

**OPEN MEETING MINUTES OF
FEBRUARY 2, 2009**

**SELECTMEN'S MEETING
Monday, February 2, 2009 7 p.m.
H. BERNARD MONAHAN MEMORIAL ROOM
TOWN HALL, 242 UNION STREET
ROCKLAND, MASSACHUSETTS**

Veteran's Agent Anton Maturna lead

**PLEDGE OF ALLEGIANCE
MOS PFC Matthew Pollini**

Mr. Maturna spoke of the

1. OPEN FORUM

~Andy Triantifellow spoke regarding Conservation Commission procedures and Magnolia Drive. He also spoke regarding the donation of land to the town for Consevation.

~Charlie Kimball spoke regarding Congressional earmarks.

2. Executive Session Minutes-N/A

3. Open Session Minutes-January 20, 2009

~Motion by Mr. Chaffee, 2nd by Mr. Zupkofska to accept changes to the minutes submitted by Mr. Chiocca regarding Rockland's Community Development Block Grant request, passed 5-0.

~Motion by Mr. Chaffee, 2nd by Ms. O'Brien to accept the amended minutes, 5-0.

4. Open Session Minutes-November 5, 2007 (Simpson and Chaffee)

~Motion to accept by Mr. Chaffee, 2nd by Mr. Simpson passed 2-0-3 (abstentions by Mr. Zupkofska who was not present at meeting, and Mr. Johnson and Ms. O'Brien were not members of the BOS at the time)

UNFINISHED BUSINESS

5. **Special Legislation regarding Rockland's Excess Levy Capacity**
Mr. Chiocca updated the BOS regarding the status of Rockland's request for Special Legislation to recapture \$637,543.51 of excess levy capacity.
BOS indicated a desire to assemble Chairman Simpson, Vice Chairman Chaffee of the BOS, Town Administrator Chiocca, Town Treasurer Sepeck, Tax Collector Clark, Town Accountant Hart, Chairman Smith of the Board of Assessors, and Assistant Assessor Gibbons to discuss the circumstances surrounding the failure of the town to raise through taxation \$637,543.51 in excess levy capacity.
6. N/A
7. N/A
8. **Sexual Harassment Policy**
~Each member of the BOS signed the document having received a copy of the Town of Rockland's Sexual Harassment Policy.
9. N/A
10. **Feb 23, 2009 STM**
Discussion took regarding the need to hold the Feb. 23, 2009 STM scheduled in anticipation of Local Aid cuts. The reduction was \$320 thousand versus a possible \$1.4 million at the time the meeting was scheduled. Mr. Chiocca is working with Town Departments to make the reductions without the need for a Town Meeting.
~Motion to cancel the scheduled Special Town Meeting by Mr. Simpson, 2nd by Mr. Chaffee, passed 4-1 (Zupkofska)

NEW BUSINESS

11. **BAN Agreements for Water Departments MWPAT Loans**
After discussion the matter was delayed to later in the meeting.....
12. N/A
13. N/A
14. **Lana's Breakfast Shop license approval.**
~Motion to approve subject to Board of Health approval by Mr. Zupkofska, 2nd Ms. O'Brien passed 5-0.
15. **Fast Lane Liquors-Tabled and Continued**
16. **John Kennedy two 40B proposals**
John Kennedy appeared before the BOS regarding two 40B comprehensive permits. Mr. Kennedy informed the BOS of his intent to submit a comprehensive permit for 20 units on Old Market Street and 12 units on Jennifer Circle. Mr. Manzella, Chairman of ZBA spoke regarding Mr. Kennedy's non-performance on phase 1 of Jennifer Circle. Rockland has the opportunity to comment regarding proposal to the State. Mr. Kennedy showed the BOS a plan but did not leave plans. information was not provided to the BOS for distribution to other town departments.
~BOS voted 5-0 to take the matter under advisement.

29. Town Administrator’s Report

Discussion took place regarding timing of an override vote and the amount. The Town Administrator recommended scheduling the override date and setting the amount at a later date.

~Motion by Mr. Johnson, 2nd by Mr. Chaffee, to schedule an “override election” for May 30, 2009. Passed 4-1(Zupkofska)

11. continued.....

BAN Agreements for Water Departments MWPAT Loans

Atty Clifford present three issues before the BOS regarding the Water department Bond Anticipation Notes.

The 1st issue to sign certificates for borrowing approximately \$954 thousand does not require a vote.

The 2nd issue borrowing \$27,391 for General Obligation Replacement Water Bond

~Motion to approve by Mr. Johnson, 2nd by Mr. Zupkofska passed 5-0.

The 3rd issue borrowing \$177,933 for Drinking Water Bond

~Motion to approve by Mr. Chaffee, 2nd by Ms. O’Brien passed 5-0.

30. CORRESPONDENCE

SELECTMAN’S COMMENTS

EXECUTIVE SESSION

~Motion to go into Executive Session for Collective Bargaining and Litigation, not to reconvene by Mr. Simpson, 2nd by Mr. Chaffee, roll call vote 5-0.

Allan R. Chiocca
Town Administrator

Lawrence J. Chaffee, Vice Chairman
Board of Selectmen

Note: Open Meetings are recorded by local cable WRPS and are considered the official record of the BOS meetings