



The Commonwealth of Massachusetts
Office of the Inspector General

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August 20, 2008

James F. Simpson
Chairman
Board of Selectmen
Town of Rockland
242 Union Street
Rockland, Massachusetts 02370

Dear Chairman Simpson:

During August 2005, the Office of the Inspector General received a complaint from a Town of Rockland (Town) official who reported that Kenneth Karlson, former Chairman of the Rockland Conservation Commission, (RCC) was alleged to be involved in corrupt activities involving his official position while serving as Chairman of the RCC. The official further alleged that Karlson, while serving on the RCC, wrongfully appropriated property belonging to the RCC for himself. He alleged that the misappropriated property included a computer, a video camera, some printers, scanners and a digital camera. The Town official requested the assistance of the Office of the Inspector General to investigate the allegations of corrupt conduct. He advised that he had already requested the assistance of the Rockland Police Department to investigate the allegations concerning misappropriated RCC property. The subsequent investigation by the Rockland Police Department of Karlson resulted in a criminal conviction, a two year suspended sentence and probation.

With respect to the allegations of official corruption, the Rockland official reported that it was alleged that Karlson, while serving as RCC Chairman, approached a local developer by the name of Ernesto Caparratta, and asked him for a job. At the time, Caparratta had business before the RCC concerning a project he was developing. Karlson allegedly informed Caparratta that things would go well for him before the RCC if he got the job. It was alleged that Caparratta refused and Karlson issued cease and desist orders on the project. Caparratta allegedly entered into a costly legal battle with the RCC concerning the project he was building. The Town official advised further that it has been alleged that James Reardon, another local developer, was also approached by Karlson in a separate matter. Karlson allegedly asked Reardon for \$5,000.00 to

insure that he received good treatment by the RCC regarding a project he was working on.

At the outset of the investigation, investigators from this office interviewed another Town official who provided allegations of additional official misconduct pertaining to Karlson. Specifically, this official reported that Karlson allegedly approached the partners involved in a company known as S & K Development and told them that if they made him a partner in a Rockland project they were developing, he would make sure the project went smoothly before the RCC. The official stated that the project involved development of a 55 and older community at 414 Hingham Street in Rockland. This project was known as Rockland Glenn and its developers were identified as Russell Grabau and Shawn Cudmore. It was alleged that Karlson was subsequently made a partner in this project.

The second Town official further alleged that Karlson approached Bob Norton, the owner of the Massachusetts Sports Club, located on VFW Drive, in Rockland, and told him that a skating rink that Norton and his partners were developing would run smoothly before the RCC if Karlson received work on the project. The official advised that Karlson was subsequently hired and performed the entire site work for the skating rink.

During the investigation, a third Town official reported that Karlson was hired by John Melchione, owner of the Supreme Muffler Shop, Rockland, Massachusetts to work on property that he was trying to develop. The official alleged that Karlson was on the RCC and voted to approve the project when it was brought before the RCC.

The Acting Town Administrator informed this office in 2008 that Kenneth Karlson was appointed by the Town to serve on the RCC on June 17, 2002. He also reported that Karlson's term on the RCC was set to expire May 31, 2005. He advised that he could locate no official letter of resignation from Karlson and believes that Karlson simply failed to reapply for his position on the RCC when his term expired.

Based upon the allegations provided by the Rockland Town officials in 2005, this Office initiated an investigation to determine the validity of each of the allegations presented. During the investigation, this Office conducted several interviews. A summary of the information obtained during these interviews is set forth below.

Interview of Ernesto Caparratta, DBA, Seven Hills Corporation, Weymouth, MA.

Ernesto Caparratta, Seven Hill Corporation, Weymouth, MA, advised that sometime in 1998, he purchased 13 to 14 acres of raw land located at 850 Hingham Street, Rockland, MA. Sometime in 2004, Caparratta went before the RCC to seek permission to correct drainage and grading problems with this land. In or about June, 2004, the RCC gave Caparratta permission to do this work. It was during the various hearings

before the RCC that Caparratta met Kenneth Karlson, who was a member of the Commission. Caparratta stated that he had no problems with Karlson during any of the hearings. Caparratta stated the RCC ruled that his property was not near wetlands and gave him permission to correct the drainage and grading problems that he encountered.

