



Town of Abington

OFFICE OF TOWN MANAGER

500 GLINIEWICZ WAY
ABINGTON, MA 02351
(781) 982-2100
FAX (781) 982-2138

Board of Selectmen Meeting

February 22, 2016

6:30 p.m.

Cotter Room

Members present: Mike Franey, Maureen Jansen, Andy Burbine, Ken Coyle, Alex Bezanson

- Pledge of Allegiance
- Moments of Silence – Robyn Fernald (attached)
Mary Donovan (attached)

- **Public Announcements:**

Mr. Terry Grady, Republic Services, presented a \$1,000.00 check to Sharon White, Health Agent, for their contribution to opiate substance abuse awareness.

The Bylaw Review Committee will hold a public hearing on Tuesday, March 8, 2016 at 7:00 p.m. in the Cotter Hearing Room and welcomes public comment on the preliminary recommendations made by the Committee. At the conclusion of the hearing the Committee will make final recommendations to the Board of Selectmen for inclusion on the Annual Town Meeting warrant. The preliminary recommendations of the committee, along with an Executive Summary are available on the Town website.

Public Appointments:

7:00 p.m. – Show/Cause Hearing, Auto Number One, Inc., 225 Brockton Avenue, Mr. Mark Hanna, Manager; Mr. Panduka Dabare, lease holder, Mr. Elias Saad, owner of the property addressed the Board in an attempt to explain why there is no business being conducted at 225 Brockton Avenue as required.

Selectman Burbine discloses his past relationship with Mr. Hanna's Attorney, There are currently no cars being sold by Mr. Hanna at 225 Brockton Avenue, and hasn't been since December, 2015. The license was renewed as of January 1, 2016 in Mr. Hanna's name. After much discussion it was determined to continue this hearing to March 28, 2016, to determine whether this license should or should not be revoked. To determine if the parties involved can work it out so that cars will be sold at 225 Brockton Avenue as required to hold the license.

M/Burbine to continue the hearing

S/Bezanson

Coyle, no

Voted 4-1

7:30 p.m. – Jack Buckley, MBTA Update – Mr. Buckley updated the Board as to the status of the MBTA and the 135 million debt.

Action/Discussion items:

1. Discussion on the status of West Abington Hall – Mr. Marshall Adams, Building Commissioner stated that the condition of West Abington Hall is dire. There are structural issues with the roof, mold, and unsafe conditions. It would cost approximately \$200,000 to bring it back to code. Mr. John Cessarini stated that there may be a deed restriction, and historical ties to the building, and perhaps it was once a fire house. Mr. Adams will research this possibility.
2. Approval of January 25, 2016 open session minutes –
M/Jansen to approve minutes
S/Burbine
Voted 5-0
3. Snow and Ice over expenditure approval (attached)
M/Jansen to approve over expenditure
S/Coyle
Voted 5-0
4. Setting Date and location of Town Meeting
M/Burbine to hold the Special Town Meeting at 7:00 p.m., and the Annual Town Meeting to be held at 7:15 p.m. on Monday, June 6, 2016 at the Abington High School.
S/Jansen
Voted 5-0
5. Open and close Special and Annual Town Meeting Warrants
M/Burbine to open the Special and Annual Town Meeting Warrants February 22, 2016 and close both warrants on April 15, 2016
S/Coyle
Voted 5-0
6. FY2017 budget update – Town Manager stated that the Finance Committee meetings have been scheduled and the Board of Selectmen has been posted should anyone want to attend this Wednesday.

7. Formation of a Working Group with regard to LStar Communities
M/Coyle to form a working group as follows:

- Member from the Board of Selectmen
- Member of Planning Board
- Member of ZBA
- Member of Conservation Commission
- Zoning Enforcement Officer & Building Inspector
- Abington Business owner
- Town Manager

S/Jansen

Voted 5-0

8. Vote to send the Conservation Committee's amended order of condition for 326
Plymouth Street to the Department of Environmental Protection (attached)
M/Burbine to send the amended order of conditions to DEP.

