



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 February 4, 2020 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Francis Sousa, Fred Chase, Shawn George, Dennis Gallagher, Aisha Losche, Peter Colombotos and Timothy Fitzgibbons. Town Manager Michael Dutton and Town Attorney Jason Rawlins were also present.

ABSENT:

Councilor Vacancy (District 6)
Councilor Matthew Rushton

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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

- Alden Anderson
- Calvin Hansen

APPROVAL OF MINUTES

- January 21, 2020

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

Discussion: None

A voice vote was taken, and the motion passed 7-0.

ANNOUNCEMENTS FROM THE PRESIDENT

- State of the Town Address
President Gallagher announced he and the Town Manager have agreed to hold the State of the Town Address on March 24th, 2020 at 6:30 p.m., which is one hour before the regular meeting.
- Charter Review Committee Volunteers
President Gallagher announced he is looking for volunteers for the next Charter Review Committee. Interested citizens can submit information to Town Council Clerk. He is hoping to have the committee assembled by mid-April. It will be a seven-member committee. President Gallagher noted he has asked the Town Manager to allocate some funds for administrative support.

PROCLAMATIONS

CITIZENS OPEN FORUM

- Ed Ivaldi, Boxwood Lane: Mr. Ivaldi spoke about a public safety concern on Vernon Street. Cars travel at a high rate of speed from the entrance of Route 104 to Forrest Street. The current posted speed limit signs are not working (to slow people down). Mr. Ivaldi suggested the town look into radar speed signs; citing several facts supporting the use of the devices and suggested potential funding sources.

APPOINTMENTS

- Library Board of Trustees - *Beryl Domingo*
Mr. Dutton explained, the Board of Trustees can make the appointment, but the Council has to ratify the appointment.

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

Discussion: None

A voice vote was taken, and the motion passed 7-0.

- Appointment to Town Council Vacancy – District 6



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President Gallagher outlined the general process.

Motion: Councilor George made a motion to move forward with filling the vacancy which was duly seconded.

Discussion: Councilor Colombotos asked for clarification on where the council starts in the process as outlined by the Town Attorney. Attorney Rawlins state his preference that the council should have a first, then a second reading of an order on the matter. He explained; the council makes decisions through parliamentary procedure. Councilor Fitzgibbons asked; if the council appoints someone tonight, is the Town at risk to be sued. Attorney Rawlins responded; there's always a possibility, however the charter is very vague. Anyone contesting would have a very hard time given the language in the Charter. Councilor Colombotos pointed out the cost of being extra careful would be waiting another two weeks. Mr. Colombotos stated he does not want to wait two more weeks.

Motion: Councilor Losche made a motion to move the question which was duly seconded.

A voice vote was taken, and the motion passed 6-1 (Councilor Fitzgibbons in the dissent).

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

Sousa – YEA; Chase – YEA; VACANCY; George – YEA; Gallagher – YEA; Rushton – ABSENT; Losche – NO; Colombotos - YEA; Fitzgibbons - NO. The motion to move forward to fill the vacancy passed 5-2.

President Gallagher entertained general questions from the public:

William Akins: Is Mr. Wood eligible for reelection. Mr. Akins feel this is a very important question to have answered before moving forward. At President Gallagher's request, Attorney Rawlins responded; it is probably not an appropriate discussion to have in open forum. Councilor George stated his focus this evening is on filling the vacant seat until the election.

Seeing no further general question from the public, President Gallagher called each interested citizen forward to speak and answer questions:

1. William Akins

Mr. Akins stated he really doesn't want to be a Councilor but feels precinct 6 needs representation. Mr. Akins explained his history with the Town and previous interest in running for Councilor-At-Large. He is here to make Bridgewater a better place to raise families. If you want growth you need to attract middle class families. Mr. Akins wants to make sure someone is looking out for Bridgewater.

- Councilor Fitzgibbons asked if it is Mr. Akins intention to run for the seat in April? Mr. Akins responded; he is debating and spoke about having pulled papers previously, but after speaking with Matt Rushton, he pulled his name out.

2. Mark Linde

Mr. Linde is a fairly new resident to Bridgewater. They moved here to be closer to his grandson. Mr. Linde wants to be a public servant. Mr. Linde outlined his public service history. He then explained; when he came to Bridgewater, he wanted to be an educated citizen, so he attended Council meetings, School Committee meetings and jointed the Mitchel School Building Committee. He expressed his sincere interest in being a Councilor.

