multiple times, the originally public hearing was scheduled for the December 28, 2021,

Mr. Hickey began by stating that this has been a discussion with the staff and the document within the packet has the conditions provided by the staff and has been agreed upon by the applicant.

Ms. Emberg mentioned that she has received feedback from residents who don't believe the orders of conditions cover everything and also that violations have already happened at this property. Mr. Hickey discussed the applicant does not believe any violations occurred as he was excavating the fill to construct a driveway.

Mr. Alcombright shared on the screen the map in the packet showing how the transporting of the fill will be removed from the site down Route 106 to Route 3. Trucks returning to the site will travel from Plympton on Route 106. The reason for using two routes is due to the direction the driveway intersects with Route 106. The turn is too severe for the trucks to leave the site and turn right on Route 106 to go to Plympton.

Mr. Paul Sheerin the developer stated that he has never constructed a home in a Town that requires an earth removal permit and that he was unaware at the beginning of the process that he needed one.

Ms. Emberg read from the bylaw that if you plan on excavating any more than 1,000 cubic yards it requires an earth removal permit.

Mr. Arruda asked that if there was a violation of the earth removal permit what would the penalty be, and Mr. Hickey stated that Mr. Sheerin has agreed to pay a \$1,000 penalty for not realizing there was an earth removal permit process with the Town.

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

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

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

VOTE: I move the Board of Selectmen waive the Town's General Bylaw Chapter 12 Article 13 (b), Restoration to allow the developer to perform work within 25 feet of the property line in order to construct a dwelling unit, finding that the design is suitable and will result in proper screening and less overall land disturbance, which is in the best interest of the Town.

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

VOTE: I move the Board of Selectmen waive the Town's General Bylaw Chapter 12 Article 8, Surety, requiring a performance bond for the work at 19 Wapping Road because an existing performance bond is held by the Planning Board in sufficient amount to secure restoration of this property, on the Jones River Estates subdivision, which includes 11 Wapping Road, the parcel subject to this permit.

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

VOTE: I move the Board of Selectmen waive the Town's General Bylaw Chapter 12 Article 16, Rules and Regulations, to allow a \$5,000 deposit for a permit condition orders where a \$25,000 is required, finding that the size of the proposed site work is smaller than a large scale earth removal project and such deposit is consistent with that held for site plan and subdivision control by the Planning Board, consistent with the interests of the Town.

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

VOTE: I move the Board of Selectmen \$1,000 violation

Motion by Ms. Vaughn, second by Mr. Alcombright and a 4-1-0 vote, (Ms. Emberg voted against)

VOTE: I move the Board of Selectmen approve the Earth Removal Permit request from 19 Wapping Road LLC c/o Paul Sheerin with the following conditions:

- i. The applicant must comply with the Order of Conditions agreed to by the developer that have been presented to the Board of Selectmen this evening.

Presentation from David Pepe on the petitioned article for Town Meeting regarding precious metals

Ms. Emberg explained that Mr. Pepe requested to come before the Board to present his petitioned article for Town Meeting.

Mr. David Pepe of 11 Trillium Rise in Plymouth was here to discuss the petitioned article that is being brought before the Town this spring. Mr. Pepe provided a copy of the proposed changes to the Board which have been added to the packet for review.

Some of the changes being proposed:

- Definition of Precious Metals
- Waiting Period
- Daily Report
- Log of Purchases
- Online requirement for reporting of quantity

Ms. Emberg explained that the Board will vote the town meeting articles at another time and thanked Mr. Pepe for his presentation.

ADDITIONAL ITEMS

Discussion on Amending Shellfish Regulations

Ms. Emberg explained residents are required to purchase a Shellfish License as well as a Gray's Beach Parking Sticker. In years past nonresidents receive a parking permit conditional to Gray's beach with the purchase of the shellfish license. It is being recommended that nonresidents follow the same regulations as residents and are required to purchase a Gray's Beach parking sticker also.

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

VOTE: I move the Board of Selectmen approve the changes to the Shellfish Regulations for 2022 as amended.

Recommendation for Shellfish Fees from Shellfish Constable

Following the amendment to the regulations the Board approved the recommendation from the Deputy Shellfish Constable Joe Zlogar, for 2022 by keeping the shellfish license fees the same as 2021.

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

VOTE: I move the Board of Selectmen approve the 2022 licensing fee recommendation and Shellfish regulations from the Deputy Shellfish Constable:

- Residents 70 years or older – FREE
- Residents 62-69 years old - \$15.00
- Residents 14-61 years old - \$40.00
- Non-Residents - \$100.00
- Nonresident Veteran's follow the same pay schedule as residents, must provide proof Veteran status.

