

**SELECTMEN'S MEETING
Monday, September 20, 2010 7 p.m.**

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

**PLEDGE OF ALLEGIANCE
MOS**

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.

OPEN FORUM

Chief Duffey ~presentation to Nicole Clary for saving her mother's life
~Introduction of new 4 Firefighters, Henry Kennedy, Christopher Hussey, Christopher Sloan, and Jonathan Hickey. All 4 are trained paramedics.
~Presentation retirement Badge to Chief DiPoli,
After a short review Chief Duffey presented Chief DiPoli his retirement badge.

Chief DiPoli ~ Chief Dipoli presented his SWOT analysis to the BOS and thanked the Town of Rockland for his time here.

Item #11 taken out of order

11. Fire Safety Day- request to close Pacific St. on 10.2.10

Lt. Sammon explained the events of Fire Safety Day and requested the permission of the BOS to close Pacific Street on 10/2/10

MOTION approve request to close Pacific Street for the Fire Safety Day from 9:30 AM to 3 PM by Ms. O'Brien, 2nd by Mr. Johnson passed 5-0.

Andy Triantaffelow, 80 Lincoln Road, Rockland

~DAV donations-Thanked everyone for support of DAV fundraising efforts to benefit Brockton V.A.

~Fire Chief's position-Thinks Chief Duffey should be appointed permanently as the town Fire Chief.

~Assistant Building Inspector's position-Wanted Jack Erickson appointed as an Assistant Building Inspector. Mr. Chaffee informed Mr. Triantaffelow the appointment is not made by the Selectmen but it is the appointment of the Building Inspector.

1. Open Session Minutes of 9/7/10

MOTION to approve by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

2. Executive Session Minutes of 9/7/10

MOTION to approve not to be released until all matters are settled by Mr. Minahan, 2nd by Ms. O'Brien passed 5-0.

3. Executive Session Minutes of 9/13/10

MOTION to approve not to be released until all matters are settled by Mr. Minahan, 2nd by Ms. O'Brien passed 5-0.

UNFINISHED BUSINESS

4. LNR- proposed agreement amendment

Bill Ryan of LNR was not available yet. Item delayed

5. Fire Chief Search

Discussion took place regarding the possibility of having Chief Duffey go through the complete assessment process prior to contacting other potential applicants for the Fire Chief's position. Massachusetts Fire Chief's Association President, Chief Robinson of Marshfield addressed the BOS and indicated he felt the Search Committee could do an

assessment of Chief Duffey and report back to the BOS by the next meeting on October 4, 2010.

MOTION to have the assessment panel meet and interview Chief Duffey by Mr. Johnson, 2nd by Mr. Kimball passed 5-0.

MOTION to put the entire search on hold pending the interview and results reporting on assessment of internal candidate Fire Chief Duffey by Ms. O'Brien, 2nd by Mr. Kimball passed 5-0.

~Jack Erikson asked to address the BOS

MOTION to allow Mr. Erikson to address the BOS by Mr. Johnson, 2nd by Ms. O'Brien passed 4-1(Chaffee opposed).

Mr. Erikson addressed the BOS and was advised to meet with Mr. Ruble.

BOS returned to Item 4 as Mr. Ryan arrived at the meeting.

4. LNR- proposed agreement amendment

Discussion took place regarding a proposed amendment to the previous host community agreement with LNR. The payments due the town by original agreement have not been made. LNR has proposed an amendment to provide some payments as land is developed. The BOS has a number of questions regarding the contention by LNR that no payments are due until 95% build out is accomplished.

Mr. Ryan indicated this amendment will provide some payments to Rockland as the properties are developed. He also indicated there may not be any payment to Rockland without a 95% build out of the SSTTDC property.

The BOS had many questions for Mr. Ryan.

Mr. Kimball questioned whether the MEPA approvals had been received and what the additional 95% permits were.

Mr. Minahan felt the original agreement was misrepresented to the town. He was never told the project required 95% build out to gain payment to the town.

Mr. Johnson questioned which items LNR was relying upon to toll the payments. Mr. Ryan felt there were numerous reasons to cause the tolling of the payments. Mr. Johnson questioned many of the triggering conditions of current agreement.

Mr. Minahan feels there was a seriously disconnect between his previous understanding of the agreement and what Mr. Ryan is currently presenting as a possible non-payment in the foreseeable future.

Mr. Johnson questioned the payment schedule which was to occur after the MEPA approvals and the subsequent conditions. The applicable conditions for payment are not clearly defined.

Mr. Ryan stated the decision was the town's to make. Rockland could begin to get small payments or receive nothing until the 95% threshold is met. He indicated the project can proceed with the first third of the development and that Weymouth and Abington have accepted the similar amendments and will be receiving checks.

Mr. Kimball suggested Rockland should receive a 1/3 payment of the original agreement if LNR is prepared to build 1/3 of the project.

Mr. Ryan stated LNR will not be renegotiating the proposed agreement and would leave the existing agreement in place.

Mary Parsons spoke to inform everyone that "there is no such thing as MEPA approval" and that LNR has not been denied any permits at this time. The MEPA certificate was issued on July 18, 2007 and according to a document she had regarding schedule of payments to Weymouth, payments were to begin 3 years after MEPA approval and it is now 3 years.

MOTION to table the proposed amendment by Mr. Kimball 2nd by Mr. Johnson passed 5-0.

NOTE: A transcript of Item 4 regarding the proposed LNR amendment, Mr. Ryan's presentation and the entire discussion which took place at the BOS meeting will be attached to this set of minutes.

Item 10 taken out of order

**10. Rockland Schools MSBA Green Repair Program 3 requests
Rockland Public Schools Assistant Superintendent Doric Scarpelli
appeared to request 3 authorization votes for three “Statements of
Interest” for the MSBA Green Repair Program for the three elementary
schools.**

**MOTION to approve Statement of Interest request for Memorial Park
School by Mr. Kimball 2nd by Ms. O’Brien passed 5-0.**

**MOTION to approve Statement of Interest request for Jefferson School by
Mr. Kimball 2nd by Ms. O’Brien passed 5-0.**

**MOTION to approve Statement of Interest request for Esten School by
Mr. Kimball 2nd by Ms. O’Brien passed 5-0.**

Item 12 taken out of order

12. The Holiday Stroll- Pam Murphy

**Pam Murphy coordinator of the annual Holiday Stroll addressed the
BOS to announce the date as November 27, 2010 for the Stroll and to
get assurances regarding the sidewalk project not interfering with the
Stroll. Mr. Chiocca assured Ms. Murphy the contractor is well aware of
the date of the Stroll and the need to have the sidewalks and street
access available throughout the area of the Stroll.**

**Mr. Chiocca also discussed the donations Rockland has received for
new trees to be planted as part of the Union Street sidewalks project
Mr. Chiocca, Dr Rogers, the Kiwanis Club have already donated trees
at \$350.00 each.**

6. Award Backhoe bid

**The BOS was informed Schmidt Equipment Inc. had won the bid for a
John Deere 410J Backhoe Loader for a 3 year lease/purchase at
\$37,914.35**

7. TIF Updates

**The BOS were informed that Mr. Minahan and Mr. Chiocca will be
attending the State hearing in Boston on September 28, 2010 regarding
the approval of a Tax Incentive Financing Plan for AirXchange.**

**Mr. Minahan expressed concern regarding the amount businesses are
charged for water hook-ups. Ms. O’Brien also expressed her concerns
the rates are hurting business development.**

Chairman Chaffee asked that the Water Commissioner be invited to the next BOS meeting.

- 8. Investment Policy- Town Treasurer Karen Sepeck
The BOS reviewed the proposed Investment Policy for the Town of Rockland.
MOTION to table until the next meeting by Mr. Johnson, 2nd by Mr. Kimball passed 5-0.**

- 9. No Item**

New Business

- 11. Fire Safety Day- request to close Pacific St. on 10.2.10
Previously addressed**

- 12. The Holiday Stroll- Pam Murphy
Previously addressed**

TOWN ADMINISTRATOR'S REPORT & CORRESPONDENCE

~Rail Trail project-The project has begun and letters have been mailed to abutters. All rails, spikes, plates and ties are to be removed. The trail will be cleared for walking biking and strolling by December. Eventually the rail trail will be for passive use from Abington to Hanover. The Open Space Committee will be holding a meeting at some point in the future.

**~Union Street sidewalks, trees & bike racks
The project is started with the bike racks being planned and trees locations to be determined.**

**~Soccer Parade
The Soccer Parade is scheduled for Saturday September 25th. The BOS are invited to participate.**

**~Meat Raffle Lions
The Lions Club is having a meat raffle to benefit the Obie Fund on Saturday September 25, at the Banner.**

Jim Paul of the Historical Commission spoke regarding upcoming events planned at the GAR Hall.

Mr. Chiocca requested the BOS appoint him as the alternate for Rockland to the Mayflower Health Group.

MOTION by Ms. O'Brien, 2nd by Mr. Kimball passed 5-0.

SELECTMAN'S COMMENTS

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 voted in the primary.

~Congratulated the Rockland football team for its fine start to the season.

~Thanked everyone who attended and support the Shields family fundraiser.

Mr. Minahan

~Discussed the Eagles fundraiser and his dunk tank participation.

~Mentioned the Eagles Golf fundraiser donated to cancer research

Mr. Johnson

~Thought the Shields family fundraiser and the outpouring of support by the community was a great thing.

~Urged people to participate in or view the Soccer Parade.

Ms. O'Brien

~Attended the Eagle's Club Smoke-off and walked in the Freedom Walk.

~Had the honor of presenting the retirement award to Sgt. Shallies of the Rockland Police Department.

~Attended the Shields family fundraiser.

Mr. Chaffee

~Voiced support for the Rockland football team.

~Attended the retirement party for Sgt. Shallies.

~Attended the Shields Family fundraiser.

Asked Dave Murphy about broadcast meeting from rooms at the Town Hall.

Mr. Murphy reminded the participants of meeting to remain aware of microphone placements and speaking loud and clear.

30. EXECUTIVE SESSION

MOTION to go into Executive Session for negotiations with union and non union personnel not to reconvene by Ms. O'Brien and seconded by Mr. Kimball. Motion passed by Roll Call vote 5-0.

Allan R. Chiocca
Town Administrator

Deborah A. O'Brien, Vice Chairman
Rockland Board of Selectmen

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