- Councilor Fitzgibbons asked if it is Mr. Linde's intention to run for Councilor in April? Mr. Linde responded; yes, he has taken out papers and is working on obtaining signatures.
- Councilor Chase asked if Mr. Linde's employment may present difficulty in volunteering? Mr. Linde responded; it would not.

3. Jason Santoro

Mr. Santoro came forward and explained; he moved here from Brockton in September. He has always had his eye on politics and is pursuing a master's degree in Public Administration through Villanova. Mr. Santoro currently works at the YMCA in Brockton and feels this is the right time for him to get involved.

- Councilor Fitzgibbons asked if it is Mr. Santoro's intention to run for the seat in April? Mr. Santoro responded; absolutely.
- Councilor Chase asked if Mr. Santoro's employment would make volunteering difficult. Mr. Santoro responded; no, it would not and elaborated on his work schedule and commitment.

Motion: Councilor George made a motion to appoint Mark Linde which was duly seconded.



Discussion: Councilor Fitzgibbons expressed his concern that appointing someone will create a bias, so he will not be voting to appoint this evening. It was different when there was only one candidate in previous years. Councilor Colombotos stated he will be voting to support an appointment and expressed regret over how we've handled this in the past. He will be supporting Mr. Linde. President Gallagher also regrets that the council was unable to fill the vacancy in the past. His motivation is to follow the Charter and the Ordinance put forward by Councilor Fitzgibbons.

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

Fitzgibbons – NO; Colombotos – YEA; Losche – NO; Rushton – ABSENT; Gallagher – YEA; George – YEA; Wood – YEA; Chase – YEA; Sousa - YEA. The motion passed 5-2.

Motion: Councilor Colombotos made a motion to reconsider which was duly seconded.

Discussion: Councilor Colombotos explained; this will allow an opportunity for a unified vote. A voice vote was taken, and the motion passed 6-1 (Councilor Losche in the dissent).

Motion: Councilor Fitzgibbons made a motion to appoint Mr. Linde 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 – ABSENT; Losche – NO; Colombotos - YEA; Fitzgibbons - YEA. The motion passed 6-1.

HEARINGS - None

LICENSE TRANSACTIONS -None

PRESENTATIONS

- Conservation Commission
Marilyn MacDonald came forward and spoke about Conservation Commission, noting they only have three members currently. The commission meets twice per month the 2nd and 4th Thursday's. Aside from the meetings; there are some site-walk commitments. Councilor George asked if there is any experience needed? Ms. MacDonald responded; she learned as she went and had great mentors.

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)
Design development process goes through March, then we start on 60% design construction drawings. There is a submission to make to the MSBA in March, then again in June. Thereafter we should be working on 90% construction documents through August, then there will be another submission to the MSBA at the end of August. We should see 100% construction documents in place by October and a bidding process beginning in November. The school should be completed in July 2022 and ready for occupancy in September 2022. Mr. Dutton then spoke about the "fly through" presentation, which was fascinating. Last meeting also did a review of the tentative outdoor spaces. The Town Manager and Finance Director have met with the school district to look at financing options. The school district will be bonding the project.
The MSBC generally meets the 2nd and 4th Mondays of the month and information is posted on www.bridgewaterproject.com
- Skips Liquors
There are no issues related to the liquor license. Safety inspections have all been completed. Mr. Dutton noted; we will be changing our licensing renewal process at the end of 2020.
- Paid Parking Program Update
Mr. Dutton spoke to each area of the parking program, outlining which areas were busiest. He spoke about the payment service through the Passport app which seems to be the preferred method of pay. Mr. Dutton confirmed we do not pay a fee via the app.

Mr. Dutton cited parking ticket revenue (unrelated to parking meters) as \$40,000 (projected). Bridgewater is still on a hand-written parking ticket system, there is an item in the Capital plan which gets us off hand-written and



onto electronic. Mr. Dutton did caution that with hand-written tickets there are so many variables; it's hard to shape policy around it. Councilor George asked if there was a maximum length of time for a parking spot. Mr. Dutton confirmed there was not. Councilor George stated he'd like to see turnover. Councilor Chase asked if the program is meeting expectations in terms of revenue? Mr. Dutton stated the start-up was a little slower than we expected, but more recently we are on pace. President Gallagher stated he is still not convinced it's a good program and asked what the intent is with the profits. Mr. Dutton responded the profits will go towards sidewalk improvements, complete street work. It's in a separate fund as required by ordinance and law.

- Stop Signs in Central Square
The new LED flashing stop sign in central square went up yesterday. If it's effective, we can do the same on the Bedford Street side.
- Items for Next Meeting:
Councilor Chase requested an update on the Town's Website.

