



Town of Abington

OFFICE OF BOARD OF SELECTMEN

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Minutes

Board of Selectmen

January 8, 2024

Cotter Room

6:30 p.m.

Members Present: Alex Hagerty, Chair, Kevin Donovan, Tim Chapin, Suzanne Djusberg, Kevin DiMarzio (via Zoom), Scott Lambiase, Town Manager

The meeting opened with the Pledge of Allegiance.

Moment of Silence: Elizabeth Slinger.

Elizabeth Slinger was a Council on Aging board member, a long time Abington resident, member of the Friends, member of the Garden Club. She passed away on December 31st after a short illness. She will be missed by her family and everyone who was part of the COA and all our seniors.

Public Announcements:

Mr. Hagerty: The Annual Town Election is on April 27, 2024. Nomination papers are available through the Town Clerk's office.

Abington Celebrates announced their 2024 schedule: a town-wide yard sale on Saturday, April 13th; Founder's Day, June 7-9; Oktoberfest, October 4-6; Christmas festivities, December 13-15.

Wished a Happy Birthday to Skinny Pastuszak who turned 103 on January 3rd.

Action/Discussion Items:

1. Request for appointment to Conservation Commission voting member position – Alex Bezanson, Brian Benson. Mr. Hagerty thanked Tim Warner who resigned from the Commission.
 - Alex Bezanson, 761 Randolph Street – had experience on the Board for many years and there was an opening.

Mr. Donovan – wants to ensure that applicants are treated fairly regardless of the projects and who the applicants are. Didn't want applicants to incur

unnecessary engineering reports and expenses. He has received a number of complaints. He wanted to know Mr. Bezanson's philosophy.

Mr. Bezanson – his philosophy is that if they meet the MA regulations and Town by-laws, the Board has to approve the project. It has nothing to do with water, zoning, planning, or whether we want more apartments. It is, do they meet the regulations of the Commonwealth and the Abington by-laws? If the Board makes a mistake, DEP will pick it up. Projects can't start without a DEP project number. He served 23 years on the Conservation Commission and has considerable MACC education.

Ms. Djusberg asked if he still came before the Commission. Mr. Bezanson – he closed his corporation in 2019 and does not build houses now.

Mr. Hagerty asked the Town Manager how many complaints had been reversed in the time frame they are referring to, the last couple of years. The Town Manager referred this question to Paul Bunker, Chair of the Commission, who has been on the Commission for three years. There has been one superseding Order that was granted, and that was a neighbor who appealed to DEP.

- Brian Benson, 414 Woodlands Way – was appointed to Open Space in June and felt this would offer a collaboration between the two committees. There would be a potential for shared interests and opportunity to have a liaison between those two boards. He would operate within the bounds of the regulations. He has earned a degree in public administration from Bridgewater which teaches how to work and operate in town government within the bounds of the law and with fairness and dignity.

Mr. Hagerty closed comments and brought it back to the Board for further discussion. Mr. Donovan referred to the Selectmen's Handbook – that all appointments are made by the Selectmen by judging all candidates' merit, experience, and qualifications only. He liked Mr. Benson's idea of a bridge between Conservation and Open Space and considered whether it would be better to appoint him as an associate member to get that experience working on Conservation. He wants to be sure that whoever gets on that Board is fair, equitable and works within the law.

Ms. Djusberg – likes the idea of a liaison between Conservation and Open Space and agrees she wants the people of Abington to be treated fairly within the law. Doesn't know if she is in favor of associate members. Associate members do not get to vote on Conservation.

Mr. Hagerty read a prepared statement (attached). Mr. Chapin interrupted at one point in an attempt to stop him. Mr. Hagerty would not allow any comments after his statement. Mr. Donovan tried to calm down Mr. Hagerty and made it clear that he felt this was inexcusable to attack an applicant coming before the Board and not allowing him to respond.

