TOWN OF KINGSTON

Special Town Meeting

Kingston Intermediate School

February 2, 2016 – 7:00 p.m.
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COMMONWEALTH OF MASSACHUSETTS
TOWN OF KINGSTON
Warrant
Special Town Meeting

To one of the Constables in the Town of Kingston, County of Plymouth and Commonwealth of Massachusetts,

GREETINGS:
In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of said Town qualified to vote in town affairs to meet at the Kingston Intermediate School, 65 Second Brook Street, on Tuesday, February 2, 2016, at 7:00 p.m., then and there to act on the following articles:

ARTICLE 1 – Negotiate Electrical Rates through Municipal Aggregation

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into an agreement to aggregate electric rates for the residents and businesses in the Town either directly or through a purchasing collaborative of municipalities retaining the right of individual residents and businesses to opt-out of the aggregation, or take any other action relative thereto.

Description: This article would allow the Town to pursue a lower electrical rate for residents and business using the buying power of multiple Towns. This effort is being led by the Old Colony Planning Council with representation by the Town’s Acting Energy Manager. A Request for Proposals has been issued to select an Aggregation Company who prepares an application to the Massachusetts Department of Energy Resources, monitors the electrical rates, negotiates with vendors and does the public outreach and education of this effort. Recently the Southeastern Regional Planning and Economic Development District was able to negotiate a lower rate for its Towns. It is estimated that the new rate could save the average Kingston household approximately $68.00 per year.

Motion for Article 1
Majority Vote: Quorum 100
Motion By: Acting Energy Manager – Thomas Bott

Move: That the Town grant the Board of Selectmen the authority to negotiate and enter into an agreement to aggregate electric rates for the residents and businesses in the Town either directly or through a purchasing collaborative of municipalities retaining the right of individual residents and businesses to opt-out of the aggregation.

Board of Selectmen – Favorable (5-0-0)
ARTICLE 2 – Establish Revolving Fund for Electric Vehicle Charging Station

To see if the Town will vote to establish a revolving fund for the operation of the Town’s Electrical Vehicle Charging Station as provided in Massachusetts General Laws, Statute 44, Section 53E1/2;

That said monies will be collected from credit card payments to ChargePoint or comparable payment service. Proceeds from payments will be forwarded to the Town on a monthly basis net of processing charges to pay for electricity and upkeep on the charging station;

That the Town Energy Manager and Town Administrator shall authorize all expenditures of funds from this account;

And that the amount of the funds to be expended from this account in FY 2016 shall not exceed $50,000.00, unless additional limits are approved by the Board of Selectmen and the Finance Committee, or take any other action relative thereto.

Description: A revolving fund is a fund or account whose income (such as user or program fees) remains available to finance its continuing operations or activities. It requires annual authorization.

Motion for Article 2
Majority Vote: Quorum 100
Motion By: Acting Energy Manager – Thomas Bott

Move: That the Town establish a revolving fund for the operation of the Town’s Electrical Vehicle Charging Station as provided in Massachusetts General Laws, Statute 44, Section 53E1/2 as detailed and printed in the Warrant for the Special Town Meeting.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)
ARTICLE 3 – Rezone 9 Tarkiln Road from Residential 20 and Commercial, to Commercial

To see if the Town will vote to amend the Zoning Map of the Town of Kingston to change the zoning classification of use of a certain parcel of land located on Tarkiln Road and shown on Assessor’s Map 13 Lot 24 from Residential 20 (R20) and Commercial (the parcel has two zoning classifications) to Commercial District (C), or to take any other action relative thereto.

**Description:** The zoning on this parcel is split: Residential on the front and Commercial in the rear. Due to the frontage of the lot it cannot be used as a standalone commercial property but could be used for an accessory use for 7 Tarkiln Road such as an employee parking lot.

