



CALL TO ORDER:

A quorum being duly present, Town Council President Dennis Gallagher called the meeting of the Bridgewater Town Council to order at 7:30 pm, on January 21, 2020 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Francis Sousa, Fred Chase, Shawn George (arriving at 7:38 p.m.), Dennis Gallagher, Matthew Rushton, Aisha Losche (arriving at 8:16 p.m.), Peter Colombotos and Timothy Fitzgibbons. Town Manager Michael Dutton and Town Attorney Jason Rawlins were also present.

ABSENT:

1 Councilor Vacancy (District 6)

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

A moment of silence was held for all veterans who have passed including:

- George Cap
- George Pelati

President Gallagher announced the meeting is being aired live and recorded.

APPROVAL OF MINUTES

- January 7, 2020

Motion: Councilor Fitzgibbons made a motion to approve, which was duly seconded.

Discussion: None

A voice vote was taken, and the motion passed 6-0 (Councilors George and Losche not present. 1 vacancy).

ANNOUNCEMENTS FROM THE PRESIDENT

- President Gallagher reminded all that there is still one week left to submit names for the District 6 vacancy
- President Gallagher has appointed Councilor Colombotos to the Rules & Procedures Committee and Councilor George to the Budget & Finance Committee.

PROCLAMATIONS

CITIZENS OPEN FORUM - None

APPOINTMENTS

- Guillaume Dougados – Board of Health

Mr. Dutton spoke on Mr. Dougados' behalf briefly outlining his history and encouraged ratification of the appointment.

Motion: Councilor Fitzgibbons made a motion to appoint, which was duly seconded.

Discussion: A brief discussion took place relative to comments by Citizens Advisory Committee. Mr. Dutton confirmed he has met with the candidate at length. He believes Mr. Dougados brings a different view point to the Board of Health and has been up front and honest about his view points. Councilor Colombotos confirmed he will be supporting the appointment.

A voice vote was taken, and the motion passed 6-0 (Councilors George and Losche not present, 1 councilor vacancy).

HEARINGS - None

LICENSE TRANSACTIONS None

PRESENTATIONS

- Community Preservation Committee Update

Mr. Dutton introduced Dr. Carlton Hunt, Vice Chair of CPC.

Dr Hunt explained; he is standing in for the Chair of CPC, who was unable to attend.

**7:38 p.m., Councilor George joined the meeting.*



Dr. Hunt provided a history of the CPC including several projects funded by CPC. He then spoke about the current membership, noting there is one open seat for Housing Trust. He outlined the charge of the CPC as defined in the Administrative Code, and enumerated 2020 projects under review (i.e., Memorial Building, Central Square Congregational Church, Legion Field Fencing). Dr. Hunt spoke about the new funding formula passed into law and the timetable of distribution; stating his belief that Bridgewater can conservatively expect 20-25% increase in funds. Dr. Hunt also updated the Council on the committee's work on the required 5-year plan, briefly discussing the process and about terms added/clarified by MGL in past few years. Finally, a table with estimated FY20 available funds was presented and explained.

Questions:

Councilor Rushton asked about Jenny Leonard Park and the process if someone wanted to get the CPC involved? Dr. Hunt responded; some of the committees can come to us; advising they should work with Town Manager as there is some up front work. Councilor Rushton followed up asking; if there have been applications for ADA compliance from the Housing Authority? Dr. Hunt responded; not to his recollection, but noted the Memorial Building has an ADA component.

- **Legislative Process for Zoning Codification**

Jennifer Burke, CED Director came forward and spoke about Zoning Codification process; which began about two years ago. Mark Bobrowski was brought on as consultant. Ms. Burke spoke about the work that has gone into the document; noting the draft presented for first reading this evening is draft #10. She spoke about the public meetings and workshops held to solicit public input. Ms. Burke then spoke of the process going forward. Since we are seeking as much public input as possible; the recommendation is to refer to the Planning Board for their own hearing, then the Council would hold their own hearing. It's critical that the full council hears the public comments, however, that doesn't mean it can't be referred to Community & Economic Development for consideration.

Questions:

At Councilor Colombotos' request, Ms. Burke clarified the second part of the process. This is the zoning codification, but there is also the Comprehensive Master Plan process, which should be wrapped up in late June. Ms. Burke anticipates there will be additional changes to zoning based on the Master Plan process, however Zoning should be a document that is always looked at. Mr. Colombotos then asked Ms. Burke to speak to Mr. Bobrowski's expertise. Ms. Burke stated he (Mr. Bobrowski) is a world-renowned land use attorney. He will be present at the Planning Board hearing and the Council hearing.

TOWN MANAGER'S REPORT

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included:

- **Mitchell School Update (*Standing Item*)**

The Roadways department is working with the engineers to get soil borings done this week. Police & Fire have met with security consultants and architects to review safety items. Architects and OPM met with school district to review interior education spaces.

**8:15 p.m., Councilor Losche joined the meeting*

Design development should last through March of this year. 60% construction drawings are on target for June. There is a submission to MSBA at that point, then we move to 90% construction documents in August, then another submission to MSBA and 100% construction documents by end of October of this year. We expect a bidding process in November of 2020 and construction to begin December 2020 and last through July 2022. We are still on budget.

Still on budget

Total budget is \$80,600,000. \$46,771,000 paid by residents and \$34,000,000 is to be paid through the commonwealth (MSBA) as a reimbursement. The reimbursement rate is 55.63%, but effectively it is 42% due to



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ineligible costs. The Town Manager, Finance Director, School District and their financial advisor have met to discuss financing. Building Committee meetings are generally held here 2nd and 4th Mondays of the month. Next one is January 27th. The architects are planning a “fly through”. Councilor Fitzgibbons asked if the submissions to the state are the soonest we can be doing those things? Mr. Dutton responded, correct. The MSBA sets a pretty specific timeline. At Councilor Colombotos’ request, Mr. Dutton noted documents are available at BridgewaterSchoolproject.com.

- Requests for Updates:

1. Skips Liquor

Mr. Dutton clarified the licensing process stating; the holder of the license has the right to appeal if (the license) is denied and can continue to operate during the appeal process. The liquor license and the building inspection are two separate issues. The building department doesn’t anticipate any issues with the final inspection. Councilor Colombotos recalled the history and stated his opinion that the business has displayed bad faith. He further urged Mr. Dutton to be vigilant in the licensing process. Councilor Chase confirmed what we have is the certified as built? Mr. Dutton responded; that is correct.

2. McElwain Project

The developers are working on finalizing their funding application for the last and largest part of their financing. The application is due 2/20. A decision should be made early to mid-summer, then construction should begin six months from then. Once DHCD approves the funding contract, they can close on the property.

3. Paid Parking Program

Mr. Dutton would like to carry this over so he can provide more information, but stated, we are looking at revenues at just under \$58,000 and expenses just under \$30,000. There has been a substantial increase which indicates people are using it. He has received no negative feedback but will bring facts and figures to the next meeting. President Gallagher asked if there is a location that is stronger than others? Mr. Dutton responded; yes, School Street. President Gallagher would like the update to include: each location, and identify the weakest part.

- Town Hall Status

1. Work with Consultant

They have secured and identified a consultant to work with. We have some work to do before the consultant can begin her work.

2. Inclusion on National Register of Historic Places

There is a good possibility Mass Historical will want to encompass the entire Downtown Historic District. If that were the case, it would come back to the council for a decision. Mr. Dutton has asked the Community & Economic Development Director to get those pieces together

3. Clearing the Second Floor

Debris and furniture have been removed and the electrical has been decommissioned. They are holding off on demolishing the walls until we’re sure there’s nothing historic about the walls. The RFP for feasibility work’s return date is Friday. We currently have three submissions.

Councilor George stated he would expect the consultant to provide a list of pros and cons for expanding to the district for inclusion on Register of Historical places. Councilor Colombotos asked Mr. Dutton about the process for a feasibility study? Mr. Dutton responded; he has asked consultant to identify process that is inclusive of public input and been clear the Cultural Council will be very involved. Councilor Losche asked how much longer Mr. Dutton anticipates the process taking? Mr. Dutton responded; he does not see the feasibility



process taking much less than six months. Doesn't foresee any improvements to the building before late fiscal 2021, early FY2022.

- Plans for moving Fire Station #1

Mr. Dutton stated we have issued the feasibility RFP with a return date of February 14th. It will take approximately six months to complete the feasibility study. We have set up a Fire Station Building Committee, who toured the Fire Station. Councilor Rushton (Committee Chair) stated the goal is to find alternative sources of funding; either state or federal funding.

