



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

Board of Selectmen Meeting Minutes

June 2, 2015

6:30 p.m.

Cotter Room

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

- **Pledge of Allegiance**
- **Public Announcements**

Chairman presented Bob Hammond, Animal Control Officer with a proclamation for years of service and dedication to the Town.

Selectman Bezanson announced he will be hosting an informational meeting on June 23, 2015 at 7:00 p.m. in the Cotter Room regarding Opiate & Heroin prevention.

Selectman Coyle announced that Abington will celebrate its First Annual Flag Day Weekend at Island Grove on June 13th and June 14th. It will kick off at 2: 00 p.m. on Saturday with an unveiling of the Abolitionist Stone and Sunday will be concerts and picnics.

Selectman Jansen announced that Abington High School will host Mental Health and Wellness Seminar, Monday, June 8th at 5:00 p.m.

Selectman Burbine announced that there will be a lemonade stand every Sunday from 11 a.m. to 3 p.m. through Labor Day at the Munroe's on Martin Street. Proceeds will go to benefit the Danny V. Fund.

- **Public Appointments:**

6:30 p.m. – Board of Selectmen/Board of Water Commissioners joint appointment to a vacancy on the Board of Water Commissioners – Mike Eagen

M/Jansen to appoint Mike Eagen

S/Burbine

Voted 5-0

M/Toomey to appoint Mike Eagen

S/Muncey

Voted 5-0

6:35 p.m. – Christopher Walsh – request to hold a fundraising Carnival on July 1-3, 2015 for youth soccer. Location to be determined

M/Burbine to approve with coordination and approval from the safety and inspectional departments

S/Coyle

Voted 5-0

6:40 p.m. – Patrick Eddy, Manager, Tenth District Brewing – permit samplings on premise
Patrick Eddy and Dana George addressed the Board. They have just received a Farmer-Brewery License from the State. They plan to be open two nights a week and Saturdays.

M/Coyle to determine that samples being permitted on the premise of the Tenth District Brewing does not constitute a sale under the Statute.

S/Burbine

Voted 5-0

Action/Discussion items:

1. Approval of May 18, 2015 open session minutes

M/Burbine to approve

S/Jansen

Voted 5-0

2. Vote to authorize proprietary items within the Co-Located Middle School and High School project invitation to bid plans and specifications (attached)

Mary Mahoney, Project Owner, explained the need for the vote

M/Coyle to authorize a proprietary procurement

S/Bezanson

Voted 5-0

3. Annual Reappointments –

M/Burbine to reappoint Maxine Barry, Beth Anderson Godfrey, Elaine Nero, Carolyn Bates, and Lucy Furlong to Cultural Council

S/Jansen

Voted 5-0

M/Burbine to appoint Cliff Jacob and Jim Tormey to the Conservation Commission

S/Jansen

Voted 5-0

M/Burbine to reappoint Elizabeth Slinger, Lawrence Keough, and Elizabeth Keefe to Council on Aging

S/Jansen

Voted 5-0

M/Coyle to appoint Denis Bergen to the Historical Commission
S/Burbine
Voted 5-0

M/Burbine to reappoint Lurane Ryerson, Terry Maze, Shelley Vaugine, and Sue Brennan
to SAGE
S/Bezanson
Voted 5-0

M/Coyle to reappoint John Shepard to the Zoning Board of Appeals
Mr. Bezanson recuses himself from all votes taken on the Zoning Board.
S/Jansen
Voted 4-0-1

M/Franey to appoint Joe Murray to the Zoning Board of Appeals
S/Jansen
Voted 4-0-1

M/Jansen to reappoint Lisa Bezanson to the Zoning Board of Appeals
S/Coyle
Burbine, no
Franey, no
Voted 2-2
No action taken. To be re-voted at the next meeting on June 8, 2015

4. Recommendation of Special and Annual Town Meeting Warrants, June 8, 2015
(attached)

M/Coyle to approve all articles on the Special Town Meeting Warrant except for more
information needed from #6 and #8 (attached)
S/Burbine
Voted 5-0

M/Burbine to approve articles 1 through 6 on the Annual Town Meeting Warrant
including Article 1, Budget article deferring Snow and ice pending FEMA reimbursement
in the amount of \$380,656.00.(attached)

S/Coyle
Voted 5-0

M/Bezanson to support article # 7

S/Jansen
Burbine, no
Coyle, no
Voted 3-2

M/Burbine to approve articles eight through 16
S/Jansen
Voted 5-0

M/Franey to approve article 17
S/Jansen
Voted 5-0

M/Jansen to approve article 18
S/Burbine
Voted 5-0
M/Jansen to approve articles 19 and 20
S/Burbine
Voted 5-0

M/Bezanson to approve article 21
S//Jansen
Voted 5-0

M/Jansen to approve article 22
S/Coyle
Voted 5-0

M/Coyle to approve article 25
S/Jansen
Voted 5-0

M/Coyle to defer to the Planning Board on article 26
S/Bezanson
Burbine, n o
Voted 4-1

M/Burbine to take no action on article 27
S/Jansen
Voted 5-0

M/Coyle to approve article 28
S/Burbine
Voted 5-0

M/Coyle to approve article 29
S/Bezanson
Voted 5-0

5. Public Comment – none

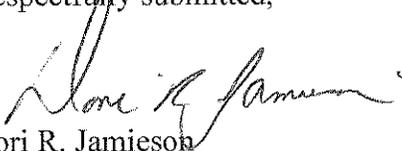
M/Jansen to adjourn

S/Bezanson

Voted 5-0

Meeting adjourned: 9:15 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dori R. Jamieson".

Dori R. Jamieson

Assistant Town Manager



Kevin J. Buckley, AIA
Daniel P. Bradford, AIA

OWNER'S PROJECT
MANAGER
MEMORANDUM

23

Bid Documents – Proprietary Specification

Project Number

PROJECT: New Co-Located Middle School & High School
Abington, MA

Date: 5/26/2015

Attachments: Ai3 Proprietary Specification Items Memo dated May 26, 2015, email
correspondence - A. Hyre dated 7.10.14, J. Linn dated 6.13.14, & R. Bykowski dated 5.22.14

To: Richard LaFond, Town Manager, Town of Abington
CC: Richard Testa, Abington School Building Committee, Peter Schafer, Abington Public
Schools, Felicia Moschella, Abington Public Schools, Troy Randall, Ai3, Daniel Bradford,
KBA
From: Mary Mahoney, KBA

Mr. LaFond,

With advancement of design for the new Abington Co-Located Middle School and High School, the School Department, Abington Fire Department, and members of the School Building Committee (Committee) considered allowing the use of proprietary specifications for certain system and /or system components in the invitation for bid (IFB) documents for Abington's new school project.

Massachusetts General Laws Chapter 30, Section 39M(b) requires that proprietary specifications for public construction projects, including buildings, shall be used "...for sound reasons in the public interest stated in writing in the public records of the awarding authority ... such writing to be prepared after reasonable investigation." Based upon information provided by the Fire Department and School Department, Ai3, the Designer of Record, investigated and prepared the attached document titled "ABINGTON PUBLIC SCHOOLS Co-Located Pre-K | Middle | High School Proprietary Products May 26, 2015", identifying the components and/or systems to be considered for use of proprietary specifications that includes for each the reasons that it is in the public's interest to do so.

As identified in the attached "ABINGTON PUBLIC SCHOOLS Co-Located Pre-K | Middle | High School Proprietary Products May 26, 2015", there were six items considered including: "Arrow interchangeable 7 pin J keyway cores for door hardware, SigCom DTX fire alarm master box, Epson Brightlink Interactive Projectors, Redcat Lightspeed voice amplification system, Aerohive wireless equipment, and HP Procurve network switches".

Also attached is correspondence from Abington School Department staff further supporting the use of proprietary specifications for those items identified above.

Your assistance is requested so that the Board of Selectmen may consider and take a formal vote to authorize proprietary items within the project invitation to bid plans and specifications. If you should have any questions, please contact me at (617) 241-2807 or at mmahoney@kbaarchitects.com.

Regards.

ABINGTON PUBLIC SCHOOLS
Co-Located Pre-K | Middle | High School

Proprietary Products
May 26, 2015

M.G.L. c.30, §39M(b) requires that proprietary specifications for public construction projects, including buildings, shall only be used "... for sound reasons in the public interest stated in writing in the public records of the awarding authority ... such writing to be prepared after reasonable investigation." A governmental body must document the reasons and provide them in writing to anyone making a written request for the information.

The governmental body therefore has the responsibility for ensuring that a reasonable investigation is conducted before proprietary specifications can be used in an invitation for bids (IFB) for a public construction project.

Proprietary specifications, while permitted by Massachusetts construction law, may be used only after careful consideration and proper documentation that the use is justified by sound reasons in the public interest.

There are cases where, after a reasonable investigation, a governmental body concludes that only one acceptable brand of product exists, or that technology has advanced so rapidly that fewer than three brands or manufacturers of a particular material are available in the commercial marketplace.

The following items were identified by local officials and the School Department to be identified as proprietary items for the project:

Door Hardware:

The keying cylinders in the door hardware will be bid as a proprietary specification for the following reason: The Abington School Department currently uses "uncombined Arrow interchangeable cores 7pin J keyway" in all its existing buildings. It is the Abington Board of Selectmen's belief, for the reason outlined above, it is in the Town of Abington's best interest to require the mechanical keying cylinders be written as a proprietary specification. This approach will maintain the existing door hardware standards currently existing in all of the school department's buildings in the new building.

Fire Alarm:

The fire alarm master box in the fire alarm system will be bid as a proprietary specification for the following reason: The Abington Fire Department currently uses the SigCom DTX series throughout the town and has indicated it as a requirement for the project. It is the Abington Board of Selectmen's belief, for the reason outlined above, it is in the Town of Abington's best interest to require the fire alarm master box be written as a proprietary specification.

Technology:

Projectors/Interactive Whiteboard

The projectors will be bid as a proprietary specification for the following reasons: The Abington Public Schools have made a substantial investment to integrate technology into its instruction and classrooms. Epson Brightlink Interactive projectors are currently installed throughout the District. Continuing to use Epson Brightlink Interactive projectors will maximize the District's investments in staff professional development of the Epson Brightlink Interactive projector and related software and ensure traditional markerboard compatibility and that the district's current staff can continue to service it. It is the Abington Board of Selectmen's belief, for the reasons outlined above, it is in the Town of Abington's best interest to require the classroom projectors be written as a proprietary specification.

