

Town of Rockland Warrant

Special Town Meeting
Monday September 13, 2021
7:00p.m. Rockland High School



BOARD OF SELECTMEN

Michael P. O'Loughlin, Chairman
Kara L. Nyman, Vice Chairman
Larry Ryan
Richard Penney
Tiffanie Needham

MODERATOR

Kevin Henderson

RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETING

EVERY VOTER desiring to speak shall arise and address the Chair, after recognition is obtained, state his name and address and stand while speaking, using the microphone in the front, unless otherwise directed. No motion made by anyone will be in order unless this procedure is followed.

ANY VOTER has the right to speak for or against any Article. A **NON-VOTER** may speak as long as they have the permission of the Moderator. After you speak on an Article, return to your seat. If you have a question on any Article before the house, address the Chair and I will direct the question to the proper person for an answer.

THE FINANCE COMMITTEE recommendation is the first and main motion under each Article and under each Budget. Any attempt by a Department Head or anyone to move another figure would be an amendment to the main motion.

A motion to pass the Article over is the same as defeating the Article.

IF THE FINANCE COMMITTEE DISAPPROVES AN ARTICLE it is an automatic motion to **PASS THE ARTICLE OVER** and that will be the first action on the Article.

After the Finance Committee reports on an Article, if they so desire, and the Article is referred to a certain **BOARD, COMMITTEE, or DEPARTMENT HEAD, IT WILL BE THE RULE** that they will be recognized first for their report. **IF I FORGET, REMIND ME.**

A UNANIMOUS VOTE IS BEST AND SAVES TIME. If I do not see or hear any objection, I will declare it, **“A UNANIMOUS VOTE”**.

If an Article requires a 2/3rd or 4/5th vote and it is not **UNANIMOUS**, IT IS THE Moderator’s responsibility to see that a vote is taken.

IF A HAND VOTE is immediately questioned by seven (7) or more voters who stand to question the **VOTE**; it will be counted by the Tellers.

ARTICLE III SECTION 10 OF THE TOWN BY-LAWS STATES:

NO VOTE SHALL BE RECONSIDERED except after the affirmative vote of two-thirds of the voters present and voting on a motion to reconsider such vote. Any voter may move to reconsider except that no motion to reconsider shall be made by any adjourned session of the same meeting unless he has given notice of his intention to move reconsideration at the session of the meeting at which the vote was passed. A vote shall not be reconsidered a second time or after a motion to reconsider has failed to pass.

TOWN BY-LAW ARTICLE II

SECTION 4. All reports, motions, and resolutions submitted for the consideration of the meeting involving the expenditure of money shall be in writing and other reports, motions or resolutions shall be reduced to writing if the Moderator so directs.

TOWN CHARTER

SECTION 3.06. All action taken at any and all Town Meetings shall be only upon those items contained in the Warrant for said Town Meeting and all articles in the Warrant shall be acted upon in order unless otherwise voted at any such Town Meeting, and printed copies of each such Warrant, with the recommendations of the Finance Committee is hereinafter set forth, shall be furnished to the voters of the Town in accordance with the provisions of Section 2.02 (a) (iv) Article II of this Charter.

Kevin T. Henderson, Town Moderator

MUNICIPAL FINANCE TERMINOLOGY

The following terms are frequently used in the Annual Town Warrant and at Town Meetings. In order to provide everyone with a better understanding of the meaning, the following definitions are provided.

RAISE AND APPROPRIATE:

The amount allowable by General Law to be raised for annual appropriations based on Property Tax Levy Limits and estimated local and state receipts.

AVAILABLE FUNDS:

Available Funds include Undesignated Fund Balance in the General Fund and Unreserved Fund Balance in the Water and Sewer Funds as well as Overlay Surplus and the Host Community Trust Fund Balance.

UNDESIGNATED FUND BALANCE: (often referred to as “Free Cash”)

Fund Balance is the amount certified annually by the State Bureau of Accounts by deducting from surplus revenue all uncollected taxes for prior years. This fund may be used by a vote for the Town Meeting.

OVERLAY:

The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements granted and avoiding fractions.

OVERLAY SURPLUS:

This is the accumulated amount of the Overlay for various years not used or required to be held in the specific Overlay Account for a given year, certified by the Board of Assessor, and may be used by a vote of the Town.

RESERVE FUND:

This fund is established by the votes at an Annual Town Meeting only and may be composed of an appropriation (not exceeding 5% of the tax levy of the preceding year). It is available throughout the year by vote of the Finance Committee for Unexpected and/or Extraordinary expenditures.

STABILIZATION FUND:

This is a fund created to provide a reserve. Appropriations from the Stabilization funds may be made at an Annual Town Meeting by a two-thirds vote for any lawful purpose.

CHERRY SHEET:

Named for the cherry colored paper on which the Massachusetts Commission of Corporations and Taxation traditionally has printed it. The cherry sheet carries the state aid figures that must be used by the Assessors in determining the amount to be raised by taxation.

It lists the amounts of county tax and state assessments, as well as the established tax distributions from the General Fund, reimbursements, agency funds and the Sales and Use Taxes.

TOWN OF ROCKLAND
WARRANT
SPECIAL TOWN MEETING

To one of the constables in the Town of Rockland, County of Plymouth and the Commonwealth of Massachusetts

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the Inhabitants of said Town, qualified to vote in town affairs to meet at the

High School Auditorium
Rockland High School - 52 MacKinlay Way

in said Town on **Monday, September 13, 2021 at 7:00PM.**, then and there to act on the following articles:

And you are directed to serve this warrant by posting copies at least fourteen (14) days prior to said meeting in each of the six precincts in said Town.

Hereof, fail not, and make return of this Warrant, with your doings thereon, on the Town Clerk, at the time and place of holding said meeting.

SPECIAL TOWN MEETING SEPTEMBER 13, 2021 LIST OF ARTICLES				
Art. #	Department	Subject	Amount	Funding Source
1	Board of Selectmen	Flood Plain Bylaw	--	N/A
2	Board of Selectmen	Flood Plain Bylaw	--	N/A
3	Board of Selectmen	Flood Plain Bylaw	--	N/A
4	Board of Selectmen	Open Space Land Acquisition	\$930,000	Grants; Community Preservation Act; Stabilization Fund.
5	Board of Selectmen	Elected Officials FY22 Compensation (Collector, Treasurer, Clerk, & Highway Superintendent)	\$6,735	General Fund
6	Board of Health	Health Agent FY22 Compensation	\$9,900	Reallocation/Budget Adjustment
7	Board of Selectmen	Unpaid Bills from the Prior Year	--	Use of Current Budget
8	Sewer Commissioners	Sewer Infrastructure Improvements	--	Reallocation of prior articles.
9	Recreation Department	Hartsuff Park Maintenance	--	Reallocation of prior articles.

ARTICLE # 1

Will the Town vote to amend Article III, Establishment of Districts, §415-3 of the Rockland General Code Zoning By-laws by adding a new district entitled the Floodplain Overlay District to the existing list of zoning districts as follows:

P. Floodplain Overlay District.

Or take any other action relative thereto?

Submitted by: Board of Selectmen

Approval Recommended by: Planning Board, Board of Selectmen

Emergency: Establishment of the Floodplain Overlay District is a requirement to maintain eligibility for flood insurance programs that protect property owners in federally identified flood zones.

ARTICLE # 2

Will the Town vote to amend Article III, Establishment of Districts, §415-4, Zoning Map of the Rockland General Code Zoning By-laws that depicts the boundary lines of the enumerated zoning districts by adding the zoning district entitled the Floodplain Overlay District to include includes all special flood hazard areas within the Town of Rockland designated as Zone A, AE, AH, AO, A99, V, or VE on the Plymouth County Flood Insurance Rate Map (FIRM) dated July 6, 2021. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated of July 6, 2021. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Department, Conservation Commission and Board of Selectmen.