Motion by Mr. DiMarzio to appoint Mr. Bezanson, seconded by Mr. Donovan. Motion by Ms. Djusberg to appoint Mr. Benson, seconded by Mr. Chapin. Discussion followed. Ms. Djusberg - It is hard to get volunteers, it is a thankless job. Mr. Chapin was very disappointed with how the whole process went tonight. Mr. Hagerty responded, and Mr. Donovan suggested they call for the vote.

Roll call vote for Alex Bezanson: Mr. DiMarzio, yes; Mr. Donovan, yes; Ms. Djusberg, no; Mr. Chapin, yes; Mr. Hagerty, no. Alex Bezanson is appointed to the Conservation Commission as a voting member.

6:50 p.m. Request for a new Class II license for Top End Auto LLC, 225 Brockton Avenue, for 25 cars for sale, with total of 34 spaces, Rabih Riachy, Manager. Motion by Mr. Donovan to open, seconded by Ms. Djusberg. Roll call vote: Mr. DiMarzio, yes; Mr. Donovan, yes; Ms. Djusberg, yes; Mr. Chapin, yes; Mr. Hagerty, yes. Sezar Elkhoury, owner, is applying for a Class II license to sell cars at 225 Brockton Avenue – 25 for sale, five customer, four employee spaces, Monday-Friday 9am-6pm, Saturday 9am-5pm, Sunday 11am-4pm. He has complied with everything the Building Inspector has asked for. There were no issues with the Health Department, Treasurer or Police.

Motion made by Mr. Chapin to close, seconded by Ms. Djusberg. Roll call vote: Mr. DiMarzio, yes; Mr. Donovan, yes; Ms. Djusberg, yes; Mr. Chapin, yes; Mr. Hagerty, yes. Motion made by Mr. Donovan to approve as submitted, seconded by Ms. Djusberg. Roll call vote: Mr. DiMarzio, yes; Mr. Donovan, yes; Ms. Djusberg, yes; Mr. Chapin, yes; Mr. Hagerty, yes.

2. **Vote to open the warrant** on January 8th and close on February 12th made by Mr. Donovan, seconded by Ms. Djusberg. Roll call vote: Mr. DiMarzio, yes; Mr. Donovan, yes; Mr. Chapin, yes; Mr. Hagerty, yes.
3. **Discussion on regulating the speed of traffic on Hancock Street.** Mr. Hagerty went to meeting in September with DPW and Mass. DOT about safety improvements at the intersection of Chestnut and Hancock Streets. They will construct a roundabout in 2026. They suggested the speed be reduced on Hancock Street to prepare for it. Town Manager – we can go ¼ mile within the intersection and lower the speed to 20 mph. The police are going to do some observation and enforcement up there and get some data that we can use. Mr. Donovan – would like to see OCPC do traffic count to know what the traffic volume is, and have the police get an idea what the actual speed is. He thinks it is above the speed limit from what he has observed. It is an entire street issue, not just down the end where the roundabout is going. We should have a couple of hearings and let the residents know so that they can have input.

Opened to the public:

Robert Hall, 62 Hancock Street – people have to be slowed down coming off Rockland Street and going faster on Hancock Street. It is a thickly settled area. Landscape trucks and other companies park on the sidewalks. People have to walk on the street. It is dangerous. The whole street should be 30 mph. It is out of control.

Brian McDermott, 477 Hancock Street – thanked the Board for taking up this issue. Controlling the traffic speed is an important issue. Lincoln and Hancock Street intersection should also be considered. Mr. Chapin brought up signage.

Kevin Dunlop, 588 Hancock Street – thanked the Board for their work. Urged the Board to reduce the speed limit on Hancock Street from 40 mph and coordinate the 10 mph difference between Lincoln and Hancock Streets. Most of the side streets off of that are 25 or 30. Mentioned heavy commercial trucks. Requested reduction in speed and collaboration with the police in monitoring for the safety of the residents. Consider implementing the change now rather than with the construction timeline of the second Hancock Street intersection.