Voice Amplification System

The voice amplification system will be bid as a proprietary specification for the following reasons: The Abington Public Schools have made a substantial investment to integrate technology into its instruction and classrooms. The district has installed Redcat Lightspeed technology throughout our district to improve our classroom environments for students who need the voice amplification to help them succeed. From experience in our district and consultation with other districts it is the Abington Board of Selectmen's belief, for the reasons outlined above, it is in the Town of Abington's best interest to require the voice amplification system be written as a proprietary specification.

Wireless System – Alternate #5

The wireless system will be bid as a proprietary specification for the following reasons: The Abington Public Schools have made a substantial investment to establish wireless mobility throughout the District utilizing Aerohive wireless equipment and software technologies. Continuing to use Aerohive wireless equipment will ensure compatibility with the district's current mesh wireless offering by maintaining our ability to provide a dense deployment while minimizing RF interference or the need for manual RF power adjustments. Users will also continue to be able to seamlessly roam throughout the District. Aerohive wireless equipment is also compatible with the on premises Hivemanager deployment and monitoring platform. It is the Abington Board of Selectmen's belief, for the reasons outlined above, it is in the Town of Abington's best interest to require the wireless system be written as a proprietary specification.

Network Switches

The Abington Public Schools has made substantial investments in establishing a highly available and reliable network utilizing HP Procurve equipment and networking software technologies. Continuing to use HP Procurve equipment will ensure that our equipment continues to be interoperable and compatible with the district's current offerings and that the district's current support can support it. It is the Abington Board of Selectmen's belief, for the reason outlined above, it is in the Town of Abington's best interest to require the network switches be written as a proprietary specification.

#4

**WARRANT
TOWN OF ABINGTON
COMMONWEALTH OF MASSACHUSETTS
SPECIAL TOWN MEETING**

PLYMOUTH, SS.

To either of the Constables of the Town of Abington ...

GREETINGS. In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town, who are qualified to vote in Town affairs, to meet at:

ABINGTON HIGH SCHOOL
201 RICHARD FRANCIS GLINIEWICZ WAY
IN PRECINCT FIVE IN SAID ABINGTON, ON MONDAY, THE 8TH OF JUNE, 2015,
AT 7:00 IN THE EVENING

Article 1: To see if the Town will vote to transfer from Health Insurance the sum of \$46,000.00 for sick leave and vacation buy back for three employees who will be retiring in fiscal year 2016, or take any other action relative thereto.

By the Treasurer/Collector

The Finance Committee recommends approval of this article

Article 2: To see if the Town will vote to rescind the following authorized/unissued debt, as these funds are no longer needed for their intended purpose, or to take any other action relative thereto:

A. \$475,000.00 as previously authorized by Article 9 of the 4/2/2012 Annual Town Meeting (up to \$800,000.00) for the School Feasibility Study.

By the Treasurer/Collector

B. \$953,000.00 as previously authorized by Article 13 of the 5/10/99 Annual Town Meeting (up to \$8,500,000.00) for Phase IV Sewer Construction;

By Board of Sewer Commissioners

C. \$4,000,000.00 as previously authorized by Article 2 of the 4/4/05 Special Town Meeting for the proposed connection of our sewer system to the Brockton treatment facility via a sewer force main in the Town of Whitman;

By Board of Sewer Commissioners

D. \$225,986.00 as previously authorized by Article 26 of the 4/9/08 Annual Town Meeting (up to \$2,045,000.00) for the construction of Residual Handling Facilities at our water treatment plants;

By Board of Water Commissioners

E. \$250,000 as previously authorized by Article 5 of the 5/21/12 Special Town Meeting to remove and control algae at Great Sandy Bottom Pond;

By Board of Water Commissioners

F. \$162,500 as previously authorized by Article 17 of the 5/21/12 Annual Town Meeting for the proposed purchase of land in Rockland around the Hingham Street Reservoir;

By Board of Water Commissioners

G. \$325,000 as previously authorized by Article 19 of the 5/21/12 Annual Town Meeting for the proposed purchase of land in Rockland around the Hingham Street Reservoir;

By Board of Water Commissioners

The Finance Committee recommends approval of this article

Article 3: To see if the Town will vote to transfer from the Water Receipts Reserved for Appropriation the sum of \$50,000.00 for the purpose of purchasing and installing water meters, including all incidental and related costs, or take any other action relative thereto.

By Board of Water Commissioners

The Finance Committee recommends approval of this article

Article 4: To see if the Town will vote to transfer from the Water Receipts Reserved for Appropriation the sum of \$50,000.00 with a like amount from the Town of Rockland, for the purpose of upgrading the Department's I.T. servers and billing software, as the system has become aged and billing system needs converting, or take any other action relative thereto.

By Board of Water Commissioners

The Finance Committee recommends approval of this article

Article 5: To see if the Town will vote to transfer from the Water Receipts Reserved for Appropriation the sum of \$70,000.00 to the Town of Rockland General Fund for the Town of Abington's portion of the pension cost assessed to the Town of Rockland by the Plymouth County Retirement Association in Fiscal Year 2010, or take any other action relative thereto.

By Board of Water Commissioners

The Finance Committee recommends approval of this article

Article 6: To see if the Town will vote to transfer from Health Insurance the sum of \$5,000.00 for the purpose of covering expenses during Flag Day Weekend at Island Grove, including the unveiling ~~and celebration~~ ^{~ vt to} of the restored Memorial Arch, to be held on June 13th and June 14th, 2015, or take any other action relative thereto.

By Board of Selectmen

The Finance Committee recommends approval of this article

Article 7: To see if the Town will vote to transfer \$30,000.00 from the Ambulance Enterprise Retained Earning to the FY2015 Fire Department General Fund Salary line item, or take any other action relative thereto.

By Fire Chief

The Finance Committee recommends approval of this article

Article 8: To see if the Town will vote to transfer from Health Insurance to supplement specific budget line items appropriated under Article 1 of the 2014 Annual Town Meeting, or otherwise amend said vote, all as recommended by the Town Manager as listed on the document entitled "FY2015 Recommended Line Item Transfers", or take any other action relative thereto.

By Town Manager

**The Finance Committee is unable to take action for a recommendation on this article.
When more information is available the committee will offer a recommendation**

Article 9: To see if the Town will vote to transfer from Certified Free Cash the sum of \$250,000 to the Stabilization Fund, or take any other action relative thereto.

By Town Manager

The Finance Committee recommends approval of this article

Article 10: To see if the Town will vote to increase the limit on expenditures from the revolving fund for Planning Board Review fees from \$35,000 to \$45,000.00 for FY2015, or take any other action relative thereto.

By Planning Board

The Finance Committee recommends approval of this article

WARRANT
TOWN OF ABINGTON
COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING

PLYMOUTH, SS.

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GREETINGS. In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town, who are qualified to vote in Town affairs, to meet at:

ABINGTON HIGH SCHOOL
201 RICHARD FRANCIS GLINIEWICZ WAY
IN PRECINCT FIVE IN SAID ABINGTON, ON MONDAY, THE 8TH OF JUNE, 2015, AT
7:15 IN THE EVENING

Article 1: To see if the Town will vote to raise and appropriate, transfer from available funds, and appropriate from departmental receipts such sums as necessary to defray salaries and expenses of the Town for the fiscal year 2016, all as set forth in the detail budget handout, or take any other action relative thereto.

By Town Manager

The Finance Committee recommends approval of this article

Article 2: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,989.00 to the Town Clerk's Salary line item for FY2016, or take any other action relative thereto.

By Town Clerk

The Finance Committee does not recommend approval of this article

Article 3: To see if the Town will vote to raise and appropriate or transfer from available funds such sums as may be necessary to purchase, lease/purchase, equip and/or construct the following capital items and projects, and, as may be necessary therefor, to authorize the Board of Selectmen to enter into a contract or contracts for such purpose for terms of up to or exceeding three years, all as set forth below.

Department	Cost	Funding Source
Sewer Department: Summer Street to Brockton Avenue Force Main Testing	\$60,000	Sewer Enterprise Retained Earnings

By Town Manager

**The Finance Committee is unable to take action for a recommendation on this article.
When more information is available the committee will offer a recommendation**

Article 9: To see if the Town will vote to transfer from Certified Free Cash the sum of \$250,000 to the Stabilization Fund, or take any other action relative thereto.

By Town Manager

The Finance Committee recommends approval of this article

Article 10: To see if the Town will vote to increase the limit on expenditures from the revolving fund for Planning Board Review fees from \$35,000 to \$45,000.00 for FY2015, or take any other action relative thereto.

By Planning Board

The Finance Committee recommends approval of this article

Article #6 STM

Dori Jamieson

From: doug ulwick [ulwick@verizon.net]
Sent: Wednesday, May 20, 2015 2:25 PM
To: Rick LaFond; Dori Jamieson
Subject: \$5,000 Flag Day Request

Hi Rick, and Dori,

Thanks for the opportunity to provide additional information about the \$5,000 requested for the Flag Day Weekend celebration at Island Grove on the Weekend of June 13th and 14th.

While I've been working with an ad hoc committee that has been finding resources on their own to make the weekend a success (*the Civil War Re-Enactors for example are pretty much a self sufficient unit*) and we've had some generous donations and hope for more (*Roger Woods is donating an honorarium for our featured speaker for the unveiling ceremony and the Knight of Columbus Bingo folks are paying for South Shore Men of Harmony as one of the entertainment groups at the Sunday Picnic*), we're still dealing with issues of aging failing infrastructure at the Grove as well as needing equipment and supplies to run the 2 day event.

I'm figuring on \$3,000 to get a temporary power service out to the old stone bandstand on the point with hopes of turning it into a permanent system for future events. There was power there once upon a time when the JayCee's sold hot cocoa to the ice skaters on the pond, and there are still utility poles in place, but the rest of the puzzle pieces are missing.

I've put a number of \$1,500 for audio equipment and the required installer/operator to run it for the unveiling ceremony on Saturday and for the band concerts on Sunday.

I've figured \$500 for miscellaneous expenses appropriate for the day, flags, buntings, signage, etc.

The scope of these things is still evolving and obviously we'd turn back anything we don't use and seek more private donations of money, goods and services for things that might cost more, but I think the \$5,000 figure is a reasonable number to work with and ask that the appropriation request be approved.

Thanks !

Doug

Douglas Paul Ulwick, president
The Historical Society of Old Abington, Inc.
c/o Dyer Memorial Library
28 Centre Avenue
(P. O. Box 2245)
Abington, MA 02351
home phone: 781-871-5084
email: ulwick@verizon.net

Fire Chief Vehicle and Equipment	\$42,000	Ambulance Enterprise Retained Earnings
SVGC Cart Paths (Phase II)	\$30,000	Golf Enterprise Retained Earnings
Water Leak Detection Survey	\$10,000	Water Enterprise Retained Earnings
Water Annual Survey and Testing	\$10,000	Water Enterprise Retained Earnings
2 Heavy Duty Pick-up Trucks for Water Dept	\$70,000	Water Enterprise Retained Earnings
Water Upgrade Well House Great Sandy Pond Treatment Plant	\$25,000	Water Enterprise Retained Earnings *with a like amount from Rockland
Water Chlorine System Upgrade Great Sandy Pond Treatment Plant	\$40,000	Water Enterprise Retained Earnings *with a like amount from Rockland
Water Redevelop Sludge Lagoons Myers Ave Treatment Plant	\$30,000	Water Enterprise Retained Earnings *with a like amount from Rockland
Water Software Upgrade	\$25,000	Water Enterprise Retained Earnings *with a like amount from Rockland
Water Filter Media Myers Ave Treatment Plant	\$30,000	Water Enterprise Retained

		Earnings *with a like amount from Rockland
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By Town Manager

The Finance Committee recommends approval of this article

Article 4: To see if the Town will vote to re-authorize Revolving Funds under the provisions of G.L. c.44, s53E ½, for the purposes and subject to the limitations specified, all as set forth below.

	Revolving Fund	Authorized to Spend	Revenue Source	Use of Funds	FY16 Limit
A	Fire Department Fund 039	Fire Chief	Fees collected relative to the fire alarm system	Maintaining the fire alarm system in the Town	\$16,000.00
B	Library Fund 021	Board of Library Trustees	Fees from private groups using the meeting facilities after regular hours of operation	Maintaining the library public meeting rooms	\$1,000.00
C	Library Fund 038	Board of Library Trustees	Fines from lost, damaged or stolen library materials	Replace lost, damaged or stolen library materials.	\$2,000.00
D	Police Department Fund 017	Police Chief	Fines received by the Town relating to motor vehicle violations pursuant to MGL C.90	Matching funding requirements for police grants or the purchasing of equipment for the Police Department	\$60,000.00
E	Police Department Fund 040	Police Chief	Fines received by the Town relating to marijuana or tetrahydrocannabinol (as defined in MGL C.94c subsection 1, as amended)	Purchasing drug prevention materials	\$1,000.00
F	Board of Health Fund 028	Board of Health	Receipts received from CRT disposal permits, propane tank disposal permits, white good disposal permits, trash disposal permits, curbside collection fines and the sale of compost	Administrative and disposal costs associated with CRT's, propane tanks, white goods, waste or compost	\$10,000.00
G	Board of Health Fund 035	School Committee	Fines levied against Abington businesses, which violate state of local tobacco control laws, bylaws and	Fund the smoking or substance abuse prevention programs	\$1,000.00

			regulations		
H	School Committee Fund 086	School Committee	Homeless Transportation	Fund the cost of transporting homeless student transportation	\$40,000.00
I	Planning Board Fund 022	Planning Board	Review fees paid to the Abington Planning Board	Paying costs related to engineering and supervision of proposed subdivisions and site plans within the Town	\$60,000.00
J	Town Manager Fund 034	COA Director	Fees received from the leasing/renting of the Senior Center	For the maintenance and operation	\$10,000.00
K	Building Department Fund 041	Building Inspector	65% of the permit fee collected from wiring, plumbing or gas permits	Wages for Wiring and Plumbing/Gas Inspectors	\$40,000.00

or take any other action relative thereto.

By Town Manager

The Finance Committee recommends approval of this article

Article 5: To see if the Town will vote to delete the existing Personnel Bylaw and insert in place thereof the following:

Chapter 119

PERSONNEL ADMINISTRATION

119.1 Purposes and Authorization. The purpose of the personnel bylaw is to establish fair and equitable personnel policies and to establish a system of personnel administration based on merit principles that ensures a uniform, fair and efficient application of personnel policies. This bylaw is adopted pursuant to the authority granted by Article LXXXIX of the Constitution of the Commonwealth and General Laws, Chapter 41, Sections 108A and 108C.

119.2 Application. All Town departments and positions shall be subject to the provisions of this bylaw except elected officers, employees with personal contracts, positions within collective bargaining units, and employees of the school department.

119.3 Town Manager. Pursuant to the Abington Home Rule Charter the Town Manager is entrusted with the administration of the town personnel system. The Town Manager shall also be responsible for establishing a central record-keeping system compliant with applicable federal and state laws. The Town Manager shall

be responsible for promulgating policies and procedures regarding the establishment and maintenance of a personnel system based on merit principles, the classification and reclassification of positions and an annual compensation plan. Proposed policies, and amendments to policies, subject to this by-law shall become effective on the fifteenth day following the day that such notice is provided to the Board of Selectmen unless the Board of Selectmen otherwise votes to veto the proposed change(s).

- 119.4 Board of Selectmen.** The Board of Selectmen shall be authorized to veto any personnel policies or amendments thereto as stated in Section **119.3**.
- 119.5 Personnel System.** A personnel system shall be established utilizing current concepts of personnel management and shall include but not be limited to the following elements:
- 119.6 Method of Administration.** A system of administration which assigns specific responsibility for all elements of the personnel system, including: maintaining personnel records, implementing effective recruitment and selection processes, maintaining the classification and compensation plans, monitoring the application of personnel policies and periodic reviews, and evaluating the personnel system.
- 119.7 Classification Plan.** A position classification plan for all employees subject to this bylaw shall be established, based on similarity of duties performed and the responsibilities assumed so that the same qualifications may be reasonably required for, and the same schedule of pay may be equitably applied to, all positions in the same class.
- 119.8 Compensation Plan.** A compensation plan for all positions subject to this bylaw shall consist of:
- 119.8.1** A schedule of pay grades including minimum, maximum and intermediate rates for each grade; and,
 - 119.8.2** An official list indicating the assignment of each position to specific pay grades.
- 119.9 Recruitment and Selection Policy.** A recruitment, employment, promotion and transfer policy which ensures that reasonable effort is made to attract qualified persons and that selection criteria are job related.
- 119.10 Personnel Records.** A centralized record keeping system, which maintains essential personnel records.

- 119.11 Personnel Policies.** A series of personnel policies which establishes the rights, the benefits to which personnel employed by the Town are entitled and the obligation of said employees to the Town.
- 119.12 Other Elements.** Other elements of a personnel system as deemed appropriate or required by law.
- 119.13 Severability.** The provisions of this bylaw and any regulations adopted pursuant to this bylaw are severable. If any bylaw provision or regulation is held invalid, the remaining provisions of the bylaw or regulations shall not be affected thereby.
- 119.14 Effective Date.** This bylaw shall take effect on July 1, 2015. Personnel policies existing prior to said date will remain in effect until promulgation of new policies or amendments.

By Town Manager

The Finance Committee recommends approval of this article

Article 6: To see if the Town will vote to adopt changes to the Charter adopted initially by the April 2004 Town Meeting of the Town of Abington; accepted by the voters at referendum 4-10-2014; approved by the Legislature by c. 259 of the Acts of 2004. Amendments noted where applicable as set forth in the Charter revision handout, or take any other action relative thereto.

By Charter Review Committee

The Finance Committee recommends approval of this article

Article 7: To see if the Town will vote to accept Section 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space; the acquisition, preservation, rehabilitation and restoration of historic resources; the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space and community housing that is acquired or created as provided under said Act, and that the amount of such surcharge on real property shall be 1.5% of the annual real estate tax levy against real property commencing in fiscal year 2017 and that the Town hereby accepts the following exemptions from such surcharge permitted under section 3(e) of said Act; property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the Town, as defined in Section 2 of said Act; and, \$100,000 of the value of each taxable parcel of residential real property; or take any other action relative thereto.

By Petition

The Finance Committee does not recommend approval of this article

Article 8: To see if the Town will vote to raise and appropriate or transfer from Ambulance Enterprise Retained Earnings the sum of \$18,939 for the sick leave and vacation buyback for a Deputy Fire Chief expected to retire in June, 2015, or take any other action relative thereto.

By Fire Chief

The Finance Committee recommends approval of this article

Article 9: To see if the Town will vote to raise and appropriate or transfer from available funds as follows: Health Imperatives' Violence Intervention and Prevention (VIP) programs (formerly A New Day) request \$5,000 from the Town of Abington for services provided to survivors of sexual assault and domestic violence in Fiscal Year 2016, or take any other action relative thereto.

By Petition

The Finance Committee recommends approval of this article

Article 10: To see if the Town will vote to transfer from the Water Receipts Reserved for Appropriation the sum of \$4,230.00 for the purpose of sick leave buy back for an employee of the Water Department retiring in FY2015, or take any other action relative thereto.

By Water Commissioners

The Finance Committee recommends approval of this article

Article 11: To see if the Town will vote to appropriate the sum of \$2,000,000 to replace water mains to allow upgrades to the Water System and that to meet such appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under G.L.c. 44, s8-(5), or any other enabling authority, and to issue bonds or notes of the Town therefor, or take any other action relative thereto.

By Water Commissioners

The Finance Committee recommends approval of this article

Article 12: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$14,000.00 for student transportation services to Abington students attending out-of-district vocational schools as non-resident students for the 2015-2016 school year, or take any other action relative thereto.

By School Committee

The Finance Committee recommends approval of this article

Article 13: To see if the Town will vote to authorize the Tax Title Custodian to accept, on such terms and conditions as the Tax Title Custodian, in consultation with Tax Title Counsel, deems appropriate, a Deed in Lieu of Foreclosure pursuant to and in accordance with Mass. Gen. L. c. 60 § 77C (2015) and Massachusetts Department of Revenue Property Tax Bureau Informational

Guideline Release No. 02-206 for several remaining parcels from the Executor/Trustee of the Pohorecky Estate that are in tax title. The parcels to be deeded to the Town of Abington are as follows:

Land in said Abington with the buildings thereon situated at Chestnut St, containing 14.7 acres more or less, shown as parcel 9 on Assessor's map 48. Recorded in Plymouth County Registry of Deeds, Book 19796, Page 253, originally taken by the Town on March 28, 2008 for taxes, interest, expenses and costs totaling \$3,081.10. The current amount due on the property totals \$89,256.64. The current assessed value of the parcel is \$224,900. (This lot also includes parcel 1, on Assessors map 56).

Land in said Abington with the buildings thereon situated at Chestnut St, containing 5.5 acres more or less, shown as parcel 22 on Assessor's map 57. Recorded in Plymouth County Registry of Deeds, Book 19796, Page 253, originally taken by the Town on March 28, 2008 for taxes, interest, expenses and costs totaling \$1,372.35. The current amount due on the property totals \$47,587.42. The current assessed value of the parcel is \$108,100.