Ms. Emberg announced that Shellfish licenses will be on sale starting March 1, 2022, in the Selectmen's office. All information will be uploaded to the Selectmen's page as well as the Harbormaster page with 2022 details.

Recommendation from Recreation Commission for Beach Stickers Fees

Ms. Emberg explained the Recreation Commission had met and voted to keep the cost of beach decals the same as 2021. The Recreation Commission has also offered an opportunity for decals mailed for a convenience fee of \$5.00.

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

VOTE: I move the Board of Selectmen approve the recommendation from the Recreation Commission for the Beach Sticker fee of 2022 to remain the same at \$15.00 for Residents and \$30.00 for Non-Residents. A convenience fee of \$5.00 would be added to the cost of the permit for anyone who requests the permit be mailed.

Consideration of Changing the Senior Center Hours

Ms. Emberg started the conversation, that this topic that has come up several times. The Council on Aging Board requested to go back to pre-covid hours, however Ms. Emberg stated she has not heard from enough of the seniors to decide on this topic this evening.

Ms. Mitchell provided a bit of background on how the hours at the Senior Center have come about and reviewed the information that was provided in the packet.

In October 2017, the Senior Center hours (48) were changed to:

Monday 8:30am – 8:00pm

Tuesday 8:30am – 4:30pm

Wednesday 8:30am – 4:30pm

Thursday 8:30am – 8:00pm

Friday 8:30am – 4:30pm

In October 2017 the staff consisted of three full-time employees, there was also a part-time Marketing person that was paid through the formula grant, as well as the part-time kitchen staff.

The Director or Assistant Director would work during the evening hours on Monday and Thursday. Due to only one person working the evening hours, programs for seniors were not available. The building was open for the use of outside groups.

In June 2020, effective date July 1, 2020, the Senior Center hours (39) were changed to:

Monday 8:30am – 4:30pm

Tuesday 8:30am – 7:30pm

Wednesday 8:30am – 4:30pm

Thursday 8:30am – 4:30pm

Friday 8:00am – 12:00pm

In June 2020, the staff consisted of two full-time employees, as well as the part-time Marketing person and kitchen staff. After an assessment of the needs, staffing was adjusted to include two full-time positions.

Most programs were suspended due to COVID but is now offering full programs including programs for seniors on Tuesday evenings

Ms. Emberg added that the Board of Selectmen appoints the COA Advisory Board which met and voted to go back to pre-covid senior center hours.

Mr. Arruda asked at what point did the Senior Center follow the Town house hours and it was answered that the Board of Selectmen voted in May of 2020.

Paula Rossi Clapp the Director of Elder Affairs provided the assessments to the Board which she believes best suits the needs of the Town of Kingston. Ms. Rossi Clapp does not recommend any changes made, as her data does not see the need.

Mr. Favaloro of 16 Indian Pond Road, the chairman of Council on Aging Advisory Board, stated that the information being discussed tonight has not been shared with the COA Advisory Board.

Motion by Mr. Arruda, second by Mr. Alcombright and a 5-0-0 vote,
VOTE: I move the Board of Selectmen push this off until the next scheduled meeting

Reinstatement of Police Station Building Committee

Ms. Emberg explained the members of the most recently appointed Building Committee were appointed without an expiration date on their terms. The Board should decide how to address those members of the committee that may be interested in serving, and what the makeup of the new Building Committee should be.

Motion by Mr. Arruda, second by Mr. Alcombright and a 5-0-0 vote,
VOTE: Have the Town Administrator contact each member and have them respond by the next meeting if they want to continue on the committee

Recommendation for Uses of ARPA Funds

Ms. Emberg explained that there is a memo from the Town Administrator which includes a summary of projects recommended to the Selectmen using ARPA funds to pay for the projects.
Mr. Hickey discussed the summary that was provided to the Board, and the Board had minimal discussion.

Motion by Ms. Vaughn, second by Mr. Arruda and a 5-0-0 vote,
VOTE: I move the Board of Selectmen accept the recommended ARPA funded projects presented this evening on a memo prepared by the Town Administrator dated February 2, 2022.

Close Annual Town Meeting Warrant

Ms. Emberg explained the Selectmen were presented a Town Meeting timeline that included closing the May Town Meeting Warrant on February 8th.

Motion by Mr. Alcombright, second by Ms. Vaughn and a 5-0-0 vote,
VOTE: I move the Board of Selectmen close the warrant on February 8, 2022

Discussion of Improvements to Town Website

Mr. Alcombright requested this agenda item and talked about some discussion points for improving the website:

New page (Get Involved!)

- Actively updated giant list of open committee positions and what the positions entail and any volunteer opportunities

Each committee page subpage:

- what we do!
- Bylaws or charge (if they have any)

New page (Entertainment & Dining)

- list of restaurants, bars and activities from local businesses which include links/phone number, address

New page (Youth)

- youth related activities, such as where to go for sport sign ups, where playgrounds are, where sport fields

New page (Local Chapters/Clubs in town)

- Boy Scouts, Girl Scouts, Hilltop, Lions Club

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

VOTE: I move the Board of Selectmen direct the Town Administrator to discuss the proposed improvements to the website with staff, and if necessary, the website provider to implement the improvements discussed this evening.

Acceptance of Donations

Ms. Emberg explained Veterans Services is requesting that the Board accept the following donations:

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

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

- \$200 donation from an anonymous donor
- \$100 donation from Rui and Joann Santos
- \$200 donation from an anonymous donor

Discussion on Creating a Town Administrator Bylaw

Ms. Emberg explained that she asked Mr. Hickey to asked counsel for some bylaw examples, and better define the rolls of the Town Administrator. There are a couple examples of Town Administrator responsibilities that are included in the meeting packet of Town Charters as examples to review.

The Board briefly discussed that other Towns have bylaws and do we think this needs to be addressed further. This does not need to be addressed this evening just to look into this.

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

VOTE: I move the Board of Selectmen request the Town Administrator to work with counsel and a member of the Board of Selectmen to draft a bylaw that would outline the responsibilities of the Town Administrator for possible inclusion on the Fall Town Meeting Warrant.

Ms. Kramer added that everyone benefits from clearly defined rolls.

Town Administrator Update

Mr. Hickey read from his report as follows:

Financial Updates

- Finance Director, Carol McCoy and Mr. Hickey met with the Finance Committee on February 3rd to review the FY22 budget halfway through the fiscal year.
- The Fire Chief informed Mr. Hickey that due to an unexpected retirement and the need to send the new firefighter to the Fire Academy, the FY22 Fire Department budget may need to request a transfer from the Finance Committee Reserve Account toward the end of the year.

Project Updates

- Staff met with Old Colony Planning Council on February 2nd to review a preliminary list of roads that have been identified as thickly settled roadways and business districts in Kingston. If a road meets the criteria of thickly settled, the road would be eligible for a reduced 25 MPH speed limit. I would expect a recommended list be presented to the Selectmen at their February 22nd or March 8th meeting.

- A public meeting was held on February 1st to receive input for the Complete Streets Road improvement application. Staff and TEC Engineering will be working collaborative over the next month to develop a list of recommended projects for presentation to the Selectmen. The application will be submitted to MassDOT by March 18th. MassDOT anticipates announcing their grant award on April 15th.

COVID Updates

- Mr. Hickey formally asked the Board of Health to remove the mask mandate at the Town House as well as the Fire, Police, Wastewater, and Water Departments. The Recreation Department would like the mask mandate lifted except for kid's programs. The kid's programs would continue to follow the School Department mask protocols. The Senior Center would prefer to keep the mask mandate in place at their facility until March 1st. The Library Trustees are meeting on February 7th and will discuss the mandate then. The Library Director does expect the Trustees to keep the mandate in place at the library for the foreseeable future. The Board of Health voted against this at their February 7th meeting.

Miscellaneous Updates

- Mr. Hickey spoke with representatives from MassDEP and Shawn O'Donnell regarding the ongoing activities on the O'Donnell property off Marion Drive. The MassDEP representatives have indicated that the fill coming into the site from DEP approved excavation sites remains in compliance.

MEETING MINUTES Approval of the December 28, 2021, January 4, 2022, and January 11, 2022, Open Session Meeting Minutes

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

VOTE: I move the Board of Selectmen approve the December 28, 2021, January 4, 2022, and January 11, 2022, Open Session Meeting Minutes

SELECTMEN COMMENTS

Ms. Kramer would like to add on a future agenda the discussion of September 11th memorial update, and Veteran's Park.

Adjourn.

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

VOTE: I move to adjourn.

The meeting adjourned at 9:16 PM.

Respectfully submitted,



Patricia Tucker
Assistant to the Town Administrator/Board of Selectmen

Documents used at the meeting:

Agenda

Agenda Addendum

Road Race Information

Earth Removal Request

Petitioned Article for Precious Metals

Recommendation for Shellfish

Recommendation Beach Sticker

Senior Center Hours Information

ARPA Funding Memo

Town Meeting Warrant

Improvements to website memo

Report of the Town Administrator