

**February 15, 2022**

A joint meeting of the Board of Water Commissioners and Sewer Commissioners was held on Tuesday February 15, 2022, at 7:00pm in the Michael G. MacPherson Meeting Room at the water department office located at 22 Elm St, Kingston Ma.

Chairman Richard W. Loring Jr. called the meeting to order at 7:01 p.m.

Present were Vice Chairman Robert Kostka, Superintendent Matt Darsch, Water Clerk Stacey Smith, Sewer Superintendent Robert Monaghan, Sewer Clerk Sara Deagle, Sewer Commissioners Elaine Fiore, William Watson, and Thomas Taylor. Additional guest, in attendance, was David Gilmore of Pyramid Group. Attendants via ZOOM were David Aitken of Pyramid Group and Attorney Robb D'Ambruoso.

Sewer Chairperson, Elaine Fiore stated she was looking for a status of the water portion of the Marion Drive High Zone Expansion Project. Water Superintendent Darsch stated it is finished and all that remains is a punch list.

Ms. Fiore then stated the expectation is that the excess funds will now be allocated back to sewer. Superintendent Darsch said there was discussion related to using the excess funds to help pay for the 600K filter at the Trackle Pond water treatment plant. Ms. Fiore asked if Superintendent Darsch was going to pursue that avenue. He stated he was looking into the possibility of doing so. Ms. Fiore asked why the change of direction. She was under the belief excess funds would be going back to the sewer project. She stated the contract was specifically written as such.

Chairman Loring stated, there were also conversations related to sewer paving their portion of the project on Marion Drive. Ms. Fiore stated she was glad that has been brought that up. She went on to say, we finished our project paving in the summertime and then we had money set aside for a punch list because at the August meeting Streets, Trees, and Parks Superintendent Basler stated he would have a conversation with sewer and water superintendents to discuss "winter paving." As the project got further in completion, Mr. Basler said he preferred to have one contractor do the project. He did not want to have separate pieces of the road done by different contractors. It made more sense for the water department to do it as they were the last ones done in the road. Chairman Loring stated, and that is exactly what was done. The funds all come out of the Mass works Grant Program and the sewer commission had set aside funds to pay for that portion of the paving. Ms. Fiore asked, how does this affect the reallocation of the funds? Chairman Loring said he does not remember agreeing to allocating excess funds to sewer or taking a vote as such.

Vice Chairman Kostka stated he remembers discussing this he does not remember a vote on the allocation of excess funds going to sewer. Ms. Fiore said she called Nick at Mass Works and discussed the excess funds and he said it was a mutual agreement between both water and sewer. Discussion continued (inaudible). Sewer Commissioners Thomas Taylor and William Watson did not recall discussion on excess funds being allocated to sewer. Ms. Fiore stated she is going back the contract signed which indicates allocating funds to the sewer project. She agrees there was no vote, but she remembers discussion regarding excess funds on the project going to sewer project. She said these funds must be expended by June 30, 2022, so it is in the best interest of both departments to decide whether we agree or not.

Vice Chairman Kostka said as a Board have not had time to discuss this, but we should be able to come to resolution by the end of March. Ms. Fiore said that was fair.

Ms. Fiore stated she also wanted to discuss jointly is the Comprehensive Wastewater Prevention Plan. It is a required State plan. She asked if Superintendent Darsch would be available to be a member of that group to develop a plan. Ms. Fiore stated it would include the Conservation Agent, Sewer representative, Water representative and a member of the Board of Selectmen. Superintendent Darsch agreed.

7:13pm, Water Commissioner Robert Erlandsen entered the meeting.

Vice Chairman Kostka made the motion to adjourn the joint meeting of the Board of Water and Sewer Commissioners and open a Board of Water Commissioner's Meeting to discuss the granting of easements to the Pyramid Group. Commissioner Erlandsen seconded the motion, and it was voted unanimously (3-0-0).

Meeting adjourned at 7:15 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey L. Smith".

Stacey L. Smith, Clerk

**February 15, 2022**

A meeting of the Board of Water Commissioners was held on Tuesday February 15, 2022, at 7:15pm in the Michael G. MacPherson Meeting Room at the water department office located at 22 Elm St, Kingston Ma.

Chairman Richard W. Loring Jr. called the meeting to order at 7:15 p.m.

Present were Vice Chairman Robert Kostka, Superintendent Matt Darsch and Water Clerk Stacey Smith and David Gilmore of Pyramid Group and Rich Tabaczynski of Atlantic Design, Mark Roundtree and Town Clerk Paul Gallagher. Attendants via ZOOM were David Aitken of Pyramid Group, Mike Ohl of CEI and Attorney Robb D'Ambruoso.

Chairman Loring said it is his understanding that Town Counsel, Superintendent Darsch and the mall group have reviewed these deeds and the Pyramid group, once signed, and notarized they will bring them to be recorded tomorrow at the Registry of Deeds. David Gilmore of Pyramid Group agreed. Superintendent Darsch stated all the deed restrictions have been approved by Town Counsel. David Aitken confirmed all recommendations and edits were applied to the restrictions.

Mr. Aitken spoke and explained the handouts being presented, by Mr. Gilmore, to the Board and the details discussed at the last meeting. He addressed changes made within the draft resolution regarding the release of the land within the water resource district which is the 2.88-acre parcel. The piece added was regarding the roof structure drain being discharged within the limits of the water resource district. At the last meeting, the Board asked for the drainage of the parking lot to take place outside the limits of the water resource district. Rich Tabaczynski of Atlantic Design made assurance that change could be done and incorporated that request into this resolution. Mr. Aitken said the two items before the Board tonight are the easements to be executed and the second piece, included within draft, regarding the parking lot piece of the development. Aitken stated he is happy to answer any questions and would like to have the Board approve the release of the land holding the deed restriction.

Commissioner Erlandsen asked what the percentage of the impervious coverage minus this piece in question. Mr. Aitken responded, 18.88 percent. He said it is .08 increase.

Discussion continued regarding drainage of parking lot (inaudible due to muted tones and masks). Chairman Loring has concerns about where drainage goes.

Mr. Ohl of CEI, said he was interested in hearing Mr. Tabaczynski's response to his questions after the preliminary draft of last week. Mr. Tabaczynski showed on the map where the building will be situated. He states the rear of property will not be developed for parking. Roof runoff will go to a drainage basin on the backside of property. Parking lot runoff will go to the back of lot. He described ideas he had to address concerns, regarding subsurface structures. Vice Chairman Kostka said he is concerned about the number of 100-year storms we see and how overflow could backup into the water overlay district.

Chairman Loring stated it may be too early in deliberation to vote on this without detailed plans which may not be in the best interest of the residents of Kingston. Vice Chairman Kostka said he is not opposed to this project; we just need more information. Commissioner Erlandsen asked for clarity, what happens with this process. If we vote yes, do we not

hear any more about this? Mr. Aitken said they were looking for conditional approval pending design so it can be further reviewed before being submitted to the Town of Plymouth.

Mr. Ohl stated the general approach and the general conditions as presented today make sense and the proof will be in a detailed plan for further review.

Commissioner Kostka made the motion to conditionally approve pending further review and design. Mr. Ohl suggested including, in the motion, that the plan comply to the conditions of the Water District Water Quality Certificate.

Chairman Loring asked if there were any thoughts of taking the piece of property out of the Water Overlay District and rotating that square footage somewhere within the property that is adjacent, like what was done for the earlier submittal for Amazon. Mr. Roundtree spoke as both the investor and Kingston resident and said he will not do anything to go against the Town of Kingston. Discussion continued.

Commissioner Erlandsen asked about the timeline. Mr. Tabaczynski said he expects to complete design and submit to the Town of Plymouth by the end of March. Chairman Loring reiterated from previous discussions, that these easements must be recorded tomorrow before any further discussion regarding this project goes forward.

Regarding the current motion on the table, Vice Chairman Kostka revised the motion to grant conditional approval pending further review and design provided the plans adhere to the conditions in the Water Quality Compliance Certificate and the three deed restrictions are recorded by the close of business tomorrow. Commissioner Erlandsen seconded the motion, and it was voted (2-0-1). Chairman Loring voted nay.

Mark Roundtree assured the Board the dealership will be an exceptionally clean dealership. Mr. Aitken thanked the Board for the time.

Superintendent Darsch stated he learned the Board of Selectmen voted to close the Town Meeting Warrant. However, he spoke with Gloria Mitchell, Asst. Town Administrator and she stated it could be voted to reopen the warrant to add articles. Superintendent Darsch asked how they wanted to go about the Main St Project funding. He explained we have plans to place 200k in stabilization for future water projects. He asked the Board if they would like to wait a year, so we have a total of 400K in stabilization in addition to the ARPA Funds totaling 400K. This would provide a total of 800K to start the first portion of the Main St Project. Commissioner Kostka asked about the timeline and asked if this project is necessary right now, in other words, do we have the luxury of waiting a year to start this project. Superintendent Darsch stated yes, it was in the plans originally and it was postponed by the new treatment plant. The ARPA funds must be spent by 2024. We would be spending it now for planning and design.

Chairman Loring stated he feels the priority needs to be the new well site. He feels the importance of acquiring that land is integral to the growth of the town. We need to present this at Town Meeting again for taking by eminent domain. Discussion continued about the new well site and it's need to be outside the Jones River Watershed. Superintendent Darsch stated an email has been sent to the Kelleher estate, but we have not received a response. Commissioner Erlandsen asked if we could get Town Counsel involved. Ms. Smith said we already asked. Superintendent Darsch stated Town Counsel suggested the water department try and make contact and work out a deal with the estate.

Ms. Elmes asked for clarification on the articles for annual town meeting. Superintendent Darsch said we will go forward with the 200k from water surplus revenue for stabilization.

Vice Chairman Kostka made the motion to adjourn. Commissioner Erlandsen seconded the motion, and it was voted unanimously (3-0-0).

Meeting adjourned at 7:45 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey L. Smith". The signature is written in black ink and is positioned above the printed name.

Stacey L. Smith, Clerk