Or take any other action relative thereto?

Submitted by: Board of Selectmen

Approval Recommended by: Planning Board, Board of Selectmen

Emergency: Establishment of the Floodplain Overlay District is a requirement to maintain eligibility for flood insurance programs that protect property owners in federally identified flood zones. This article amends the official zoning map of the town to show the newly proposed flood plain overlay district.

ARTICLE # 3

Will the Town vote to amend Article IV, Permitted Uses, by inserting a proposed new zoning overlay district, as follows:

§415-21.5 Floodplain Overlay District.

A. Purpose. The purposes of this bylaw are to: (1) ensure public safety through reducing the threats to life and personal injury; (2) eliminate new hazards to emergency response officials; (3) prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding; (4) avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding; (5) eliminate costs associated with the response and cleanup of flooding conditions; and (6) reduce damage to public and private property resulting from flooding waters; and (7) ensure that the Town of Rockland qualifies for participation in the National Flood Insurance Program.

B. Applicability.

The Floodplain Overlay District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Rockland designated as Zone A, AE, AH, AO, A99, V, or VE on the Plymouth County Flood Insurance Rate Map (FIRM) dated July 6, 2021 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 6, 2021. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Department, Conservation Commission and Board of Selectmen. In the event any provisions of this bylaw are in conflict with requirements for any other districts, the more restrictive regulation shall take precedence.

C. Abrogation and conflicting bylaws.

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

D. Disclaimer of liability.

The degree of flood protection required by this Floodplain Overlay District bylaw is considered reasonable but does not imply total flood protection.

E. Severability.

If any section, provision or portion of this Floodplain Overlay District bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

F. Definitions.

The following definitions shall apply in the Floodplain Overlay District:

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

FLOOD HAZARD BOUNDARY MAP (FHBM.) An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as

contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) by an approved state program as determined by the Secretary of the Interior; or (2) directly by the Secretary of the Interior in states without approved programs. [US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement. [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

(a) Built on a single chassis;

(b) 400 square feet or less when measured at the largest horizontal projection;

(c) Designed to be self-propelled or permanently towable by a light duty truck; and

(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see **FLOODWAY**.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings,

piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

ZONES, FLOOD – The community shall use the pertinent definitions for flood zones delineated within the community. All of these terms are defined in the US Code of Federal Regulations, Title 44, Part 64.3.

G. Designation of community floodplain administrator.

The Town of Rockland hereby designates the Building Commissioner/Zoning Enforcement Officer, or such other official as the Board of Selectmen, shall appoint by written appointment filed with the Town Clerk, to be the official floodplain administrator for the Town of Rockland.

H. Requirement to submit new technical data.

If the Town of Rockland acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town of Rockland will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the

changes. Notification shall be submitted to:

FEMA Region I Risk Analysis Branch
Chief 99 High St., 6th floor, Boston, MA
02110

And copy of notification to:
Massachusetts NFIP State
Coordinator

MA Dept. of Conservation & Recreation
251 Causeway Street, Boston, MA 02114

I. Variances to building code floodplain standards.

The Town of Rockland will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files. The Town of Rockland shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions for the referenced development in the Floodplain Overlay District.

J. Variances to local zoning bylaws (related to community compliance with the National Flood Insurance Program (NFIP)).

The Zoning Board of Appeals may grant a variance modifying the performance standards in §§ 415-21.5K where the proposed use or structure meets the requirements set out by state law, and where the Zoning Board of Appeals finds that there is: 1) good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and, 3) the variance is the minimum action necessary to afford relief.

