



Town of Abington

OFFICE OF BOARD OF SELECTMEN

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

Minutes Board of Selectmen Town Hall May 11, 2020 6:30 p.m.

Via Remote Participation

Members Present: Tom Connolly, Chair, Tim Chapin, Ken Coyle, Jim Connolly, Kevin DiMarzio, Scott Lambiase, Town Manager

Meeting opened with Pledge of Allegiance.

Public Announcements:

Ken Coyle – congratulated Captain John Glynn on being promoted to the rank of Deputy Fire Chief effective today.

Tom Connolly – held a moment of silence for retired Abington Fire Captain Peter Austin. Pete began his service to the residents of Abington in 1966 as a Call Firefighter, appointed Permanent Firefighter in 1970, promoted to Fire Captain in 1993 until his retirement in 2003. Peter also returned as a Fire Dispatcher from 2007 to 2009. At this time services will be private, but his family is hoping for a larger celebration of life at a later date.

Action/Discussion Items:

1. Minutes: May 4, 2020 – motion by Jim Connolly to approve, seconded by Kevin DiMarzio, unanimous.
2. Transition report: Scott Lambiase updated the relevant items listed on the report left by previous Town Manager Rick LaFond.
 - Sign off received on Senior Center roof, now complete. Project done with grant money.
 - Millennium Park Bridge – finishing up. Will check it out with DPW.
 - Hasn't been over to Turntable Park yet. It is his understanding that the encroachment Issue with neighbor has been resolved.
 - MS4 – ongoing stormwater regulations. There is warrant article for this. All communities have to do it; federally regulated program authorized under the Clean Water Act.
 - No additional information on landfill. DEP hasn't requested anything at this time.
 - Dog park – has talked to Sue Moquin. They are working on that.
 - Memorial Bridge Analysis – doesn't have any additional information at this time.
 - Hancock/Chestnut Street – no additional information.
 - Chestnut/N. Quincy Street – no additional information.
 - Sewer Beds/Charles Street Solar – can go out to bid under Chapter 25A, but solar is not typical bid process. Recommends a bid package be put together. He has done two with consultant. Will look into it a little more.

- Green Community Grant/HVAC – still working with contractor.
- Senior Center Utility Easement – was approved at last meeting.
- Pohorecky Property - no additional information.
- Union contracts – will check with John Clifford, town counsel.
- Wage and Classification Plan – reviewed report. Found it very confusing, missing pieces. Doesn't recommend going forward with plan. Will take a little more time. Most of the people fall under labor agreements. Those that don't, would be potentially getting COLA increases.
- Retail Marijuana Licensing - waiting for companies to get final approval.
- Sewer Beds Solar Project – we can put it out to bid.
- Hillside Cemetery – will look into it. Doesn't know the pleasure of the town, or if it should be added to DPW burden.
- BOS Policies - will look into more and bring them up to date. Procurement will be the first to be brought up to date. Will add more policies – purchasing, financial management, etc.
- Got a lot of information from department heads. Sue Moquin has been a lot of help.

Tim Chapin – re Police Union Contract, has he looked into it yet? Scott Lambiase – has talked to town counsel. There is one issue going back and forth. Town Manager will be talking to counsel. This will probably need to be discussed in executive session to give the board an update.

Kevin DiMarzio – re landfill. Could it be looked into as far as expanded use? Scott Lambiase – if anything is changed, they would have to cap it, it would have to be monitored.

Ken Coyle – re solar fields. Should it go on an upcoming agenda? Backs up to Rail Trail. That area doesn't get much use. May be a good investment for town. Scott Lambiase – the town could look into a grant.

Jim Connolly – what kind of encroachment did neighbor have re Turntable Park? Ken Coyle – went out with Rick LaFond and Doug Ulwick. Neighbors had been using public property as part of their property, not fully realizing boundaries until property was surveyed. Issue has been resolved.

Jim Connolly – roof money. Does it go back into budget? Scott Lambiase – thru an Article it would go back into Stabilization, or some other improvements, maybe parking lot, doors. Ken Coyle – would have to go to Town Meeting to spend money from articles.

3. Discuss Town Meeting and Budget. Scott Lambiase - plan is to go forward on June 22 with Town Meeting, Election on June 23. Met with Marty Golightly and Shawn Reilly, as to how it would be set up. They have a plan, need to develop it a little more. They don't know quorum rule yet from state. He will ask board to make final decision next

Monday night. They would meet with Cable Access on what Town Meeting would be like, only to do budget, time-sensitive items, put zoning off for fall town meeting. Had message from Senator Keenan, told to ignore numbers by Governor in January. There is \$700M deficit in State currently. There is \$3.5B in stabilization. Meeting tomorrow with finance group for review of numbers and will bring numbers down, reduce Chapter 70 to last year's figures, and take out increases. Will have plan by next Monday night.

Town Election – went to Emerald Hall. They will be pushing absentee balloting. Leanne Adams has information she will get out on that on website for mailing, drop off. Will have information on Cable Access, PSA, as preferable way to get votes in.

4. Town Manager Report:

Working on how to open Town Hall. Governor has announced four phases of openings. Sue Moquin and Marty Golightly are ordering plexiglass shields to go over counters to protect workers, there will be signage on coming into Town Hall, wearing masks will be required coming into Town Hall, hand sanitizer, social distancing. Childcare may be an issue for some employees. There will be plexiglass shields and masks for registrars at Town Meeting. There will be more information to come on Cable Access probably first week in June. Would hope answers are finalized on May 18th.