- Ongoing Traffic Circulation Work – Town Council Role

Mr. Dutton has reached out to McMahan. The Road Safety Audit has been filed with Mass DoT. They have been asked to look at three options: improvements to what is there, putting two-way traffic on the east side of Central Square and less impactful traffic on the West side, third option is the opposite. It would absolutely be the council's role to choose which option works best. Once that decision is made, we'll get on the TIP list.

- Progress on Vacant Lot Cleanup(s)

The Vacant & Abandoned Lot Ordinance is in place but is difficult to enforce; mostly because of manpower. Councilor George stated; we have been talking about a particular vacant lot; he was under impression we could move forward with compelling owner to do something about the building if an inspection showed safety concerns. Mr. Dutton responded; if a building is secure, there's very little the Building Inspector can do to go inside for an inspection. We know the utilities are turned off and the building is secure. The Building Inspector doesn't have a right of entry. If it's an obvious danger to the public, then the Board of Engineers would do an inspection. Councilor George asked if the Planning Board has received an application? Mr. Dutton confirmed they had. At Councilor Colombotos' request, Attorney Rawlins confirmed you have to follow the protocol prior to jumping to a particular section of the Vacant and Abandoned Properties Ordinance.

- Items for Next Meeting:

- President Gallagher would like to hear about the Paid Parking program.
- Councilor Sousa would like an update on stop signs in Central Square.

DISCUSSIONS

- Charter Review Committee – Moving Forward

President Gallagher explained; the Charter states that every six years there should be a review. At the next meeting he will be asking for people to step forward on a Charter Review Committee.

- District 6 Vacancy Appointment Voting Procedure

President Gallagher explained his intention is to have the interested citizens at the 2/4 meeting. They may speak and ask questions and the Council can ask questions. At end of that we can decide to vote one of them in. Mr. Gallagher suggested he can call Town Clerk in to give us a paper ballot to vote. Councilor Colombotos pointed out that previously we have had candidates, but no one candidate got five votes, so we decided not to fill the vacancy. President Gallagher responded; if the Town Clerk comes in and runs a paper ballot election and if one person gets one vote and no other votes, the person who gets one vote would win. Councilor Rushton asked; if former Councilor Wood should apply, what is the Town Attorney's opinion? Attorney Rawlins responded; his opinion that we will find the Charter is very vague, but he is happy to look into it and address. He then stated; the appointment is a little clearer, but he hasn't heard of the paper ballot method before - this is an open meeting and you're voting on an issue, so a ballot may be an open meeting law violation. Councilor Fitzgibbons requested a one-page memo on what can be done; and what the vote requirement will be?

- Plan for Memorial Building Renovations



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Councilor Colombotos explained; there's been some concern about the plan for renovation to the Memorial Building. Mr. Dutton stated he has asked the architect to go back and make some changes; adding some display areas, etc. On the interior, he's tried to incorporate some areas where we can have some historic displays. Mr. Dutton further explained; he didn't want to go to Historic District Committee because they'll have a role in approving.

SUBCOMMITTEE REPORTS:

- Community & Economic Development: Councilor Sousa requested an update on the Right to Farm Ordinance. Councilor Losche stated, as a member of the committee, she made a motion not to recommend, however the legislation is still in committee.
- Strategic Planning: Committee Chair Losche stated, they have done their role in the Town Manager's evaluation. They reviewed 2019 goals and are looking forward to 2020.

