



Town of Abington
OFFICE OF
BOARD OF SELECTMEN
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Minutes
Board of Selectmen
June 27, 2022
Cotter Room
6:30 p.m.

Members Present: Alex Bezanson, Chair, Mike Kolodziej, Tim Chapin, Kevin DiMarzio, Alex Hagerty, Scott Lambiase, Town Manager

The meeting opened with the Pledge of Allegiance.

Public Announcements:

Mr. Hagerty: Brought up Code Red, which will have important community alerts and encouraged everyone to sign up. Noted PTSD Day and the importance of reaching out for help - for Veterans Affairs PTSD Hotline 1-800-273-8255; Substance Abuse and Mental Health Services 1-800-662-4357; National Suicide Prevention Hotline 1-800-273-8255.

Mr. DiMarzio: Tenth District Brewery and Abington Celebrates have partnered and come up with a beer to celebrate Abington's 310th birthday, which will be available on June 30th for a limited time. Recognized the support of Police, Fire, DPW, Selectmen and all the volunteers who have made all the events possible.

1. Badge Pinning Ceremony – Fire Chief John Nuttall introduced Firefighter/Paramedic Andrew Macedo. After his girlfriend Theresa pinned him, he was sworn in by Town Clerk Leanne Adams.
2. RECC Director Stephan Hooke – discussion on State 911 Grants received. They have been dispatchers for the Abington Fire Department and answering 911 calls since 2012. Six months ago, they started with the Abington Police Department. Last year they received just under \$1 million to take on the dispatch responsibilities for Abington Police. This year for FY23, the grant is \$898,351.72 for equipment and capital items for dispatch services, updating fiber optics and reviewing other updates, replacing redundant equipment, PA systems, a generator for Town Hall. It is a competitive grant that they apply for every year. Mr. Lambiase pointed out that these items would have had to come out of our capital plan if not for these grants. Chief Nuttall pointed out that the generator for Town Hall fills the gap in the communication infrastructure.

3. Renewal of Commercial Garage License for Champion Auto Services – motion to approve made by Mr. Kolodziej, seconded by Mr. Hagerty, unanimous.

6:45 p.m. Meeting with Vinnie D'Andrea regarding activity at 3/43 Highland Road. The Board had requested a list of tenants and hours of operation due to problems previously at that location, which was not provided. Other than the commercial garage license, no other licenses were required. Mr. D'Andrea had spoken with several members on the board that he felt there was illegal activity by the tenant. The tenant had dismantled the fire alarms. Chief Nuttall felt there were other issues as well and wanted to inspect the whole property. That tenant is no longer there. Mr. D'Andrea described an incident last August where the Police were called, but no arrests were made. According to him, alcohol, drugs, prop guns were present. Mr. Hagerty wasn't aware of the incident. Mr. D'Andrea felt the town did nothing to help. Board pointed out there was no official complaint, and they can't evict people; it is the responsibility of the owner to make his tenants comply. Chief Nuttall – under Ch. 148 of MGL, he is going to coordinate a comprehensive inspection with the Board of Health and Building Department of the entire building. Mr. D'Andrea was urged to cooperate with town officials.

4. Vote on accepting gift of antique fire apparatus. Mr. Bezanson explained there is a gift account, and they have met with Community Preservation. They will be applying over the next few years for funds to restore the fire truck; it needs to be owned by the town to do that. Motion to accept the gift of the fire truck from Roger Woods made by Mr. Kolodziej, seconded by Mr. Chapin, unanimous.
5. VSO Adam Gunn, operational update: Had a Food Drive Thru at the Senior Center with Alyson Sullivan and volunteers passing out over 1,000 lbs. of food to veterans, and thanks to Leanne Adams gave away 3,000 lbs. of food to the local community and Abington Food Pantry. Looking to do this again in October and on a monthly basis during the winter months.

Colby Boyle, then a Sr. at Abington High School, now at Marine Boot Camp, interviewed Rick Franey and wrote his story, which is on the Veterans Services website.

There is a monthly breakfast at Martins on the first Wednesday of the month that has been very successful, free for veterans. He thanked Fred Villa for providing this service to our veterans.

A new flagpole at the rotary is being installed thanks to Liz Shea.

Eagle Scout candidate Mike O'Leary is working to restore the Laidler Field Memorial and flagpole.

Announced a ceremony on June 29th honoring Korean War veterans at the American Legion, America for Peace Awards.

Abington will be a Purple Heart Town. Signs are going to be placed on every street entrance into Abington and Town Hall. On August 7th there will be a ceremony to display the first Purple Heart sign to be placed on Gliniewicz Way.

There is a part time VSO assistant position opening.

6. Center School Reuse update, Barrett Consulting Group. Liz Shea explained Mass. Development supplied the grant for technical assistance and introduced Elizabeth Haney of the Barrett Group, who gave a presentation on the reuse. \$25,000 was earmarked from Alyson Sullivan for the Center School Building Study done by Habeeb & Associates. It is a 13-acre parcel consisting of parking, the school, Murphy Field and wooded area. The town intends to preserve some parking and Murphy Field, as well as some access to Murphy Field. The school was built in 1939. Structurally, it is in good condition, but would need a new roof and windows. The school is in a treed area surrounded by single family homes. The price of houses has doubled since 2013 and rents have gone up considerably. There are almost 4,000 people on the waiting list for elderly housing with only 8-12 units opening each year. The chart for qualifying income for affordable housing and the survey findings were reviewed.

Ms. Haney suggested getting the Center School placed on the National Register of Historic Places to make it eligible for Federal and State tax credits.

Mike Wallace, 88 Summer Street – wondered if they were only proposing to preserve some of the wooded area. Nothing has been decided yet.

Ron Howe, 149 Walnut Street – it was mentioned at the community meeting that the building wouldn't be expanded. Nothing has been decided. Mr. Lambiase – we may bundle two schools together. We are not interested in developing the site. The best use is to preserve the field and wooded area, using what we have.

Mr. Bezanson – nothing has been decided; these are just options to look at. The next step is to ask for input from the development community.

Abutter, Walnut Street – felt survey was targeted, asked how and where they were distributed. Would like to see it used for town purposes or leave it as open space. Liz Shea – surveys were left at Sr. housing on Shaw and Gliniewicz Way, Sr. Center, Library, Town Meeting, Town Hall, on-line and election day. The results will be placed on the website.

Mr. Lambiase – there is a large need for senior affordable housing in town. To demo and abate asbestos is approximately \$2 million. The roof is expensive.

Chief John Nuttall – there is a lot of vandalism up there as well as graffiti, and a lot of sprinkler damage to both buildings.

Abutter, 132 Walnut Street – is it going to be senior affordable or affordable housing? Senior.

Ken Coyle, 222 High Street – a member of the Affordable Housing Trust. The Trust made affordable housing for seniors a priority as well as low interest for first time home buyers. He is on Historical Commission also. It would use all three forms of CPA funds. Trust hasn't taken votes on usage. RFI would be the next step to see if there is interest in the development community.

Pam Howe, 149 Walnut Street – there are two projects going in down the street from this – 0 Summer Street with over 200 units and a 40B and senior housing at 1015 Plymouth Street with 145 units. Would like to see the school taken down and left as open space. Would there be funding for that? Would the 40B project be willing to help with this open space and demo expense? Would space on Gliniewicz Way be a possibility? Trust is working on a grant to update open space plan.

7. Discussion and possible vote on closing Island Grove from dusk until dawn – The Police Department has had issues with vandalism and moving people along out of pool area. After a discussion with the Police Chief, Fire Chief and DPW Director, it was felt to be in the best interest to close the park from dusk to dawn and have no one in there at night. There would be a procedure with Park & Rec or Selectmen for town-sanctioned events. Park & Rec supports this recommendation.

Dan Howland, 36 Wilson Place – has called Police repeatedly due to noise. There used to be signs that the Park closed at 9 p.m.