Caparratta began work at this site to correct the problems during the beginning of September 2004. Caparratta's project abutted property owned by the Rockland /Abington Water Department. When Caparratta began this work someone from the Abington /Rockland Water Department contacted the RCC to ascertain the type of work that was going to be performed by Caparratta. Subsequently, Caparratta received a telephone call from the RCC informing him that before any additional work was done, hay bails should be placed around the perimeter of this property. After the hay bails were installed, the RCC conducted an inspection. The inspection was done by RCC members Andy Triantaffellow and Kenneth Karlson. John Ziegler, a private engineer hired by the RCC, also participated in the inspection. After receiving RCC approval, Caparratta continued his work on the project.

On November 2, 2004, Thomas Hannigan, a Commissioner of the Abington/ Rockland Water Department questioned Caparratta's project manager to ascertain why work was proceeding on the project. Hannigan told the project manager that he believed that a stop work order had been issued by the RCC for the project. On November 3, 2004, Kenneth Karlson arrived at the work site and inquired as to the scope of work being performed. Karlson subsequently ordered the project manager to stop work on the project.

On November 4, 2004, a site meeting occurred at this project. Representing the RCC were Triantaffellow and Karlson. They requested an explanation as to why a temporary ditch had been dug on the property. At the conclusion of this meeting, Karlson approached Caparratta in the presence of James Mather, one of Caparratta's employees. Karlson asked Caparratta who performed the repairs on Caparratta's excavation equipment that was located at the project. Karlson told Caparratta that he was a heavy equipment mechanic and that he did this type of work for a living. Karlson told Caparratta that he would like to receive Caparratta's future business regarding the repair of Caparratta's excavation equipment. Caparratta questioned Karlson about the appearance of a conflict of interest due to the fact that Karlson was a current member of the RCC. Karlson informed Caparratta that he did not consider it to be a conflict. Karlson also asked Caparratta what he was going to do with the trees that had been cleared from this property. Caparratta told Karlson that whoever wanted the wood could take it as long as they trucked it from the property. Karlson told Caparratta that he wanted the wood and was in the process of establishing a company that would sell it.

Caparratta told Karlson that he would speak with his attorney about Karlson's request to repair the construction equipment and take the firewood. He informed Karlson that if his attorney said there was no conflict of interest, Caparratta would hire Karlson to do repairs and Karlson would be welcome to take the firewood. Caparratta was later told

by his attorney that Karlson's request would certainly amount to a conflict of interest. Caparratta never contacted Karlson to inform him of his attorney's opinion.

In or about December 2004, Caparratta was given permission by the RCC to continue work on the site. One of his excavating machines at the work site developed mechanical problems and Caparratta hired a private company to perform the repairs. During the repairs or shortly thereafter, Caparratta received a telephone call from Karlson. Karlson asked Caparratta why he (Karlson) was not hired to do the repair work. Caparratta told Karlson that his attorney advised him that this would be a conflict of interest. Karlson became agitated and said that Caparratta had promised him the work. Karlson told Caparratta that by not calling him to do the repairs, he had made a big mistake. Karlson ended their conversation by saying "good luck, you are going to need it."

Shortly thereafter Karlson issued a cease and desist order for the project. Caparratta's attorney then contacted John Ziegler. Zeigler was the engineer who had been hired by the RCC to assist them regarding Caparratta's project. The lawyer informed Zeigler that Karlson had stopped the project. When Karlson learned that Caparratta's attorney had contacted Ziegler, he had Ziegler removed as the Town's engineer for the project. Caparratta advised that Karlson subsequently hired another engineering firm for the purpose of killing his project. Caparratta has not worked on this site since December 2005. It should be noted that Caparratta complained in writing to the RCC by letter dated June 27, 2005 concerning Karlson's conduct in the above described incident.

Interview of James Reardon, owner, Empire Sheetrock and Plastering Company, Rockland, MA.

James Reardon, owner, Empire Sheetrock and Plastering Company, Rockland, MA, advised that he first met Kenneth Karlson at an RCC meeting. Reardon stated that in or about January 2005, he began to develop two homes on Spring Street, Rockland, MA. This project required RCC approval and Reardon hired John Zeigler, DBA, Conservation Limited, Weymouth, MA, to determine if this project infringed on wet lands. He paid Zeigler approximately \$2000.00 for his work. Zeigler is an environmental consultant and his company concluded that this project did not infringe on wetlands. Reardon believes that Zeigler also received a consulting fee from the RCC for the Reardon project and was later sent to the project on behalf of the Town.