S/Jansen

Vote 5-0

9. Discussion on Surplus Land Committee Priorities – Discussion on scope and charge and
priorities of the Committee took place (attached)

10. Town Manager Report – (attached)

11. Public Comment – We are posting for a DPW laborer/truck driver position (attached)

M/Bezanson to enter into executive session to discuss strategy in preparation for contract
negotiations with the Town Manager and not to reconvene to open session

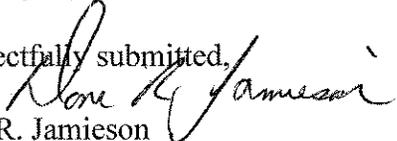
S/Coyle

Bezanson, aye; Coyle, aye; Burbine, aye; Jansen, aye; Franey, aye

Voted 5-0

Meeting adjourned: 8:25 p.m.

Respectfully submitted,


Dori R. Jamieson

Assistant Town Manager

Moment of Silence

Please rise for the Pledge of Allegiance and remain standing for a moment of silence for Robyn Fernald of Abington who recently passed away. Robyn was a phenomenal artist with an amazing talent in the culinary arts. She was a devoted member of the community and was the chairman of the Abington Historical Commission for over 20 years. Robyn will be deeply missed by her family and many friends.

Moment of Silence

Mary Donovan who recently passed away had a full life as a caring and loving mother that was followed by a career in the Abington School System and ending with her position as secretary to the Superintendent of Schools. Mary will be deeply missed by her loving family and many friends.

#3

Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351



To: Board of Selectmen
From: Town Manager
Date: February 4, 2016
Subj: Vote to Approve Snow/Ice Overexpenditure

Below is the status of the snow/ice removal line item to date. Based upon this we are seeking the Board to vote to over-expend the FY 2016 Snow & Ice Removal Line Item.

FY 16 Snow Account

| ACCOUNT 001-4230 | BEGINNING LINE | TOTAL SPENT | BALANCE |
|-----------------------------|---------------------|---------------------|----------------------|
| 5110 Salary and wages | \$40,000.00 | \$13,443.65 | \$26,556.35 |
| 5399 Outside Contractors | \$10,000.00 | \$42,609.00 | (\$32,609.00) |
| 5537 Sand and Gravel | \$10,000.00 | \$0.00 | \$10,000.00 |
| 5538 Salt | \$30,000.00 | \$77,837.56 | (\$47,837.56) |
| 5780 Expenses | \$10,000.00 | \$21,327.90 | (\$11,327.90) |
| TOTAL | \$100,000.00 | \$155,218.11 | (\$55,218.11) |

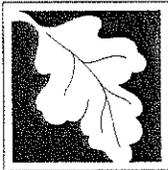
#8
Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351



To: Board of Selectmen
From: Town Manager
Date: February 4, 2016
Subj: Amended Order of Conditions

Attached is a copy of the minutes of the Conservation Commission public hearing on January 11 and the resulting approved Amended Order of Conditions. This sets the guidelines for additional, temporary playing fields to offset the loss of playing space for the town's youth sports programs due to the loss of the High School fields during the ongoing construction. **I recommend that the Board vote to forward this Amended Order of Conditions to DEP and to invite Park and Recreation to the next Board of Selectmen's meeting to discuss/seek approval from the Board for use of the property.**



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE084-0461

MassDEP File #

eDEP Transaction #

Abington

City/Town

A. General Information

Please note:
this form has been modified with added space to accommodate the Registry of Deeds Requirements

1. From: Abington
Conservation Commission

2. This issuance is for (check one):
a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:
Richard LaFond, Town Manager
a. First Name b. Last Name

Town of Abington
c. Organization

500 Gliiniewicz Way
d. Mailing Address

Abington MA 02351
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

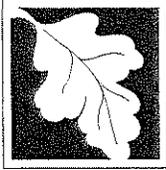
5. Project Location:
326 Plymouth Street Abington
b. City/Town

40 & 47 71, 90 (Map 40); 43, 47 (Map 47)
c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: N42d07'm11.81"s W70d56'm14.21"s
d. Latitude e. Longitude

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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A. General Information (cont.)

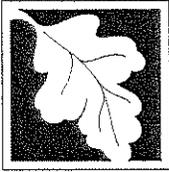
6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
 Plymouth
 a. County 17426 b. Certificate Number (if registered land) 101
 c. Book _____ d. Page _____
7. Dates: 08/02/2012 08/28/2012 09/10/2012
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
 Plan of Land in Abington, MA showing bordering Vegetated Wetlands
 a. Plan Title
 Russell A. Wheatley Co., Inc. Russell A. Wheatley
 b. Prepared By c. Signed and Stamped by
 August 8, 2012 1 in. = 80 ft.
 d. Final Revision Date e. Scale
 Supplement to application for Amended Order of Conditions January 2016
 f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:
 Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:
- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
 d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
 g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



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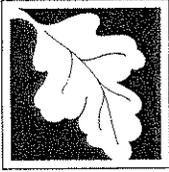
B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) _____ a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

| Resource Area | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|--|--|--|----------------------|-----------------------|
| 4. <input type="checkbox"/> Bank | _____ a. linear feet | _____ b. linear feet | _____ c. linear feet | _____ d. linear feet |
| 5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland | 0 _____ a. square feet | _____ b. square feet | _____ c. square feet | _____ d. square feet |
| 6. <input type="checkbox"/> Land Under Waterbodies and Waterways | _____ a. square feet _____ e. c/y dredged | _____ b. square feet _____ f. c/y dredged | _____ c. square feet | _____ d. square feet |
| 7. <input type="checkbox"/> Bordering Land Subject to Flooding | _____ a. square feet | _____ b. square feet | _____ c. square feet | _____ d. square feet |
| Cubic Feet Flood Storage | _____ e. cubic feet | _____ f. cubic feet | _____ g. cubic feet | _____ h. cubic feet |
| 8. <input type="checkbox"/> Isolated Land Subject to Flooding | _____ a. square feet | _____ b. square feet | _____ c. square feet | _____ d. square feet |
| Cubic Feet Flood Storage | _____ c. cubic feet | _____ d. cubic feet | _____ e. cubic feet | _____ f. cubic feet |
| 9. <input type="checkbox"/> Riverfront Area | _____ a. total sq. feet | _____ b. total sq. feet | _____ c. square feet | _____ d. square feet |
| Sq ft within 100 ft | _____ c. square feet | _____ d. square feet | _____ e. square feet | _____ f. square feet |
| Sq ft between 100-200 ft | _____ g. square feet | _____ h. square feet | _____ i. square feet | _____ j. square feet |

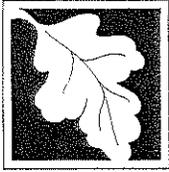


WPA Form 5 – Order of Conditions

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

| | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|--|---|-------------------------|-------------------------|--------------------------|
| 10. <input type="checkbox"/> Designated Port Areas | Indicate size under Land Under the Ocean, below | | | |
| 11. <input type="checkbox"/> Land Under the Ocean | _____ | _____ | | |
| | a. square feet | b. square feet | | |
| | _____ | _____ | | |
| | c. c/y dredged | d. c/y dredged | | |
| 12. <input type="checkbox"/> Barrier Beaches | Indicate size under Coastal Beaches and/or Coastal Dunes below | | | |
| 13. <input type="checkbox"/> Coastal Beaches | _____ | _____ | _____ | _____ |
| | a. square feet | b. square feet | c. nourishment | d. nourishment |
| 14. <input type="checkbox"/> Coastal Dunes | _____ | _____ | _____ | _____ |
| | a. square feet | b. square feet | c. nourishment | d. nourishment |
| 15. <input type="checkbox"/> Coastal Banks | _____ | _____ | | |
| | a. linear feet | b. linear feet | | |
| 16. <input type="checkbox"/> Rocky Intertidal Shores | _____ | _____ | | |
| | a. square feet | b. square feet | | |
| 17. <input type="checkbox"/> Salt Marshes | _____ | _____ | _____ | _____ |
| | a. square feet | b. square feet | c. square feet | d. square feet |
| 18. <input type="checkbox"/> Land Under Salt Ponds | _____ | _____ | | |
| | a. square feet | b. square feet | | |
| | _____ | _____ | | |
| | c. c/y dredged | d. c/y dredged | | |
| 19. <input type="checkbox"/> Land Containing Shellfish | _____ | _____ | _____ | _____ |
| | a. square feet | b. square feet | c. square feet | d. square feet |
| 20. <input type="checkbox"/> Fish Runs | Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above | | | |
| | _____ | _____ | | |
| | a. c/y dredged | b. c/y dredged | | |
| 21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | _____ | _____ | | |
| | a. square feet | b. square feet | | |



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B. Findings (cont.)

* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

23. Stream Crossing(s):

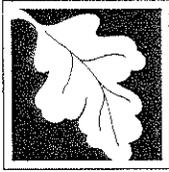
a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 09/10/2018 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



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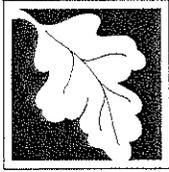
C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. **The work associated with this Order (the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:**

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
 - iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
 - v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

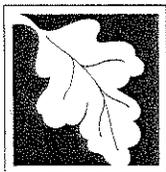


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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



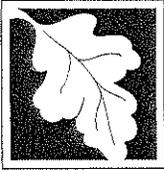
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
 - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):



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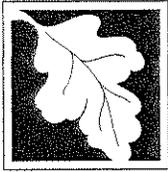
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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The Abington hereby finds (check one that applies):
 Conservation Commission
- a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:
171-5
1. Municipal Ordinance or Bylaw 2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:
1. Municipal Ordinance or Bylaw 2. Citation
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
- The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):
 G1-7, H-2,4,6g,7,9, I-2a,b,c,d, Special Conditions: Limit of work is the Abington/Rockland line. Additional conditions: A,B,C,D,E,F,G,H,I.



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 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 SE084-0461
 MassDEP File #

eDEP Transaction #
 Abington
 City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

1. Date of Issuance

Please indicate the number of members who will sign this form.
 This Order must be signed by a majority of the Conservation Commission.

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

by hand delivery on

by certified mail, return receipt requested, on

_____ Date

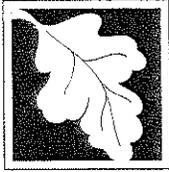
_____ Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Abington
 Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Abington
 Conservation Commission

Please be advised that the Order of Conditions for the Project at:

326 Plymouth Street
 Project Location

SE084-0461
 MassDEP File Number

Has been recorded at the Registry of Deeds of:

Plymouth
 County

42870
 Book

90
 Page

for: Town of Abington
 Property Owner

and has been noted in the chain of title of the affected property in:

 Book

 Page

In accordance with the Order of Conditions issued on:

09/10/2012
 Date

If recorded land, the instrument number identifying this transaction is:

 Instrument Number

If registered land, the document number identifying this transaction is:

 Document Number

 Signature of Applicant

Town of Abington
Standard Order of Conditions
#84-0461

G. ON-SITE CONDITIONS

G1. During construction for this project, an on-site foreman, directing engineer, or designated construction manager shall have a copy of this Order at the site, shall familiarize him or herself with the conditions of this permit, and shall adhere to said conditions.

G2. All waste products, grubbed stumps, slash, construction materials, etc. shall be deposited at an approved landfill and shall not be in any manner incorporated into the project site with the exception of the reduction of stumps and slash to mulch.

G3. During and after work on this project, there shall be no discharge or spillage of fuel, oil, or other pollutants into any resource area.

G4. Used petroleum products resulting from maintenance of construction equipment and construction debris shall be collected and disposed of off-site. No on-site disposal of these items is allowed.

G5. Hay bales are to be stored more than 100' from the nearest wetland flagging.

G6. Servicing equipment (fueling, changing, adding or applying lubricants or hydraulic fluids) must be done outside the Buffer Zone. Equipment must be a minimum of fifty feet from the wetland boundary.

G7. Should contaminated fill be discovered the applicant shall immediately notify the Department of Environmental Protection (DEP) and the Conservation Commission.

H. ADMINISTRATIVE CONDITIONS

H2. This Order shall apply to every successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans, or part thereof. In the event of this land or any part thereof changing ownership before or during constructions, the current owner shall notify the new owner prior to the transfer of ownership by registered mail of this order and shall forward proof of this notification to the Commission.

H4. This Order of Conditions shall be included in all construction contracts and subcontracts dealing with the work proposed and shall supersede other contract requirements.

H6g. PROOF THAT THIS ORDER OF CONDITIONS HAS BEEN RECORDED WITH THE REGISTRY OF DEEDS MUST BE SUBMITTED TO THE CONSERVATION COMMISSION PRIOR TO SIGNING A BUILDING PERMIT/COMMENCEMENT OF WORK.

- H7. Certain conditions are on-going and do not expire upon the completion of the project or issuance of a Certificate of Compliance. These conditions are:
- a. the maintenance of culverts to insure serviceability as designed;
 - b. the maintenance and repair of detention basins and support drainage systems; design capacity and structural integrity of these facilities must be maintained;
 - c. the use of minimal concentrations of fertilizers, herbicides and/or pesticides of utilized by the property owner.

H9. Condition numbers sometimes shall apply in perpetuity and shall not expire with the issuance of a Certificate of Compliance.

I THE WORK SCHEDULE AND SEQUENCE OF EVENTS

- I.2. The chronological sequence of events under this Order shall be follows:
- a. Pursuant to DEP General Condition No. 8, this Order of Conditions must be registered with the Registry of Deeds prior to commencement of work. The Conservation Commission hereby orders that it be recorded in the Registry and notice filed with the Conservation no later than three (3) weeks following receipt of these orders. Failure to comply with this order shall be deemed cause to revoke this Order of Conditions and halt all work.
 - b. A Timetable of Construction shall be submitted to the Conservation Commission so that appropriate monitoring of this project may take place.
 - c. The applicant shall inform the Commission in writing of the name, address, business, and home telephone number of the project supervisor who will be responsible for insuring on-site compliance with this Order.
 - d. The Conservation Commission shall be notified at least 48 hours in advance of the date upon which construction activities on the site are to proceed.

J. SPECIAL CONDITIONS

The limit of work is the Abington/Rockland town line.

ADDITIONAL CONDITIONS

A. Mowing, seeding, top-dressing, power raking and routine maintenance of playing fields within 50 feet of the delineated wetlands, consistent with the mowing and maintenance to be undertaken within the playing fields' larger upland areas.

- B. Painting of soccer and lacrosse field boundary lines with water-soluble paint, using the same paint applied to all other town fields.
- C. Authorize the Town and/or its youth sports groups to erect temporary "snow fencing" to encircle the two fields within the 50' buffer zone, and 10' high netting between the field and the Community Gardens.
- D. Allow the Town to repair or grade a portion of the gravel and grass vehicular access driveway leading out to the rear/east of this property (area shown in green on submitted plans and photos).
- E. No fertilizer is to be used within the 100-foot wetland buffer zone.
- F. All grass clippings shall be removed from the field areas by the Town.
- G. No permanent buildings or structures may be erected within the buffer zones.
- H. There will be no filling or alteration of any wetlands.
- I. To erect DEP # signs on Pattison and Plymouth Streets.