**Motion for Article 3**

2/3 vote: Quorum 100
Motion By: Planning Board

**Move:** To amend the Zoning Map of the Town of Kingston to change the zoning classification of use of a certain parcel of land located on Tarkiln Road and shown on Assessor’s Map 13 Lot 24 from Residential 20 (R20) and Commercial, to Commercial District (C).

Board of Selectmen – Favorable (5-0-0)

ARTICLE 4 – Accept Pedestrian Easement in Tree Farm Landing Subdivision

To see if the Town will vote to accept from Parting Ways Realty Trust, a pedestrian easement in perpetuity in the Tree Farm Landing Subdivision on Lots 7-17 and 7-16 as shown on a plan entitled Residential Development Encouraging Open Space Definitive Subdivision Plan – Tree Farm Landing (Sheet 9 of 22). The easement in perpetuity shall be for public use for walking, jogging, cycling, and related uses to access Town owned property abutting the Tree Farm Landing Subdivision, the Commonwealth of Massachusetts wetland replication area and Kingston Water Department properties; and to authorize the Selectmen to take any necessary actions to accept such easement, or to take any other action relative thereto.

**Description:** The pedestrian easement would allow the public to walk from the subdivision onto the 52.87 acre parcel that the development has deeded to the Town as open space.

**Motion for Article 4**

Majority vote: Quorum 100
Motion By: Planning Board

**Move:** That the Town accept a pedestrian easement from Parting Ways Realty Trust, as printed in the warrant.

Board of Selectmen – Favorable (5-0-0)
ARTICLE 5 – FY2015 Unpaid Bills

To see if the Town will vote to appropriate and transfer from available funds in the treasury a sum of money to pay the outstanding bills due to No Fossil Fuel LLC, or take any other action relative thereto.

Description: This article is needed to pay outstanding bills due No Fossil Fuel, LLC from amounts collected by the Town of Kingston from Eversource.

Motion for Article 5
9/10 Vote: Quorum 100
Motion By: Board of Selectmen – Elaine Fiore

Move: That the Town appropriate the sum of $126,697.22 to fund unpaid bills from a prior year; and to meet this appropriation, the following sum of $126,697.22 be transferred from Free Cash for payment to No Fossil Fuel, LLC.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)

ARTICLE 6 – FY2016 Release of Overlay Surplus

To see if the Town will vote to appropriate and transfer $20,000 from overlay surplus to the legal services budget for the purpose funding expenses relating to Appellate Tax Board appeals, or take any other action relative thereto.

Description: This article will transfer excess funds that are annually set aside for abatements in the overlay reserve and allot it to be used for the legal fees, appraisal services, etc. that are associated with current commercial Appellate Tax Board appeals.

Motion for Article 6
Majority Vote: Quorum 100
Motion By: Board of Assessors

Move: That the Town appropriate the sum of $20,000.00 to fund expenses relating to Appellate Tax Board appeals; and to meet this appropriation, the following sum of $20,000.00 be transferred from the overlay surplus to the legal services budget, said expenditure to be under the direction of the Board of Selectmen.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)
ARTICLE 7 – FY2016 Budget Inter/Intra Departmental Transfers

To see if the Town will vote to appropriate and transfer from available funds in the treasury a sum of money to supplement the FY2016 appropriations and revenue sources for the operation of the Town of Kingston, or take any other action relative thereto.

Description: This article is needed to augment the current year (FY2016) budget for any anticipated shortfalls. The purpose is to transfer funds from one line item to another, or to transfer from Free Cash for appropriation to the budget through June 30, 2016, each transfer being a separate appropriation.

Motion for Article 7
Majority Vote: Quorum 100
Motion By: Board of Selectmen

Move: That the Town appropriate the sum of $227,750.00 to supplement the appropriations to FY2016 Operating Budgets; and to meet this appropriation, the following sums be transferred from unexpended appropriations:

<table>
<thead>
<tr>
<th>FROM: ACCOUNT NAME</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selectmen Encumbrance</td>
<td>01122-57950</td>
<td>$3,171.43</td>
</tr>
<tr>
<td>Legal Encumbrance</td>
<td>01151-57950</td>
<td>4,500.00</td>
</tr>
<tr>
<td>Data Processing Encumbrance</td>
<td>01155-57950</td>
<td>7,257.51</td>
</tr>
<tr>
<td>Employee Benefits Encumbrance</td>
<td>01910-57950</td>
<td>10,650.00</td>
</tr>
<tr>
<td>Liability Property Insurance Encumbrance</td>
<td>01945-57950</td>
<td>15,000.00</td>
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<tr>
<td>Care of Muni Encumbrance</td>
<td>01192-57950</td>
<td>47,324.96</td>
</tr>
<tr>
<td>Care of Muni Gasoline</td>
<td>01192-54481</td>
<td>52,000.00</td>
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<tr>
<td>Care of Muni Electricity</td>
<td>01192-52211</td>
<td>5,500.00</td>
</tr>
</tbody>
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Subtotal $145,403.90

Free Cash $82,346.10
Total $227,750.00

and to authorize the Town Accountant to allocate such sums to the operating budgets as follows:

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<thead>
<tr>
<th>TO: ACCOUNT NAME</th>
<th>ACCOUNT #</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Department Overtime</td>
<td>01220-51131</td>
<td>185,000.00</td>
</tr>
<tr>
<td>Fire Department Vehicle Repairs/Maintenance</td>
<td>01220-52245</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Council on Aging Overtime</td>
<td>01541-51131</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Animal Control Overtime/Off Duty Response</td>
<td>01292-51131</td>
<td>2,200.00</td>
</tr>
<tr>
<td>Selectmen Wage and Personnel Salaries</td>
<td>01122-51112</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Data Processing Computer Equipment</td>
<td>01155-58871</td>
<td>3,550.00</td>
</tr>
<tr>
<td>Solid Waste Disposal Overtime</td>
<td>01433-51131</td>
<td>12,000.00</td>
</tr>
</tbody>
</table>

Total $227,750.00

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (7-0-0)
ARTICLE 8 – Transfer of Insurance Proceeds to Reserve Fund

To see if the Town will vote to appropriate and transfer $38,595.91 from Reserve for Appropriations for Insurance Proceeds over $20,000 to the Reserve Fund, or take any other action relative thereto.

Description: This article replenishes the Reserve Fund with insurance proceeds received on a vehicle accident repair.

Motion for Article 8
Majority Vote: Quorum 100
Motion By: Finance Committee – Mary MacKinnon

Move: That the Town will vote to appropriate and transfer $38,595.91 from Reserve for Appropriations for Insurance Proceeds over $20,000 to the Reserve Fund.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)

ARTICLE 9 – Consulting Services for Gray’s Beach Stabilization and Site Improvements

To see if the Town will vote to appropriate and transfer from available funds in the treasury a sum of money to be expended for the purchase of consulting services to conduct inspections, evaluations, cost estimates and construction documents for Gray’s Beach stabilization and site improvements, or take any other action relative thereto.

Description: This article will fund estimated consulting services to conduct inspections, evaluations, cost estimates and construction documents for Gray’s Beach stabilization and site improvements.

Motion for Article 9
Majority Vote: Quorum 100
Motion By: Board of Selectmen

Move: That the Town appropriate the sum of $40,000.00 for the purchase of consulting service to conduct inspections, evaluations, cost estimates and construction documents for Gray’s Beach stabilization and site improvements; and to meet this appropriation, the sum of $40,000.00 be transferred from Free Cash; said expenditure to be under the direction of the Board of Selectmen.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)
ARTICLE 10 – Funding for FY16 CZM Coastal Pollutant Remediation required grant match

To see if the Town will vote to appropriate and transfer a sum of money to be expended for the purpose of meeting a required match for a FY2016 Coastal Zone Management Coastal Pollutant Remediation grant awarded to the Town of Kingston, or take any other action relating thereto.

Description: This article will provide the required additional match for an FY16 Coastal Zone Management Coastal Pollutant Remediation grant awarded to the Town of Kingston for stormwater remediation, engineering, and a status report of shellfish harvest areas.

Motion for Article 10
Majority Vote: Quorum 100
Motion By: Conservation Commission

Move: That the Town appropriate the sum of $7,000.00 for the for the purpose of meeting a required match for a FY2016 Coastal Zone Management Coastal Pollutant Remediation grant awarded to the Town of Kingston; and to meet this appropriation, the sum of $7,000.00 be transferred from Free Cash; said expenditure to be under the direction of the Conservation Commission.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)

ARTICLE 11 – Capital Equipment - KES HVAC Additional Funding

To see if the Town will vote to appropriate and transfer from available funds in the treasury an additional sum of money to replace the HVAC system at Kingston Elementary School, including the payment of all costs incidental or related thereto; or to take any other action relative thereto.

Description: This article provides the additional funding necessary to replace the aging and failing HVAC system at the Kingston Elementary School.

Motion for Article 11
Majority Vote: Quorum 100
Motion By: Board of Selectmen

Move: That the sum of $825,000.00 be appropriated for the purpose of additional funding for the repair/replacement of HVAC system at the Kingston Elementary School, including the payment of all costs incidental or related thereto; and to meet this appropriation, the sum of $735,000.00 be appropriated or transferred from Silver Lake Assessment and the sum of $90,000.00 be appropriated or transferred from Vocational Education; and that the expenditure be under the direction of the Town of Kingston Superintendent of Schools and School Committee.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)
ARTICLE 12 – Purchase of Land from Silver Lake Regional School District

To see if the Town will vote to appropriate and transfer from available funds in the treasury a sum of funds for the purchase, from the Silver Lake Regional School District, of an approximately five-acre parcel of land fronting on Pembroke Street, the exact dimensions of which will be determined after further engineering and design work, said work to be funded from such appropriation; and to authorize the Selectmen to negotiate and execute any and all agreements associated with such purchase; and further, such purchase to be contingent upon passage of an article by the Plympton and Halifax Town Meetings authorizing the sale of such parcel to the Town of Kingston, or take any other action relative thereto.

Description: This land is being considered for the siting of a proposed new police station.

Motion for Article 12
Majority Vote: Quorum 100
Motion By: Board of Selectmen

No Motion: This article will be presented at the 2016 Annual Town Meeting.

ARTICLE 13 – Community Preservation Fund Appropriations
Silver Lake Integrated Preschool Playground

To see if the Town will vote to appropriate from available Community Preservation Act Undesignated Funds, a sum of money for the creation and construction of an Integrated Preschool Playground to be located on the grounds of the Kingston Elementary School as presented to Town Meeting and recommended by the Community Preservation Committee. Said project to be under the supervision of the Town of Kingston, Superintendent of Schools and Silver Lake and Kingston School Committees with all expenses subject to final review and approval by the Community Preservation Committee prior to submittal for payment, or take any other action relative thereto.

Description: To create and construct a therapeutic play space for students of the Silver lake Integrated Preschool located at the Kingston Elementary School.

Motion for Article 13
Majority Vote: Quorum 100
Motion By: Community Preservation Committee - Dana Atanian

Move: That the sum of $150,000.00 be appropriated from available Community Preservation Act Undesignated Funds, for the creation and construction of an Integrated Preschool Playground located on the grounds of the Kingston Elementary School as presented to Town Meeting and recommended by the Community Preservation Committee. Said project to be under the supervision of the Town of Kingston, Superintendent of Schools and Silver Lake and Kingston School Committees with all expenses subject to final review and approval by the Community Preservation Committee prior to submittal for payment; and to meet this appropriation, the sum of $150,000.00 be appropriated from the available Undesignated Community Preservation Fund balance.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)
ARTICLE 14 – Community Preservation Fund Appropriations
Captain Fred L. Bailey Playground
To see if the Town will vote to appropriate from available Community Preservation Act Undesignated Funds, a sum of money for the restoration, replacement and installation of playground equipment at the Captain Fred L. Bailey Playground as presented to Town Meeting and recommended by the Community Preservation Committee. Said project to be under the supervision of the Town of Kingston Board of Selectmen, and Recreation Department, with all expenses subject to final review and approval by the Community Preservation Committee prior to submittal for payment, or take any other action relative thereto.

Description: To restore, replace and install equipment at the Captain Fred L. Bailey Playground.

Motion for Article 14
Majority Vote: Quorum 100
Motion By: Community Preservation Committee - Andy Davis

Move: That the sum of $90,000.00 be appropriated from available Community Preservation Act Undesignated Funds, for the restoration, replacement and installation of playground equipment at the Captain Fred L. Bailey Playground as presented to Town Meeting and recommended by the Community Preservation Committee. Said project to be under the supervision of the Town of Kingston Board of Selectmen and Recreation Department, with all expenses subject to final review and approval by the Community Preservation Committee prior to submittal for payment; and to meet this appropriation, the sum of $90,000.00 be appropriated from the available Undesignated Community Preservation Fund balance.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Favorable (5-0-0)

ARTICLE 15 – Community Preservation Fund Appropriations
Kingston Intermediate School Field Restoration
To see if the Town will vote to appropriate the sum of $464,000: $30,000 for engineering costs and $434,000 for the restoration of two Kingston Intermediate School playing fields as presented to Town Meeting and recommended by the Community Preservation Committee. Said project to be under the supervision of the Town of Kingston Board of Selectmen, Superintendent of Schools, and Kingston School Committee, with all expenses subject to final review and approval by the Community Preservation Committee prior to submittal for payment, and to meet this appropriation the sum of $360,156.40 be appropriated from available Community Preservation Act Undesignated Funds, and the sum of $103,843.60 be appropriated from available Community Preservation Act Open Space Funds or take any other action relative thereto. The funding for the engineering portion of the project is to be taken from the above funds appropriated from the Open Space Funds.

Description: To prepare engineering and complete the restoration of two KIS playing fields.

Motion for Article 15
Majority Vote: Quorum 100
Motion By: Community Preservation Committee - Andy Davis

Move: That the sum of $464,000.00 be appropriated: $30,000.00 for engineering costs and $434,000.00 for the restoration of two Kingston Intermediate School playing fields as presented to Town Meeting and recommended
by the Community Preservation Committee. Said project to be under the supervision of the Town of Kingston Board of Selectmen, School Superintendent, and Kingston School Committee, all expenses subject to final review and approval by the Community Preservation Committee prior to submittal for payment, and to meet this appropriation the sum of $360,156.40 be appropriated from available Community Preservation Act Undesignated Funds, and the sum of $103,843.60 be appropriated from available Community Preservation Act Open Space Funds. The funding for the engineering portion of the project is to be taken from the above funds appropriated from the Open Space Funds.

Board of Selectmen – Favorable (5-0-0)
Finance Committee – Unfavorable (2-5-0)

AND, to transact any other business which may legally come before the meeting.

FURTHER, you are directed to serve this Warrant by posting attested copies at the Kingston Public Library, at the Reed Community Building, at the Kingston Elementary School, at the Kingston Intermediate School, and at the main entrance to the Town House, the polling places of the precincts in said Town, fourteen (14) days at least before the time of holding said meeting.

HEREOF fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

GIVEN under our hands this 12th day of January, 2016.

BOARD OF SELECTMEN
Elaine A. Fiore, Chairman
Jean M. Landis Naumann, Vice-Chairman
Sandra D. MacFarlane
Susan T. Munford
R. Lindsay Wilson II