

**REGULAR MEETING**

**AGENDA**

**June 13, 2016**

1. Roll Call **All members present. City Manager Chaousis was absent due to illness.**
2. Pledge of Allegiance to the Flag **All present joined in the Pledge of Allegiance**
3. Public Forum of not more than 30 minutes (5 minute limit each speaker)
4. Meeting Notice
5. Reading of the Record
6. Reports:
  - a. City Manager’s Report
  - b. City Attorney’s Report
  - c. Other Official’s Report
  - d. Mayor’s Report
  
7. Licenses and Permits:
  - a. Liquor & Entertainment Licenses – Myrtle Street Tavern  
**Granted. Vote: 4-0.**
  - b. Liquor & Lodging House Licenses – Berry Manor Inn  
**Granted. Vote: 4-0.**
  - c. Lodging House License – The Talbot House  
**Granted. Vote: 4-0.**
  - d. Liquor License – Claws  
**Granted. Vote: 4-0.**
  - e. Liquor & Entertainment Licenses – In Good Company  
**Postponed until the July 11, 2016 Regular Meeting. Vote: 4-0.**
  - f. Liquor License – Sammy’s Deluxe  
**Granted. Vote: 4-0.**
  - g. Liquor & Entertainment Licenses – American Legion Post #1  
**Granted. Vote: 4-0.**
  - h. Special Event Liquor License – Lobster Festival Corporation  
**Granted. Vote: 4-0.**
  
8. Resolves:
  - #24 Appointments – Boards, Commissions & Committees **Mayor MacLellan-Ruf**  
**Passed. Vote: 4-0.**
  - #25 Supporting Multi-Town Street Light Project **Councilor Pritchett**  
**Postponed until the August 8, 2016 Regular Meeting. Vote: 4-0.**
  - #26 Accepting Donation – EMS **City Council**  
**Passed. Vote: 4-0.**
  - #27 Accepting Donations – Library **City Council**  
**Passed. Vote: 4-0.**
  - #28 Commendation – Peta vanVuuren **City Council**  
**Passed. Vote: 4-0.**
  
9. Ordinances in Final Reading & Public Hearing:
  - # 7 Chapter 14, Section 14-316 Redundant Text (Postponed after PH) **Councilor Pritchett**  
**Postponed until the July 11, 2016 Regular Meeting. Vote: 4-0.**
  - # 8 Chapter 15, Articles I & IV Street Openings (Postponed after PH) **Councilor Pritchett**  
**Postponed until the July 11, 2016 Regular Meeting. Vote: 4-0.**
  - # 9 Chapter 19, Section 19-307 Off-Street Parking (Postponed after PH) **Councilor Pritchett**  
**Postponed until the July 11, 2016 Regular Meeting. Vote: 4-0.**

## Sec. 19-302 Words And Phrases Defined

**Distributed Power Generation Facility.** Electric power generation equipment, including power generation equipment with thermal energy recovery, which is designed and will be operated to provide or to offset the base or peak power consumed at the site where the power generation equipment is located, or the base or peak power consumed at other sites either in Rockland or in an adjacent municipality that are under the same or affiliated ownership as the site where the power generation equipment is located. At least 50% of the thermal energy must be consumed at the site where the power generation equipment is located or at other sites that are under the same or affiliated ownership as the site where the power generation equipment is located. The remainder of the thermal energy may be distributed to third parties under contract.

## Sec. 19-316 Performance Standards

### A. Dust, Fumes, Vapor, and Gases.

(2) Air Pollution From Power Generation Facilities. The Planning Board or other applicable permitting authority shall condition the establishment of any new power generation facility that requires either a state or federal air emissions license or permit upon (A) the applicant's receipt of such license(s) or permit(s), and (B) the applicant's demonstration that the facility shall comply with the applicable emissions limitation:

- (i) A Distributed Power Generation Facility or system that will serve one or more existing commercial, industrial, institutional, municipal, and/or residential facilities shall demonstrate no net increase in the emissions discharge of regulated air pollutants as compared to the annual emissions currently generated to provide electricity and thermal energy for the facility or facilities to be served by the Distributed Power Generation Facility or system, whether such electricity and thermal energy is currently generated on-site or purchased over the grid;
- (ii) Distributed Power Generation Facilities serving one or more new or substantially expanded commercial, industrial, institutional, municipal, and/or residential facilities: a net reduction of total point source emissions discharges of regulated air pollutants by at least 10% of the air pollutants that would be emitted discharged, including tractor trailer emissions generated within Rockland from the transport of fuel or feedstock to the facility and idling at the facility, to provide such facility(ies) with electricity from the grid and on-site thermal energy in the absence of the Distributed Power Generation Facility. Such net emissions reduction shall be maintained so long as the facility remains in operation;
- (iii) Grid-Scale Power Generation Facilities: a net reduction of total point source emissions discharges of regulated air pollutants shall be achieved. The excess thermal energy produced in the power generation process must be utilized to replace the thermal energy currently being produced at existing commercial, industrial, institutional, municipal and/or residential facilities in Rockland. The total air emissions from the grid scale power generation facility, including tractor trailer emissions generated within Rockland from the transport of fuel or feedstock to the facility and idling at the facility, must be 25% less than the total current permitted or modeled emissions for the facilities to which the grid scale power generation facility would provide thermal energy. If this provision cannot be directly met by utilization of the excess thermal energy, the developer of the grid-scale power generation facility can meet this provision by funding energy efficiency upgrades at buildings and commercial facilities in Rockland that would provide sufficient additional reductions to meet this requirement. Emissions reductions under this provision must be contractual. Such net emissions reduction shall be maintained so long as the facility remains in operation.