Google earth

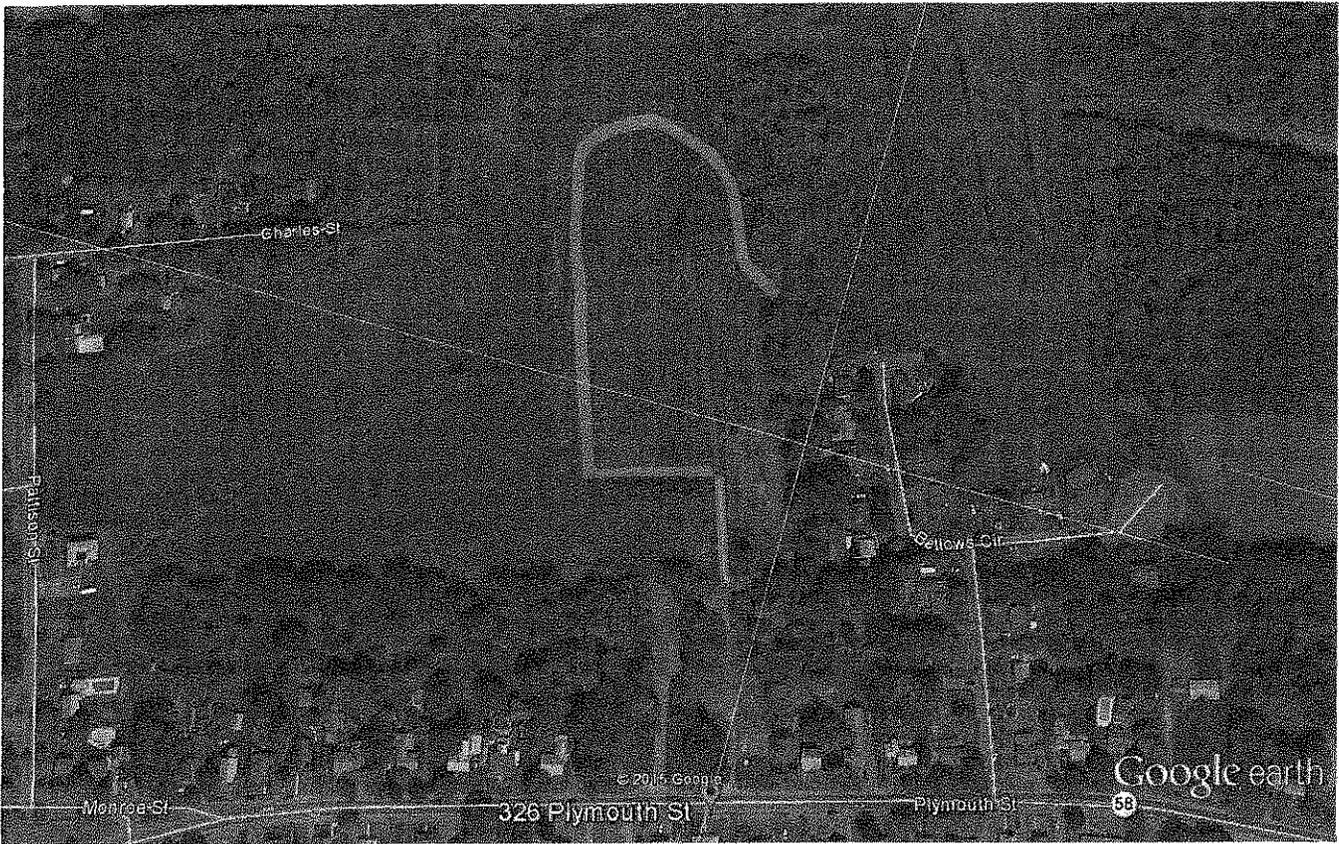


ENLARGED VIEW

Supplement to Recreation Commission's application for Amended Order of Conditions (SE 84-461)

Pink area shows a portion of the approximate area lying within the 50-100 ft section of the wetlands buffer, in which the Town of Abington, through its Recreation Commission, seeks authorization to maintain the grass area for playing field purposes. The remainder of the playing fields are 100% uplands. Maintenance would include mowing, power-raking, top-dressing with loam and seed, and lining of playing fields with typical water-soluble field paint (as used on all other town playing fields). The entire buffer zone has already been mowed by the Town, pursuant to the existing Order of Conditions, so there would be no significant change to the topography and no alteration of any wetlands.

Green area overlays the area where the grass & gravel vehicular driveway currently exists. This is the Town's main access to the rear of the property, and has been used and maintained as an access road for several decades. The Town seeks authority to maintain this "driveway" in a safe condition, by grading or filling any ruts or uneven areas (no pavement). This area is within the 100-ft buffer zone and almost immediately abuts the flagged wetlands. It is also used for access to the Community Gardens, and the safety of residents requires that the access driveway be safely maintained.



Google earth

feet 1000
meters 300



Supplement to Recreation Commission's application for Amended Order of Conditions (SE 84-461)

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1/25/16

#9



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

To: Board of Selectmen
From: Town Manager
Date: February 5, 2016
Subj: Surplus Land Committee (SLC) Scope

Jim Dombrowski emailed me and Chairman Mike Franey yesterday questioning the role of the SLC as it pertained to the Conservation Commission. After conversation with the Chairman it was decided that it may be helpful to put forth priorities of the Board for the SLC to explore. The SLC mission as voted by the Board is as follows:

"The Surplus Land Committee is charged with the goal of reviewing and recommending to the Board of Selectmen appropriate use or disposition of all land owned by the Town of Abington that is currently under, or expected to be under the jurisdiction of the Board of Selectmen. The Committee is expected to work with Town financial officers, department heads and other appropriate boards and committees in researching the needs of town agencies, legal and operational requirements consistent with those recommendations."

Notwithstanding this general charge the Committee was formed on the recommendation of Ken Coyle with the primary goal of evaluating options for the soon to be surplus school buildings; the home on Strawberry Valley Golf Course land, and the West Abington Hall. While all town property is important, the Board may wish to clarify that these are the priority areas so as to help guide the efforts of the advisory committee.

#10

Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

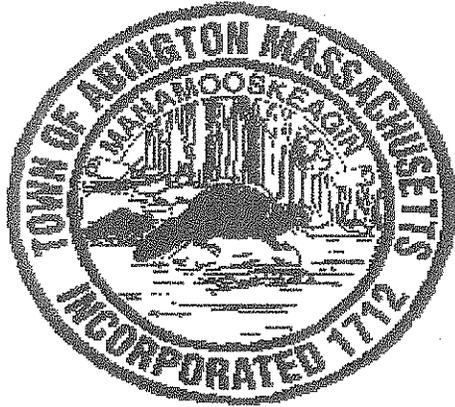


TO: BOARD OF SELECTMEN
FROM: TOWN MANAGER
DATE: FEBRUARY 4, 2016
SUBJ: GENERAL UPDATE

The following is meant to be a general update of activities of the Town Manager and staff. Should any member desire more information regarding any particular matter please contact me personally.

1. Electricity Aggregation – The regional project organized by OCPC to provide residents with the purchasing power of “aggregating” residential consumption has progressed. The RFP has been issued to obtain the services of a qualified professional “aggregator” and responses are due by February 23. A town meeting vote is necessary if Abington wishes to make this available to its residents/businesses. I do have sample warrant articles and will plan on including an article at the Annual Town Meeting. Although the goal is obviously to save money for residents and businesses individual property owner may opt-out of the program if they wish.
2. West Abington Hall – Local contractor Mike Emery has reviewed the building and provided a report that has been further analyzed by Building Commissioner Marshall Adams. The conclusion by Mr. Adams is that the scope of required services would be extensive to the point where a “level 3” alteration would be necessary which means that the work area would exceed 50% of the aggregate area requiring compliance with current energy, plumbing, gas, electric, and accessibility codes. Depending on the mold remediation needs he estimates that cost of the project to approach or exceed \$200,000.00. If the Board wishes to put this matter on a future agenda to consider whether or not to place an article on the upcoming Annual Town Meeting to either seek funding or to permission to dispose (sell) of the property I will invite Mr. Adams to participate. As you know due to the location (essentially residential), lack of parking, and now the estimated cost to make this a functioning “public” facility it may indeed be time to dispose of the property.
3. Building Retrofits – We have been working for many months to solidify an agreement to retrofit the town hall, library, and senior center with up-to-date energy efficient LED lighting. This would be a fairly standard agreement to amortize the cost of the retrofits through the savings as well as NGRID incentive rebates.

