



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

Board of Selectmen Meeting Minutes
October 21, 2013
6:30 p.m.
Cotter Room

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

- Pledge of Allegiance – the Boy Scouts Pack Weeblos led us in the Pledge of Allegiance
- Public Announcements: Anything with a Plug will be held on Saturday, November 2, 2013. Chairman read the safety Halloween Press Release. There will be a food collection at the Special Town Meeting, November 4, 2013

Public Appointments:

6:35 p.m. – Application for a commercial garage license, 225 Brockton Avenue –
M/Burbine to open the meeting
S/Coyle
Voted 5-0

Mr. Jackson Botelho requests to transfer the commercial garage license from Elias Saad d/b/a Abington Auth Works. There is no change in hours of operation nor number of cars. Inspections have been completed and taxes have been paid.
M/Burbine to close the hearing
S/Donovan
Voted 5-0
M/Donovan to approve the transfer upon completion of final inspections
S/Coyle
Voted 5-0

6:40 p.m. --- Transfer of a Class II license, 1119 Bedford Street –
M/Burbine to open the meeting
S/Donovan
Voted 5-0

Mr. Robert McLaughlin requests to transfer the Class II license from Steve Newcomb, Elite Auto Sales. There is no change in number of cars or hours of operation. Inspections have been completed and taxes have been paid.

M/Burbine to close the hearing

S/Dion

Voted 5-0

M/Donovan to approve the transfer contingent upon final inspections and hours of operation to be 9 a.m. to 5 p.m. on Sunday

S/Burbine

Voted 5-0

Action/Discussion items:

1. Approval of September 23, 2013 open session minutes
M/Donovan to approve
S/Burbine
Voted 5-0
Approval of September 23, 2013 executive session minutes
M/Burbine to approve
S/Donovan
Voted 5-0
2. Approval of the 25th Annual St. Patrick's Day Parade, Sunday, March 16, 2014
M/Burbine to approve
S/Donovan
Voted 5-0
3. Approval of application for a Community Innovation Challenge Grant for the MS4Stormwater Management Permit Compliance –This is a collaborative effort between 19 communities to receive grant funds to fund Stormwater Management compliance.
M/Donovan to approve the application
S/Burbine
Voted 5-0
4. Review of the November 4, 2013 Special Town Meeting Warrant (attached)—
M/Donovan to approve articles #1 through #4 and #7 through #14
S/Dion
Voted 5-0
M/Burbine to approve Article #5 and #6
S/Coyle
Donovan abstains
Voted 4-0-1
M/Burbine to pass over Article #12
S/Coyle
Dion, no
Voted 4-1

5. Review of revenues and expenditures for first quarter of FY2014 – Town Manager reviewed revenues and expenditures.
Selectman Donovan leaves the meeting
6. Discussion of Starwood's TriTown Reform Proposal – Selectman Burbine states this is too fast paced and has to slow down.
M/Burbine to send a letter to our legislators requesting they not act on the special legislation being submitted by Starwood, and allow time for the three Towns, along with South Shore Tri Town and Starwood to collectively come up with a feasible plan that is accepted by the three Towns.
7. Discussion on forming a committee to consider adopting the Community Preservation Act – Much discussion took place
M/Dion to establish a committee preservation act study group
S/Franey
Burbine, no
Coyle, no
Voted 2-2
8. Town Manager Report – Town Manager elaborated on #1, #6, #7, and #9 (attached)
9. Public Comment – none

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

Meeting adjourned: 7:55 p.m.

Respectfully submitted,



Dori R. Jamieson
Assistant Town Manager

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 in

ABINGTON HIGH SCHOOL
201 RICHARD FRANCIS GLINIEWICZ WAY
IN PRECINCT FIVE IN SAID ABINGTON, ON MONDAY, THE 4TH OF NOVEMBER, 2013
AT 7:00 IN THE EVENING

Then and there to act on the following articles:

Article 1: To see if the Town will vote to transfer the sum of \$628,249.00 from free cash to the Stabilization Fund, or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends approval of this article as written

Article 2: To see if the Town will vote to transfer from available funds the specified sums of money to pay unpaid bills from a previous fiscal year under the provisions of Chapter 44, Section 64, or take any other action relative thereto:

Eastern Cedar:	\$2,500.00
Patricia LaBrecque:	\$583.20
FB Insure:	\$1,031.00

BY TOWN MANAGER

The Finance Committee recommends approval of this article as written

Article 3: To see if the Town will vote to transfer from available funds, or borrow the total sum of \$683,500.00, for the purchase and equipping, or leasing and equipping, with an option to purchase, for periods of time up to or in excess of three years, of the following new and/or replacement capital items for various Town Departments and for the capital projects described below, including payment of all costs incidental and related thereto, all as recommended by the Town Manager, or take any other action relative thereto:

Town of Abington Capital Plan FY2014 Priorities

<i>DEPARTMENT</i>	Total Requested	Town Manager Recommended	Finance Comm. Recommended
Police Department			
Cruiser Replacement (2 Marked)	\$83,294.00	\$83,294.00	
Police Department Total	\$83,294.00	\$83,294.00	\$83,294.00
Fire Department			
Replace 2002 Ambulance	\$255,000.00	\$255,000.00	
Rescue Boat	\$28,300.00		
Fire Department Total	\$283,300.00	\$255,000.00	\$255,000.00
School Department			
Woodsdale Elementary Roof Repair	\$950,000.00		
Woodsdale Roof Repair (kitchen & boiler area only)	\$250,000.00		
Technology Plan	\$200,000.00	\$150,000.00	
School Department Total	\$1,400,000.00	\$150,000.00	\$150,000.00
Highway Department			
Sidewalk/Drainage Maintenance	\$60,000.00	\$50,000.00	
Highway Department Total	\$60,000.00	\$50,000.00	\$50,000.00
Griffins Dairy Committee/Board of Selectmen			
Demolish & Remove House and Barn	\$100,000.00	\$90,000.00	
Griffins Dairy Committee/Board of Selectmen Total	\$100,000.00	\$90,000.00	\$90,000.00
Council on Aging			

Replace Senior Van	\$10,456.00	\$7,706.00	
Council on Aging Total	\$10,456.00	\$7,706.00	\$7,706.00
Sewer Department			
Replace Utility Truck	\$65,000.00	\$65,000.00	
Sewer Department Total	\$65,000.00	\$65,000.00	\$65,000.00
Water Department			
Replace Joint Water Works Treatment Vehicle	\$12,500.00	\$12,500.00	
Water Department Total	\$12,500.00	\$12,500.00	\$ 12,500.00
Capital Plan Total	\$1,734,550.00	\$713,500.00	\$713,500.00

Total Free Cash Recommended for Expenditure	\$381,000.00
Total Financed (Ambulance Lease/Purchase)	\$255,000.00
Total Enterprise Funds (Sewer and Water)	\$77,500.00
Total Recommended	\$713,500.00

BY TOWN MANAGER

The Finance Committee recommends approval of this article as written

Article 4: To see if the Town will vote to transfer from available funds to supplement specific budget line items appropriated under Article 1 of the 2013 Annual Town Meeting, or otherwise amend said vote, all as recommended by the Town Manager as listed on the document entitled “FY 2014 Recommended Line Item Transfers”, or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee cannot make a recommendation on this article at this time, as we are anticipating additional information which will be provided by the Town Manager prior to the Special Town Meeting. The Finance Committee will have a recommendation on this article at the Special Town Meeting.

Article 5: To see if the Town will motion to have the Abington Town Meeting, representing the residents of Abington, vote to oppose any change to that enabling legislation establishing the South Shore Tri-Town Development Corporation (SSTTDC) unless these changes are approved by the governing authority of each town (in Abington the governing authority is the town meeting. This is to preserve the ability of the towns to continue control over the development plans of the former South Weymouth Airbase, or take any other action relative thereto.

BY PETITION

The Finance Committee recommends approval of this article as written

Article 6: To see if the Town will motion to have the Abington Town Meeting, representing the residents of Abington, vote to oppose any change to the redevelopment plans approved for the South Shore Tri-Town Development Corporation (SSTTDC) unless these changes are approved by the governing authority of each town (in Abington the governing authority is the town meeting. This is to protect the ability of the towns to continue to approve the development plans of the former South Weymouth Airbase, or take any other action relative thereto.

BY PETITION

The Finance Committee recommends approval of this article as written

Article 7: To see if the Town will vote to transfer from Free Cash the sum of \$2,500 to mow the grass at Griffins Dairy, consistent with the previous approval of the Abington Conservation Commission, or take any other action relative thereto.

BY GRIFFINS DAIRY STUDY COMMITTEE

The Finance Committee recommends approval of this article as written

Article 8: To see if the Town will vote to establish a revolving fund pursuant to G.L. Chapter 44, §53E1/2, to be known as the Homeless Transportation Revolving Fund, to which shall be credited reimbursements received from the Commonwealth of Massachusetts for so-called "homeless transportation" costs, which funds may be expended for costs of providing such transportation, said fund to be expended by the School Committee without further appropriation in an amount not to exceed \$100,000 for FY 2014; or take any other action relative thereto.

BY SCHOOL COMMITTEE

The Finance Committee recommends approval of this article as written

Article 9: To see if the Town will vote to amend the vote taken under Article 4 of the October 2011 Special Town Meeting to expand the purpose for which the funds may be expended from "Masonry Repairs – Schools" to "General Repairs – Schools"; or take any other action relative thereto.

BY SCHOOL COMMITTEE

The Finance Committee recommends approval of this article as written

Article 10: To see if the Town will vote to amend the Zoning By-Laws by adopting the following new by-law establishing a temporary moratorium on the siting of medical marijuana treatment centers in the Town, as follows, and further, to authorize the Town Clerk to assign the proper chapter and section numbers to said by-law, consistent with the current numbering system:

PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and the regulations recently promulgated by the State Department of Public Health provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Medical Marijuana Treatment Centers and other uses related to the regulation of medical marijuana. The adoption of a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers will allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

DEFINITION

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning By-laws to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Centers and related uses, and shall consider adopting new Zoning By-laws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

BY PLANNING BOARD

The Finance Committee recommends approval of this article as written

Article 11: To see if the Town will vote to transfer from Free Cash the sum of \$10,000.00 for payment to the “Community Opportunities Group, Inc.” or other qualified entity, in accordance with the requirements of G.L. c. 30B, to prepare and resubmit an application for a Community Development Block Grant (CDBG) for the Town of Abington, or take any other action relative thereto.

BY COUNCIL ON AGING

The Finance Committee recommends approval of this article as written

Article 12: To see if the Town will vote to transfer from available funds sums of money for the purpose of funding and implementing collective bargaining agreements between the Town and the following units: Library, Clerical, Highway/Park/Sewer, Managers, and Police; or take any other action relative thereto.

BY BOARD OF SELECTMEN & TOWN MANAGER

The Finance Committee cannot make a recommendation on this article at this time, as the collective bargaining referenced in the Article is still ongoing. The Finance Committee will have a recommendation on this article at the Special Town Meeting dependent upon the outcome and timing of the ongoing negotiations.

Article 13: To see if the Town will vote to rescind unissued borrowing authority in the amount of \$40,751.00, approved under Article 5 of the April 4, 2011 Special Town Meeting where the Woodsdale School Window Replacement project has been completed and these residual funds will not be needed, or take any other action relative thereto.

BY TREASURER/COLLECTOR

The Finance Committee recommends approval of this article as written

Article 14: To see if the Town will vote to transfer unexpended funds encumbered in the FY 2013 Health Insurance budget line item to the Other Post Employment Benefits (OPEB) Trust Fund, said funds not to exceed \$109,000.00, or take any other action relative thereto.

BY TOWN MANAGER

The Finance Committee recommends approval of this article as written



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

TO: BOARD OF SELECTMEN
FROM: TOWN MANAGER
DATE: OCTOBER 18, 2013
SUBJ: GENERAL UPDATE

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

1. Kenan Connell Resignation – I know that I already emailed the board the information pertaining to the vacancy in the position of Highway Supt. Considering that one of the Board's goals is to solidify a Department of Public Works I believe that it is a good time for me to speak to the Sewer Commissioners (you will recall that I have had discussions prior with the Park & Recreation Commission) about the possibility of restructuring these departments. The Charter review set for 2014 would seem to give us an opportunity to implement the organizational changes necessary to fulfill this goal. In the meantime I will be seeking models from other communities where an elected Sewer Commission is integrated into a larger DPW. Keep in mind that even with an integrated DPW the policy, planning, and rate setting roles and oversight of a Sewer Commission will still be necessary and are perhaps not best absorbed by the Board of Selectmen. The opportunity for some budgetary savings as well enhanced coordination of activities between these functions is worth exploring.
2. Town Meeting – I have met with the Finance Committee on two occasions to prepare for Town Meeting. They have made their recommendations and we will be able to have them printed on the warrant for posting and distribution. I am very pleased that we were able to agree on the fiscal matters on the warrant. The warrant will be posted on Monday. The Moderator, FINCOM Chair, and me plan on meeting in the next -10 days to ensure that motions, etc. are in order for the meeting.
3. Memorial Arch – While the ConCom has not issued a specific Order of Conditions they did provide us enough information to amend our technical specs and complete a procurement document. I anticipate this procurement being advertised in November.
4. Strawberry Valley Golf Course – Will be advertising RFP as early as next week. Also, I anticipate appointing Jim Coughlin to the committee next week. He is the only applicant for the current vacancy (which has been appropriately posted) and is recommended by the Chairman
5. Solid Waste Collection – I have a meeting planned for next week with representative of Waste Solutions to "meet and greet" and to discuss some of the concerns that I have previously outlined to the board.
6. N. Quincy Street/Chestnut Intersection - You will recall that Old Colony Planning Council was conducting a traffic analysis following the fatal accident at this intersection. I have been informed by OCPC that the data that was gathered was sufficient for them to recommend to the state Dept. of Transportation that they (DOT) conduct a "Road Safety Audit" at the location. This is a process that includes analysis of the data collected by OCPC as well as a site inspection (at which time local officials and other concerned parties may participate) and discussions with local officials. The benefit of the Road Safety Audit is that it opens the door for state and federal funding for roadway improvements including signals, etc. I will let you know when the RSA is scheduled.

7. Financial – While we prepare for the upcoming budget process I am working with the Town Accountant in formatting as simple a tool as possible for a multi-year revenue/expenditure forecast. Also, although we will be going forward with a capital recommendation on Nov. 4, the Finance team will be formatting a process for re-establishing and maintaining a 5 Year Capital Plan.
8. Roadway Infrastructure Plan - The Highway Supt. has been updating his spreadsheet that catalogs his inventory and needs. I will be reviewing this some time next week with him. The fact that Kenan is leaving his position does infuse a sense of urgency to at least get this document as up to date as possible by the end of the month.
9. Mass Municipal Association – Two weeks ago I forwarded to you information from the MMA that I was sent in my capacity as a member of the MMA Fiscal Policy Committee. The key piece in my opinion is the effort to try and amend the existing requirement for cities and towns with regard to Other Post Employment Benefits (OPEB). As we know this means essentially the requirements for retiree health insurance. This coming Tuesday October 22 the Fiscal Policy Committee will be voting on the attached Resolution. Without taking much of the Board's time on Monday night I will plan on pointing out the changes to the current laws that are likely to be recommended by our committee and adopted by the MMA in January. Upon adoption this would become one of the legislative goals of MMA for the coming year (and beyond if necessary).