Reardon subsequently filed his permit with the RCC and his project was considered by the RCC during meetings held between January through March, 2005. Karlson, acting on behalf of the RCC, issued a cease and desist order closing down Reardon's project. Karlson claimed that the project infringed on wetlands. Further, during one of the RCC meetings regarding the Reardon project, Karlson issued a \$20,000.00 fine, alleging that Reardon had started work on the project without the necessary permits. Reardon

believed that the fine was issued improperly and informed the RCC of his position through his brother.

Reardon was unable to receive his building permits until the RCC order was lifted. Reardon attended the next meeting of the RCC which he believes was in April 2005. Reardon stated that Karlson was the Chairman of the RCC at this time and Reardon recalled that the meeting turned pretty ugly. During the meeting Reardon informed the other RCC members that Karlson had a personal grudge against him and his company.

Reardon subsequently attended the Rockland Town Meeting which was held during April or May 2005. Following the meeting, Reardon was approached outside Town Hall by Karlson. Karlson told Reardon that he (Karlson) could get Reardon's problems to go away for \$5,000.00. Reardon told Karlson he was all set and walked away. Reardon informed a Town official connected with the RCC of Karlson's attempt to shake him down. This Town official was interviewed by this Office in July 2006 and advised that James Reardon had informed him of the above described situation. The official asked Reardon if he would reduce his complaint to writing and Reardon agreed to do so. The official received the written letter from Reardon and presented it to the RCC during a subsequent meeting. The letter, dated July 1, 2005, reads in pertinent part, "I was approached by Ken Karlson, Conservation Agent. I was told by him that a \$5000.00 dollar payment to Ken Karlson himself would make the problems on the Spring Street lots go away. In turn for the \$5000.00 Ken Karlson would persuade the Rockland Conservation Commission to release the lots. I, Jim Reardon in turn told Ken Karlson, that I would need to speak to my attorney pertaining to that offer."

Interview of Shawn Cudmore, Former Partner, S & K Development Company

Sean Cudmore, former partner, S & K Development Corporation, advised that his brother Christopher Cudmore and Russell Grabau are partners in the R & C Development Corporation, Inc., which was a company formed to develop a 55 and older community known as Rockland Glenn, 414 Hingham Street, Rockland, MA. Rockland Glenn was intended to include 60 housing units located on 70 acres of land. Cudmore stated that his job involved framing the 60 proposed units in the Rockland Glenn development.

During the permitting process for Rockland Glenn, Sean Cudmore went with his brother to several hearings before various Rockland Town Boards. This included attending many of the Rockland Conservation Commission (RCC) hearings concerning Rockland Glenn. It was during these hearings that Sean Cudmore met Kenneth Karlson who was at that time the Chairman of the RCC.

After all the approvals had been obtained from the various Town Boards and Departments, Sean Cudmore had a meeting with members of the RCC to inform them of the starting date of the development. After the meeting, Cudmore was approached on the street in front of Town Hall by Karlson. Karlson asked Cudmore who was going

to do the site excavation work for the Rockland Glenn development. Cudmore told Karlson that his brother and Grabau had hired Tedeschi Construction Company, Rockland, MA, for the site work. Cudmore stated that Karlson informed him that he (Karlson) also did site excavation work. Cudmore told Karlson that he (Cudmore) was going to do all the framing for the development.

A short time later, Cudmore received a telephone call from Karlson. Karlson inquired as to why Tedeschi Construction Company was doing the excavation work at Rockland Glenn. Karlson told Cudmore that he could do the excavation work and save R & C Development Corporation, Inc., a substantial amount of money. Karlson also said that they could make some money together if he (Karlson) did the site excavation work. Karlson told Cudmore that he (Karlson) owned a couple of excavators and if they needed additional equipment they could rent the machines. Karlson told Cudmore that he (Karlson) was no longer a member of the RCC. Cudmore told Karlson that he would give Karlson's proposal some thought and get back in touch with him later.

Cudmore stated that a few months later, he contacted Karlson and told him that he (Karlson) could do the excavation work at Rockland Glenn. Cudmore met with Karlson and suggested that they establish a site excavation company known as S & K Development, Inc. Cudmore stated that the initials for S & K Development, Inc. stand for the letters of their first names. Cudmore told Karlson that he (Karlson) would receive a weekly salary of \$1,500 and on any additional jobs they would split the profit 25% (Karlson) and 75% (Cudmore). Cudmore stated that as part of the verbal agreement, he (Cudmore) agreed to purchase or rent the excavation equipment which would be used on the Rockland Glenn job and on any other work they received.

Cudmore stated he purchased 2 GMC pick up trucks from Poirier Trucks, Fall River, MA. Cudmore cannot recall the price he paid for each truck. He gave one of these trucks to Karlson for his use as a partner in S & K Development, Inc. and he drove the other. Cudmore stated he financed these trucks through GMC and his monthly payments were about \$900 for 72 months. Cudmore stated that Karlson began to do work on the Rockland Glenn project once S & K Development, Inc. was formed on 5/17/2005. Karlson did not contribute any money to this partnership. Tedeschi Construction had been doing the excavation work at Rockland Glenn prior to the establishment of S & K Development, Inc.

Cudmore informed this Office that during the course of his business association with Karlson, Karlson became involved in several actions which he believed were inappropriate. For example, Karlson purchased or rented several pieces of heavy equipment without Cudmore's knowledge or consent. Further, Cudmore advised that Karlson performed several additional excavating jobs for other developers and contractors while acting as a partner in S & K Development, Inc. Karlson did not deposit the proceeds earned from these jobs into their joint S & K Development checking account which had been opened at Webster Bank. The proceeds amounted to in excess of \$75,000.00. Karlson, in order to explain the lack of money in the account, told him that the contractors and developers were late in paying for the work.

Cudmore later discovered that Karlson had opened a separate checking account using the name of S & K Development at Webster Bank. Karlson was the only person who could withdraw money from this account. Cudmore also discovered that the payments from the above excavation jobs were deposited into this account and the proceeds were withdrawn and used by Karlson. Cudmore estimated that Karlson has stolen approximately \$100,000 dollars from him during the time of their business association.

Interview of Paul Cokinos, Partner, ADE Consultants

Paul Cokinos advised he is self employed and does mechanical engineering and design. He is a business partner in ADE Consultants (ADE), Dedham, Massachusetts. His partners in ADE are Robert Norton, Esquire, Kevin O'Sullivan, and Christopher O'Sullivan. Cokinos stated that in 2002, approximately 2.2 acres of land at 181 VFW Drive, Rockland, MA, was purchased by ADE for \$250,000.00. At the time of the purchase, the land had two outdoor skating rinks located on it. Following the purchase, ADE constructed one dome over both rinks. ADE also had plans for the future construction of an ice skating rink on this property. ADE began the permit process for the ice skating rink on 4/14/2004 when they appeared before the Rockland Zoning Board of Appeals (ZBA). The ZBA referred them to the Rockland Conservation Commission (RCC) because of a wetlands issue.

On 5/31/2004, ADE appeared before the RCC because there were wetlands on the far west corner of the property. This involved the area where ADE intended to build the ice skating rink. The Chairman of the RCC at the time was Kenneth Karlson. Cokinos recalled there were quite a few meetings, possibly six meetings, before the RCC regarding the wetlands issue. The RCC approved the project with certain conditions.

Cokinos stated that Perkins Engineering created the order of conditions for ADE. A copy of these conditions was furnished to John Ziegler, who was the Conservation Officer for the Town of Rockland. Ziegler in turn furnished a copy to Karlson. Karlson was supposed to file the order of conditions with the RCC. Prior to the start of construction, Cokinos asked Karlson for the approved order of conditions. Karlson told Cokinos not to worry that he (Karlson) would get the approved order of conditions to Cokinos.

Sometime during January or February, 2005, Karlson approached Cokinos at the work site and told him that he (Karlson) owned an excavation company that did site and excavation work. Karlson told Cokinos that he (Karlson) wanted to bid for the site excavation work on this job. Cokinos recalled asking Karlson if this was a conflict of interest because of Karlson's position with the RCC. Karlson said there was no conflict and he (Karlson) could work on the site. Cokinos denied that Karlson ever told him that things would go well for him before the RCC if ADE hired Karlson. Cokinos spoke with Norton regarding Karlson's request and Cokinos was told by Norton to get a bid from Karlson.

ADE received three bids for the site and excavation work. The bids were received from ATL of Randolph, MA for \$115,580.00, Dan DelPrete, of Rockland, MA, for \$147,785.00 and Karlson for \$50,000.00, excluding material. The site work involved clearing the land, cleaning the site, and digging the foundation for the new ice skating rink. It also required that 800 yards of fill be trucked to the site. The site work required the installation of a complete drainage system, the relocation of existing sewer lines, placing hay bails around the wetlands, installing granite curbing and installing 40 feet of water line. Cokinos stated that he never received a formal hand written bid or contract from Karlson. He believes Karlson gave him a verbal bid for the above work. Cokinos stated they accepted Karlson's verbal bid about February, 2005.

Cokinos stated that when Karlson began to work on this project it was his belief that Karlson had left the RCC. Karlson began the site work for ADE at 181 VFW Drive on March 15, 2005. When Karlson began the site work, he had an excavator and a loader. Cokinos advised that after Karlson began to do work at this site, Cokinos began to question his construction ability regarding the site work. Karlson would move dirt from one side of the site to another side and the next day he would move it back to the original site.

On April 6, 2005, Cokinos needed Karlson and his excavator to dig a hole so the soil could be tested. Karlson came to the site that day without an excavator and Cokinos learned that Karlson did not own the equipment that he had been operating on this site. Cokinos stated that he fired Karlson on April 7, 2005, after learning from Karlson that he did not own any equipment. Cokinos believes that Karlson had been borrowing the above equipment from Russell Grabau, who is the owner of the Pembroke Country Club, Pembroke, MA. Karlson told Cokinos that he was in the process of purchasing excavation equipment. Karlson remained on the job site until April 12, 2005. When Karlson was fired from this job, he had already been compensated in the amount of \$22,000.00, and basically had done little work. It should be noted that Russell Grabau was one of the developers of the Rockland Glenn project discussed at length earlier in this letter.

Cokinos learned that Karlson had leased an excavator from NES Rentals, Post Office Box 8500, South Boston, MA, for \$5,600.00. This excavator was rented by Karlson for approximately one month under Cokinos name. Cokinos stated he had no knowledge of this rental and did not authorize Karlson to rent this excavator.

When Karlson began to clean the site, he (Karlson) hired Village Green Landscape to cut down a number of trees. Two trees were pulled from the front of the site and a number of trees were pulled from the rear corner. Cokinos stated that Karlson hired Village Green Landscape to do the above work without Cokinos' knowledge. Village Green Landscape charged \$4,000.00 for the above work. Cokinos believes that Karlson took the trees for firewood.

When Karlson was fired, he took a soil compactor that belonged to Cokinos. This soil compactor cost approximately \$2,000.00 and has never been returned by Karlson. Cokinos has called Karlson asking for the return of this equipment but Karlson has told him it is in the repair shop. Cokinos later learned that Karlson attempted to sell the soil compactor to a local developer, for \$3,000.00.

Cokinos stated that on April 21, 2005, work on the foundation for the ice skating rink began. When the foundation work began, the project had yet to receive the order of conditions from Karlson. Cokinos at this point began to worry that the project had not received the order of conditions. Cokinos telephoned John Zeigler and told him that the project had not received the order of conditions and that Karlson had been asked on many occasions for these documents with no results. After this phone call Ziegler came to the construction site and attempted to call Karlson with negative results. Ziegler told Cokinos that he (Ziegler) had personally given the signed order of conditions to Karlson and that Ziegler had gone to Rockland Town Hall in an attempt to locate these documents with negative results. Ziegler told Cokinos that other orders of conditions that had been given to Karlson were also missing and could not be located at Rockland Town Hall.

During this investigation, investigators from this Office interviewed an RCC official who advised that he went to the Cokinos project work site during construction with Kenneth Karlson on official business. While there, the official noticed that Karlson was having a conversation with Cokinos. Later, Karlson informed the official that he got the site work on the Cokinos project. The official told Karlson that this was a conflict of interest but Karlson told him not to worry because he (Karlson) had contacted the Ethics Commission and everything was fine.

It should be noted that this particular allegation was investigated by the Massachusetts State Ethics Commission which issued a Ruling and Order on January 16, 2008. The Ruling and Order directed Karlson to pay a \$2000.00 dollar fine for violating the conflict of interest law. Specifically, Karlson was fined for receiving \$10,000.00 dollars from a developer (Cokinos) of a skating rink project, in return for Karlson's excavation work on the project. The excavation work Karlson performed was done to satisfy an Order of Conditions issued by the RCC. Karlson was a member of the RCC when the order of Conditions was issued. In June, 2007 Cokinos was also fined \$2000.00 dollars by the Massachusetts State Ethics Commission for his role in paying Karlson for the excavation work he performed on the project.