The Code Enforcement Officer shall conduct periodic inspections after issuing a certificate of occupancy or otherwise require the facility's operator to demonstrate that the applicable air pollutants emissions discharge limitation is achieved and maintained, and may revoke said certificate of occupancy following notice and the

operator's failure to cure and/or seek the imposition of penalties and other remedies available under applicable law. The facility's operator shall, within three days, report to the Code Enforcement Officer the occurrence of any air emissions license exceedance, and of any notice of violation issued regarding the operation of the Grid-Scale Power Generation Facility.

## **Sec. 19-316 Performance Standards**

### **A. Dust, Fumes, Vapor, and Gases.**

#### (4) Fugitive Emissions; Gas Piping Safety

The Code Enforcement Officer and/or the Fire Chief or his designee shall conduct periodic inspections after issuing a certificate of occupancy or otherwise require the facility's operator to demonstrate that the applicable gas piping safety provisions are complied with, and may revoke said certificate of occupancy following notice and the operator's failure to cure and/or seek the imposition of penalties and other remedies available under applicable law. The facility's operator shall, within three days, report to the Code Enforcement Officer any **release of fugitive emissions discharge**.

## **Sec. 19-316 Performance Standards**

### **D. Noise and Vibration.**

(b) Noise from Grid-Scale Power Generation Facilities **and Distributed Power Generation Facilities** shall be measured utilizing the Octave Band Center Frequency of Measurement, as follows:

## **Sec. 19-316 Performance Standards**

### **F. Water Quantity, Quality, and Discharge**

(1) Water Quantity: New **electric power generation facilities and new processes serving existing facilities requiring a new or amended permit from the City other industrial land uses, and new processes serving existing industrial uses**, that are permitted or commenced on or after April 11, 2016, shall comply with the following standards affecting the quantity of water consumed at such **power generation or other industrial** facility:

(a) Cooling, steam generation, **hot water distribution**, and other processes or systems that utilize **unprocessed** water for heat transfer **in Grid-Scale Power Generation Facilities, Distributed Power Generation Facilities, or Community-Based Renewable Energy projects or other mechanical, industrial, or production purposes** shall be designed and engineered to recycle or reuse at least 80% of the **unprocessed source** water drawn from the water company, well, aquifer, or other potable water supply source serving the facility. No such minimum reuse or recycling requirement shall be imposed where the source water is processed municipal or other wastewater;

(b) No single **Community-Based Renewable Energy Project, Distributed Power Generation Facility, or Grid-Scale Power Generation Facility** may draw or consume more than two hundred, fifty thousand (250,000) gallons of unprocessed source water per day **for make-up water for electrical power generation**; and

## **Sec. 19-316 Performance Standards**

### **L. Inspection and Maintenance Programs.**

(4) **Annual submittal to the Code Enforcement Officer of proof of Annual testing to assure** continued compliance with federal or state air emissions license(s) or permit(s) and **annual submittal of a report of the continuance of** any air emissions reductions required under Subsection 19-316(A)(2), when applicable. **Vote on amendment: 3-1 (Clayton).**

#11 Chapter 16, Article II Power Gen Facilities (Postponed after PH) Councilor Pritchett  
Postponed, as amended, until the July 11, 2016 Regular Meeting. Vote: 4-0. Amended as follows:

## Sec. 16-204 Standards

12. Decommissioning. The Board may require that an applicant proposing to erect a wind ~~turbine~~ or construct ~~a Grid-Scale Power Generation Facility or Community-Based Renewable Energy Project any other form of power generation equipment or facility~~ submit a Decommissioning Plan for the Board's review and approval. For these purposes, "decommissioning" may include, at the Planning Board's discretion, the physical removal of all components of the project, including, as may be applicable, wind turbines, cabling, electrical equipment, structures and associated facilities, and all materials and chemicals. The Board may accept a decommissioning plan that provides for decommissioning no later than five years following the cessation of power generation on the site so long as the operator is, during such five year period, actively seeking to achieve a repurposing of the site and facilities to be decommissioned. The decommissioning plan must include a detailed estimate of the costs of decommissioning, and a financial plan acceptable to the Board for funding such decommissioning costs. To the extent any structures or components are proposed to be omitted from the decommissioning, the plan shall provide evidence of alternative, beneficial use of such structures and components following the cessation of power generation on the site.

Vote on amendment: 4-0.

#14 Discontinuance – Portion of Union Lane Councilor Clayton  
Passe. Vote: 4-0. Eff. Date: 07/13/16.

### 10. Ordinances in First Reading:

#15 Chapter 19, Section 19-304 TB-1 Regs. – Restaurants Councilor Clayton

Passed. Vote: 4-0. Public Hearing Date: 07/11/16 at 6:00 p.m.

#16 Chapter 17, Section 17-809 Handicapped Parking Space – Elm St. Mayor MacLellan-Ruf

Passed. Vote: 4-0. Public Hearing Date: 07/11/16 at 6:00 p.m.

### 11. Orders:

#32 Public Hearing/CDBG Grant – Safe Neighborhoods Program City Manager

Passed. Vote: 4-0.

#33 Authorizing Street Closure – CMCA Grant Opening City Manager

Passed. Vote: 4-0.

#34 Authorizing Street Closure – Farnsworth Summer Gala Councilor Pritchett

Passed. Vote: 4-0.

#35 Authorizing Funding – Downtown Street Light Project City Manager

Passed. Vote: 4-0.

#36 Authorizing Funding – Multi-Town Street Light Project City Manager

Postponed until the August 8, 2016 Regular Meeting. Vote: 4-0.

12. Adjournment. Adjourned without objection from the Council at 8:15 p.m.