Mr. DiMarzio – felt it should apply to every park and motioned that every park close from dusk to dawn. Mr. Bezanson – felt Board should go with recommendation of Police, Fire and DPW. Chief Nuttall – agrees with Police, limiting it to Island Grove. Motion was not seconded. Motion by Mr. Kolodziej to close all parks from dusk to dawn. No one seconded the motion. Motion by Mr. Kolodziej to close Island Grove from dawn to dusk, seconded by Mr. Hagerty, 3 ayes, 2 nays (Mr. DiMarzio, Mr. Chapin).

8. Discussion on Selectmen Handbook requirement for registered voter status. Town counsel looked into this. It has to be done thru by-law or charter change. No action is needed by the Board.
9. Vote to allow the Harbor to the Bay Bicycle Charity Ride through Abington. Motion to allow made by Mr. Chapin, seconded by Mr. Hagerty, unanimous.

10. Discussion with Steve Wright, Sanborn Head, landfill consultant. He has worked on this since 2005, doing compliance monitoring. Distributed a hand-out which outlined his presentation (attached). The next step would be to go to DEP before an RFP goes out. Board found the presentation very informative.

11. Town Manager Report:

- Liz Shea is working with other communities on selecting consultant to work with towns to update Hazard Mitigation Plans, which is possible through assistance grant from FEMA valued at over \$70,000. This enables us to be eligible for other grants and financial assistance in the event of an incident.
- Complaints were received re panhandling at intersection of route 18/123. KP Law advised that panhandling is protected by the First Amendment. If an individual is interfering with the flow of traffic or is a threat to the safety of himself or others, the person can be encouraged to move to a safer location before requiring them to stop or arresting them.
- Town Clerk Leanne Adams has advised of a change to election laws requiring the Selectmen, town council or city council to assign police officers and constables to polling places. Previously it was the responsibility of the police chief. A plan will be presented to the Board prior to elections.
- In May FEMA issued a Major Disaster Declaration for a storm occurring on January 28-29th. Finance Director Andrew Nocon has been working with DPW, Police and Fire, and we may be eligible for approximately \$70,000 in reimbursement.
- On June 21st Clifford and Kenny conducted a training session at the Abington Senior Center for boards and committees. It was very well done and informative. It will be offered again this fall.
- We are working on year-end close out and preparing the new fiscal year projects. Transfers will be reviewed at the July 11th Selectmen's meeting.

Mr. Hagerty – had questions on Code Red. Notices will also be posted on Facebook.

Mr. DiMarzio – brought up homeless people camping out by stores. It's a health issue, impacting store owners and residents. Would like the Board of Health to look into it.

Mr. Kolodziej – concerned with businesses that are open 24 hours. Board should look into this.

9:45 p.m. Motion by Mr. Kolodziej to enter into Executive Session under MGL c. 30A, §21 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so

declares, and not to reconvene, seconded by Mr. DiMarzio. Roll call vote: Mr. Hagerty, aye; Mr. DiMarzio, aye; Mr. Chapin; Mr. Kolodziej, aye; Mr. Bezanson, aye.

Respectfully submitted,


Nancy Hurst

Abington Landfill

Board of Selectmen's Meeting
June 27, 2022

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Agenda

- **MassDEP Administrative Consent Order**
 - ACO negotiations began in 2005; ACO finalized on February 26, 2010.
 - Provides timeline and requirements for completing the assessment and closure of the landfill.
- **Conceptual Closure Alternatives**
 - Conceptual alternatives evaluated in 2006, which included options for importing contaminated soils to reduce capping costs.
- **Landfill Assessment and Closure Process**
 - Assessment work began 2006 and has been on hold since February 2014.
 - What was found, what's next; Status with MassDEP.
- **Considerations Going Forward**
 - Draft RFP for "turnkey" final closure of the landfill.
 - Thoughts on RFP; consideration of next steps.

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Administrative Consent Order

- **What Prompted the ACO?**
 - In 2004 a complaint was lodged with MassDEP by the owner of an easterly abutting vacant lot regarding concern that the landfill had encroached onto a portion of the property.
 - MassDEP visited the site and noted two primary violations: 1) Failure to cap an unlined landfill; and 2) Unpermitted post-closure use of the landfill (recycling/composting operations).
- **Final ACO – February 26, 2010**
 - Due to the off-property waste issue – which was also found to occur on property abutting the western side of the site – test pit investigations were performed to identify the extent of waste that extended off Town property.
 - Test pit investigations required property owner permission and also involved work in abutting wetlands. These activities and other negotiation issues led to the ACO not being signed until February of 2010.
- **Requirements of the ACO**
 - Complete the MassDEP landfill assessment process.
 - Prepare a corrective action design.
 - Implement the corrective action (construction).
- **ACO Compliance Status**
 - The Town submitted a Comprehensive Site Assessment (CSA) report to MassDEP in February of 2014. The CSA was a requirement of the ACO.
 - MassDEP has not yet reviewed the CSA and, per the terms of the ACO, no subsequent assessment and closure work can be performed until the CSA is approved.

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Landfill Site Plan



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Conceptual Closure Alternatives

- **Alternatives Evaluated Early During ACO Negotiations**
 - Initial draft of the ACO (2005) required capping of the landfill by 2006.
 - For planning purposes, Town began looking at options for capping the landfill, where some options included importing contaminated soils that would provide revenue to help defray capping construction costs.
- **MassDEP Requirements - Contaminated Soils Used to Close Inactive Unlined Landfills**
 - MassDEP Guidance document for use of specific materials to assist in reaching required grading for landfill capping (aka "Grading and Shaping Material").
 - Guidance allows for use of different Grading and Shaping Materials, including contaminated soils as defined by MassDEP.
 - ACOs are the mechanisms used by MassDEP to incorporate the requirements associated with a "Grading and Shaping" landfill closure project.
 - Public comment/public information session part of the process.
- **Alternatives Evaluated/Alternative Selected**
 - Joint BOS/BOH Public Meetings Held: 9/25/2006; 12/11/2006; 1/8/2007.
 - Nine closure options evaluated, grouped by differing post-closure uses and differing amounts of contaminated soils needed for closure.
 - 1/8/2007 Meeting adopted the option for importing 190,000 cy of contaminated soils in the back portion of the site with composting/recycling operations in the front (no contaminated soils in the front).

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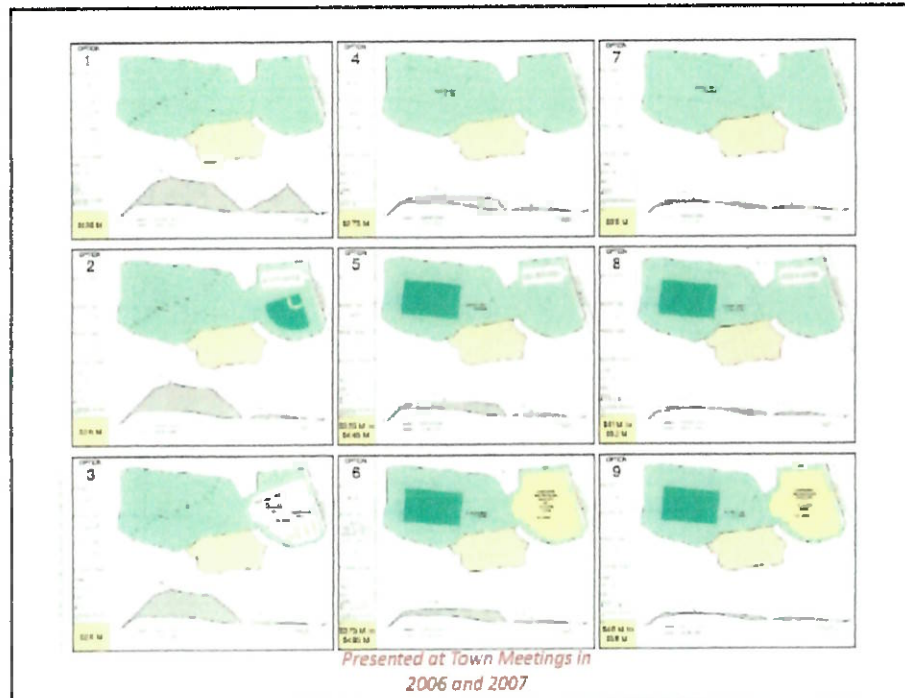
LANDFILL CLOSURE AND POST-CLOSURE USE OPTIONS MATRIX