Resident, 740 Hancock Street – mentioned how difficult it was just to get out of their driveway. It's dangerous trying to cross the street to get their mail. The sidewalks are torn up.

Karen Butler, 52 Karen Lane – traffic uses Rockland as a cutoff. Something needs to be done now.

The Town Manager has been having conversations with the Police Chief regarding enforcement. Hearing closed to the public for comments.

- **Abington Historical Commission Update – Island Grove Veterans Project and 250th Anniversary of the American Revolution.** Mr. Hagerty gave the update. The Commission currently has two CPA grants and is in the middle of a signage project at Island Grove that is dedicated specifically for veterans. They are looking at the Memorial Bridge, the Archway, and the Park, as well as signage dedicated to Abington. Back in the Civil War Abington actually supplied the boots to the Union soldiers.

The 250th Anniversary of the American Revolution is in 2026, but the Commonwealth is starting celebrations next year. The Commonwealth is looking to create a committee specifically for this celebration.

5. Town Manager Report:

- Working on the budget and is ahead of schedule.
- The Governor came out today about cuts, but he doesn't think they will effect us.
- The MMA Conference is January 19 & 20.
- Re Hancock Street, the police will be doing some traffic enforcement, high visibility, radar and observation.
- Firefighter Robert Neumeister is retiring on January 30 after 37 years with the Department.
- Derek Haimaidi completed an 80 hour MA Hazmat Technician Course at the MA Firefighter Academy. We're very proud and happy for him.

Motion by Mr. Donovan to adjourn at 7:41 p.m., seconded by Ms. Djusberg. Roll call vote: Mr. DiMarzio, yes; Mr. Donovan, yes; Ms. Djusberg, yes; Mr. Chapin, yes; Mr. Hagerty, yes.

Respectfully submitted,


Nancy Hurst

CONSERVATION COMMISSION APPOINTMENT: 01.08.24 – COMMENTS FROM SELECTMAN ALEX HAGERTY

- On April 4, 2022, During the Annual Town Meeting vote and discussion on the proposed new marijuana production and cultivation overlay district zoning amendments, Articles 13, 14, 15, 16, in his capacity at the time as a Selectman, Mr. Bezanson spoke multiple times on the floor of Town meeting in support of the creation of the overlay district and publicly expressed support for a specific cultivator to set up shop in the district. That same evening, after the annual town meeting at Luci's Bar, myself and others were present to hear Selectman Alex Bezanson state and I quote, "The Town is living in the past. With that vote tonight, the Town just cost me \$2.3 million dollars." (End Quote). To which I asked Selectman Bezanson and I quote "what do you mean by that, Alex?" (End Quote) To which Selectman Bezanson replied and I quote, "The cultivator who wanted to set up in the district was going to give me a cut." (End Quote). Let me repeat this again, Selectman Bezanson stated to me and others, "The Town just cost me \$2.3 million dollars... The cultivator who wanted to set up in the district was going to give me a cut" (End Quote)
- Alex Bezanson previously served on the Abington Conservation Commission until 2013. On January 8, 2013 Mr. Bezanson submitted to the Abington Board of Selectmen his letter of resignation.
- According to Alex Bezanson's resignation letter from the Conservation Commission on January 8, 2013, he stated in his opinion and I quote "Selectmen Andy Burbine and Mike Franey have encouraged the Powers family in doing anything in their power to disrupt this board". (End Quote) To date, no wrong doing Alex Bezanson accused Selectman Burbine and Selectman Franey of has been identified and or any action taken for such accusations. Further in Alex Bezanson's resignation letter, he stated and I quote, "This was evident at the Selectmen's meeting on December 10, 2012 when Mr. Burbine pushed to have a letter from Powers Attorney (his former law partner) on the agenda with out inviting the Conservation Commission to the meeting". (End Quote) According to documentation days before the Dec. 10 2012 meeting, Alex Bezanson, Chair of the Conservation Commission, was notified of the meeting and during the afternoon of Dec. 10, 2012, Alex Bezanson called Selectman Franey to say he couldn't attend the meeting. Alex Bezanson was very much aware of the Selectmen meeting. According to documentation, the Dec. 10, 2012 meeting was the 3rd meeting Alex Bezanson was notified of and for reasons was unable to attend. Further in Alex Bezanson's resignation later, he stated he took a phone conversation on December 11, 2012, he had with Selectman Franey and I quote, "I took that as a threat". (End Quote) To date, no police report has been filed for Alex Bezanson's accusation against Selectmen Franey for threat. In concluding Alex Bezanson's resignation letter from the Conservation Commission he states and I quote, "This letter is being copied to the State Ethics Commission as well as the Attorney General. I am asking for a full investigation into the actions of both Selectman Burbine and Selectman Franey". (End Quote) To date, neither party noted by Bezanson in his resignation letter has been contacted regarding an investigation.

- Integrity and doing what is right to support the residents of Abington is our obligation and duty. Without integrity nothing else matters. As President Eisenhower stated so eloquently many years ago "The supreme quality for leadership is unquestionably integrity. Without it, no real success is possible, no matter whether it is on a section gang, a football field, in an army, or in an office."
- We have 2 candidates for the Conservation Commission before us. I believe the choice is easy. Mr. Brian Benson has the qualifications, experience and respect of the Open Space Committee and of the Conservation Commission. Today's Abington is about us moving forward. We are updating our Open Space and Recreation Plan and I think it's critical to have a leader on the Conservation Commission who will be able to build a dialogue with Open Space and Conservation Commission. Please join me in support of Mr. Brian Benson for the open seat on the Conservation Commission.

January 8, 2013

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To the Board of Selectmen
Town of Abington
Abington Ma

During the past year it has been extremely difficult to perform the duties as a commission because there appears to be a movement in this town to fight every decision the Conservation Commission makes.

It is my opinion that Selectmen Andy Burbine and Mike Franey have encouraged the Powers family in doing everything in their power to disrupt this board.

It disturbs me deeply that from the start of the problems on Wyman Rd. we have not had the support of the board of Selectmen. As a matter of fact they have chosen to support the Powers in this dispute, even though Town Council has repeatedly said all accusations are without merit.

This was evident at the Selectman's meeting on December 10, 2012 when Mr. Burbine pushed to have a letter from Powers attorney (his former law partner) on the agenda with out inviting the Conservation Commission to the meeting. Prior to the meeting Mr. Franey called me and we discussed the letter and I told him all the issues had been discussed and resolved at our November 27, 2012 meeting. During that December 10 Selectman's meeting Mr. Franey did not relay the conversation I had with him regarding the letter from the Powers attorney. He then allowed April Powers and her attorney to go on live TV and lie about actions this board had taken.

It was inappropriate to discuss this letter publically at a Selectman's meeting since Conservation issues are firmly under the legal control of the Conservation Commission. Further, this particular matter was in the hands of DEP.

On December 11, 2012 I had another phone conversation with Mr. Franey. I expressed my displeasure with him for not relaying our previous conversation and he became extremely agitated, stating "I won't forget this conversation". I took that as a threat.

It is also my opinion that Andy Burbine's hostility towards myself and the commission stems from his belief that when he had applied for a building permit I did not sign off quick enough (2 days after I learned about it). He sent an email to the Town Manager complaining about the long wait.

This letter is being copied to the State Ethics Commission as well as the Attorney General. I am asking for a full investigation into the actions of both Selectman Burbine and Selectman Franey.

I have also spoken to my attorney and he is reviewing legal action that we may take against all parties involved.

Therefore I hereby resign from the Conservation Commission effective at the close of this meeting on January 8, 2013. I would like to thank the residents of Abington for allowing me to serve on the Conservation Commission for the past 22 years.

My congratulations to Mr. Burbine and Mr. Franey as you have succeeded in your goal to have me removed from the Commission.

Alex Bezanson 1/8/13
Alex Bezanson