K. Permits are required for all proposed development in the Floodplain Overlay District

- (1) The Town of Rockland requires a permit for all proposed construction or other development in the Floodplain Overlay District, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties. The Town of Rockland Building Department permit review process includes the use of a checklist of all local,

state and federal permits that will be necessary in order to carry out the proposed development in the Floodplain Overlay District. The proponent must acquire all necessary permits, and must submit the completed checklist demonstrating that all necessary permits have been acquired.

- (2) Application for Flood Plain permit. Applications for Flood Plain permits shall be made to the Building Commissioner/Zoning Enforcement Officer except where indicated below. Applications shall contain:
 - (a) Elevation in relation to mean sea level of the lowest floor (including basements or cellars) of all existing and proposed structures.
 - (b) Elevation in relation to mean sea level of existing and proposed floodproofing.
 - (c) Signed statement by a registered professional engineer or architect that the requirements of this bylaw have been met. (Note: The above-referenced requirements may be met through submission of a FEMA elevation certificate.)
 - (d) Plans for any breakaway walls to be used to enclose space below the base flood elevation (in V Zones).
 - (e) Description of topographic alterations including existing and proposed grades and a delineation of the special flood hazard area boundary line.
 - (f) Site plan certified by a registered land surveyor showing all existing and proposed natural and constructed features on the property. The site plan shall include a notation of the special flood hazard area designation for all existing and proposed structures.
 - (g) Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or five acres, whichever is the lesser, within Zone A, where such data is not provided on the FIRM.
- (3) Standards for areas of special flood hazard. All permits granted under this bylaw above shall be subject to the following provisions:
 - (a) All development and redevelopment, whether permitted by right or by special permit, shall be in accordance with the standards of the Massachusetts State Building Code, the Wetlands Protection Act (MGL c. 131, § 40) and regulations (310 CMR 10.00, 310 CMR 13.00, and 310 CMR 12.00), septic system regulations (310 CMR 15, Title 5), and all other applicable federal, state and local requirements. Any variance from the provisions and requirements of the above-referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

- (b) No alteration of topography shall be permitted where it may result in increased runoff or drainage to the detriment of other property owners or the Town.
 - (c) Certification by a registered professional engineer or architect for all floodproofing measures shall be required.
 - (d) Storage of fuel oil or toxic or hazardous materials below the base flood elevation shall be floodproofed.
- (4) Within Zones AH and AO, adequate drainage paths must be provided around structures on slopes to guide floodwaters around and away from proposed structures
 - (5) Uses that are encouraged. The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying zoning district and they do not require structures, fill, or storage of materials or equipment:
 - (a) Agricultural uses such as farming, grazing, truck farming, horticulture, etc.
 - (b) Forestry and nursery uses.
 - (c) Outdoor recreational uses, including fishing, boating, play areas, etc.
 - (d) Conservation of water, plants, wildlife.
 - (e) Wildlife management areas, foot, bicycle, and/or horse paths.
 - (f) Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.

L. Subdivision proposals

All subdivision proposals and development proposals in the Floodplain Overlay District shall be reviewed to assure that:

- (1) Such proposals minimize flood damage.
- (2) Public utilities and facilities are located & constructed so as to minimize

flood damage.

- (3) Adequate drainage is provided.

M. Base flood elevation data for subdivision proposals.

When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

N. Unnumbered A Zones.

In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

O. Floodway encroachment.

In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town of Rockland's FIRM or Flood Boundary & Floodway Map (choose map which delineates floodways for your community) encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

P. Watercourse alterations or relocations in riverine areas.

In a riverine situation, the Conservation Commission shall notify the following of any alteration or relocation of a watercourse:

- (1) Adjacent communities, especially upstream and downstream
- (2) NFIP State Coordinator
Massachusetts Department of Conservation and
Recreation 251 Causeway Street, 8th floor
Boston, MA 02114
- (3) NFIP Program Specialist

Federal Emergency Management Agency,
Region I 99 High Street, 6th Floor
Boston, MA 02110

Q. AO and AH zones drainage requirements.

Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

R. Recreational vehicles.

In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

S. Local enforcement.

Enforcement of this Floodplain Overlay District bylaw shall be in accordance with the provisions of §415-90.

Or take any other action relative thereto?

Submitted by: Board of Selectmen

Approval Recommended by: Planning Board, Board of Selectmen

Emergency: Establishment of the Floodplain Overlay District is a requirement to maintain eligibility for flood insurance programs that protect property owners in federally identified flood zones. The specific requirements contained in this zoning bylaw amendment reflect mandates from the Federal Emergency Management Agency (FEMA).

ARTICLE # 4

Will the Town vote to appropriate and authorize the Treasurer with the approval of the Board of Selectmen by raising by taxation, transferring from available funds including without limitation Community Preservation Funds in accordance with Chapter 44B, and/or borrow the sum of \$930,000.00 as authorized under the Community Preservation Program pursuant to Massachusetts General Laws, Chapter 44 section 7, Chapter 44B section 11, and/or any other enabling authority, for the purpose of purchasing for conservation and passive recreation purposes, by eminent domain or negotiated purchase or otherwise, a certain property together with buildings thereon, known as and numbered 0 Beech Street, Rockland, Plymouth County, Massachusetts, the property known as the McCarthy Farm property, consisting of approximately 36.30 acres and described in a deed recorded at the Plymouth County Registry of Deed in Book 46427, Page 233 and shown as Parcel 82-16-0 on the Town of Rockland Assessor's Maps; that said land be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, Section 8c, and as it may hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Rockland Conservation Commission, and further, that the Rockland Conservation Commission and/or Board of Selectmen be authorized and directed to grant a perpetual restriction(s) in said parcels of land meeting the requirements of Chapter 44B, Section 12 and Chapter 184, Sections 31-33, as required under Section 12 of the Community Preservation Act; and further, that Board of Selectmen be authorized to file on behalf of the Town of Rockland any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under Chapter 132A, Section 11, including without limitation, the Executive Office of Energy and Environmental Affairs – Division of Conservation Services (EEA DCS) Local Acquisitions for Natural Diversity (LAND) Grant Program and/or any others in any way connected with the scope of this Article and/or to seek, receive and accept grants, donations or reimbursements for this purpose, to execute contracts and amendments thereto, in order to carry out the terms, purposes, and conditions of EEA DCS LAND Grant Program, and/or any others in any way connected with the scope of this Article as a contingency of the acquisition of said property, and the Rockland Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to affect said purchase and/or to carry out the terms purposes, and conditions of EEA DCS LAND Grant Program ; or take any other action thereon.

Submitted by: Board of Selectmen

Approval Recommended by: Open Space Committee, Community Preservation Committee, Finance Committee, Capital Planning Committee, Conservation Commission

Funding Source: State grant, Community Preservation Act - Open Space Reserve, Community Preservation Act - Fund Balance, and Stabilization Fund.

Emergency: The opportunity to acquire this property and secure the state grant has time constraints which will expire by the next Annual Town Meeting in May 2022.



ARTICLE # 5

Will the Town vote to amend the salaries and compensation of all elected officers in the Town effective July 1, 2021 (FY2022), in accordance with the provisions of the Massachusetts General Laws, Chapter 41 Section 108, and amend the respective budget line items as follows, or take any other action relative thereto?

145 Treasurer			5/3/2021 Voted for FY2022	9/13/2021 Revised FY2022
0114551	511001	Treasurer	\$82,000.00	\$83,640.00

146 Tax Collector			5/3/2021 Voted for FY2022	9/13/2021 Revised FY2022
0114651	511001	Tax Collector	\$82,000.00	\$83,640.00

161 Town Clerk			5/3/2021 Voted for FY2022	9/13/2021 Revised FY2022
0116151	511001	Town Clerk	\$82,000.00	\$83,640.00

421 Highway Department			5/3/2021 Voted for FY2022	9/13/2021 Revised FY2022
0142151	511011	Salary Superintendent	\$90,782.20	\$92,597.64

Submitted by: Board of Selectmen

Approval Recommended by: Board of Selectmen & Finance Committee

Funding Source: FY22 Budget – Wage Adjustment Obligations Account

Emergency: Elected Officials compensation can only be set at Town Meeting, however, the final funding determination for Department Heads’ cost of living adjustments was not finalized by the date of the prior Annual Town Meeting in May 2021.

ARTICLE # 6

Will the Town vote to amend the Health Agent FY22 salary appropriation from \$70,100.00 to \$80,000.00 as follows with the associated decrease in the FY22 Public Health Nurse appropriation effective July 1, 2021, or take any other action relative thereto?

510 Board of Health			5/3/2021 Voted for FY2022	9/13/2021 Revised FY2022
0151051	513041	Salary Health Agent *	\$61,200.00	\$71,100.00

* Plus Revolving Fund direct charge of \$8,900 to fund Health Agent Salary, which remains unchanged.

522 Public Health Nurse			5/3/2021 Voted for FY2021	9/13/2021 Revised FY2022
0152253	539900	Public Health Nurse	\$40,000.00	\$30,100.00

Submitted by: Board of Health

Approval Recommended by: Board of Selectmen & Finance Committee

Funding Source: Reallocation of departmental budgets.

Emergency: Salary increase retroactive to July 1, 2021 due to the increased workload of the Health Agent and the expanded nature of the Health Agent’s responsibilities and job duties, based on a detailed salary comparison analysis by the Human Resources Department.

ARTICLE # 7

Will the Town vote to authorize the Accounting Department to pay the following unpaid bills of a prior year as of June 30, 2021 from the current year departmental budgets as listed or take any other action relative thereto?

Invoice Date	Invoice #	Amount	Department	Account#	Description
5/19/2021	3908	\$ 200.00	Park	0165052-524100	General Maintenance
5/27/2021	643978	\$ 105.00	COA	0154152-524200	Maintenance of Buildings
5/5/2020	93534-1	\$ 130.00	Police	0121051-515090	Clothing Uniforms
2/10/2021	PL8733	\$ 816.00	Snow & Ice	0142352-529100	Snow Removal
6/23/2021	221166519	\$ 361.08	TH Supplies	0119254-543100	Town Hall Supplies
5/18/2021	469169	\$ 111.00	ACO Professional Care	0121055-558140	ACO Professional Care
6/15/2021	470425	\$ 55.00	ACO Professional Care	0121055-558140	ACO Professional Care
7/15/2021	20693	\$ 840.00	Highway	0142152-533000	June Landscaping Fee

Submitted by: Town Accountant

Approval Recommended by: Board of Selectmen, Finance Committee

Funding Source: Use of current budgets

Emergency: The above-mentioned invoices were unpaid as of June 30, 2021 and were not submitted in time to meet the deadline to be paid via encumbrances. The invoices should be paid as soon as practicable to minimize hardship for the vendors.

ARTICLE # 8

Will the Town vote to close the following articles in the amount of Two Hundred Thirty Thousand Two Hundred Ninety Eight Dollars and Sixty-Five cents (\$230,298.65) to help fund the digester boiler replacement, along with other upgrades, repair and replacement of equipment in support of the Wastewater Treatment Plant or take any other action relative thereto?

MEETING	ACCOUNT DESCRIPTION	AVAILABLE BUDGET
May 1, 2017 Article 15	REPLACE MAIN BOILER AT TREATMENT PLANT	\$ 80,000.00
May, 1 2017 Article 16	REPLACE FUEL BOILER AT DIGESTER BUILDING	\$ 59,550.00
May 1, 2017 Article 18	REPLACE PUMP AT TREATMENT PLANT	\$ 21,682.11
May 6, 2019 Article 71	REBUILD SECONDARY CLARIFIER	\$ 3,799.21
May 6, 2019 Article 74	COMPREHENSIVE WASTEWATER TREATMENT PLAN	\$ 5,267.33
June 22, 2020 Article 26	COMPRHENSIVE STUDY (11) PUMP STATIONS AND (2) EJECTOR STATIONS	\$ 60,000.00

Submitted by: Sewer Department

Approval Recommend by: Board of Sewer Commissioners, Finance Committee

Funding Source: Closing of articles as listed

Emergency: The digester boiler at the WWTP needs immediate replacement.

ARTICLE # 9

Will the Town vote to close the following articles in the amount of Thirty-Seven Thousand One Hundred Dollars (\$37,100.00), and reallocate said funds to a special article called Hartsuff Park Maintenance for the purpose of funding repairs and improvements at Hartsuff Park, or take any other action relative there to?

TOWN MEETING	ACCOUNT DESCRIPTION	AVAILABLE BUDGET
May 6, 2019 Article 85	SAND HARTSUFF PARK	\$ 2,500.00
May 6, 2019 Article 86	HARTSUFF PARK BATH HOUSE ROOF	\$ 9,600.00
May 7, 2018 Article 18	HARTSUFF PARK ADA	\$ 25,000.00

Submitted by: Town Accountant

Approval Recommend by: Board of Selectmen, Parks Commissioners, Recreation Department

Funding Source: Closing of articles as listed.

Emergency: Hartsuff Park needs repairs and due to the pandemic, the projects had to be postponed. The cost of materials has escalated and combining the funds will allow flexibility to complete necessary repairs.

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And you are directed to serve this warrant by posting copies at least fourteen (14) days prior to said meeting in each of the six precincts in said Town.

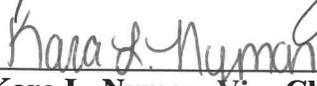
Hereof, fail not, and make return of this Warrant, with your doings thereon, on the Town Clerk, at the time and place of holding said meeting.

Given under our hand this 10 of August, in the year Two Thousand Twenty-One.

SUBMITTED BY: BOARD OF SELECTMEN



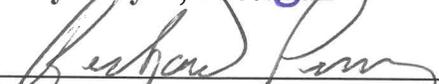
Michael P. O'Loughlin, Chairman



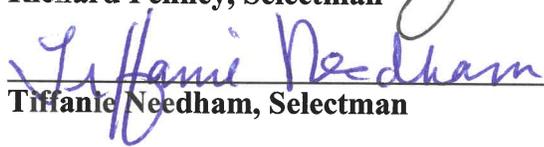
Kara L. Nyman, Vice Chairman



Larry J. Ryan, Selectman



Richard Penney, Selectman

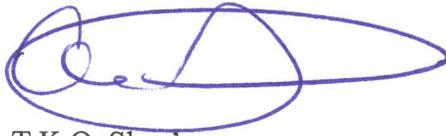


Tiffanie Needham, Selectman

RETURN OF SERVICE

This is to certify that I have this 18 day of August 2021, posted this warrant in each of the six precincts in the Town of Rockland.

ATTEST:
CONSTABLE



- | | | |
|------------|-----------------------------------|--------------------|
| Precinct 1 | T.K.O. Shea's | 932 Hingham Street |
| Precinct 2 | Sullivan Tire | 1 VFW Drive |
| Precinct 3 | Town Hall (Rockland Town Offices) | 242 Union Street |
| | Rockland Public Library | 20 Belmont Street |
| | Rockland Senior Center | 344 Plain Street |
| | Rockland Post Office | 39 Webster Street |
| Precinct 4 | UPS Store | 319 Centre Avenue |
| Precinct 5 | Butterfield's Restaurant | 372 Market Street |
| Precinct 6 | Rockland Housing Authority | 8 Studley Court |