DISCUSSIONS

- Town Manager Goals
Councilor Losche explained the Strategic Planning Committee has been going through process of establishing the Town Manager's goals. If councilors have goals they'd like included; they should send those to the committee.

SUBCOMMITTEE REPORTS:

- Councilor Sousa stated he is still waiting for Community & Economic Development Committee to send the Right to Farm Ordinance back (to the Council).

LEGISLATION FOR ACTION

- Resolution R-FY20-005: FY2021 Budget Resolution
President Gallagher read the committee dispositions, stating Budget & Finance Committee voted 2-0 to recommend approval.

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

Motion: Councilor Fitzgibbons made a motion amend as indicated which was duly seconded.

Discussion: None

A voice vote was taken, and the motion to amend passed 7-0.

A voice vote was taken, and the motion to approve, as amended, passed 7-0.

OLD BUSINESS - None

NEW BUSINESS

- Ordinance D-FY20-005: General Ordinance - Commercial Parking Licensing
Motion: Councilor Chase made a motion to refer to Rules & Procedures Committee which was duly seconded.
Discussion: Councilor George explained he did not put this forward to generate revenue for the town but to have some control over organizations/people who use their parking lot for paid parking, for example BSU commencement. Mr. George sees it as a safety issue. Councilor Fitzgibbons asked the committee to consider that; the ordinance gives the Town Manager the authority to grant the license; asking if we want the Town manager to be bringing it to us for approval?
A voice vote was taken, and the motion passed 7-0.
- Ordinance D-FY20-008: Rescind Ordinance D-2012-004 Administration & Fiduciary Oversight of Budget - Ambulance Receipts
Motion: Councilor Fitzgibbons made a motion to refer to Budget & Finance and Finance Committee which was duly seconded.
Discussion: Councilor Fitzgibbons stated we've talked about this in committee. This was put forward in a different time and place.
A voice vote was taken, and the motion passed 7-0.
- Order O-FY20-045: Establish Town Manager Goals
Motion: Councilor Losche made a motion to refer to Strategic Planning Committee which was duly seconded.



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Discussion: Councilor Losche stated if any councilors have items to add, they should forward them to the committee.

A voice vote was taken, and the motion passed 7-0.

- Order O-FY20-046: Road and Drainage Betterments - First Street

Motion: Councilor George made a motion to refer to Budget & Finance and Finance Committees which was duly seconded.

A voice vote was taken, and the motion passed 7-0.

CITIZEN COMMENTS

- Mark Linde, 56 Michael Road: Mr. Linde thanked the Council for their votes this evening.
- Bill Aikens, Oak Meadow Place: Mr. Akins asked what the legal recourse is regarding Mr. Wood. He did a poll on Face Book and they don't like it either. Mr. Akins asked the Town Attorney for an opinion. Mr. Rawlins pointed out his client is the Town of Bridgewater.

COUNCIL COMMENTS

- Councilor Fitzgibbons: Thanked all three gentlemen who came out tonight and welcomed Mr. Linde.
- Councilor Colombotos: Thanked the three people who came out this evening. Mr. Colombotos stated; while citizen comments are not a time for back & forth conversation. His understanding is it's the Board of Registrars who will be addressing the issue of Precinct 6 candidate eligibility.
- Councilor Losche: Thanked all the volunteers, especially the Library. Ms. Losche hopes the candidates, who were not selected this evening, consider running or volunteering.
- Councilor Rushton: Absent
- Councilor George: Echoed Councilor Losche's comments. Mr. George congratulated the B-R Girls swim team.
- Councilor Chase: Thanked all three candidates for coming out this evening.
- Councilor Sousa: Thanked the three citizens for coming out this evening.
- Councilor Gallagher: Spoke about the MMA Conference; stating, when the Governor spoke, local aide will increase about 2.5% and he is committed to additional funds for education. President Gallagher thanked the three candidates who came out this evening and congratulated Mark Linde.

EXECUTIVE SESSION –

A Motion to move into Executive Session under MGL, Chapter 30A, Section 21(a)(6) To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and to adjourn from executive session was made by Council George and seconded by Councilor Fitzgibbons.

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

Fitzgibbons – YEA; Colombotos – YEA; Losche – YEA; Rushton – ABSENT; Gallagher – YEA; George – YEA; VACANCY; Chase – YEA; Sousa - YEA. The motion passed 7-0.

ADJOURNMENT

Open session adjourned at 9:08 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 25, 2020, to approve the aforementioned minutes, as submitted by a voice vote (7-0-2) (Councilors Rushton and Linde abstained).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk