

## **Open Session Minutes of April 19, 2011**

**SELECTMEN'S MEETING  
Tuesday, April 19, 2011 7 p.m.**

**H. BERNARD MONAHAN MEMORIAL ROOM  
TOWN HALL, 242 UNION STREET  
ROCKLAND, MASSACHUSETTS**

**PLEDGE OF ALLEGIANCE  
MOS**

**Ms. O'Brien not present**

**Mr. Chaffee read:**

*The audience, participants and general public should be aware that any and all portions this open meeting may be recorded by audio and video resources. All or some of this meeting may be rebroadcast periodically by WRPS or other outlets. Persons wanting a DVD copy of this meeting should contact WRPS or the BOS office, a small fee will be charged.*

**1. Reorganization of the Board of Selectmen**

**MOTION to nominate Mr. Chaffee Chairman of the Board of Selectmen by Mr. Minahan, 2<sup>nd</sup> by Mr. Johnson passed 4-0.**

**MOTION to nominate Mr. Kimball Vice Chairman of the Board of Selectmen by Mr. Minahan, 2<sup>nd</sup> by Mr. Johnson passed 4-0.**

**2. Presentation for Donald Cann-rescheduled to May 16, 2011**

**Mr. Cann did discuss the upcoming public hearing for the Rail Trail Project on April 26<sup>th</sup> at Memorial Park School**

### **OPEN FORUM**

**3. Open Session Minutes of April 4, 2011**

**MOTION to accept by Mr. Minahan, 2<sup>nd</sup> by Mr. Kimball passed 4-0.**

**4. Executive Session Minutes of April 4, 2011**

**MOTION to accept by Mr. Minahan, 2nd by Mr. Kimball passed 4-0.**

**UNFINISHED BUSINESS**

**5. Abington Representatives for 300th Celebration**

**Mike Franey, Chairman of the Abington BOS discussed the upcoming 300<sup>th</sup> celebration of the establishment of Abington. Mr. Franey invited Rockland to participate in the event as Rockland was once part of Abington. Abington requested permission to use the Rockland Town Seal for promotional and commemorative purposes.**

**MOTION to permit use of the Rockland Town Seal by Mr. Johnson, 2<sup>nd</sup> by Mr. Minahan passed 4-0.**

**Frank Giniewicz, Jan Prall and Phyllis Wheatley, spoke to the BOS to highlight some of the anticipated celebratory events. The events include a golf tournament, a fireman muster, fireworks, a parade, road races and many additional events.**

**Abington will hold a planning meeting on May 11, 2011**

**6. Rockland Golf Course-All Alcohol License-Change of Hours**

**Charlie Lanzetta, President of C.P. & L., Inc. d/b/a Rockland Golf Course appeared before the BOS to request a change of hours on the current All Alcohol Common Victualler License. The hours will be;**

**April-October M-S 10AM-10PM**

**Nov-Dec, (weather permitting) 11AM -8PM**

**Jan-March (closed M-W)**

**(Open Thursday-Sunday 11AM-9PM)**

**Functions (Year round) closing at 12AM**

**MOTION to approve by Mr. Minahan, 2<sup>nd</sup> Mr. Kimball passed 4-0.**

**7. Special Town Meeting Warrant**

**Mr. Chaffee reviewed the Special Town Meeting Warrant articles which will be acted upon before the Town Meeting on May 2, 2011**

## **NEW BUSINESS**

### **8. National Grid gas line relocation**

**Ben Dougherty of National Grid appeared before the BOS to request approval of the relocation due to the School Construction Project.**

**MOTION to approve the gas line relocation by Mr. Minahan, 2<sup>nd</sup> by Mr. Kimball passed 4-0.**

### **9. National Grid pole #69 on Union Street relocation**

**John Dougherty appeared before the BOS to request approval of the relocation of pole #69 on Union Street relocation due to the School Construction Project**

**MOTION to approve the pole relocation by Mr. Minahan, 2<sup>nd</sup> by Mr. Kimball passed 4-0.**

### **10. New Massachusetts regulations for Mutual Aid**

**The BOS reviewed the new mutual aid laws for Fire, Police, and Highway departments.**

**Statewide Public Safety Mutual Aid MGL c. 40, sec. 4J**

**Statewide Public Works Municipal Mutual Aid MGLc. 40, sec. 4K**

**Fire Mutual Aid MGL c48, s59A**

**MOTION to approve by Mr. Kimball, 2<sup>nd</sup> by Mr. Johnson passed 4-0.**

### **11. Carol Perilli and Jim Paul- Energy Committee**

**Carol Perelli and Jim Paul appeared before the BOS to question the appointment of a Beech Street Solar Committee. They claimed the Energy Committee had already been working on this project.**

**Mr. Johnson responded the committee appointed by the BOS included the many other committees and department which have an interest in any project at the landfill site. Mr. Johnson felt more parties involved in evaluation of any project on this site would be better. Mr. Johnson also referenced the lack of any information regarding the Energy Committee's project on its agendas.**

**Mr. Minahan read the original request for Energy Committee members and that it was appointed to look into energy saving for municipal building and facilities. The Landfill project is outside the scope of the original charge and this is a much larger project and should involve more participants from all the other committees.**

**Mr. Kimball stated it would be best to involve all the necessary committees to allow the project progress more quickly and do what is best for the community.**

**Mr. Johnson felt if Rockland is going to have all the committees involved why not representatives for each get together early in the process.**

**Mr. Chaffee questioned the tone of an email he received, regarding the appointment of this committee. He spoke about the lack of information on Energy Committee agendas. Mr. Chaffee stated the Energy Committee has done a good job with a couple of projects but it needs to outline topics to be discussed.**

**Mr. Minahan stated agendas should reflect topics to be discussed.**

**Mr. Chaffee spoke about the original responsibility of the Energy Committee as instructed in 2007 when the committee was formed. He questioned when the change took place by the committee without notifying the BOS. He urged the Energy Committee to keep the BOS informed in the future of what they are doing.**

**Mr. Chaffee reminded boards and committees that they are supposed to meet in the public meeting rooms. Mr. Paul felt this could compromise their strategies in gaining grants.**

**Mr. Minahan stated as the appointing authority the BOS unanimously directed the Energy Committee and all committees appointed by them to meet in the public hearing rooms, yet the Energy Committee refused to adhere.**

**Mr. Chaffee discussed the desire to have meetings available to rebroadcast. The School Building Committee does this and he would like the Energy Committee and others to meet where meetings may be rebroadcast as well. Mr. Chaffee did say the Energy Committee has done a good job to date.**

**MOTION to accept Frank Del Prete's resignation with regret by Mr. Minahan, 2<sup>nd</sup> by Mr. Kimball passed 4-0.**

**Mr. Kimball asked if the Committee was working on other projects. Mr. Paul replied they were looking at other possible projects involving private businesses but nothing concrete at the moment.**

**12. Wayne Darragh-subordination request**

**The BOS were requested to accept a subordinate position so a participant in the Town's FY06 Housing Rehabilitation Program could apply for a reverse mortgage on their home.**

**MOTION to approve by Mr. Kimball, 2<sup>nd</sup> by Mr. Johnson passed 4-0.**

**13. Yiannis Pizza-Common Vic Application**

**Application reviewed by the BOS for a new Common Vic License by former Yiannis Pizza owners to conduct business at a new location in the Market Street Plaza.**

**MOTION to approve subject to receiving insurance verification and all other documents by Mr. Kimball, 2<sup>nd</sup> by Mr. Minahan passed 4-0.**

## **TOWN ADMINISTRATOR'S REPORT & CORRESPONDENCE**

**~Read two thank you notes to Selectman Minahan for his donation of insulated delivery bags to the Hot Meals program from Bev Ladner and Peg Bryan COA Director.**

**~Reminded the public anyone with a question or concern regarding the sidewalk program may attend the weekly meeting held every Wednesday at 10 AM in the BOS meeting room.**

**~Discussed the poor condition of the 1974 time vault. The planned moving of the vault lead to the discovery of the breach and that many items were damaged or destroyed by water. Jim Paul of the Historical Committee is attempting to save as much as possible. During the upcoming weeks we will attempt to replace some the damaged items and return the saved materials to a better vault in front of Town Hall.**

**~The Town Administrator informed the BOS he attended a seminar at MMA offices in Boston. The Human Resources 101 meeting included topics on Health and Wellness, Labor Negotiations, Employment Law and Health Insurance, and a Hiring and Termination primer.**

**~The Town Administrator also attended the two day Advanced Topics Seminar and the Office of the Inspector General which included topics regarding MGL 30 B exemptions, energy procurement, employment contracts, public records and open meeting requirements and other topics. Completion of this seminar qualifies the TA for recertification as a Massachusetts Certified Public Procurement Officer.**

**~The TA asked the BOS to vote to support the commitment of the Highway Superintendent to meet the Norman Street upgrade requirements of the access road to the proposed Senior Housing Project.**

**MOTION to support the road improvements at the Senior Housing project if the 40B project is approved by Mr. Minahan, 2<sup>nd</sup> by Mr. Kimball passed 4-0.**

**~Announced first meeting of the Beech Street Solar Array Committee on April 28, at 6 PM.**

~Read a letter from the Library seeking to attract volunteers to establish a “Friends of the Library” committee.

~Announced the annual Letter Carriers Food Drive on May 14, 2011.

~Request to hold the Memorial Day Parade on Monday May 30, 2011. The BOS are invited to participate.

**MOTION to approve by Mr. Johnson, 2<sup>nd</sup> by Mr. Minahan passed 4-0.**

~ Informed the BOS the House and Senate have agreed to a set minimum Local Aid amount which does not substantially change the budget projections Rockland had been working with to set its FY12 budget.

~Cadogan’s Run will begin at the Calvary Church parking lot, due to the School Construction Project on May 14, 2011.

~Announced the discovery of previously untaxed land. The Towns of Whitman and Hanover own property in Rockland which has not been taxed. The TA working with the Assessor’s office is correcting the oversight by the previous Assessor.

~Announced Kevin McGee has filed another case against the Town of Rockland which could cause a \$10,000 liability to the town as that is our insurance deductible. This is the latest in a long series of unsuccessful lawsuits filed by Mr. McGee, but the BOS should be informed.

#### **SELECTMAN’S COMMENTS**

*Chairman Chaffee announced “Comments and opinions expressed by individual members do not necessarily reflect the views of all of the BOS and are the opinions and comments of only the individual member.”*

#### **Mr. Kimball**

~Thanked everyone who came out to vote.

~Reminded the public Town Meeting location has changed and urged people to attend.

~Urged the public to volunteer to serve on Boards and Committees.

~Recommended each Department periodically appear before the BOS to explain its role and update the BOS on pending projects. He suggested the Boards contact the TA.

~Please be careful during School Vacation Week.

**Town Administrator Chiocca congratulated Mr. Johnson and Ms. O'Brien upon their re-election to the BOS.**

**Mr. Minahan**

- ~Congratulated Mr. Johnson and Ms. O'Brien on their re-election. He also congratulated Mr. Simpson as newly elected Library Trustee.
- ~Attended a "Business After Hours" function in Rockland to promote business development.
- ~Requested volunteers to help Vet's Agent Materna put flags on graves for Memorial Day.
- ~He has some questions regarding the School contracts and wishes to meet with School Superintendent regarding the actual costs of contracts.

**Mr. Johnson**

- ~Thanked everyone who came out to vote and participate in the elections.
- ~Congratulated all who won and thank everyone who served.
- ~Thanked Building Inspector Ruble for addressing a zoning/safety issue on a property in his neighborhood.
- ~He has a volunteer for the Downtown Committee who wishes to participate.
- ~Encouraged people to contact the BOS office with any questions they may have regarding Rockland.
- ~The School Building Committee is posting a video of construction progress to its website.

**Chairman Chaffee**

- ~Congratulated Mr. Johnson and Ms. O'Brien upon the re-election to the BOS.
- ~Thanked the BOS for re-appointing him as Chairman.
- ~Discussed the School Building Committee and construction progress.
- ~Rockland Little League and Girls Softball Parade will be held on Saturday April 23, 2011.

**30. EXECUTIVE SESSION-No Session**

**MOTION to adjourn by Mr. Minahan 2<sup>nd</sup> by Mr. Kimball passed 4-0.**

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**Allan R. Chiocca**  
**Town Administrator**

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**Edward F. Kimball, Vice Chairman**  
**For the Board of Selectmen**

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