



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

Board of Selectmen Meeting
February 10, 2014
6:30 p.m.
Cotter Room

Members present: Mike Franey, Ken Coyle, Kevin Donovan, Andy Burbine, Tom Dion

- Pledge of Allegiance
- Moment of Silence:
Jim Lavin
Shirley M. (Fields) McIver

Public Announcements:

- A volunteer is needed for working at the compost site, please contact the Board of Health.
- There currently exists a vacancy on the Finance Committee, please contact the Moderator or the Town Manager's Office
- We are requesting participation in the formation of a Charter Review Committee, please contact the Moderator or the Town Manager's Office

Public Appointments:

6:35 p.m. – Appointment to vacancy on the Board of Assessors, Michael Steen, 689 Summer Street; Ann Welch, 81 Highland Road

M/Coyle to appoint Michael Steen and Ann Welch until the Town Election on April 26, 2014
S/Donovan

Voted 5-0

6:40 p.m. – Request of Planning Board for Special Municipal Employee Status – Mr. Wayne Smith requests the status for the Planning Board.

M/Donovan to grant Special Municipal Status to the Planning board

S/Dion

Coyle, no

Burbine, no

Voted 3-2

Action/Discussion items:

1. Approval of January 13, 2014 open session minutes
M/Burbine to approve
S/Donovan
Voted 5-0
Approval of January 13, 2014 executive session minutes
M/Donovan to approve
S/Burbine
Voted 5-0
Approval of January 27, 2014 open session minutes
M/Burbine to approve
S/Coyle
Voted 5-0
2. Request from the Community Opportunities Group to approve two single case waivers of project costs caps for the FY2012 Community Development Block Grant Program. (attached)
M/Burbine to approve the waivers
S/Dion
Voted 5-0
3. Approval of Abington/Whitman Veterans District Application –
M/Burbine to approve application for Abington/Whitman Veterans District. (attached)
S/Dion
Voted 5-0
4. Report of investigation of water issues, 26 Highland Road – Town Manager states that at this time the Conservation Commission has decided to conduct their own investigation into the flooding conditions to determine what their jurisdiction may be under Chapter 40 310 CMR10.1. Town Manager recommends that the Board of Selectmen not pursue a hearing under the Town’s “nuisance” by-law until such time that the Conservation Commission has completed its own investigation and possible permitting proceedings at this location.

(Selectman Donovan leaves the meeting for another scheduled meeting)
5. Request to vote to layout Bradford Street, Colantoni Way, and Jean Carol Road as public ways and to refer to the Planning Board for review and recommendation.
M/Burbine to layout the above mentioned roads as public ways and to refer to the Planning Board for review and recommendation.
S/Dion
Voted 4-0

6. Discussion on impacts with respect to SSTTDC bond issuances -- After discussion it was decided to seek a legal opinion from Bond Council.
7. Town Manager Report – Town Manager provided a General Update. (attached)
8. Public Comment: None

M/Burbine to adjourn
S/Dion
Voted 4-0

Meeting adjourned: 7:20 p.m.

Respectfully submitted,



Dori R. Jamieson
Assistant Town Manager

Abington Community Development Office
441 Summer Street
Abington, MA 02351
(781) 982-2145

M E M O R A N D U M

TO: Abington Board of Selectmen

FROM: Kathleen Kelleher, Community Development Program Manager

DATE: February 10, 2014

RE: Request for Approval – 2 Single Case Waivers of \$35,000 Project Cost Cap

The Abington-Whitman Housing Rehabilitation Program requests review and approval of two (2) Single Case Waivers of the per-unit cost cap of \$35,000 in order to complete the following housing rehabilitation projects.

- 1. Property address: 51 Davis Street, Abington, MA
Case #A-038E**
- 2. Property address: 34 Linda Street, Abington, MA
Case A-054**

The Community Development Advisory Committee recommended that these cases be approved by phone on February 4 and 5, 2014. Should the Board of Selectmen approve these waivers, they will be submitted to the Massachusetts Department of Housing and Community Development for final approval.

As discussed on the single case waiver form, the granting of these waivers will not impact the unit goal for the program. The program is on track to exceed its goal of completing 20 units in both towns. To date, 16 units have been completed and another 4 units are either under construction or, in the case of Case #A-054, ready for contract signing.

Enclosed please find the single case waiver forms for these projects. If you need any additional information, please contact me on my cell phone at 773.684.2826. Thank you for your consideration of these two waivers.

Case #A-038E

<i>Grantee:</i> Town of Abington	<i>Program and Fiscal Year:</i> Housing Rehabilitation Program – 2012	<i>Date:</i> February 5, 2014
<i>Please describe the specific condition, term, requirement or cap for which the waiver is needed.</i>		
<p>DHCD requires a single-case waiver on cases that exceed \$35,000. In addition, the Abington-Whitman Housing Rehabilitation Program Guidelines stipulate the same per unit limit for assistance. In this Case #A-038E, the Town of Abington is <u>requesting a second waiver</u> of the per-unit cap for this project. DHCD initially granted a waiver of the per-unit project cap in the amount of \$53,000 for this project in September of 2013. This project involved accessibility modifications to the home to allow a handicapped elder to be able to continue to reside there safely. (See September approval attached) We are now requesting an <i>additional</i> waiver in order to complete this project <u>due to an emergency that occurred during construction that was unrelated to the original scope of work</u>. This request is for a waiver to increase the project budget to \$59,000 to cover the cost of these unforeseen emergency repairs and complete the original scope of work.</p>		
<p><i>Describe in detail what is needed and what caused the need.</i> All of the work originally included in this project was related to handicapped accessibility modifications including moving walls to increase the size of the bathroom in order to install ADA compliant fixtures and features (plumbing, including sink and shower, grab bars, lighting fixtures, etc.) and to build both a handicap walkway from the sidewalk as well as a handicap ramp into the unit. The costs for this project were high due to the need to not only install a ramp and walkway, but also to increase the size of the bathroom to allow for accessibility modifications. This involved moving walls and reconstructing existing features (floors, ceilings, doorways, electrical fixtures, etc.)</p>		
<p><u>This second waiver request is needed due to a situation that occurred during construction.</u> Unrelated to the project being completed by the Housing Rehabilitation Program, <u>emergency repairs and upgrades to the electrical system were required by the Town's Electrical Inspector after an incident where smoke was coming from the electrical system due to overloading of electrical service that had been installed by the property owner at some prior point in time.</u> The Electrical Inspector ordered electricity turned off to the property until a new 200 amp service could be installed, due to the risk of fire. This event occurred on a Friday evening during the winter. The property owner had no available funds to cover these repairs, which were outside the scope of the housing rehab project. Because the property has electric heat, this electrical work needed to be addressed immediately given the freezing winter conditions in order for the family, which included both children and an elderly handicapped person, to be able to reside there. <u>The program reviewed the existing work specifications that had not yet been completed to see where savings could be accomplished in order to re-program funding to address the required electrical repairs.</u> The program then addressed the emergency repairs through a change order that removed certain items from the scope of work to re-program those funds to complete the electrical repairs required by the Town Electrical Inspector. This allowed the family to remain safely housed, but used up all of the remaining funding authorized under the initial single-case waiver. This second waiver request is to add \$6,000 to the currently authorized project budget of \$53,000 to bring the total project cap to \$59,000. The actual remaining outstanding change order is \$4,250. We are requesting an increase of \$6,000 in an abundance of caution to cover any additional unforeseen costs (which are not anticipated). This will allow us to complete the items removed from the original work specs (painting, dry walling, etc) to complete the emergency electrical work as well as a couple of additional required changes required by the Electrical Inspector (see attached change order #5).</p>		

Describe the rationale for recommending the waiver. This project qualified for Emergency Case Status as the work was required in order to provide a safe and accessible living environment for a disabled elderly resident and allow her to remain in her home surrounded by the family members who assist her as needed. Bids received for the original work ranged from a low of \$47,500 to a high of \$58,899. DHCD approved an initial single case waiver to \$53,000. During the course of construction, change orders were needed to address unforeseen conditions related to moving walls and leveling floors between rooms that used up the existing "cushion" built in from the \$47,500 low bid and the \$53,000 approved cap. The project was on track to be completed just under the approved single case waiver amount of \$53,000 when the electrical emergency occurred. The Program acted as best it could within the budget it had to respond to these "life-safety" repairs but cannot complete this project as originally specified without an additional waiver. Abington has a three-step approval process for single case waivers which must be approved by the CDAC, the Board of Selectman and by DHCD. We are requesting an increase of \$6,000 to \$59,000.

For waivers of the financial cap, describe how the waiver will affect the goals and implementation of the activity (i.e., 1 less unit will be done or other units cost substantially less than the cap, therefore there will be no reduction in the number of units accomplished). There will be no detrimental effect on the program if this waiver is granted. The program is on track to exceed its goal of 20 units. To date, 16 units are completed and another four are either under construction or out for bids. This case can be completed as soon as this waiver request is approved.

Grantee: Town of Abington	Program and Fiscal Year: Housing Rehabilitation Program - 2012	Date: August 23, 2013
<i>Please describe the specific condition, term, requirement or cap for which the waiver is needed.</i>		
<p>DHCD requires a single-case waiver on cases that exceed \$35,000. In addition, the Abington-Whitman Housing Rehabilitation Program Guidelines stipulate the same per unit limit for assistance. In this case, the total per unit cost for this project, based upon the low bid received is <u>\$47,500.00</u>. The Town is seeking permission to increase the per unit cap for this project to <u>\$53,000.00</u> so that we can complete this project, most of which involves accessibility modifications to the home to allow a handicapped elder to be able to continue to reside there safely.</p>		
<p><i>Describe in detail what is needed and what caused the need.</i> This work is required to a unit occupied by the property owner's elderly mother. All of the work to be done is related to handicapped accessibility modifications including moving walls to increase the size of the bathroom in order to install ADA compliant fixtures and features (plumbing, including sink and shower, grab bars, lighting fixtures, etc.) and to build both a handicap walkway from the sidewalk as well as a handicap ramp into the unit. The costs for this project are high due to the need to not only install a ramp and walkway, but also to increase the size of the bathroom to allow for accessibility modifications. This involves moving walls and reconstructing existing features (floors, ceilings, doorways, electrical fixtures, etc.)</p>		
<p><i>Describe the rationale for recommending the waiver.</i> This project qualified for Emergency Case Status as the work is required in order to provide a safe and accessible living environment for a disabled elderly resident and allow her to remain in her home surrounded by the family members who assist her as needed. Bids received ranged from a low of \$47,500 to a high of \$58,899. These costs are high due to the need to move walls to increase the size of the bathroom in order to make ADA compliant modifications, as well as the need to build both a ramp to the unit and a walkway to the ramp from the sidewalk.</p>		
<p><i>For waivers of the financial cap, describe how the waiver will affect the goals and implementation of the activity (i.e., 1 less unit will be done or other units cost substantially less than the cap, therefore there will be no reduction in the number of units accomplished).</i> There will be no detrimental effect on the program if this waiver is granted. The program is on track to exceed its goal of 20 units. To date, 10 units are completed and another five are either under construction or out for bids. This case would be the sixteenth and can be put under contract as soon as a waiver is approved as SHPO approval has been received.</p>		

SINGLE CASE WAIVER REQUEST

Reviewed By: Patricia Owen 9-3-2013

Program Representative

Approved By: [Signature]

Program Manager

Approval Date: 9/3/13

**HOUSING REHABILITATION PROGRAM
CHANGE ORDER**

Case # A-038E

Change Order # 5

PROPERTY OWNER [REDACTED]

ADDRESS 51 Davis Street

The following change(s) is/are authorized in the above identified Rehabilitation Contract:

Item	Original Cost	Description of Change	Change Cost	Reason for Change
Carpentry	\$ 24,000	Remove the Kitchen wall exhaust fan from the window opening in the main house. Block in opening per code. Loosen/remove the electric meter and feed as required to install plywood blocking and white anodized aluminum coil stock over the abandoned fan location as well as behind the area of the meter and socket.	Add \$ 500	Emergency repairs to the electrical service panel and feed line required removal of the existing abandoned exhaust fan as well as new plywood blocking behind the new meter socket.
		Add installing a new outside to outside dimension 30-32-inch wide x27-30 inch deep closet in the front right corner of the left rear bedroom adjacent to the new ADA bathroom from the floor to the ceiling. Include installing 1/2-inch taped and painted drywall on the interior and exterior of the closet walls. Include install a new painted by-fold louvered door with hardware. New bi-fold door to open up towards the left side of the house.	Add \$ 1,250	Owner requested a new closet to replace the existing closet that was removed to make room for the new ADA bathroom.
		Add installing strapping on the basement ceiling on the outside edges of the wires running perpendicular to the ceiling joists. Include installing new 1/2-inch plywood over the strapping edge to edge to cover all of the wires running perpendicular to the joists as required by the electrical inspector.	Add \$ 450	Required by the electrical inspector to make safe wires installed by the owner prior to the Rehab Program renovations.

Electrical	\$ 1,200	Add installing a new GFI on the new deck landing outside the new ADA egress door.	Add \$ 350	Required by the electrical inspector. Original scope of work did not include the emergency electrical service panel.
Painting	\$1,200	Add back into the contract all of the painting in the original scope of work	Add \$ 1,200	Original contract work added back into the scope once waiver approval had been received
Drywall	\$1,200	Add back into the contract installing layers of drywall taped and painted on the walls exposed by the removal of the existing shower stall enclosure, piping, fixtures, etc.	Add \$ 500	Original contract work added back into the scope once waiver approval had been received

Time for contract completion is extended till: February 28,2014. The contractor will work diligently to complete the project in the time noted above. This time extension effects no changes in the contract amount.

COST OF CHANGES: \$ 4,250.00

CURRENT CONTRACT AMOUNT: \$ 52,850.00

REVISED CONTRACT AMOUNT: \$ 57,100.00

Property Owner

Contractor

Rehabilitation Specialist

Case #A-054

<i>Grantee:</i> Town of Abington	<i>Program and Fiscal Year:</i> FY12 Housing Rehabilitation Program	<i>Date:</i> February 4, 2014
<p><i>Please describe the specific condition, term, requirement or cap for which the waiver is needed.</i></p> <p>DHCD requires a single-case waiver on cases that exceed \$35,000. In addition, the Abington-Whitman Housing Rehabilitation Program Guidelines stipulate the same per unit limit for assistance. With this Case #A-054, the total per unit cost for this project based on the low bid received is \$36,536.00. The Town is seeking a waiver of the unit cap limit and permission to increase the cap for this project to \$41,536.00 in order to complete the project and address any hidden conditions. If no change orders are necessary the additional money will not be spent.</p>		
<p><i>Describe in detail what is needed and what caused the need.</i></p> <p>The homeowner is a disabled very-low income elderly woman with a chronic debilitating disease. Her home is in a general state of deterioration as is evidenced by the broad scope of work which includes: roofing, chimney repair, new gutters and siding, front and basement doors, windows, carpentry, paint stabilization, new waste lines and electrical work. Please see photo documentation and work specifications date January 17, 2014. More than half of the expense of this project falls in the "standard treatment" category for deleading purposes, which the program is required to address.</p>		
<p><i>Describe the rationale for recommending the waiver.</i></p> <p>The low bid came in under the estimate of \$37,750.00. The four bids received ranged from the low of \$36,536.00 to \$42,800.00. All the work specified for this project addresses substandard housing conditions and more than half of the expense is for the purposes of deleading the home.</p> <p>Abington has a three-step approval process for single case waivers which must be recommended by the Community Development Advisory Committee, and approved by the Abington Board of Selectman and by DHCD. We are requesting an increase of \$5,000.00 to \$41,536.00.</p>		
<p><i>For waivers of the financial cap, describe how the waiver will affect the goals and implementation of the activity.</i></p> <p>There will be no adverse effect on the program or units completed should this waiver be granted. This is the program's 20th case and it can be put under contract as soon as the waiver is granted. The program will be exceeding the 20 unit goal in order to expend all 4C funds.</p>		

Abington/Whitman Veterans District Application

The Towns of Abington and Whitman propose to establish a Regional Veterans District known as the "Abington and Whitman Regional Veterans District". The Boards of Selectmen of both towns have so voted to submit the following proposal addressing the administrative and legal requirements of such district.

District Composition:

The proposed Abington/Whitman Veterans Services District is comprised of the above named contiguous towns. The population of each is as follows:

<u>Municipality</u>	<u>Population</u>
Town of Abington, MA	15,500
Town of Whitman, MA	14,500

District Staffing:

There will be a full-time VSO who will serve as the director of the district; a part time VSO serving as deputy director, and a part time veteran service clerks. Currently both Abington and Whitman are utilizing the services of "interim" VSO's pending the approval of this application. Upon approval the District Board of Directors will recruit and hire a VSO as well as the other proposed positions.

Facilities:

Each town shall provide secure confidential storage space, computers, connections for Web-VSMIS processing and appropriate separate office spaces for intake of Ch. 115 claims, private counseling, disability claims and other related veteran services business.

Hours

Each town will have a minimum of ___ posted, on-site VSO and/or Deputy VSO office hours and ___ posted, on-site Veteran Clerk office hours. In addition to posting on the Abington and Whitman town websites, hours will be clearly posted on the door of each Veterans Department door, along with the phone number where a VSO may be reached at all other regular business hours for each of the town halls.

Intermunicipal Agreement:

Pursuant to c. 40, sec. 4A, the Boards of Selectmen in Abington and Whitman shall enter into an inter-municipal agreement effective July 1, 2014 enabling the Veterans Services staff to perform the duties of such office for both towns. This agreement shall be renewed annually or as required by the Commonwealth of Massachusetts Secretary of Veterans Services and shall include the following statements and requirements:

1. Duties of the District will be performed in accordance with 'Personnel Staffing, facilities and hours' details above, and according to applicable DVS guidelines and directives.
2. It is understood and agreed that future distribution of benefits payable to Veterans in the member towns under the provisions of Chapter 115 of the Massachusetts General Laws shall be paid by the Treasurer of the member Town in which that Veteran resides.
3. It is understood and agreed that the seventy-five percent (75%) reimbursement of Veterans benefits from the Commonwealth of Massachusetts will be credited to the member Town in which that Veteran resides, upon receipt of said funds from the state.
4. The appointed Veterans' Service District Director will be responsible for the supervision of all District staff in their duties.
5. A District Board shall be created with one representative from each member community. Each community shall have one vote in matters that come before the Board. The Board shall meet no less than twice a year.
6. The District Director shall work with local Veteran Councils from the member communities to assist the Councils in coordinating all ceremonies and parades in all member communities.
7. The District shall comply with the DVS Directive, dated June 8, 2009, to use a paperless Web-VSMIS system, with computers, connections and appropriate separate, private office space for intake of Ch. 115 claims and Web-VSMJS processing available to the Veterans' Services Officers and dedicated Veteran's Services Department Clerks in both towns.
8. Each member town will be responsible for procuring US flags for its community veteran graves on Memorial Day.
9. Assessments to the District Communities, based on each community's percentage of the total population as determined by the District Board each year, shall be issued quarterly. Payments shall be made payable by the first week of each quarter.
10. Office supplies, office equipment, and postage are the responsibility of each town. All remaining costs associated with the operation of the will be paid from the district budget, unless mailings and correspondence should become centralized, whereupon those costs will be apportioned appropriately.

We look forward to your favorable review. Please contact Whitman Town Administrator Frank Lynam at 781-618-9701 with any questions or concerns that we may address that will assist in your deliberation.



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

TO: BOARD OF SELECTMEN
FROM: TOWN MANAGER
DATE: February 7, 2014
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. Financial – The budget proposal books have been distributed to the Finance Committee and books are available for the Board. The proposed school budget was forwarded last Friday. A summary document is being prepared for your books. We have schedule FINCOM meeting with departments and will continue to monitor the state budget process. As previously reported the Governor's FY 15 local aid proposal basically puts us at the same place as last fiscal year in terms of available revenue. Essentially the additional 2.5% and New Growth tax increase is the entire increase of available revenue. When you subtract the increase in Pension and (minimal) increase in health insurance and the fact that we used \$536,000 in stabilization in FY 14 you can see why we are currently looking at a bottom line revenue structure very similar to FY 14. Fixed personnel costs, additional staffing requests, etc. will be difficult or impossible to achieve without significant offsetting reductions. Obviously I will keep the Board informed as the process evolves.
2. Human Resources Audit – Meetings have been set up with all departments beginning the week of February 10. While we look forward to the project I am anticipating much work to be done in the near future and on an ongoing basis as a result in order to ensure compliance with all applicable laws.
3. MBTA – As a follow up to the previous noise complaint Mr. and Mrs. Burns have notified me that the matters for which they had complained have subsided. It is unclear as whether or not this is coincidental or related to the concerns that we expressed. We will continue to monitor.
4. Highland Street concern – You will recall that at the January 20, 2014 meeting the Board requested an update at this meeting regarding a citizen concern pertaining to the property at ___ Highland Ave. Since that time I have had discussions with the Chairman of the Conservation Commission, Denis Bergin, who has subsequently done further research into the history of the location and what jurisdiction that the Commission may have. At this time the ConCom has decided to conduct their own investigation into the flooding conditions to determine what their jurisdiction may be under Chapter 40 310 CMR10.1. The ConCom is in the process of dealing with the owner of the location and prepared to issue an enforcement order if cooperation is not sufficient. Because this determination by the ConCom is directly related to the complaints that caused the Board of Selectmen to request an investigation, I would recommend that the Board of Selectmen not pursue a hearing under the town's "nuisance" by-law until such time that the ConCom has completed its own investigation and possible permitting proceedings at this location.
5. Guide to Doing Business in Abington - After the request by Mr. Coyle at the last meeting Bruce Hughes was helpful in finding examples that may appropriate. Also, I was able to meet the time frame required by Old Colony Planning Council to apply for a District Local Technical Assistance (DLTA) grant for to prepare such a guide. OCPC has reported to me that the application has been approved and

that they are in the process of strategizing how to proceed.

6. Green Community – In a recent meeting with members of the SAGE Committee I was brought up to date on the final steps necessary to becoming a so-called Green Community. OCPC has informed me that they are working with some communities to do just this and I have been encouraged to apply for DLTA for this too. In a previous email I reported to the Board that the two outstanding issues are acceptance of the Stretch Code and a zoning amendment addressing renewable energy facilities.