		Soil Reuse ¹ Scenarios		
		Maximum Soil Import	Intermediate Soil Import	No Soil Import
Post-Closure Use Scenarios	No Post-Closure Use	1	4	7
	Partial Post-Closure Use	2 and 3	5	8
	Full Post-Closure Use	NA	6	9

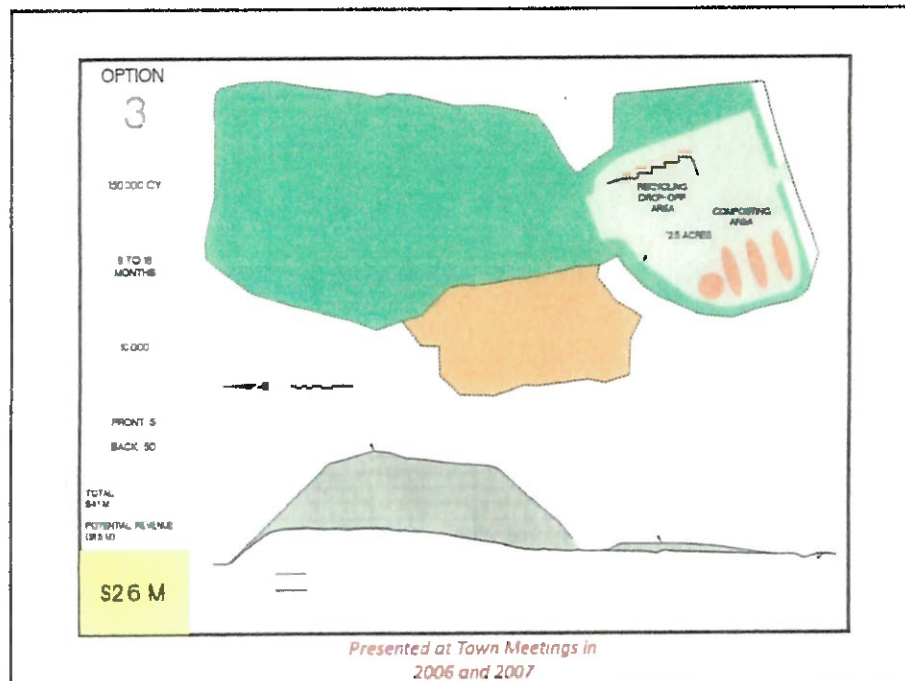
¹ The Massachusetts Department of Environmental Protection (DEP) has policies in place which allow contaminated soils to be moved or utilized on-site as pre-capping grading and shaping material. The option to bring contaminated soils to the Abington Landfill for use as grading and shaping material would be governed under the DEP's policy entitled *Guidelines for Determining Closure Activities at Inactive Unlined Landfill Sites*. The maximum contaminant levels of the soil would be subject to concentrations defined in the DEP guidance policy entitled *Reuse and Disposal of Contaminated Soil at Massachusetts Landfills* (DEP Policy COR-61 9-2001).

*Presented at Town Meetings in
2006 and 2007*

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Landfill Assessment and Closure Process

Landfill Assessment and Closure Process

- Steps in the process:
 - Initial Site Assessment (ISA) *(MassDEP Approved, December 2008)*
 - Comprehensive Site Assessment (CSA) *(Submitted February 2014, still yet reviewed)*
 - Corrective Action Alternatives Analysis (CAAA)
 - Corrective Action Design (CAD)
 - Implement Corrective Action (Construction)
- Each assessment and design activity above cannot proceed until MassDEP has issued a permit approval for the preceding step.