LEGISLATION FOR ACTION

- Order O-FY20-038: Contract Ratification – AFSCME
Motion: Councilor Fitzgibbons made a motion to approve, which was duly seconded.
Discussion: None
A roll call vote was taken with results recorded as follows:
Sousa – YEA; Chase – YEA; VACANCY; George – YEA; Gallagher – YEA; Rushton – YEA; Losche – YEA; Colombotos – NOT PRESENT; Fitzgibbons - YEA. The motion passed 7-0.
- Order O-FY20-039: Contract Ratification – Library
Motion: Councilor George made a motion to approve, which was duly seconded.
Discussion: None
A roll call vote was taken with results recorded as follows:
Fitzgibbons – YEA; Colombotos – YEA; Losche – YEA; Rushton – YEA; Gallagher – YEA; George – YEA; VACANCY; Chase – YEA; Sousa - YEA. The motion passed 8-0.
- Order O-FY20-040: Transfer Order - Funding of AFSCME Contractual Settlement
Motion: Councilor Fitzgibbons made a motion to approve, which was duly seconded.
Discussion: None
A roll call vote was taken with results recorded as follows:
Sousa – YEA; Chase – YEA; VACANCY; George – YEA; Gallagher – YEA; Rushton – YEA; Losche – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 8-0.
- Order O-FY20-041: Transfer Order - Funding of Library Contractual Settlement
Motion: Councilor George made a motion to approve, which was duly seconded.
Discussion: None
A roll call vote was taken with results recorded as follows:
Fitzgibbons – YEA; Colombotos – YEA; Losche – YEA; Rushton – YEA; Gallagher – YEA; George – YEA; VACANCY; Chase – YEA; Sousa - YEA. The motion passed 8-0.
- Order O-FY20-042: Transfer Order - Funding of Non-Union Employees
Motion: Councilor George made a motion to approve, which was duly seconded.
Discussion: None
A roll call vote was taken with results recorded as follows:
Sousa – YEA; Chase – YEA; VACANCY; George – YEA; Gallagher – YEA; Rushton – YEA; Losche – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 8-0.
- Order O-FY20-044: Acceptance of Non-Recurring Revenue to Capital
President Gallagher noted Budget & Finance Committee recommended the measure 2-0.
Motion: Councilor Chase made a motion to approve, which was duly seconded.



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Discussion: None

A roll call vote was taken with results recorded as follows:

Fitzgibbons – YEA; Colombotos – YEA; Losche – YEA; Rushton – YEA; Gallagher – YEA; George – YEA; VACANCY; Chase – YEA; Sousa - YEA. The motion passed 8-0.

- Petition P-2020-003: Presidential Primary Warrant

Motion: Councilor George made a motion to approve, which was duly seconded.

Discussion: None

A roll call vote was taken with results recorded as follows:

Sousa – YEA; Chase – YEA; VACANCY; George – YEA; Gallagher – YEA; Rushton – YEA; Losche – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 8-0.

- Resolution R-FY20-005: FY2021 Budget Resolution

Councilor Colombotos requested a document that showed which changes were made. The Town Manager explained his intention to prepare a track changes document and present to the committee. He requested the measure be postponed.

Without objection, President Gallagher postponed the measure.

- Resolution R-FY20-007: Amend September 2020 Town Council Meeting Date

Motion: Councilor Fitzgibbons made a motion to approve, which was duly seconded.

Discussion: President Gallagher explained this change is to accommodate the State Primary date which was changed.

A voice vote was taken, and the motion passed 8-0.

OLD BUSINESS - None

NEW BUSINESS

- Ordinance D-FY20-007: Zoning Ordinance - Adoption of Codified Zoning Ordinances

Motion: Councilor Fitzgibbons made a motion to refer to the Planning Board for a public hearing and the Community and Economic Development Committee for consideration and report back to the Council, which was duly seconded.

Discussion:

A voice vote was taken, and the motion passed 8-0.

President Gallagher requested the Council Clerk schedule a hearing as soon as a disposition is received from the Planning Board.

CITIZEN COMMENTS

COUNCIL COMMENTS

- Councilor Fitzgibbons: None
- Councilor Colombotos: None
- Councilor Losche: Reminded all that time moves quickly and we should hold ourselves accountable for what we said we'd get done. Wished her son a happy birthday.
- Councilor Rushton: None
- Councilor George: Spoke about his attendance at the retirement event for Captain Lamoureaux from the Fire Department. Mr. George spoke about the vote to accept one-time revenue; noting his opinion that it should be considered recurring revenue.
- Councilor Chase: None
- Councilor Sousa: Spoke about people going through stop signs and red lights.
- Councilor Gallagher: No comments.

EXECUTIVE SESSION – No Executive Session was held.

ADJOURNMENT

Motion: A motion to adjourn was made by Councilor Losche. The motion was seconded by Councilor Fitzgibbons.



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A voice vote was taken, and the motion passed unanimously.

The meeting adjourned at 9:44 p.m.
Minutes submitted by: Ann Holmberg

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, February 4, 2020, to approve the aforementioned minutes, as submitted by a voice vote (7-0) (Councilor Rushton absent, District 6 Vacancy).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk