

Date: May 26, 2016

To: Kevin Beal
Rockland City Attorney

Re: John Grondin & Courier-Gazette FOAA Requests
Technical Support For Developing Power Generation Ordinance Amendments

Dear Kevin,

As we have discussed, both John Grondin and the Courier Gazette filed FOAA requests for any materials in my possession related to the selection process of technical advisors to work with the Planning Board in the drafting of possible site plan and performance standards that would regulate the development of power generation facilities in the Rockland.

These requests cover materials I have as a Councilor related to the “Technical Support for the Planning Board” provision of Ordinance Amendment 2015-48 and any materials I have related to the Energy Committee carry out its charge in OA 2015-48 to develop recommendations for the Planning Board.

As far as I can ascertain the content requested by these two requests cover much of the same material except that the Courier Gazette’s request covers a longer period and is limited to emails whereas Mr. Grondin’s request is for a shorter time window and covers all documents on the topic. This PDF binder includes the materials, which are summarized below, that I have which are responsive to both requests. I am assuming a copy for Mr. Grondin can be printed at City Hall.

(A) Courier-Gazette & John Grondin Freedom Of Access Requests

PDF Pages 3 to 6: Since these documents are intended to be responsive to two FOAA requests, the request from the Courier-Gazette as well as from Mr. Grondin are included in Section A.

(B) Technical Support Provisions Of Ordinance Amendment 2015-48

PDF Pages 7 to 40 : The Council received public comments in support of and in opposition to the proposed moratorium on power generation facilities in Ordinance Amendment 2015-48. However, the provision of the ordinance amendment pertaining to technical support for the Planning Board is the only provision of OA 2015-48 to be amended after the original language was submitted to the Clerk for Council consideration. This section was amended in response to questions from the public.

As submitted for Council consideration, and passed in first reading, the language in OA 2015-48 would have directed the City Manager to provide options for technical support from which the Planning Board could select as needed. In response to public comments, OA 2015-48 sponsor Councilor Jillson and I offered an amendment, which was on Councilor’s desks at the January meeting. This amendment would have directed the Energy Committee to work with the City Manager to provide options for technical support from which the Planning Board could select.

During the January Council meeting, Councilor Geiger requested an amendment to remove the City Manager from the process for identifying and selecting technical support for this process. This amendment was adopted and the moratorium enacted.

Section B of the PDF binder contains the documents I have (copies of the OA 2015-48, proposed amendments, Council meeting minutes, emails, etc.) from between the time OA 48 was proposed until OA 48 was adopted in second reading that relate to the “Technical Support” provisions of the moratorium ordinance amendment. The time window covered by the Courier-Gazette FOAA request goes back to December 1st, 2015. The first reference I found relating to “Technical Support” was in a December 8th draft of the ordinance amendment and related emails.

C Energy Committee Recommendations To The Planning Board

PDF Pages 41 to 226: OA 2015-48 charged the Energy Committee with three tasks: (1) “convey to the Planning Board a summary of any issues that the Committee recommends be considered by the Planning Board based on the forums held by the Committee;” (2) “to provide options for technical experts from which the Planning Board can select to advise the Board as needed in this process;” and (3) “provide advice or assistance to the Planning Board as may be requested by the Board’s Chairman.”

Section C of this PDF binder includes all Energy Committee materials (meeting agendas, meeting minutes, meeting handouts, emails, etc.) that I have related to the “Technical Support” aspects of the tasks with which the Committee was charged. I have no Committee related documents on this topic prior to Council adoption of OA 2015-48 on January 11th (and all earlier documents I have on the “Technical Support” aspects of OA 2015-48 are included in Section B as described above).

In considering options for technical support the Planning Board might utilize, the Energy Committee was focused on individuals and firms with backgrounds and expertise with the “issues that the Committee recommends be considered by the Planning Board based on the forums held by the Committee.” So, the Committee’s January 25th recommendations are included in this section.

D Questions Regarding Engineering Firms Utilized For Ordinance Development

PDF Pages 227 to 248: Section D includes questions I received from the Mayor in regard to the Energy Committee’s process for developing Technical Support recommendations for the Planning Board as well as how those recommendations were carried out. It also includes my response to the Mayor’s questions on this matter as well email correspondence with the media.

The bulk of the material in Section D falls after the time window in Mr. Grondin’s request but within the time window of the Courier FOAA request. Several documents are referenced in emails (or listed as attachments) in Section D. These have all been included in earlier sections and additional copies were not included Section D.

I believe this packet of materials to be a thorough due diligence response to the information request contained in the FOAA requests from Mr. Grondin and from the Courier-Gazette.

Sincerely,
Larry R. Pritchett
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