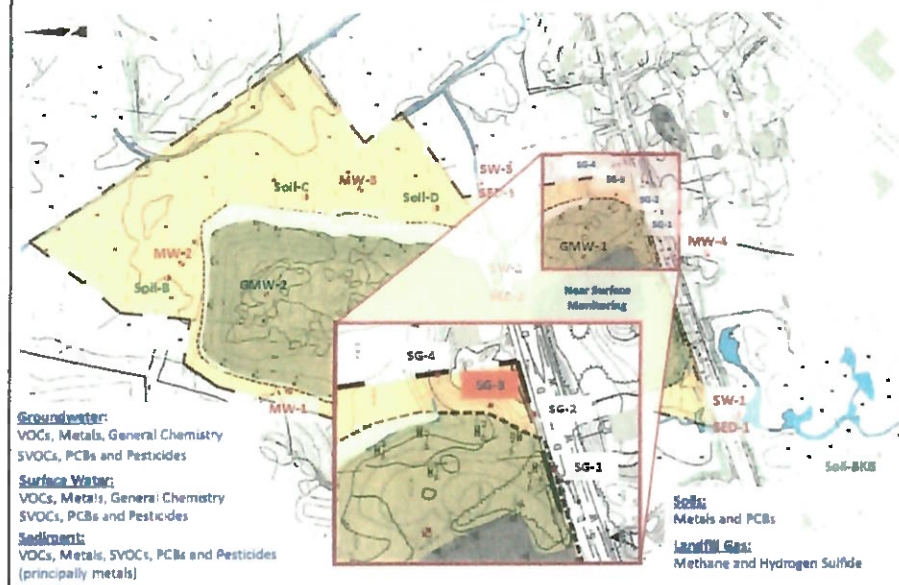
CSA Findings

- Groundwater** - The CSA results indicate that the landfill has had minimal impact on groundwater quality.
- Surface Water** - The landfill appears to have had some impact on stream surface water quality, where the impact may be elevated further from the landfill.
- Stream Sediment** - The CSA results show some metals impact that could be harmful to sediment-dwelling organisms.
- Wetland Soil** - The CSA results show some limited impact to the wetland soils located near the landfill toe at slope.
- Landfill Gas** - There is no evidence of off-site gas migration south of the site and the wetlands surrounding the landfill to the north, east and west serve as a natural barrier to migration in these directions.

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CSA Monitoring Locations



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Landfill Assessment and Closure Process

- **CSA Recommendations**
 - Two primary recommendations are presented in the CSA Report:
 - Post-CSA Environmental Monitoring Program.
 - Suggested corrective action alternatives to be evaluated during the CAAA phase.
- **Ongoing Environmental Monitoring (Compliance Monitoring)**
 - Pursuant to the MassDEP Solid Waste Regulations, the Town is required to conduct ongoing environmental monitoring at the site (water quality and landfill gas). Abington has performed this routine compliance work since the CSA was submitted in 2014.
- **Corrective Action Alternatives - Concepts Presented in CSA Report**
 - In the absence of an approved cover system, the Town may be required to install a landfill cap that meets current regulatory standards ("standard cap").
 - A "grandfathered" cover system that meets the requirements that were in place when the Town ceased landfill operations in 1975 could be a viable alternative to a standard cap.
 - Advocating a "no-action" alternative may be a viable approach on the premise that the landfill's limited environmental impact does not warrant implementation of a corrective action of any kind.
 - Based on the above, there are three principal options that could be evaluated in the CAAA:
 - No-action;
 - Alternative final cover system that meets 1971 DEP (DPH) requirements;
 - Standard final cover system that meets current DEP regulatory requirements.

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Landfill Assessment and Closure Process

- **Corrective Action Alternatives – Concepts Presented in CSA Report (cont'd)**
 - Associated with each of the broad-based closure options are the Town's post-closure development interests at the site. These include continued use of the site for Town-only composting operations.
 - The alternatives analysis would also look at the importation of contaminated soils to offset landfill capping construction costs – picking up on the conceptual alternative endorsed by the Town in January 2007.
 - The alternatives analysis could consider a subset "no-action" evaluation related to those portions of the landfill that are located within the abutting wetlands.