Park & Recreation Commission will be meeting on 20th. We will have to see what the state will allow for activities this summer. They haven't gotten a timeline from state yet. Strawberry Valley Golf Course opened, had a great weekend. Used safety measures. Clubhouse closed.

They want to make sure they keep everyone safe for town meeting. Meeting with FOG tomorrow re Chapter 70 money and Finance Committee on Wednesday. Will probably announce spending and hiring freeze next week. They don't want to keep people in building any long than they have to. Will be doing PSA to let people know Annual Town Meeting will be pared down. There are still a lot of issues to work out.

Scott Lambiase will check with John Clifford for next week on executive session. Jim Connolly – requested litigation update. Ken Coyle – suggested that be done after election when new Selectmen are on board. Jim Connolly – asked about re-appointments and town manager evaluation form. Re-appointments would be voted on next month. Tom Connolly and Scott Lambiase have evaluation forms the subcommittee can look at.

Motion to adjourn at 7:15 p.m. made by Jim Connolly, seconded by Tim Chapin, unanimous.

Respectfully submitted,



Nancy Hurst



ABINGTON FIRE-RESCUE

&

Emergency Services

1040 Bedford Street
Abington, Massachusetts 02351



Chief

John M. Nuttall

Deputy Chief

John W. Glynn

Department Promotion Deputy Fire Chief

May 11, 2020

I am pleased to announce that Captain John W. Glynn (Jack) has been promoted to the rank of Deputy Fire Chief effective this date.

Jack has over 31 years' experience in the Fire Service, is a 24-year veteran of this department, not including his 5 years of service in fire departments in Florida, and as an experienced paramedic in the South Shore area when Advanced Life Support emergency medicine was just beginning in this region. Jack was the Abington Fire Department's first paramedic, and brought with him the skills to begin this lifesaving service for the residents of Abington in 1996.

Appointed to Fire Captain in 2010, Jack has commanded numerous emergency incidents, served as the Department's Public Information Officer, and as Acting Deputy Chief for several months last year.

Jack has been instrumental in writing and obtaining grants for the Abington Fire Department which greatly benefitted the department and residents, with well over \$1.1 million dollars in much needed equipment and manpower.

It is my pleasure to work with Deputy Glynn and have full confidence in him in fulfilling this new role, and overseeing the Fire Prevention division of the Abington Fire Department.

Congratulations Deputy Glynn.

John M. Nuttall
Chief of Department



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

TO: BOARD OF SELECTMEN
FROM: TOWN MANAGER
DATE: MAY 2, 2020
SUBJ: GENERAL UPDATE

The following is meant to be a final update of update of activities of the Town Manager and staff. Should any member desire more information regarding any particular matter please contact me personally. These efforts continue to be in addition to the day to day administration of the town.

This is my last GENERAL UPDATE and may be considered a "transition report" of some of the items in progress as of the above date. Be aware that this is not intended to represent a complete list of activities.

1. Senior Center Roof – The roof is installed but not yet substantially completed. I expect that the contractor will be applying for a final inspection next week. The project was paid entirely by the state earmark I was able to secure in last year's state budget process. The \$100,000.00 that was appropriated at the 2019 ATM can closed out or re-appropriated for other purposes. I recommend that these funds be used for other needs at the Senior Center including but not limited to the repair/resurfacing of the parking lot (also need to replace the doors).
2. Millennium Park Bridge – Project is nearly completed by Glenn LaPoint (successful bidder) this is a CPA funded project to allow for better emergency, pedestrian and handicap access and for aesthetics.
3. Turntable Park – This project on the entry way to the Rail Trail on Monroe Street is CPA funded to create a historic park where the turn table reversed the direction of the trains on the old colony line. A significant issue is the abutting property owner has encroached upon public property and concerned as to the impact of fencing buffer, etc. Although there is no question even by the abutter (we surveyed the property) I am working to find an amicable solution. While this would not hold up the project it would certainly be in the town's interest to find an accommodation
4. MS4 – The Municipal Separate Storm Sewer System (MS4) program is a federally regulated program authorized under the Clean Water Act. The intent of the program is to improve water quality by mitigating polluted stormwater runoff commonly transported through municipal storm sewer systems, which are often discharged, untreated, into local

water bodies. The program requires surface and groundwater testing. Abington is complying with the Year Two permit requirements, which include: preparing a stormwater Operation and Maintenance Plan; updating local bylaws and stormwater regulations; initiating mapping of stormwater outfalls; dry weather outfall sampling; increasing public education activities; and preparing a stormwater pollution prevention plan (SWPPP) for its highway maintenance facility. The cost for Year Three through Seven will result in a total cost of nearly \$800,000.00. The FY 2012 proposed spending plan includes the \$200,000.00 necessary for services to comply with Year Three requirements.