Land in said Abington with the buildings thereon situated at Chestnut St, containing 45 acres more or less, shown as parcel 43 on Assessor's map 50. Recorded in Plymouth County Registry of Deeds, Book 19796, Page 253, originally taken by the Town on March 28, 2008 for taxes, interest, expenses and costs totaling \$6,779.76. The current amount due on the property totals \$163,373.78. The current assessed value of the parcel is \$447,300. (This lot also includes parcel 59 on Assessors map 50).

Land in said Abington with the buildings thereon situated at Chestnut St, containing 1.46 acres more or less, shown as parcel 51A on Assessor's map 50. Recorded in Plymouth County Registry of Deeds, Book 1731, Page 029, originally taken by the Town on April 17, 2013 for taxes, interest, expenses and costs totaling \$3,039.20. The current amount due on the property totals 13,898.08. The current assessed value of the parcel is \$154,000.

and to authorize the Tax Title Custodian to take all actions necessary or convenient to accomplish the foregoing, or take any other action relative thereto.

By Treasurer/Collector

The Finance Committee recommends approval of this article

Article 14: To see if the Town will vote to raise and appropriate the sum of \$1,200,000 for the purchase and equipping of a new aerial/ladder truck for the Fire Department, as approved under Question 1 of the April 25, 2015 Annual Town Election, and, in connection therewith, to rescind

the vote taken under Article 26 of the June 9, 2014 Annual Town Meeting authorizing a borrowing for such purposes, or take any other action relative thereto.

~~By Town Manager~~ *BS*

The Finance Committee recommends approval of this article

Article 15: To see if the Town will vote to accept provisions of MGL c. 41 section 81U, which states in part: “the proceeds of any such bond or deposit shall be made available to the Town for expenditure to meet the cost and expenses of the municipality in completing the work as specified in the approved plan. If such proceeds do not exceed one hundred thousand dollars, the expenditure may be made without specific appropriation under section fifty-three of chapter forty-four; provided, however, that such expenditure is approved by the Board of Selectmen. The provisions of this paragraph shall not apply to cities or to towns having town councils, or take any other action relative thereto.

By Planning Board

The Finance Committee recommends approval of this article

Article 16: To see if the Town will authorize the Planning Board to expend the amount of surety held as needed to complete the roadway known as “Mayflower Avenue” or take any other action relative thereto.

By Planning Board

The Finance Committee recommends approval of this article

Article 17: To see if the Town will vote to amend the Zoning By-Laws by deleting the titles and text of Article IX, Signs, Sections 175-56 through 175-60 and inserting in place thereof a new bylaw, as set forth below, or take any other action relative thereto:

Article IX. Signs

§ 175-56. Administration.

A PURPOSE

- (1) Promote the safety, comfort and well-being of the users of the streets, roads and highways in the Town of Abington
- (2) Reduce distractions and obstructions from signs which would adversely affect traffic safety, and to alleviate hazards caused by signs projecting over or encroaching upon public ways.
- (3) Discourage excessive visual competition in signage and ensure that signs aid orientation and adequately identify uses and activities to the public.

(4) Preserve or enhance Town character by requiring new and replacement signage which is: Creative and distinctive; compatible with the surroundings; appropriate to the type of activity to which it pertains; expressive of the identity of individual proprietors or of the community as a whole.

(5) Appropriately sized in its context, so as to be easily readable.

(6) To encourage compatibility and harmony with surrounding buildings, land and land uses

B POWERS AND DUTIES OF PERSONNEL.

The Inspector of Buildings is hereby authorized and directed to interpret, administer and enforce this Section.

For any sign requiring a Special Permit under Article IX the Planning Board will be the Special Permit Granting Authority

C APPLICABILITY.

The standards and regulations of this Section shall apply to all signs erected, maintained, or replaced in any district within the corporate limits of the Town of Abington.

D SIGN PERMITS.

1. Sign Permit Required. Unless a Sign Permit is specifically not required by the standards of this Section, it shall be unlawful for any person to erect or replace a sign without first having obtained a Sign Permit.

2. Application Submittal and Content. When required by this Section, Sign Permit applications shall be filed in the office of the Inspector of Buildings upon forms furnished by that office. The submittal of the following information, material and fees shall constitute a complete application:

a. The application shall describe and set forth the following:

i. The type and purpose of the sign(s) as defined in this Section (i.e. wall sign, window sign, etc.);

ii. Dimensions and area of the sign(s), including letter height and aggregate sign area if more than one (1) sign and/or sign face;

iii. Materials and colors of the sign(s);

iv. Type of illumination;

- v. Number, type and area of existing signs;
- vi. Height of sign;
- vii. The zoning district in which the subject property is located;
- viii. The name, address, telephone number and signature of the business owner;
- xi. The name, address, telephone number and signature of the owner of the property upon which the sign is to be located. The owner's agent may sign if an authorization letter from the property owner is submitted; and
- x. The name, address, and telephone number of the contractor.

b. The following attachments, and necessary copies as required by the Inspector of Buildings, shall be submitted:

- i. For standing signs, a location plan or survey showing the property upon which the subject sign is to be located, the proposed location of the subject sign on the property, the distance of the proposed sign from the subject property's boundaries, and all existing structures or buildings on the subject property. Such plan shall be to a legible engineer's scale;
- ii. For all signs, dimensioned drawings of the sign including lettering, borders, proposed color scheme, height and other design elements. Such drawings shall be to a legible architect's scale;
- iii. For wall, awning and window signs, a dimensioned drawing or photograph of the façade indicating the placement of the signs, area of the façade of the business establishment, and height of the sign. Such drawings shall be to a legible architect's scale;
- iv. Color photographs of the property including all buildings and the proposed sign location; and
- v. For signs requiring a Special Permit, a copy of a letter from the Abington Planning Board indicating approval of the Special Permit.

c. Appropriate fees, as set from time to time by the Board of Selectmen and/or the Planning Board, shall be paid, remitted with the application and deposited upon issuance of a permit.

3. Processing Time – Application Review. The Town shall process all complete and accurate Sign Permit applications within thirty (30) days of the Inspector of Buildings'

actual receipt of a complete and accurate application and upon remittance of the appropriate fee.

4. Application Rejection. The Inspector of Buildings shall reject any application that is incomplete that contains false material statements or omissions, or that is for a sign which would violate any standard within this Section within thirty (30) business days of receipt of said application.

5. Resubmission. A rejected application later resubmitted in conformity with this Section shall be deemed to have been submitted on the date of resubmission, instead of the original submission date. An application which is resubmitted shall meet all the standards for an original application.

6. Permit Revocation. Should it be determined that a Sign Permit was issued in error and/or pursuant to an application containing a false material statement or omission, or for a sign not meeting the standards of this Section, the Inspector of Buildings shall revoke said permit and the subject sign shall be immediately removed.

7. Expiration Date. A Sign Permit shall become null and void if the sign for which the permit was issued has not been installed and completed within six (6) months after the date of issuance; provided, however, a one (1) time ninety (90) day extension period may be granted by the Building Inspector for good cause

D DEFINITIONS

Abandoned Sign - Any sign associated with a non-seasonal use which has ceased operations for one hundred eighty (180) or more days and/or contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt.

Address Sign - A sign indicating the numerical location, or numerical and street location, of a particular property.

Animated Sign - Any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.

Audible Sign - Any sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.

Awning - Any device, fixed or retractable, of any material, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, driveway, or other area or space whether that area or space is intended for pedestrians, vehicles or other purposes. Also known as a "canopy."

Awning Sign - Any sign that is a part of, attached to, or displayed on an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area.

Banner - A sign placed above or across a public or private street or way with the prior written permission of the Building Inspector or ZBA shall determine the terms and conditions for the use of such sign, including, but not limited to, dimensional and length of time of allowances. Neither flags nor awning signs are considered banners.

Beacon - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Billboard - A freestanding sign larger than forty (40) square feet in gross area, or a wall sign covering more than ten percent (10%) of the area to which is affixed; exception: shopping mall sign.

Building Sign - Any sign attached to any part of a building, as contrasted to a ground sign.

Business Establishment - Any non-residential use, whether or not consisting of one (1) or more buildings. In a building with more than one (1) non-residential tenant, each tenant shall constitute a separate business establishment.

Changeable Copy - Any lights, lettering, or images that may be electronically or manually changed to form a sign message or messages.

Commercial Message - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Community Services: - Churches, schools, public libraries, public museums, parish houses, hospitals, sanatoria, educational, research and philanthropic institutions, cemeteries; parks, playgrounds, public playing fields, Town pools, municipal buildings, armories, beaches, Town forests, watersheds, water towers and reservoirs, and recreation buildings; passenger stations, Town wharves and landings.

Directional Signs - Any sign limited solely to directing both vehicular and pedestrian traffic within or setting out restrictions on the use of parking areas.

Directory Sign - A sign which may be utilized by multiple business establishments occupying a single building or complex with a shared public entrance.

Entrance - A means of accessing a building. For the purpose of regulating signage the following are types of entrances:

- a. Public Entrance - An entrance to a single business establishment available for use by the general public during hours of operation.
- b. Principal Entrance - The primary public entrance to a single business establishment.
- c. Secondary Entrance - A public entrance to a single business establishment that is additional to the principal entrance.
- d. Shared Public Entrance - A common public entrance that provides access to multiple business establishments but does not directly access any single business establishment.

Externally Illuminated Sign - A sign illuminated by an external light source directed solely toward such sign.

Facade of the Business Establishment - That portion of the building wall facing a street or containing a public entrance, which corresponds to the height and width of the interior space rented or owned by the tenant of the business establishment.

Flag - Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other entity or organization.

Flashing Sign -.A sign whose illumination is not kept constant in intensity at all times when in use, and which exhibits changes in light, color, direction or animation, less than once every minute. A sign whose illumination changes to indicate the date, time and temperature will not be considered a "flashing sign."

Freestanding Sign: -A self-supporting sign not attached to any building, wall or fence, but in a fixed location. This does not include movable, portable, mobile or trailer-type signs.

Gasoline Filling Station - A business engaged, as a primary purpose, in the retail dispensing of motor vehicle fuels to the public.

Ground Sign - Any sign, supported by structures or supports that are placed on or anchored in the ground, independent from any building or other structure.

Illuminated Sign: - Any sign lit by electrical bulbs, LED's fluorescent lights or neon tubes. Neon tubes used as abstract, graphic, decorative or architectural elements shall be considered to constitute an illuminated sign. Christmas lighting shall not be deemed to be "illuminated signs."

Industrial Building: - A building occupied and used primarily for the purpose of manufacturing or warehousing and which may also include a limited amount of office space used in conjunction with the industrial operations.

Inspector of Buildings - The Building Commissioner for the Town of Abington, or his or her designee for a particular purpose.

Institutional Use - For the purpose of this Section, shall mean any religious or educational use.

Internally Illuminated Sign - A sign illuminated by an internal light source, utilizing translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through. A "Reverse Lit" sign is not an internally illuminated sign.

Lot - An area of land in single ownership with definite boundaries, established by a recorded plan or deed, including a lot created by combining several previously recorded lots, and used or available for use as a site of one (1) or more buildings or for any other purpose.

Movable, Portable or Mobile Sign: - A sign capable of being readily moved or relocated, including portable signs mounted on, attached to or painted on a chassis and wheels, a truck, trailer or other vehicle if placed at a location especially prepared for display through special lighting or elevation, or in the case of commercial vehicles having lettering, logos or similar devices, if such vehicles are placed at a location more prominent than a feasible alternative on the site, or any sign supported by legs; also signs converted to A- or T-frames, menu and sandwich board signs, balloons used as signs and umbrellas used for advertising.

Moving Sign - Any and every sign any part of which moves, is designed to move, or to be moved, by any means.

Multi-Faced Sign - Any sign consisting of more than one (1) sign face.

Multiple or Ladder Signs: - A freestanding sign with a vertical support(s), with two (2) or more horizontal crosspiece signs, or two (2) or more hanging horizontal signs, serving as individual signs for identification or advertising purposes.

Non-commercial Sign – Temporary signs relative to non-commercial campaigns, sales, promotions, drives or other events of political, civic, philanthropic, educational or religious organizations, or any other signs of a non-commercial nature, provided such signs are six feet or less in area.

Non-Conforming Sign - Any sign legally erected prior to the adoption of this section, or any amendment thereof, which does not conform to the requirements of this section or such future amendments.

Normal Grade - The lower of 1) existing grade prior to construction or 2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

Obscene Matter - As defined in M.G.L. Chapter 272, § 31.

Off-premises Sign: - Any sign which is not on the premises of the business, including a billboard or movable sign.

On-premises Sign: - Any sign that advertises, calls attention to or identifies the occupant of the premises on which the sign is maintained, or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent.

Out-of-Store Marketing Device - An out-of-store marketing device is any facility or equipment which is located outside of a primary building on a site zoned for non-residential uses, which is used for the primary purpose of providing a product or service without the owner's or agent's immediate presence, and which is manufactured to include a color, form, graphic, illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, vending machines, newspaper racks, drink machines, ice boxes, and phone booths.

Open Face - A type of sign and/or sign illumination utilizing an open or clear plastic sign face, allowing the light source to be visible.

Pennant - Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind. Also known and referred to as a streamer.

Permanent Sign - Any sign of a type and construction as not to be easily or readily removed, which, when installed, is intended for permanent use. Types of permanent signs include, but are not limited to, standing signs, wall signs, awning signs, and window signs.

Person - A natural or legal person, including a partnership, trust, corporation or similar entity.

Principal Building - The building in which the principal use of the lot is conducted. Non-residential lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other structures with clearly accessory uses shall not be considered principal buildings.

Projecting Sign - A type of wall sign which is perpendicular to the wall to which it is attached and projects away from such wall.

Public Services Sign: - A sign located for the purpose of public information, providing directions towards or indication of a use not readily visible from the street (e.g., rest rooms, telephone, etc.); signs prohibiting trespass, hunting and the like, and signs warning of danger, such as "high voltage"; street name signs, and signs erected by the Town, County or Commonwealth for the direction and control of traffic, or other public purposes.

Residential Zones: - Include R-20, R-30 and R-40 unless otherwise noted.

Reverse Lit - A type of sign and/or sign illumination using an opaque face and sides, generally constructed of aluminum, and a clear polycarbonate back or no back. Light does not pass through

the face of the sign, but rather comes out of the back of the sign and is cast off the wall behind the sign, thereby creating a silhouette of the outline of the sign face. Also known and referred to as "Reverse Back Lit", "Halo", or "Halo Lit" sign or sign illumination.

Roof Sign - Any sign erected and constructed above, or projecting above, the lowest point of the eave or the top of a parapet wall of any building, or which is painted or otherwise attached or affixed to a roof.

Shopping Center: - A group of three (3) or more separate business buildings or five (5) or more stores, shops and/or service centers, built as a plaza, Village or office complex, located on one (1) lot.

Sign - Any device, fixture, placard, or structure affixed to, supported by, or suspended by a stationary object, building or the ground that uses any color, form, graphic, illumination, symbol, or writing to communicate information of any kind to the public.

Sign Face - That part of a sign that is or can be used for the purpose of advertising, identification or conveying a message.

Sign Permit - A permit issued by the Inspector of Buildings allowing a sign to be installed on a piece of property.

Standard Informational Sign - A sign with no one side consisting of an area greater than six (6) square feet, with a sign face made for short term use, containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than six (6) feet. Sandwich board signs shall be considered to be a type of standard informational sign.

Standing Sign - A permanent sign erected on or affixed to the ground and not attached to a building.

Temporary Sign - Any and every sign which by its design and/or use is temporary in nature and/or is not permanently mounted. Neither flags nor awning signs are considered temporary signs. A sign intended to be used for a period of no more than thirty (30) days.

Wall Area: - The sum of the gross vertical area, in square feet, of the pertinent wall measured from the exterior faces of the wall, which shall include doors and windows therein. A parapet (that part of a wall that extends above the roof level) shall not be included in the calculations for "wall area."

Wall Sign: - Any sign which is painted on, incorporated into or affixed parallel to the wall of a building, and which extends not more than six (6) inches from the surface of that building.

Window Sign: - A sign affixed to the surface of a window (inside or outside) or displayed behind a window so as to attract attention from the outside. A sign shall be deemed a "window sign" if it

is within the display or show case of the window, or within four (4) feet of the inside surface of a window through which it is intended to be viewed.

§ 175-57. General regulations.

- A. All signs shall be non-animated and non-flashing. Exceptions may be permitted for short-term displays such as in fairs, carnivals, parades, and seasonal celebrations not to exceed 30 days each year.
- B. In all zoning districts, for safety reasons, signs or their illumination shall not by reason of their location, shape, size, or color interfere with traffic, sight lines or be confused with or obstruct the view or effectiveness of any official traffic sign, traffic signal or traffic marking.
- C. No sign shall obstruct visibility in such a way as to constitute a hazard to the safety of persons traveling upon a public way.
- D. No commercial sign shall be affixed upon or painted upon any rock, tree, or utility pole within the Town of Abington.
- E. Signs may be placed along traveled ways for the purpose of indicating directions to business or institutional facilities by special permit of the Board of Appeals which shall, in addition to other requirements for the granting of special permits, allow such signs only if they are reasonably needed for directional purposes.
- F. Signs may be no higher than 25 feet or the height of the associated building whichever is greater.
- G. Private signs shall not project over public streets and no more than four feet over public walks. No signs whether permanent or temporary shall be erected or affixed to any object in a public right-of-way.
- H. All signs, whether erected before or after the effective date of this bylaw, shall be maintained in a safe condition to the satisfaction of the Building Inspector.

§ 175-58. Residential districts. (R-20, R-30, R-40, TOD, CBD)

In all residential districts, signs may be permitted as follows:

- A. One sign displaying the street number or name of the occupant on premises, or both, not exceeding two square feet in area. Such sign may be attached to a building or may be on a rod or post not more than six feet high and not less than three feet from the street line. Such sign may include identification of an accessory studio or professional office in the dwelling or on the premises, or may identify other permitted accessory uses, including customary home occupations.

B One bulletin or announcement board or identification sign for a permitted nonresidential building or use, not more than 10 square feet signboard area. For churches and institutions, membership clubs, funeral establishments, hospitals, other places of public assembly, community facilities or public utilities, one bulletin or announcement board or identification sign is permitted on each building.

C. A sign bearing the name of a subdivision or multi-family housing development located on the premises at the street entrance, limited to announcing the name of the subdivision or multi-family housing development. Such a sign shall not exceed 20 square feet in area, the top of the sign not to exceed 6 feet off ground.

D. No sign or advertising device shall be illuminated after 11:00 p.m. or no longer than 30 minutes after the business closes whichever is later, except as required for public safety or public buildings such as police and fire departments, hospitals, etc or as permit allows.

E. Temporary Sign: A sign which is associated with an activity of a temporary nature or a sign which temporarily identifies an activity of a permanent nature. Temporary signs are hereby classified into the following categories:

a. Sale or Rent Sign — A sign which displays the word "sale" or "rent" and indicates the name of the individual, business or corporate entity offering the premises for sale or rent.

b. Construction Sign — A sign which identifies the owner, contractor, designer and/or engineer associated with a project under construction and on site. All such signs shall be removed upon completion of construction.

c. Special Event Sign — Temporary sign for special events such as fairs, carnivals and holiday celebrations, subject to the conditions of a permit for a period not to exceed one month.

d. Temporary signs relative to non-commercial campaigns, sales, promotions, drives or other events of political, civic, philanthropic, educational or religious organizations, or any other signs of a non-commercial nature, provided such signs are six feet or less in area.

e. Mobile or Portable Sign — A freestanding sign with a mobile structural support, such as signs on trailers and sandwich board signs, to be allowed by special permit only in place of an otherwise allowed freestanding sign, not to exceed the area 30 square feet. A mobile sign is subject to special permit and conditions imposed by Special Event Sign, (E) (c) of this section.

f. Special Sale Sign — Any non-identification sign used to advertise a sale or special event only.

F. Prohibited Signs

- a. Any sign not expressly permitted or exempted under this Section, including, without limitation, an “A”-shaped or “V”-shaped sign, a trailer sign and a billboard.
- b. Flashing, moving or animated signs or signs designed to attract attention by a change in light intensity or by repeated motion, which such change or motion is generated by or internal to the sign itself.
- c. Internally illuminated signs.
- d. Non-accessory signs promoting commercial activities are prohibited; non-accessory signs promoting non-commercial activities are permitted so long as they comply with the requirements of this Section.
- e. Audible signs.
- f. Roof signs
- g. Signs in the right of way, other than those belonging to a government, public service agency, or railroad.
- h. Promotional beacons, laser lights or images.
- i. Signs which depict obscene matter or are considered obscene matter, as defined in M.G.L. Chapter 272, § 31.
- j. Signs which advertise an activity which is illegal under federal, state or local laws.
- k. Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters.
- l. Abandoned signs, identifying abandoned or discontinued business. Such signs shall be removed within sixty (60) days following the abandonment or discontinuance as ordered by the Inspector of Buildings.
- m. Imitation traffic signs, signs which contain or are an imitation of an official traffic sign or signal or contain the words “stop,” “go,” “slow,” “caution,” “warning,” or similar words in such a manner as to resemble official traffic control signs.
- n. Pennants or feather signs.

For the purposes of this Section, fund-raising activities by charitable organizations shall not be considered commercial activities.

i. No sign shall be erected at or near the intersection of any streets, or of a street and driveway, in such manner as to obstruct free and clear vision, or be erected at any location where, by reason of the position, shape, color, illumination or wording, the sign may interfere with, obstruct the view of or be confused with, any authorized traffic sign, signal or device or otherwise constitute a hazard to pedestrian or vehicular traffic because of intensity or direction of illumination.

§ 175-59. Commercial and Industrial districts. Signs and/or advertising devices are permitted only as follows:

A. As permitted in residential districts.

B. One sign paralleling the street and attached flat to the facade of the establishment advertised as long as such sign does not exceed one square foot in area for each horizontal foot of building frontage and as long as such sign does not project more than 12 inches perpendicularly from the facade.

(1) Open lot businesses, such as auto sales, in which the surrounding unenclosed property serves as a major display area for a relatively small building, may base such sign area on lot frontage such that the sign area does not exceed one square foot per foot of lot frontage, but not to exceed 32 square feet; or

(2) One sign not to exceed 40 square feet in area on either side, perpendicular to the associated street or sidewalk and located immediately adjacent to or over the entrance to the store or business. Such sign shall not project more than five feet from the face of the building. If such establishment maintains a parking facility, this sign may be free-standing immediately adjacent to the parking lot entrance provided it does not obstruct sight lines.

C. Iconic or symbolic signs such as barber poles, clocks, etc., that carry no printed advertising and whose cross sectional area does not exceed 15 square feet may be displayed in addition to those heretofore described.

D. Stores or businesses sharing common private parking facilities such as shopping centers may cooperatively display one ladder sign in view of the public way not to exceed 100 square feet in area. Such sign shall be located adjacent to the parking entrance, shall be no taller than 25 feet nor lower than eight feet from the ground if sign is placed within traffic sight line. Signs placed out of traffic sight lines may be placed on ground level but may not exceed [6 feet high] but shall not exceed the height of the roofline. A directory of participating stores or businesses may be associated with such sign, each store or business to be allotted not more than four square feet of space.

E. Where a structure is set back at least 30 feet from the curb line, a free-standing sign of an area not in excess of 32 square feet on each side may be placed in such a manner that the edge of

the sign is not less than 10 feet from the lot line and not higher than 25 feet nor lower than eight feet from the ground if sign is placed within traffic sight line. Signs placed out of traffic sight lines may be placed on ground level but may not exceed [6 feet high] but shall not exceed the height of the roofline.

F. There shall not be more than two exterior signs for each store or business excluding exit and entrance signs. Additional signs may be allowed by Special Permit.

G. Electronic signs by special permit. Meets conditions of § 175-59 A, B and F of this section in addition to the following:

- a. Is part of a non-temporary, freestanding or fascia sign;
- b. Limits the change to a complete message to one change not more than per minute;
- c. Does not incorporate any form scrolling, fading, movement of any kind as part of the change of message;
- d. Does not incorporate any form of animation, moving letters, flashing images or flashing lights;
- e. Does not incorporate any form of chasing borders or animation of any kind in to the sign or message;
- f. Does not incorporate live or recorded video feed;
- g. Does not incorporate sound;
- h. Illuminated during hours of business operation;
- i. Auto dimming to external ambient light conditions.

§ 175-60. Special signs.

The following signs are exempt from the requirements of Article IX:

A. Interior window displays or signs.

B. A community bulletin board for the purpose of displaying notices such as public events, schedules and personal notices. Such bulletin boards are not to be used for the purposes named in § 175-58B. Bulletin boards may be 32 square feet on each side.

C. Gasoline filling stations and garages may divide the one architectural sign affixed to the front wall of the building to which they are entitled as herein above provided into separate signs affixed to and parallel to such wall and indicating the separate operations or departments of the business. In addition, one sign standing or otherwise indicating the company whose gasoline is

being sold and the price of gasoline being sold may be erected of such type, in such location, and in such manner as is otherwise permitted. The standard type of gasoline pump bearing thereon in usual size and form the name of the type of gasoline and the price thereof shall not be deemed to be in violation of this bylaw. Temporary or moveable signs of any and every type are specifically prohibited. Exempt are signs required by either Federal, State or local statute.

D. A memorial sign or tablet indicating the name of a building or the date of its erection.

E. Temporary signs relative to non-commercial campaigns, sales, promotions, drives or other events of political, civic, philanthropic, educational or religious organizations, or any other temporary signs of a non-commercial nature, provided such signs are six feet or less in area.

F. Advertising or municipal signs on a municipal property.
Or take any other action relative thereto.

By Zoning Board of Appeals

The Finance Committee defers to the Zoning Board of Appeals

Article 18: To see if the Town will vote to amend the Zoning By-Laws Section 175-66 Buffer Strips as follows:

INSERT the following two new sections:

F. Any fencing or buffering along lot lines intersecting with a street shall be required to either terminate or be no higher than four (4) feet within twenty (20) feet from the street line, and shall in any event terminate at least ten (10) feet in from the street line. Strict compliance with these buffering requirements of §175-66 may be waived or adjusted by a majority vote of the Planning Board during site plan review when good cause is shown, including but not limited to, proposed topography and building locations, aesthetics and sight lines, existing vegetation on the locus and/or abutting properties which will likely remain, or other characteristics of the locus property and/or abutting properties.

G. No residential front yard may be completely enclosed by a solid fence, unless the portion of the fencing running parallel to any street is no higher than four (4) feet, and no portion of the solid fence is located within ten (10) feet of any street line, or take any other action relative thereto.

By Planning Board

The Finance Committee defers to the Planning Board

Article 19: To see if the town will vote to amend the Zoning By-Laws by deleting in its entirety the Section 175-36, Phased Development Bylaw as it expired on June 1, 2011 by its own terms, or take any other action relative thereto.

By Planning Board

The Finance Committee defers to the Planning Board

Article 20: To see if the Town will vote to amend the Zoning By-Laws Section 175.67.1, Outdoor Lighting as follows:

Replace the existing text of ss175-67.1 (H)-(1)-(e), (f) and (i) with the following:

- (e) That light trespass onto any street or abutting lot will not occur in excess of 0.5 foot-candles within 25 feet beyond the lot line. This may be demonstrated by manufacturer's data, cross section drawings, or other means. Minor violations of this standard may be waived by the SPGA or the Zoning Enforcement Officer where the objectives of 175-67.1A will be achieved.
- (f) The requirement of submission of a photometric plan may be waived by the applicable Permit Granting Authority if the proposed location, height, luminaire specifications and other relevant information demonstrate that no light trespass issues will occur.
- (j) Wall Pack Lighting: shall not be used as lamination beyond 25 off the face of any Building or Structure.
Exception: Decorative Lighting Fixtures with 70 watt maximum light fixture and other than municipal uses.

Insert a new s 175-67.1(H) (I) (K) as follows:

- J. Special Permits. When site plan review is required, the Planning Board shall act as the Special Permit Granting Authority (SPGA) under this section, and otherwise the Zoning Board shall act as the SPGA. The SPGA may grant a special permit modifying the requirements of this section.
or take any other action relative thereto.

By Zoning Board of Appeals

The Finance Committee defers to the Zoning Board of Appeals

Article 21: To see if the Town will vote to amend the Zoning By-law, Article VI Dimensional and Density Regulations by inserting Section 175-25A:

"No lot shall be reduced in area or frontage if it already has or will be caused to have less area or frontage than required by this section, except by a taking by eminent domain or a conveyance for a public purpose. Such lots reduced in the area or frontage by a taking by eminent domain or a conveyance for a public purpose shall be entitled to the protections afforded by statute and in this By-Law to lawfully pre-existing nonconforming lots. Further, if an existing structure is rendered nonconforming as to setback (or more non-conforming as to setback) by a taking by eminent domain or conveyance for a public way or access way or by the approval of a subdivision way

for a third party, said structure shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming structures. Notwithstanding the foregoing, the protections afforded by this section shall not apply to vacant lots existing prior to the effective date of this section which are less than 5,000 sq. ft. and/or with less than 50 feet of frontage,” or take any action relative thereto.

By Planning Board

The Finance Committee defers to the Planning Board

Article 22: To see if the Town will vote to amend the Zoning By-Laws Section 175-52; Table of Off-Street Parking Regulations as follows or take any other action relative there to:

- G. Dwellings (single-family attached, Each one-bedroom unit, 1.3 spaces; each multi-family and accessory apartments); two-bedroom unit, 2.0 spaces; each three-bedroom unit, 2.6 spaces; each four-bedroom unit, 3.0 spaces, plus 0.5 additional space for each dwelling unit.

By Zoning Board of Appeals

The Finance Committee defers to the Zoning Board of Appeals

Article 23: To see if the Town will vote to amend the Zoning By-Laws as follows:
To delete the Transitional Commercial District on westerly side of Route 18 and re-classify it as a Highway Commercial zone or take any other action relative thereto.

By Zoning Board of Appeals

The Finance Committee defers to the Zoning Board of Appeals

Article 24: To see if the Town will vote to amend its Zoning Map dated March 1975, as most recently amended, by rezoning from Multi Use Planned Development District (“MUPDD”) to Industrial the parcels listed and described below, comprising certain parcels of land within the Town of Abington that are located within the former South Weymouth Naval Air Base, or take any action relative thereto. A copy of the Town’s current Zoning Map and a copy of the proposed Zoning Map, reflecting the revisions proposed below, are on file with the Office of the Town Clerk and are available for review during normal business hours, Monday through Thursday from 8:30 am – 4:30 pm and Friday from 8:30 am – 12:30 pm. The parcels to be rezoned from Multi Use Planned Development District (“MUPDD”) to Industrial are:

1. Parcel A as follows: Beginning at the northwesterly corner of the Naval Air Station, continuing along the northern boundary line to its northeastern corner where it runs southeasterly to a point where the property runs in an easterly direction just south of Union Street to the Rockland town line of the base. Parcel M southwesterly 530', northwesterly 160', north northwesterly 900', west northwesterly 400', westerly 500', southwesterly 1100', westerly 260', northwesterly 320,

northerly 350', north northeasterly 300', northeasterly 500', east northeasterly 150', north northeasterly 140', north northwesterly 110', west northeasterly 660', thence running along the perimeter of Parcels G and B north northeasterly 150', and thence running along the perimeter of Parcel B east northeasterly 350', southeasterly 290', west northwesterly 710', northwesterly 1270', northerly 170', northwesterly 1250', west southwesterly 650', southwesterly 450', westerly 400', west southwesterly 1110', westerly 480', west northwesterly 500', westerly 1000', and thence running along the perimeter of the former Naval Air Station northerly 250' to where Parcel A closes.

- 2 Parcel B beginning at the northeastern corner of Parcel B and running along the perimeter of Parcel A southeasterly 1250', southerly 170', southeasterly 1270', west southwesterly 710', northwesterly 290', west southwesterly 350', south southwesterly 75', westerly 150' and thence running along the perimeter of Parcels M, F, and C, northerly 400', northerly 400', north northwesterly 460', northwesterly 190', north northwesterly 650', northwesterly 400', and thence running along the perimeter of Parcel A northeasterly 450', and east northeasterly 650' to where parcel B closes.
- 3 Parcel C, beginning on the northwestern point of Parcel B running along the perimeter of Parcel B southeasterly 400', south southeasterly 650', and thence running along the perimeter of Parcel F west southwesterly 710', west northwesterly 540', and north northeasterly 500' to where Parcel c closes.
- 4 Parcel D, beginning on the northern most corner of Parcel D on the property line adjacent to Route 18 running easterly 190', and thence running along the perimeter of Parcel F easterly 100', southerly 1860', thence running along the perimeter of Parcel E west southwesterly 210', northwesterly 200' to the intersection where the property line reaches Route 18 thence northerly along Route 18 170' to where Parcel D closes.
- 5 Parcel E located south of Parcel D, beginning at the southernmost point of Parcel D running along the perimeter of Parcel F east northeasterly 820', southeasterly 490', southeasterly 250', south southwesterly 190', west southwesterly 1110', westerly 200' to a point where the property line of Parcel E reaches the commuter rail line parcel and running along the rail line to a point, and thence northerly 200' until Parcel E closes at the southernmost corner of Parcel D.
- 6 Parcel F, located south of Parcel A and west of Parcel D, beginning at the southern end of the most westerly line of Parcel A and running along the perimeter of Parcel A easterly 1000', east southeasterly 500', easterly 480', east northeasterly 1100', and thence running along the perimeter of Parcel C easterly 400', south southwesterly 500', east southeasterly 540', east northeasterly 710', and thence running along the perimeter of Parcel B southeasterly 190', south southeasterly 460', and thence running along the perimeter of Parcel M west southwesterly 940', southwesterly 340', southeasterly 330', south southeasterly 340', east southeasterly 610', south southwesterly 320', west southwesterly 1250', southwesterly 500',

southwesterly 900', west northwesterly 1100', west southwesterly 160' to a point at the MBTA parcel, and thence running northwesterly to a point of Parcel E and thence running along the perimeter of parcels E and D westerly 200' , east northeasterly 1100', north northeasterly 190', northwesterly 250', northwesterly 490', west southwesterly 610', northerly 1860', westerly 100' to the perimeter of the former Naval Air Station, and thence running northerly along the perimeter of the former Naval Air Station to the southwestern corner of Parcel A to where Parcel F closes.

- 7 Parcel G, beginning at the southwestern corner of Parcel B running westerly 150', and thence running along the perimeter of Parcel A south southwesterly 75', east southeasterly 660', south southeasterly 110', south southwesterly 140', west southwesterly 150', southwestèrly 500', south southwesterly 300', and thence running along the perimeter of parcel M northwesterly 530' and north northeasterly 770' to where Parcel G closes.
- 8 Parcel H, beginning on the easterly property line of the former Naval Air Station at the intersection of the Weymouth/Rockland town line following the property line in an east northeast direction, then going south southeast, and thence running along the perimeter of Parcel A southwesterly for 1160', west southwesterly 510', north northeasterly 420', west northwesterly 370', southwesterly 1550', west southwesterly 460', easterly 130', and northeasterly 300' to where Parcel H closes.
- 9 Parcel I, beginning on the southern property line of the former Naval Air Station at the border of Abington/Rockland following the property in an easterly direction, then northerly, then easterly 140', and thence running along the perimeter of Parcel J northwesterly 530' , northerly 250' , east northeasterly 760' to the property line of the former Naval Air Station and thence following said property line northerly, easterly, then northwesterly and then running along the perimeter of Parcel M west southwesterly 200', south southeasterly 1770', southwesterly 250', west southwesterly 320' , west northwesterly 160', west southwesterly 600', west northwesterly 930', west southwesterly 1670', southwesterly 1060', west southwesterly 1260', west southwesterly 910' , southerly 3610' , south southeasterly 510', south southwesterly 1240', southwesterly 380', south southwesterly 300', southerly 370', west southwesterly 500', west northwesterly 240', north northwesterly 700' and west southwesterly 220' and thence running along the perimeter of Parcel K and the Abington/Rockland town line to the property line of the former Naval Air Station where Parcel I closes.
- 10 Parcel J, beginning at the corner of the former Naval Air Station property east of Greenwood Street running north northwesterly and then running along the perimeter of Parcel I, west southwesterly 760', southerly 250', southeasterly 530' to the property line of the former Naval Air Station and then following the property line in an easterly direction where Parcel J closes.
- 11 Parcel K, beginning on the southern property line of the former Naval Air Station at the Rockland/Abington town line westerly and northwesterly direction to the Weymouth town line and thence running along the perimeter of Parcel L and the Weymouth/Abington town line and northwesterly

direction to the Weymouth town line 350', and thence running along the perimeter of Parcel M south southeasterly 680', easterly 610', southeasterly 4170', east northeasterly 500' and thence running along the perimeter of Parcel I and the Abington/Rockland town line south southeasterly to the property line of the former Naval Air Station to where Parcel K closes.

- 12 Parcel L on the westerly property line of the former Naval Air Station at the Weymouth/Abington town line, following the property line northwesterly and thence running along the perimeter of Parcel M northeasterly 510', north northwesterly 150', easterly 550', north northeasterly 530', southeasterly 1190', south southwestly 1200', southwestly 600' and thence running along the perimeter of Parcel K and the Weymouth/Abington town line to the property line of the former Naval Air Station where Parcel L closes.

By Planning Board

The Finance Committee does not recommend approval of this article

Article 25: To see if the Town will vote to amend the Zoning By-Laws section 175-77 Site Plan Review by inserting the underlined text and deleting the strikethrough text as follows:

REVISE 175-77(A)(2)(c)

(2) The following activities shall not require a site plan review or approval:

...(c) Renovations or alterations to a building exterior

To:

...(c) Renovations or alterations to a building exterior which may include a vertical structural change and/or an extension or enlargement of the building of not more than 20% of the existing footprint's gross square area, so long as said change, extension or enlargement does violate any height or setback requirements or encroach into any wetland areas.

REVISE 175-77(A)(3)

(3) Notwithstanding the provisions of Subsection A(2) above, the Building Inspector will shall require a site plan review and approval by the Planning Board if, in his/her judgment, the proposed construction, alteration or change of use will negatively and substantially affect existing traffic circulation, drainage, landscaping, lighting, off-street parking or other elements of the environment.

By Planning Board

The Finance Committee defers to the Planning Board

Article 26: To see if the Town will vote to amend the Zoning by-Laws as shown below, or take any other action relative thereto: Large-Scale Ground-Mounted Solar Photovoltaic Installations:

The Table of Uses shall be amended as set forth below:

PRINCIPAL USE	R20	R30	R40	GC	H C	I	TB	Fw	CB D	TOD	TC	MUPDD
G. INDUSTRIAL, WHOLESALE AND TRANSPORTATION USES												
(7) Large-Scale Ground-Mounted solar photovoltaic installations	N	N	SP	N	SP	Y	Y	N	N	N	N	SP
Small-Scale Roof-mounted Solar Equipment	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

and further, to amend the Zoning By-Law, by inserting a new bylaw. Large-Scale Ground Mounted Solar Photovoltaic Installations. As Section 175-

V. LARGE-SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS

V10. Purpose.

The purpose of this bylaw shall be to promote the creation of new large-scale ground-mounted solar photovoltaic installations in the appropriate locations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources, and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.

V11. Applicability. This section shall apply to large-scale ground mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type configuration or size of these installations or related equipment.

V12. Definitions.

As-of Right Siting: As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of right development may be subject to site plan review to determine conformance with local zoning ordinances or bylaws. Projects cannot be prohibited, but can be reasonably regulated by the inspector of buildings, building commissioner or local inspector, or if there is none in a town, the board of selectmen, or person or board designated by local ordinance or bylaw.

Building Inspector: The inspector of buildings, building commissioner, or local inspector, or person or board designated by local ordinance or bylaw charged with the enforcement of the zoning ordinance.

Building Permit: A construction permit issued by an authorized building inspector that evidences that the project is consistent with the state and federal building codes as well as local zoning bylaws, including those governing large-scale ground-mounted solar photovoltaic installations.

Designated Location: The locations designated by the Town, in accordance with Massachusetts General Laws Chapter 40A, section 5, where large ground – mounted scale solar photovoltaic installations may be sited are limited to the locations indicated in section 175-21, of the Zoning By-Laws. Said locations are shown on a Zoning Map pursuant to Massachusetts General Laws Chapter 40A Section 4. This map is hereby made a part of this Zoning Bylaw and is on file in the Office of the Town Clerk.

Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250kW DC, or requires an area larger than 1 acre for installation.

On-Site Solar Photovoltaic Installation: A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Site Plan Review Authority: For purposes of this bylaw, Site Plan Review Authority refers to the body of local government designated as such by the municipality.

Small-Scale Roof-Mounted Solar Energy Equipment. Roof-mounted solar equipment that shall be located so as not to increase the total height of the structure more than one (1) foot above the applicable zoning regulations related to height in the District in which it is located or such other height as determined by the Building Inspector to be essential for proper operation, but in no case more than four feet above the applicable zoning regulations related to height in the District in which it is located.

Solar Photovoltaic Array: an arrangement of solar photovoltaic panels.

Special Permit: A special permit review by the Site Plan Review Authority to determine conformance with local zoning ordinances or bylaws shall be obtained before the development proceeds.

Zoning Enforcement Authority: The person or board charged with enforcing the zoning ordinances or bylaws.

V13. General Requirements for all Large-Scale Ground-Mounted Solar Power Generation Installations. The following requirements are common to all solar photovoltaic installations to be sited in designated locations.

V14. Compliance with Laws, Ordinances and Regulations. The construction and operation of all large-scale ground-mounted solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

V15. Building Permits and Building Inspections. No large-scale ground-mounted solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit and only in accordance with the requirements of the Table of Uses and this section. Smaller scale ground – mounted or small-scale roof-mounted solar equipment installations which are an accessory structure to an existing residential or non-residential use do not need to comply with this Section, but shall conform to the Table of Uses and shall require a building permit and shall comply with the other provisions of this Zoning By-law as applicable.

V16. Fees. The application for a building permit for a large scale ground-mounted solar photovoltaic installation must be accompanied by the fee required for a building permit.

V17. Site Plan Review. Large scale ground-mounted solar photovoltaic installations with 250 kW or larger of rated nameplate capacity shall undergo site plan review by the Site Plan Review Authority prior to construction, installation or modification as provided in this section.

V17.1 General All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts, except in accordance with any exemption provided for under G.L. c.112, §81R.

V17.2. Required Documents. Pursuant to the site plan review process, the project proponent shall provide a site plan in conformance with §175-77 “Site Plan Review” of the Town of Abington Zoning By-Laws in addition to the following:

- A. Property lines and physical features, including roads, for the project site;

- B. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
- C. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures. The proponent may not take any actions to modify any existing structures or vegetation on adjacent properties which may shade the installation without express written consent of the property owner.
- D. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices;
- E. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- F. Name, address, and contact information for proposed system installer;
- G. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
- H. The name, contact information signature of any agents representing the project proponent; and
- I. Documentation of actual or prospective access and control of the project site;
- J. An operation and maintenance plan;
- K. District designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
- L. Proof of liability insurance; and
- M. Description of financial surety that satisfies Section V 31.6.

The Site Plan Review Authority may waive documentary requirements as it deems appropriate.

V18. Site Control. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

V19. Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the large-scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

V20. Utility Notification. No proposed large-scale ground-mounted solar photovoltaic installation shall be submitted for review until evidence has been given to the Site Plan Review Authority that the utility company that operated the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator, and that the electrical grid can safely transmit the proposed power output of the installation. Off-grid systems shall be exempt from this requirement.

V 21. Dimension and Density Requirements.

V 21.1. Setbacks. For large-scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be at least 50 feet; provided, however, that where the lot abuts a Residential District or Residential Use or is in a Residential District, the setbacks shall not be less than 100 feet. Every abutting property shall be visually screened from the installation through either existing vegetation or new plantings of not less than 6 feet in height at the time of planting throughout the required setback dimension, or alternately shall provide a minimum setback of 2,000 feet. The provided screening shall obscure from view at least 75% of the project from adjacent properties, including upper levels of existing structures, within five years of the issuance of the permit. Security fences, roadways, and equipment shall not be placed within the required setback, except for that which is required to access the site from an adjacent roadway, or to transmit the generated power to the grid.

The provided setbacks shall be suitable to limit the noise generated by the installation to no more than 40 decibels at the property lines.

V21.2. Appurtenant Structures. All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

V 22. Design Standards

22.1. Lighting. Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

V22.2. Signage. Signs on large-scale ground-mounted solar photovoltaic installations shall comply with the Town's sign requirements. A sign consistent with the Town's sign requirements shall be required to identify the owner and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the operator of the solar photovoltaic installation.

V22.3. Utility Connections. Reasonable efforts, as determined by the Site Plan Review authority, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and

any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

V 22.4. Hazardous Materials. Hazardous materials stored, used, or generated on site shall not exceed the amount for a Very Small Quantity Generator of Hazardous Waste as defined by the DEP pursuant to Mass DEP regulations 310 CMR 30.000 and shall meet all requirements of the DEP including storage of hazardous materials in a building with an impervious floor that is not adjacent to any floor drains to prevent discharge to the outdoor environment. If hazardous materials are utilized within the solar equipment, including the photovoltaic panels, then impervious containment areas capable of controlling any release to the environment and to prevent potential contamination of groundwater are required.

V 23 Safety and Environmental Standards.

V 24. Emergency Services. The large scale ground-mounted solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief. Upon request, the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked, and training required to allow emergency response personnel to safely shut down the installation in event of an emergency provided at no cost to the Town as requested by the Town. The owner or operator shall identify a responsible person for public inquires throughout the life of the installation. All changes in the identity or contact information for the responsible person shall immediately be brought to the attention of the Town.

V 25 Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.

V 26. Control of Vegetation. Herbicides may not be used to control vegetation at the large-scale ground-mounted solar photovoltaic installation. Mowing or the use of pervious pavers or geotextile materials underneath the solar array is a possible alternative.

V 27. Monitoring and Maintenance.

V 28. Solar Photovoltaic Installation Conditions. The large-scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, snow removal, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

V 29. Modifications. All material modifications to a solar photovoltaic installation made after issuance of the required building permit shall require approval by the Site Plan Review Authority.

V 30. Annual Reporting. The owner or operator of the installation shall submit an Annual Report demonstrating and certifying compliance with the Operation and Maintenance Plan and the requirements of this bylaw and their approved site plan including control of vegetation, noise standards, and adequacy of road access. The Annual Report shall also provide information on the maintenance completed during the course of the year and the amount of electricity generated by the facility. The report shall be submitted to the Board of Selectmen, Town Manager, Planning Board, Fire Chief, Building Inspector, Board of Health and Conservation Commission (if Wetlands Permit was issued) no later than 45 days after the end of the calendar year.

V 31. Abandonment or Decommissioning.

V 31.1. Removal Requirements. Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned through intent or discontinuance for two years or more shall be removed. The owner or operator shall physically remove the installation no more than 120 days after the date of discontinued operations. The owner or operator shall notify the Site Plan Review Authority by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

V 31.2 Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.

V 31.3. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

V31.4. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Site Plan Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

V 31.5. Abandonment. Each site plan approval and special permit shall require that, absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more six months without the written consent of the Site Plan Review Authority or Special Permit Granting Authority. Each site plan approval and special permit shall provide that, if the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section and the site plan approval or special permit, within 120 days of abandonment or the proposed date of decommissioning, then the Town shall be provided with all necessary permission to enter the property and physically remove the installation. As appropriate, cost of removal shall be charged to the property owner in accordance with the provisions of G.L. c.40, §58.

V 31.6. Financial Surety. Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, or other means mutually agreed upon with the Town, under G.L. c.44, §53A or by other lawful means, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Site Plan Review Authority, but in no event to be less than 75 percent nor to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety shall not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

V 31. Severability. If any provision herein is determined to be unlawful, it shall be severed from this section and all remaining provisions shall remain in force and effect.

By Planning Board

The Finance Committee defers to the Planning Board

Article 27: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund and implement any Collective Bargaining Agreements between the Town and any unions, in the event that such agreements are reached, and/or for general collective bargaining settlement purposes, or take any other action relative thereto.

By Town Manager

**The Finance Committee is unable to take action for a recommendation on this article.
When more information is available the committee will offer a recommendation**

Article 28: To see if the Town will vote to amend the Town By-laws, Chapter 67, Section 1 entitled "FINANCE COMMITTEE" by inserting the underlined text and deleting the strikethrough text as follows:

A Finance Committee of nine voters of the Town shall be appointed by the Moderator to fill staggered three-year terms. No elective or appointive Town officer or Town employee shall be eligible to serve on said Committee. If any member takes out nomination papers for an elective office the member's position shall thereupon be deemed vacant. Further, if any member issues a press release or makes a formal statement to the public, whether through print or social media or otherwise, that the member intends to be a traditional or write-in candidate for office, the member's position shall thereupon be deemed vacant. Any vacancy created hereunder shall be filled as herein provided. ~~If any member announces his candidacy for an elective office, his position shall be deemed to be vacant and shall be filled as herein provided.~~

or take any other action relative thereto.

By Board of Selectmen

The Finance Committee recommends approval of this article

Article 29: To see if the Town will vote to discontinue the use of the Common Core State Standards (CCSS) and the associated testing known as PARCC within the Abington School District, and return to using the Pre-2009 Massachusetts standards in ELA, Math, science/technology, and history/social science and associated testing known as MCAS.

WHEREAS: The Commonwealth of Massachusetts has had the highest educational standards in the country for decades because of effective policy handled by local school boards with input from parents and

WHEREAS: Education is most effectively handled at the local level, where parents can have direct control over school curriculum and policy and

WHEREAS: The federal government's takeover of education known as Common Core threatens parental control over their children's education and noted below.

The Common Core State Standards Initiative (CCSSI) is a set of national K-12 standards developed primarily by nonprofit called Achieve Inc. in Washington DC under the auspices of the National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO). The Common Core was developed without state legislative authority.

By linking Race to the Top grant funds to the implementation of Common Core State Standards and linking Common Core to No Child Left Behind waivers the federal government is acting as the "enforcer" to herd states into the one -size-fits-all Common Core in spite of the fact that three federal laws (Department of Education Organizational Act established in 1979 Section 103b: The General Education Provisions Act and the Elementary and Secondary Act first enacted in 1965 prohibit the federal government from guiding the educational curriculum of the states. Not only the US constitution but also state constitutions maintain that education is a power reserved to the states and their citizens. Yet state legislatures or state school boards cannot change the Common Core. Taxpayers pays hundreds of billions in state and local taxes per year for K-12 education, Yet Common Core guarantees taxpayers and parents NO VOICE in math and English content standards of their states and thus not control over what children will learn in these subjects, in fact most states legislative approval or even public hearings.

The Common Core ensures that the states build expensive high-tech systems that will track student performance and other personal data and provide that information to the federal government.

The unfunded mandates associated with the Common Core are open-ended in areas such as professional development, new textbooks and instructional material, testing and data tracking systems. A recent study shows implementation will cost \$60 billion or more nationwide with about 90 percent of this paid for by states and local districts despite the \$4.35 billion Race to the Top grants. The Common Core fuels a money pot of tax dollars going to pre-selected vendors.

THEREFORE: We reject the use of the Common Core State Standards and the associated testing known as PARCC (Partnership of Assessment of Readiness for College and Careers) which stifle academic freedom and achievement and return control over education to the local school district of Abington Massachusetts. We choose to use the pre-2009 Massachusetts standards in ELA Math. Science/technology and history/social science and associated testing known as MCAS which has made Massachusetts education number one in the nation and competitive with top ranking countries on international standardized tests.

1. Educate through local control petition
(<http://thoughlocalcontrol.wix.com/educatetlc#!petition/c24vg>)
2. www.stopcommoncore.com

Executive Summary: This article is to authorize the town to discontinue the use of Common Core State Standards (CCSS) and the associated testing known as PARCC within Abington School District and return to using the Pre-2009 Massachusetts standard in ELA, Math, science/technology, and history/ social science and associated testing known as MCAS which has made Massachusetts education number one in the nation and competitive with top ranking countries on international standardized tests.

By Petition

The Finance Committee defers to the Petitioner