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CAAA Concepts Presented in CSA Report

Alternative	Landfill Area and Proposed Use	Description
1. No Action	Front Composting/Recycling	Continue composting/recycling at the front of the site. Monitor and adjust capacity as needed to ensure sufficient volume of composting area is available to meet capacity needs.
	Rear Capping	No action is warranted here.
2. Alternative Cover System?	Front Composting/Recycling	Installation of a permanent cover (e.g., geotextile, mulch, etc.) and adjustment of cover to provide an appropriate water balance for the composting area, consistent with the goals of the project.
	Rear Capping	Installation of a permanent cover (e.g., geotextile, mulch, etc.) and adjustment of cover to provide an appropriate water balance for the capping area.
3. Standard Cover System?	Front Composting/Recycling & Recycling Transfer Station	Installation of a permanent cover (e.g., geotextile, mulch, etc.) and adjustment of cover to provide an appropriate water balance for the composting area.
	Rear Capping	Installation of a permanent cover (e.g., geotextile, mulch, etc.) and adjustment of cover to provide an appropriate water balance for the capping area.
4. Import 150,000 cu yd of Required Soil?	Front Composting/Recycling	Installation of a permanent cover (e.g., geotextile, mulch, etc.) and adjustment of cover to provide an appropriate water balance for the composting area.
	Rear Capping	Installation of a permanent cover (e.g., geotextile, mulch, etc.) and adjustment of cover to provide an appropriate water balance for the capping area.
5. Import Lesser Quantity of Soil for the Solar Array or Address Paving?	Front Composting/Recycling	Installation of a permanent cover (e.g., geotextile, mulch, etc.) and adjustment of cover to provide an appropriate water balance for the composting area.
	Rear Capping or Address Paving	Installation of a permanent cover (e.g., geotextile, mulch, etc.) and adjustment of cover to provide an appropriate water balance for the capping area.

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Considerations Going Forward

- **Draft RFP for Contractor "Turnkey" Closure Services**
 - Requested services:
 - Closure design;
 - Community outreach;
 - Construction and construction observation;
 - Continued composting and recycling drop-off during the project;
 - Completion of upgrades to the composting and recycling area upon completion of closure.
- **Considerations Regarding Draft RFP**
 - RFP differs in concept to the approach contemplated in 2007. The approach in 2007 was based on:
 - Completing the CAAA phase, confirming the preferred alternative and post-closure use;
 - Completing the closure design;
 - Publicly bidding the landfill operations (soil import) and landfill capping. Alternatively, the operations and capping phase could be bid separately. In either case, the Town would direct contract engineering services in a traditional method of project delivery (engineer works for Town, not contractor). Revenue would accrue during the soil import phase and Town owns the airspace.
 - Potential for a "no-action" alternative at the site. This is an option that was intended to be explored with MassDEP as part of the CAAA phase. If composting/recycling is to continue in the front of the site, some form of cap is expected to be required.

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Considerations Going Forward

- **Considerations Regarding Draft RFP (cont'd)**
 - Concept sketch from contractor shows net fill volume of 163,000 cy of material.
 - Would the material be contaminated soil, or other grading and shaping materials as well?
 - Filling is shown in the front of the site that would mound this area, suggesting that continued composting and recycling operations may not work in concert with the concept grading in the area.
 - Filling is shown in an area (about a half-acre) that would constitute a lateral expansion of the landfill's existing footprint.
 - What would the loss of grading and shaping capacity do to the the pro-forma (financial analysis)? What is the minimum volume needed to cover the contractor's costs.
 - Settlement considerations.
 - A "Grading and Shaping" closure will trigger outreach to MassDEP and is expected to lead to a modification to the ACO.
 - How will MassDEP closeout the CSA? Where would the CAAA fit into the process – will MassDEP require the CAAA? What about wetlands encroachment?
- **Going Forward – For Consideration**
 - MassDEP has remained silent on the CSA and ACO. If the Town is interested in pursuing the importation of soils and capping – as presented in the Draft RFP - the Town is advised to first engage with MassDEP to determine:
 - How the work fits within the requirements of the existing ACO.
 - Whether the results of the CSA (and/or CAAA) might lead to a different (less involved/less costly) corrective action.
 - Coordination with MassDEP could reveal additional controls that should be included in an RFP that would protect the Town's interests.

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Questions

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