Interview of John Melchione Regarding Lot 2, Liberty Street, Rockland, Massachusetts

During the course of this investigation, a Rockland Town official informed this office that John Melchione, owner of the Supreme Muffler Shop, Rockland, Massachusetts appeared before the RCC seeking approval to develop a parcel of land located on Liberty Street in Rockland. He advised that Kenneth Karlson was a member of the RCC when the Liberty Street parcel was considered for RCC approval. He said that it was

his belief that Karlson cast a favorable vote on the project. He stated that shortly thereafter, Karlson was hired to place hay bails around the wetlands located on the property.

Investigators from this Office subsequently interviewed John Melchione at his place of business in Rockland. Melchione advised that he purchased a parcel of land, identified as Lot 2, Liberty Street, Rockland, MA from Eugene M. Pacella in February, 2004. He could not remember the official address of the parcel but believed it to be either 636 or 686 Liberty Street in Rockland. Melchione advised that he intended to build a single family home on this lot. He advised that this parcel had been previously subdivided and the previous owner had obtained all the necessary variances. He stated that he did not have to appear before any Town board to obtain any variances or special permits for this parcel.

He advised that after purchasing the parcel, he hired Ken Karlson to dig a trench and install hay bails around the perimeter of the parcel. This was needed to protect nearby wetlands from soil runoff. He said that he paid Karlson \$3000 to \$4000 for the work. Melchione advised that when Karlson did this job for him, he did not believe that Karlson was serving on any Town of Rockland boards. Melchione advised that he thought he paid Karlson by check for his work and would attempt to locate a copy of the check and furnish it to this office. A copy of the check was never provided.

Melchione provided to investigators a copy of a Superseding Order of Conditions (Order) issued by the Massachusetts Department of Environmental Protection (DEP), dated June 17, 2003 concerning the parcel of land he purchased from Parcella. The Order pertained to Lot 2, Liberty Street under DEP file number SE 273-246. The Order, among other things required the owner or any successor in interest and any contractor performing work relating to the Order, to erect an erosion control barrier, i.e. hay bails staked end to end, between the wetlands and any work to be performed on the parcel.

Documents regarding Lot # 2, 636 Liberty Street, Rockland, MA were obtained from the RCC and reviewed by this Office. One of documents shows that the RCC, by unanimous decision on January 23, 2003, voted to deny the Notice of Intent to build on Lot 2 – Liberty Street, Rockland, MA, filed by then owner Eugene Pacella. This unanimous vote by the RCC would have included Karlson because he was on the RCC at the time. The denial was based upon a finding that there were at least two work areas that were too close to wetlands. On February 28, 2003, the DEP notified the Pacella's engineer, Paul Mirabito, Ross Engineering Co., Norwell, MA that it had received his appeal from the RCC denial described above.

Another document reviewed was the DEP Superseding Order of Conditions (Order), previously mentioned above. On June 17, 2003, the DEP issued this Order regarding Lot 2, Liberty Street, which specifically included the Conservation Commission as a party to all proceedings before the DEP on the matter. The Order, issued under DEP file number SE 273-246, set forth 9 special conditions. One of these conditions required the erection of an erosion control barrier between wetlands and the work area. This

would include placing hay bails staked end to end. As mentioned above, John Melchione purchased Lot 2 in February 2004 and hired Karlson to do the work required by the DEP in the Order, including the hay bail requirement.

On 8/5/08 this Office interviewed Mark Phipps, the current owner of Lot #2, 636 Liberty Street, Rockland, MA. Phipps advised that he purchased the property from John Melchione in February or March 2005. At the time of purchase, hay bails had already been staked out on the property. Phipps advised that he went before the RCC in April 2005 and Ken Karlson was still on the RCC at that time. The RCC instructed him to go to DEP for permission to build on the land. RCC documents disclose that a new Order of Conditions was issued to Phipps from the RCC on 4/26/05. Karlson's signature appears to be on this Order of Conditions.