5. Landfill – testing continues to be performed on a quarterly basis. Current test results are not compelling DEP to require the town to take any further action/remediation although this may change in the future. Should the town ever wish to use the property beyond the current activity the town will likely need to factor in the cost effectiveness of having to complete the cap on the landfill in order for DEP to approve.
6. Dog Park – the wetland replication will be underway this spring as intended. This is the last task necessary to complete the original design. The wetland consultant will be scheduling to coordinate excavation/planting. The DPW will be doing the excavation in order to stretch the project funds.
7. Memorial Bridge Analysis – the consultant has completed the following from the scope of work:
 - Electronic sketches of the deficiencies noted during our in-depth bridge inspection. These sketches will be used as the basis of the rehabilitation plans to be completed in the next phase of work.
 - Rehabilitation Scope of Work
 - Estimate of construction cost
 - Estimate of construction duration
 - Letter from MHC related to the rehabilitation work

The next phase of the work will be to perform the design and contract plans for construction based on the recommended scope of rehabilitation work. This will include preparation of a detailed scope of services for the design of the rehabilitation. No work was completed under Section 5 (Funding Applications) of the scope.

8. Hancock/ Chestnut St. Intersection Improvements – this engineering/design project is one step away from being placed on the MA Transportation Improvement Plan (TIP) for funding. It is currently waiting Project Approval by the Project Review Committee. Once the project is reviewed by the Project Review Committee, the proponent and Regional Planning Agency will receive a letter updating the approval status. This very good news for the eventual state funding for design and construction of traffic/accident control at this intersection. Be aware that it will take several years to get to the funding stage.

9. Chestnut/N. Quincy Street (roundabout) - The municipal project agreements are in place with Abington and Brockton. I have worked with the state to pursue the takings at 3 properties (1 by donation and 2 by eminent domain) necessary for the construction phase to proceed. We do not yet have a start date, but we expect that it will commence this summer.
10. Sewer Beds/Charles Street Solar - Earlier this month I received a proposal for a possible solar field on Charles Street. You may recall that the Master Plan exercise for the Griffins Dairy property included a possible solar field. Upon review of the area by a potential vendor it was determined that the property east of Griffins Dairy would be conducive to connecting to the "grid" and having natural buffer. This has been discussed on and off over the past several years, but I finally have a proposal. Whether or not this is sufficient, unacceptable or leads to a more desirable conclusion remains to be seen.
11. North/Central School Demolition Estimates - These should be reasonably forthcoming in that one of the goals of the consultant is to study the financial feasibility of using the North School property for the site of a new fire station. Both schools are of similar construction and age so an estimate provided for the North School should be within reasonable range for the Central School.
12. Street Light Purchase (LED conversion) - The RFP, Legal Notice & Draft Contract are prepared for the purchase of the town's street lights. This is NOT a risk to service but rather an enhancement that is done throughout the state. The result will be a one-time credit from NGRID of \$50,000 + and an annual savings of approximately \$25,000 in perpetuity. Keep in mind that the transmission lines are still the property of NGRID and will always be maintained by NGRID. The poles and fixtures will belong to the town. The analysis of this has been ongoing for months. The benefit of doing our own purchase and retrofit & maintenance rather than taking advantage of NGRID doing a retrofit are now determined resulting the above effort. It is more cost effective for the town to purchase/retrofit/maintain. The RFP process will ultimately determine the most cost effective and qualified LED Suppliers, Retrofit providers and O&M companies. Procurement and review process should be completed in the summer and the effort would begin shortly thereafter. This will not even be noticeable to the public.
13. Green Community Grant - Updating of the HVAC systems in the town hall and library will be completed soon. This has taken longer than anticipated due to mechanical deficiencies in both buildings well beyond the initial scope. The project and grant will be closed out by the end of May.
14. Senior Center Utility Easement - The easement has been procured and approved by the Board of Selectmen. The legal documents have been drawn up and approved by Town Counsel. This will be put before you at one of your upcoming meetings for approval. Keep in mind that the town is owed \$40,000.00 prior to this being consummated.

15. Pohorecky Property – Sale to the state of this property completely surrounded by Ames Nowell State Park has been stalled due to the fact that the heirs who must approve of the taking in lieu of taxes a few years ago are not to be found after a very long attempt. We believe them to be in the Ukraine and unreachable. Therefore, town counsel is engaged in the very long process of having had to reverse the taking in lieu of taxes so that the town can go through foreclosure procedures. This has been going on for years and may take up to another 6 months – to a year to finally be the town's property available for sale to DCR.
16. Union Contracts – At this time all bargaining units are under contract. Expiration dates are:
- Firefighter Union – FY 21
 - Police Union – FY 21
 - Library Union – FY 20
 - Managers Union – FY 22
 - Clerical Union – FY 21
 - DPW Union – FY 22
17. Wage & Classification Plan – This past year I pursued the updating of position descriptions and the formation of a wage and classification plan. Several years ago I was successful in obtaining funding from town meeting for a 3rd party consultant to provide these services. I chose the Collins Center of UMass Boston. I hope (had hoped) to implement the wage plan this coming fiscal year. Implementation is built into my FY 2021 spending plan. Obviously, any spending plans are very tentative based upon the state of local aid. However, the plan exists and is set for implementation.
18. Retail Marijuana Licensing – The two licensees have completed the local permitting process and their application approvals by the Cannabis Control Commission are pending. Upon completion these two facilities are estimated to bring approximately \$300,000 in additional revenue to the town.
19. Sewer Beds Solar Project – I received a long-awaited proposal this month from a development company that has been researching this location for a couple of years. The town will have to evaluate the merits, but the initial proposal would bring approximately \$50,000.00 in recurring revenue to the town.
20. Municipal Finance – The current public health crisis is have far reaching and possibly severe fiscal implications for cities and towns. Despite my proposed budget and spending plan submitted to the Finance Committee, a significant reduction in state aid is a likelihood. The current proposed plan would result in a modest increase in the operating budget and would include re-establishing a town planner position. It would also result in approximately \$1,000,000 to be added to our stabilization account. It was my intent to provide the Finance Committee with a budget scenario based upon a 10% reduction in state aid and local receipts. Unfortunately, I do not have time to do so based upon my remaining tenure. A cut of this magnitude would create a reduction in revenue of

approximately \$1,800,000.00. Reductions that minimize the impact on the public will be very difficult and likely require significant negotiations with our bargaining units to address such things as health insurance contribution, benefits, reduction in hours, wage freezes. The likelihood of layoffs is significant if these efforts are not successfully pursued. Hopefully potential local aid cuts will be minimal and not require the efforts above.

21. Hillside Cemetery – The trustees of this small, private cemetery on Randolph Street are seeking for the town to assume control and maintenance of the cemetery. I have been informed (and inspected the site) by the trustees that they are aging, no longer have nearly enough donations to properly maintain the property. I have attached a letter from the President of the Trustees detailing the history and their inability to continue to maintain. I HOPE SOMEONE WILL CHAMPION THIS CAUSE.

22. Other:

- a. I had begun updating and reorganizing the Board of Selectmen Policies but will not be able to complete the effort.
- b. Police Union Contract document – Although the fire unit is now up to date the Police document is not. It is now in a WORD document that can be updated but waiting until the current labor issues conclude may be prudent.

Rick LaFond

From: Rick LaFond
Sent: Wednesday, April 29, 2020 9:47 PM
To: Tom Bowker
Subject: RE: Solar Proposal Check In

Tom,

Sorry for the delay in getting back to you. We are interested in the proposal, however I am transitioning to another town the week after next. I will provide with a local contact with whom you can hopefully move this forward.

Rick

Richard J. LaFond
Town Manager
Town of Abington, MA
500 Gliniewicz Way
Abington, MA 02351
Phone - 781-982-2100
FAX - 781-982-2138

From: Tom Bowker <tbowker@maxwellddevelopments.com>
Sent: Friday, April 17, 2020 11:49 AM
To: Rick LaFond <RLaFond@abingtonma.gov>
Subject: Solar Proposal Check In

Hi Rick

It's been about a week or so since I sent you the solar proposal. Fully understanding that you may have other concerns due to the virus situation, but was wondering if you had a chance to look at the document I sent over. Please let me know either way.

Thanks
Tom

Tom Bowker
Maxwell Developments
+1.289.775.3946
www.maxwellddevelopments.com

Rick LaFond

From: Tom Bowker <tbowker@maxwellddevelopments.com>
Sent: Wednesday, April 8, 2020 11:53 AM
To: Rick LaFond
Subject: Solar Proposal for Charles Street
Attachments: Photon Developments Proposal for The Town of Abington MA.pdf

Rick

Sorry for the delay in getting this to you, but please find attached our proposal for solar on Charles St. as discussed. It includes both 0 and 100 Charles, but as we discussed on our phone conversation, I expect this to be reduced somewhat by your master plan involving items other than solar. I wanted to give you a max number for this location for your reference, and the associated numbers.

I assume this will eventually go to RFP as part of the Town Council requirements. We would be happy to work with you on that as needed.

If you would please review at your convenience, and then we can have a follow up call to discuss further, and answer any questions you may have.

Thanks

Tom

Tom Bowker
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Proposal for The Town of Abington MA

Charles Street Solar Facility

April 2nd, 2020

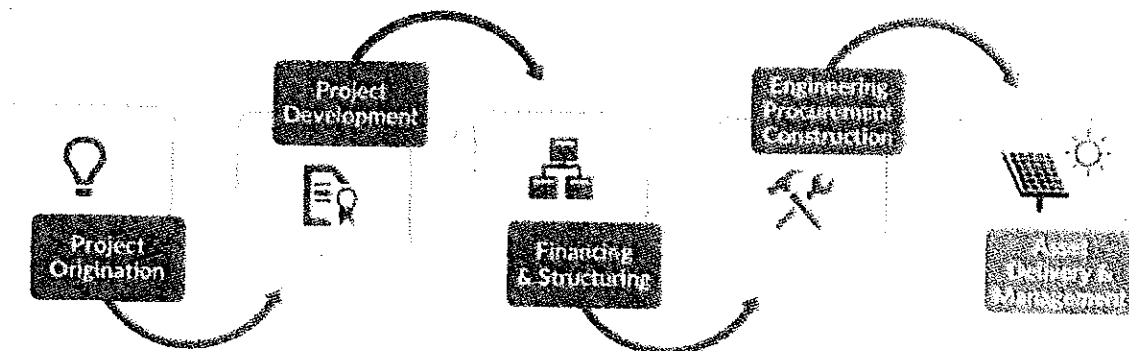
Dear Mr. LaFond,

As per our previous discussion, Photon Developments would like to present to you our proposal for development and construction of a solar facility in your township on lands currently owned and undeveloped on Charles Street. This includes the property at 100 Charles Street, as well as the old dairy farm at the end of the road, which we believe has an address of 0 Charles Street. It is the understanding that some, or all, of this property has been planned for in a Master Planning document, and as such, we have designed to include the entire usable area of both properties as a solar facility, with the expectation that we can scale back the facility as needed by the Master Plan. In doing so, we can show you what is the most we can do on this site, and what that impact would have in your Township, both financially and socially within your community. In preparing this proposal, it is our hope that you will find value in pursuing this project with us, as partners, and see the benefit of solar and renewable energy within your community.

Background on Photon Developments

Photon Development was founded by experienced entrepreneurs from diverse, multi-disciplinary backgrounds who shared a common vision where solar energy transforms the energy landscape as we know today. Our founders bring together proven expertise in development, finance, and engineering and the collective experience of having developed, built, or transacted over 300 MW of solar projects.

Photon Development provides turnkey solar project execution, seamlessly combining the experience and know-how of our veteran in-house development team with the capabilities of the industry-leading partners we work with throughout the project lifecycle to deliver superior financial and operating results.



Solar Development on Charles Street



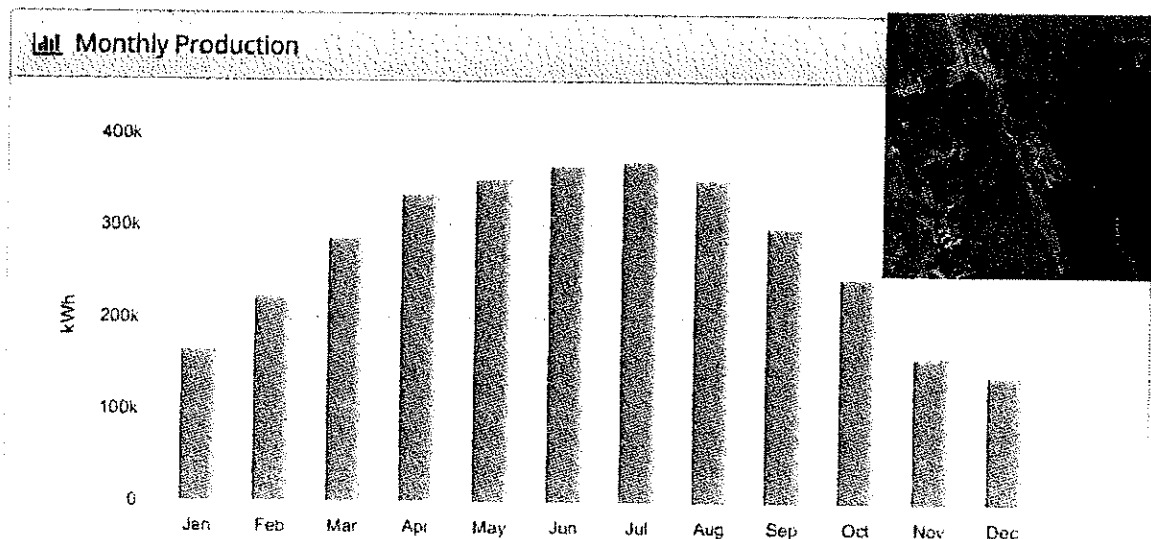
In preparing our initial diligence information for the site, Photon was able to compile a great deal of information based on public records. In combining this with our own engineering and modelling, we have been able to conclude that the current maximum capacity of the two combined site is 6.11MWac. Representative pictures of each facility can be seen in the following section of this proposal and would tie in physically to the interconnection substation located directly on the north side of the 100 Charles Street property. We have been working with the local utility and understand that an upgrade should not be necessary at that substation given the current capacity, but if that were to change, we are prepared to support those upgrade costs accordingly.

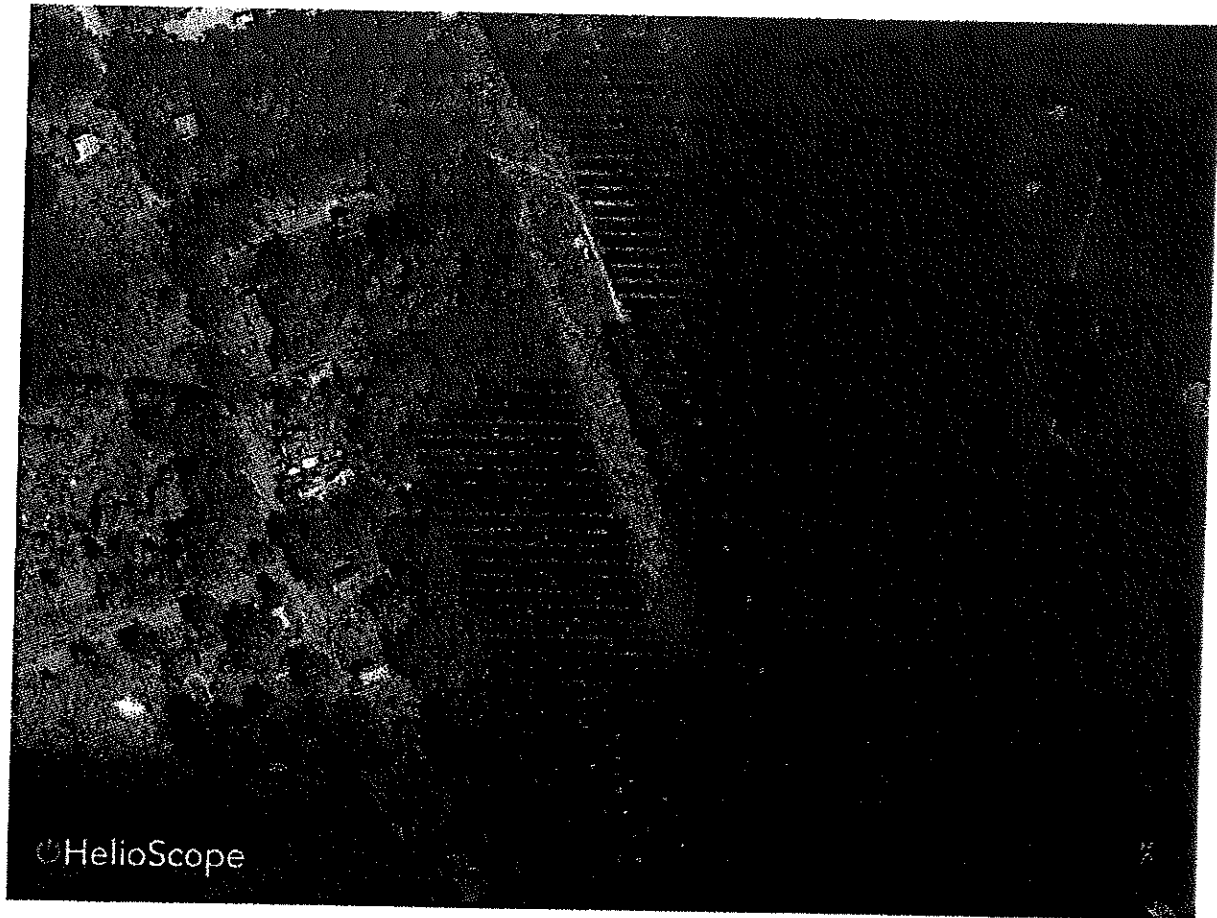
The facility would produce more than 10 million kilowatt hours of clean renewable energy that will flow through the substation into the local distribution grid, ultimately making their way to local residents as they purchase energy, as they always have, from the local utility. This helps to give residents a feeling of pride in their community that their electricity source is not a greenhouse gas emitter, and thus helping in the global fight against climate change. It is in our experience that this is received well by community members.

Our systems use only Tier 1 products from bankable suppliers that have been in business for a long time. In doing this, we can ensure that a quality project is built that will produce energy for a long time without the need for excessive operations and maintenance visits...only the preventative maintenance work is typically needed to ensure the facility is running at full capacity. Additionally, we typically source our labor locally for both construction and some of the operations and maintenance endeavors, such as vegetation control and panel washing. In doing so, we can continue our promise of community partnership through corporate stewardship.

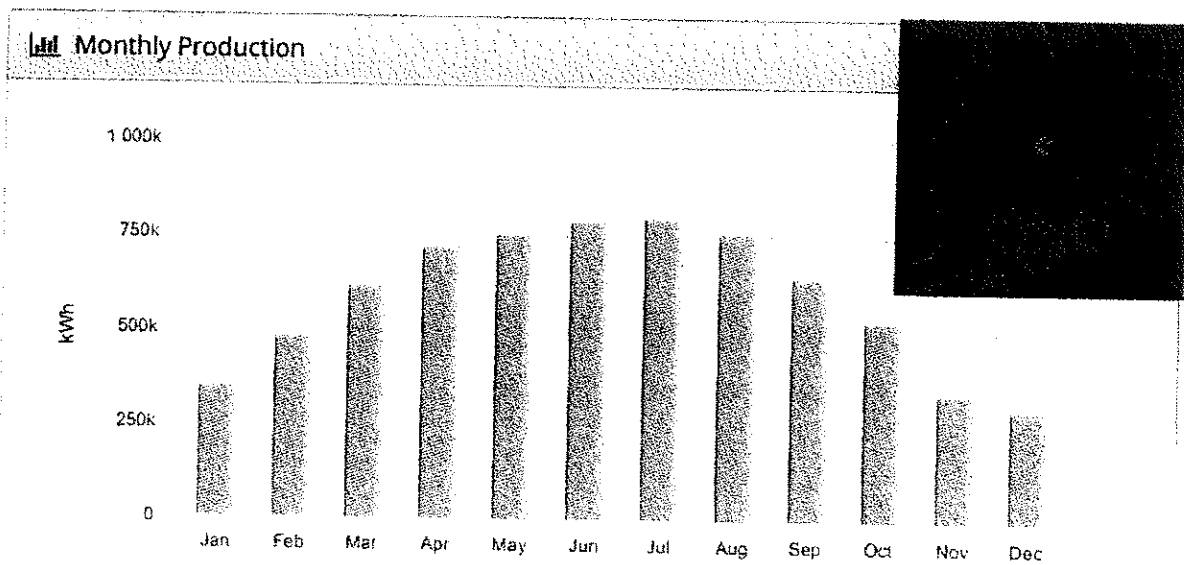
Sizing and Pictures of the Facility

100 Charles Street





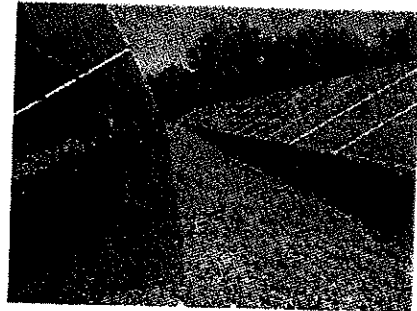
0 Charles Street





Wetlands and Setbacks

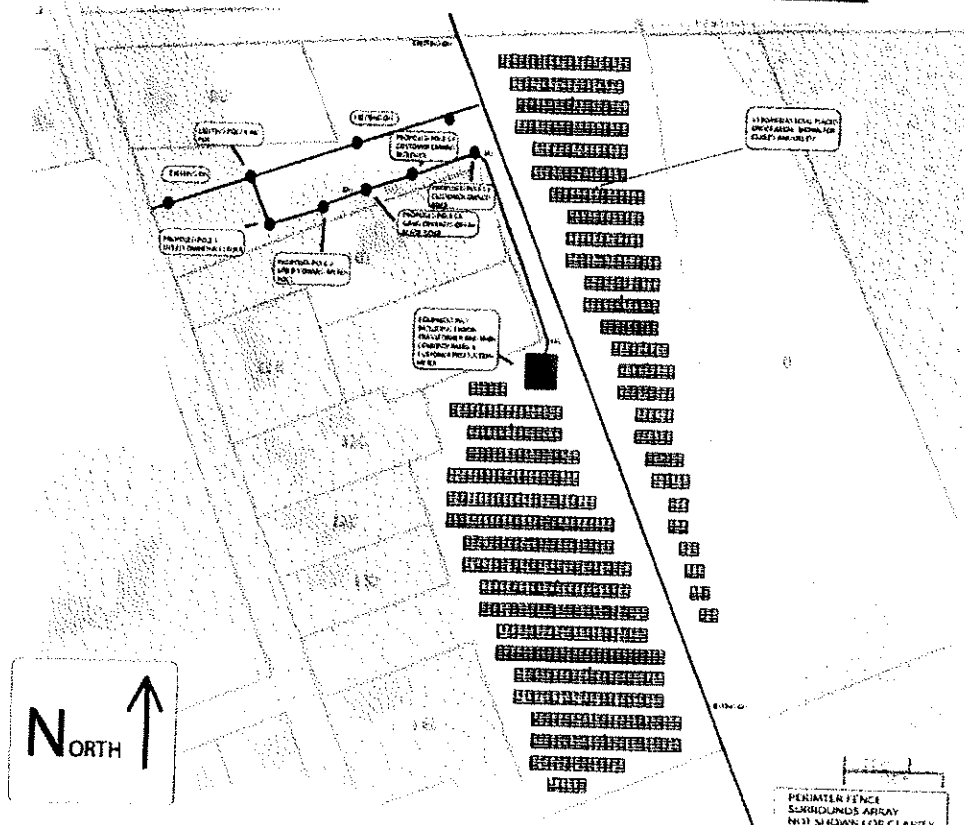
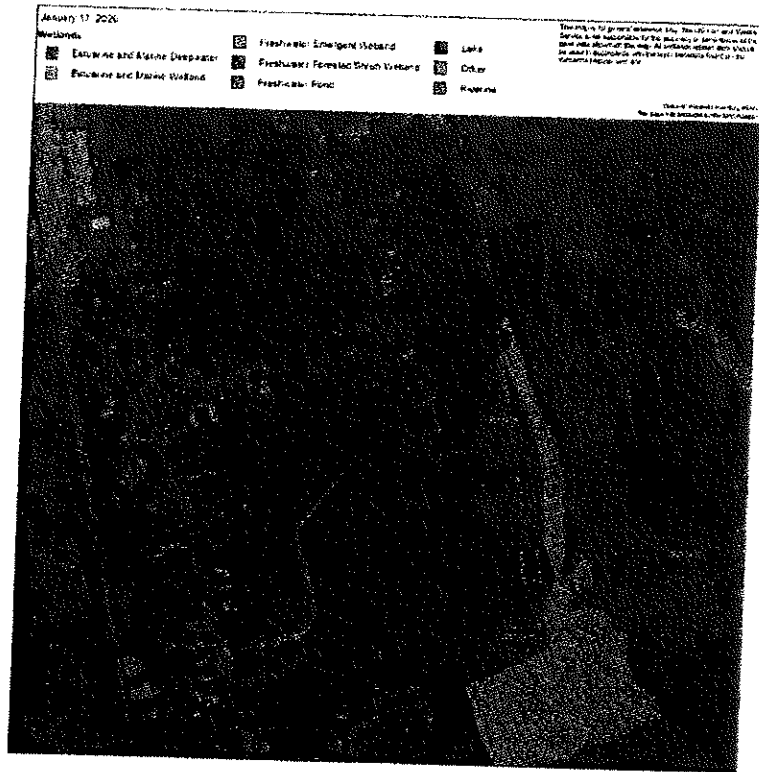
To ensure we are within appropriate setbacks, and our system is not flooded at some future date due to weather conditions, we go through an extensive evaluation of each property under consideration to look at these items. As you can see from the pictures below from the US Fish and Wildlife Service, we have been able to avoid the emergent and forested wetland areas, as incorporated into our layouts previously shown.



EXAMPLE SYSTEM

In addition, we have been utilized our engineering resources to be able to show the site plan for 100 Charles Street, and how that will impact the community members from a visual standpoint. As you will see, we maintain setbacks from their property lines, utilize existing electric poles where possible, and install at ground level to not have a large obstruction of view. We understand this is important to both community members and Town Officials as we create a partnership over the system lifetime.