4. Building Maintenance - Unfortunately we found it necessary to terminate our contract with our Town Hall/Library maintenance contractor. This is the second time since November where this has been necessary. At this point the consensus with Library Director and Library Trustee Chair is to find appropriate part-time help rather than a private company. There are many reasons – including building security and the security of the information and equipment with each office that we will pursue this. And, it should also save some money from the building operations budgets of both the town hall and library.
5. Casino Public Hearing Notice – Be aware that a public hearing is scheduled for Tuesday, March 1, 2016 @ 4 P.M. – 6 P.M. provide the Mass Gaming Commission with the “opportunity to hear comments or concerns relative to the proposal of Mass Gaming & Entertainment, LLC to build a casino/resort establishment in Brockton, including but not limited to the scope and quality of the gaming area and amenities, the integration of the gaming establishment into the surrounding community and the extent of required mitigation plans and to receive input from members of the public from an impacted community”. No RSVP is required.
6. Community Compact application – I submitted a Community Compact application outlining as a proposed “best practice” the establishment of a Business Association or Roundtable to facilitate communication between government agencies and the business community. This seemed to work well with our DLTA application to have OCPC assist with this project. Being a Community Compact town would allow access to various grants that are just now being developed. The future is still unclear as to the potential benefits of having a Community Compact with the state but many activities that the town has engaged in i.e. capital planning, regional services (Veterans, Animal Control, Health Insurance, etc) can’t be used to access the program – even though they are directly in line with the stated objectives, simply because our local efforts predated the program.



DEPARTMENT OF PUBLIC WORKS

Job Vacancy

JOB TITLE: Laborer - Department of Public Works

RATE RANGE: 17.91 per hour - \$20.95 per hour

WORK SCHEDULE: 40 hours, Monday through Friday, 7:00am to 3:30pm.

SUPERVISION: Receives instruction and work specifications from Department Manager or Director of the DPW.

DUTIES INCLUDE: This job is responsible for: Maintaining, repairing and improving the towns roadways and roadsides including but not limited to pavement, trees and vegetation, walls paths, drainage systems, curbing, roadway signs and markers, cleaning culverts, catch basins, drains, and ditches, loading and unloading trucks, spreading sand, gravel, asphalt patching concrete and surfaces, digging ditches and post holes, and other related responsibilities; snow plowing and clearing; assisting the department's mechanics with the repair and maintenance of town vehicles and equipment; supporting the sewer department, when needed, in its maintenance, repair and operation of sewer lines and facilities; and other maintenance, repair and improvement work on town-owned land and facilities; maintaining parks and fields by mowing. Tree work experience preferred. Position is within the collective bargaining unit Local 1700, American Federation of State County, and Municipal Employees, AFL-CIO, State Council 93.

EDUCATION, REQUIREMENTS AND SKILLS: High School diploma or G.E.D. with three (3) years of experience in related work experience, or any equivalent combination of education, training, and experience which provided the required knowledge, skills, and abilities to perform the essential function of the position. Ability to perform manual labor for extended periods under varying climatic conditions.

REQUIREMENTS: Valid Massachusetts Driver's License. Class B CDL and MA Hoisting License 2B required within six months of date of hire. PARTICIPATION OF SNOW AND ICE REMOVAL OPERATIONS IS REQUIRED.

DISTINGUISHING CHARACTERISTICS: Must be capable of maintaining a sustained physical effort especially as it pertains to the heavy work which is typically performed by the DPW. Ability to deal effectively and tactfully with fellow employees, supervisors and the general public.