Investigation of Kenneth Karlson by the Rockland Police Department

On May 16, 2008 Detective Sergeant Jack Wentworth, Rockland Police Department furnished his report of investigation pertaining to Kenneth Karlson to the Office of the Inspector General. This report reflects an interview conducted by Detective Wentworth with a member of the RCC. The RCC official advised that Karlson was appointed as a member of the RCC by the Board of Selectmen in 2003 and was later nominated to become Chairman of the RCC. He advised that Karlson, without the knowledge and authorization of the other RCC members, purchased three computers, two digital cameras, and three cell phones with RCC funds. He informed Detective Wentworth that in the spring of 2005, Karlson became involved with a development project at 414 Hingham Street in Rockland. The RCC official stated that he believed that Karlson's involvement in the project amounted to a conflict of interest and suggested to Karlson that he should resign from the RCC. Karlson subsequently resigned from the RCC.

After Karlson resigned, the RCC official contacted Karlson and asked him to return the property he had purchased with RCC funds. Karlson returned about three quarters of the RCC property. One of the items not returned was a computer. Karlson told the official that he threw the computer away because it crashed. He said he brought it to a computer shop and was told it was no good. The RCC official called the computer store and learned that the computer was repaired for fifty dollars. Among several other items not returned by Karlson was a digital camera. The official informed Detective Wentworth that one of the cell phones purchased by Karlson with RCC funds was given by Karlson to his son for personal use. The official stated that Karlson and his son ran up thousands of dollars in charges to the RCC for their use of these cell phones. Detective Wentworth determined that Karlson converted Town of Rockland funds to pay for personal telephone bills for himself and his son. He further determined that the computer that Karlson purchased with RCC funds and failed to return was valued at approximately \$2000.00 dollars.

Detective Wentworth's report reflects that he intended to seek a complaint and warrant for Karlson for embezzlement of public funds. Detective Wentworth advised that when Karlson was arrested by the Rockland Police, he made no statement to police officers.

Karlson was subsequently found guilty and received a two year suspended sentence. He was placed on probation until June 2009.

Karlson's Criminal History Record

This Office has received information concerning Kenneth Karlson's criminal history from the Massachusetts Criminal History Systems Board (CHSB). This information has been deemed a public record by the CHSB. Karlson's criminal record, some nine pages long, is quite disturbing. The record discloses numerous arrests and convictions for such things as larceny, breaking and entering, possession of a controlled substance, assault and battery with a dangerous weapon, and assault and battery on a police officer. Given Karlson's criminal history, it is no surprise that he would utilize his public position and power for his personal benefit. Any reasonable Town official who might have reviewed Karlson's record before his appointment to the RCC would have concluded that the appointment was not in the best interest of the citizens of Rockland. A copy of this record is enclosed with this letter.

Conclusions and Recommendations

Kenneth Karlson's conduct while acting as a member and the Chairman of the Rockland Conservation Commission can fairly be characterized as a serious breach of the conflict of interest law and the public trust. He denied to the citizens of the Town his honest and faithful service and instead used his position for personal gain. His conduct has already resulted in a civil fine imposed by the State Ethics Commission. Karlson's inappropriate conduct, as reflected in this letter, appears to be far more pervasive than what was previously reported to the State Ethics Commission. In fact, this Office has apprised the Massachusetts Office of the Attorney General of the facts of this matter and the Attorney General's Office has recommended that Karlson's conduct be brought to the attention of the State Ethics Commission for whatever further action the Ethics Commission deems appropriate. This Office is in the process of reporting the information set forth in this letter to the State Ethics Commission for consideration of the new information uncovered by our investigation.

This Office makes the following recommendations to the Rockland Board of Selectmen:

1. The Board of Selectmen should consider requesting the Criminal History Systems Board to perform criminal offender record information "CORI" checks on applicants for positions of public trust and responsibility in the Town.
2. The Board of Selectman should insure that all persons working for the Town, paid or otherwise, receive appropriate training regarding the Commonwealth's conflict of interest laws.

The Office of the Inspector General appreciates the fact that this matter was reported to us by Rockland Town officials. This Office also appreciates the cooperation and assistance provided to us by the Town during the course of the investigation.

Sincerely,

A handwritten signature in dark ink that reads "Gregory W. Sullivan". The signature is written in a cursive, slightly slanted style.

Gregory W. Sullivan
Inspector General

Cc: Selectman Lawrence Chaffee;

Selectman Michael Zupkofska;

Selectman Deborah O'Brien;

Selectman Michael Johnson