This documentation can be made available to the Town Officials as requested.





Lease Pricing and Power Purchase Agreement Option

To ensure Photon Developments is competitive in the marketplace, we have put together a program to offer lease rates at the high end of the price range. Property is valuable, and to ensure that property is being used effectively, it's important to set that standard accordingly. As such, we would like to offer the Township a payment of \$8,000 per megawatt AC per year, increasing at a rate of 1.5% annually. The total first year payment, based on the maximum achievable capacity of the project is then **\$48,880**. We would like to suggest the initial term of the system to be **25 years**, with extendable terms after that under mutual consent. We will need to consider final designs and any setback and easement issues that may occur during the final development stage, as well as any reductions in sizing due to conflict with the current Master Plan associated with the facility, but at this time, we see no issue meeting the target capacity.

In addition, we would like to provide the Township the ability to be the anchor power purchase agreement energy off-taker. This is not a requirement by any means but may give additional operational savings to the Town budget bottom line in addition to the lease revenue shown above.

Other Revenue Potential for the Township

As stated previously, we find great value in working with our community partners to help them achieve their planning initiatives. This has included in the past additional infrastructure installations such as electric vehicle charging stations, solar powered light fixtures, and rooftop solar installations on municipal buildings. This can provide additional revenue through operational savings, and sustainable infrastructure to help attract residents to the neighborhood, alongside already established township goals. If this is of interest, we would certainly enjoy having a conversation about our capabilities and how that could integrate into the Town of Abington's Master Plan.

Concluding Remarks

We would like to thank you for your consideration of Photon Developments as your solar development partner on Charles Street. By partnering with Photon, you are partnering with a community leader, who is focused on community benefits first and foremost, with great care for its residents and their desire to live in a forward-thinking society. We look forward to discussing this opportunity with you moving forward.

Contact Information

Tom Bowker (consultant), 289.775.3946, tbowker@maxwellddevelopments.com

Bill Heck (Vice President at Photon Developments, 702.277.9345, bill@photondev.com)

Website: www.photondev.com

Rick LaFond

From: Blanchard, Eugene <eblanchard@delaney-muncey.com>
Sent: Thursday, February 27, 2020 1:00 PM
To: Rick LaFond
Cc: Paul Blanchard (pfb Blanchard@yahoo.com); Claire Bartlett (cbartlett@mobilisltd.com)
Subject: Hillside Cemetery, West Abington

Rick: This is to follow up on our discussions of last year and yesterday. The Hillside Cemetery (aka West Abington Cemetery) is located on the East side of Route 139 just south of the Weymouth town line. It is designated as Lot 4, Map 62 on the Abington Assessors Maps.

It was established about February 16, 1828 by virtue of a deed of that date recorded with Plymouth Deeds in Book 163, Page 132, from Thomas Remington, Jr. to 23 named individuals, their heirs and assigns, of a "square piece of land...containing one hundred rods prepared for a burying ground." My opinion is that the heirs of the 23 individuals hold legal title to the property. Obviously, they could never all be located.

For as long as there are records (over 100 years), the cemetery has been maintained by an unincorporated, self-perpetuating association (the "Hillside Cemetery Association") consisting of West Abington residents who either regarded the cemetery as an important institution in the neighborhood or had relatives buried there. In the past, the Association would hold dances and other community events to raise money to support the cemetery's upkeep. In recent years, the Association has made an annual appeal to persons who have been identified as having relatives buried there for funds for upkeep. In recent years, the annual budget has been about \$1,000. These funds have been used to pay a person to mow the lawn, clear limbs that have fallen, etc. Occasionally, money has been spent to repair the wall along the front of the cemetery and to maintain the iron gates which lead into the property.

In addition to the annual appeal, the Town is holding \$1,883 in 5 separate perpetual care funds. In 2015, the Association requested that the Town Treasurer provide the accumulated interest from the funds and received \$34.97. It was planned to request the accumulated interest again this year (it does not pay to request the funds annually.)

The current officers of the Association are myself (President), my brother Paul (Secretary) and my sister Claire Bartlett (Treasurer). My brother and I live in Plymouth, and my sister lives in Carver. Each year we hold an annual meeting; in recent years the only other attendees are 2 or 3 of our cousins. Both my father's and my mother's families have relatives buried at Hillside, and we once all lived in the area. My brother, sister and I are all in our 70's, and we are all concerned about the future maintenance of the cemetery when we are no longer around. There appears to be no one willing to step up to take over the responsibility.

Many veterans are buried there, and the graves are decorated for Memorial Day. Up until last year, the Town started its Memorial Day celebrations with a ceremony at Hillside including military honors, the playing of taps, firing a salute and a soloist. When the West Abington Methodist Church was extant (corner of Thicket and Old Randolph Streets), the parade to the cemetery would start at the church parking lot, and after the marchers returned, the ladies of the church would serve breakfast for them before they went off to other town ceremonies.

I refer you to M.G.L. Ch. 114, Sec. 18, which provides that "any town having within its limits an abandoned or neglected burying ground may take charge of the same and keep it in good order..." The Association would be happy to "abandon" the cemetery if the Town were amenable to taking charge of it. You have also suggested an eminent domain taking as an alternative route.

I look forward to pursuing this matter with you further.

Gene

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