



CALL TO ORDER:

A quorum being duly present, Town Council President Edward Haley called the meeting of the Bridgewater Town Council to order at 7:30 pm, on March 12, 2019 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Francis Sousa, Peter Colombotos (arriving at 7:33 p.m.), William Wood, Dennis Gallagher, Edward Haley, Fred Chase, Shawn George, Aisha Losche (arriving at 8:30 p.m.), and Timothy Fitzgibbons. Town Manager Michael Dutton and Town Attorney Jason Rawlins were also present.

ABSENT: *No councilors were absent.*

PLEDGE OF ALLEGIANCE

**President Haley announced the meeting is being aired live and recorded.*

MOMENT OF SILENCE

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

- James T. Soderbom
- Thomas A. Banks, Jr.
- John T. Morris
- Frank Pecorelli
- Peter Bavineau
- Joseph Patrick Marchisio

APPROVAL OF MINUTES

- February 26, 2019

Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.

Discussion: None

A voice vote was taken and the motion passed 8-0 (Councilor Losche not present).

ANNOUNCEMENTS FROM THE PRESIDENT

- Provided information on National Judicial Month. Event at Senior Center.
- There will be a Charter Update Information Session held here Monday 3/18/19 in Council Chambers.

PROCLAMATIONS

CITIZENS OPEN FORUM

- Pat Neary, Lakeside Drive: Ms. Neary spoke about Special Permits (ordinance) and offered suggestions on how to make them work. She suggested adding distances and limiting the number of special permits. Regarding the zoning tables ordinance, she suggested adding a line stating recreational marijuana are always a "no".
- Sam Baumgarten, 60 Short Street: Recently has attended meetings related to Master Plan. There seem to be a lot of summaries and brochures/booklets coming out of planning meetings, but we don't seem to be implementing. Regarding the proposal/discussion on a Parkland Steward. Hiring someone would break the cycle of inaction he just spoke about. Mr. Baumgarten then spoke in favor of hiring someone to oversee parklands.
- Taylor Sullivan, Norlan Park: Regarding Elm Street; Ms. Sullivan hopes to limit to two cultivators and two manufacturers and limit the number of special permits to two and limit the activity. Ms. Sullivan spoke about Parks & Recreation stating she agrees there should be some type of paid position.
- Eileen Hiney, 316 South Street: Ms. Hiney spoke in favor of the Parkland Steward position. She has been at two planning meetings concerning open space and feels we keep making plans but do not implement them.



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, March 12, 2019

- Steve Black, Legge Street: Mr. Black has been involved with the parks here in town for some time and feels the position is essential.
- Carlton Hunt, 80 Austin Street: Dr. Hunt spoke about the parklands here in town and spoke in favor of a Parkland Steward position.
- Marilee Kenney Hunt, 80 Austin Street: All signatures have been certified for those who have turned in their papers. Sadly, there are no women running for Council. Ms. Hunt also spoke in support of the Parklands Steward position.
- David Moore, 54 Flag Street: Mr. Moore echoed the comments of those who spoke previously in support of a Parklands Steward position.
- Danielle Silva, 20 Tommi Ann Terrace: Ms. Silva is here as a parent of two children in the B-R school district and teacher in another district. She spoke about the rigors of the curriculum in early education now. Ms. Silva urged the Council to fund the school budget and take care of the children, and staff.
- Kitty Doherty, 524 Conant Street: Ms. Doherty spoke at length about the town parklands, showing maps of the parklands around town. Ms. Doherty then spoke about the Parkland Steward position expressing her support.
- Bill Aikens Oak Meadow Place: Mr. Aikens pointed out we'll be voting for the Town Charter soon. He pointed out there is \$27,000 in there that could fund the Parkland Steward.

APPOINTMENTS - *None*

HEARINGS - *None*

LICENSE TRANSACTIONS - *None*

PRESENTATIONS - *None*

TOWN MANAGER'S REPORT

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included: the process to reinvigorate the Town's GIS system has begun. The Town has received an Administrative Order from the EPA. We will be completing the filing before end of month and there will be a transfer up to \$100K to complete the 2nd phase of the stormwater planning process. There are also updates to stormwater ordinance. Mr. Dutton had a productive call with DeBartolo; who are building a 350K square foot warehouse on Elm Street. They went over construction schedules, borrowing and DIF. They have submitted their permit application. The Police Chief asked Mr. Dutton to relay information on the accreditation of the police department. The accreditation commission is scheduled to be in Bridgewater June 4th – June 6th. They will be conducting on-site re-accreditation assessments. The department was originally accredited in 2016. Mr. Dutton will be attending a meeting in Boston tomorrow with the MSBA to explain the districts choice for rebuilding of the Mitchell School. He then spoke briefly about the steps going forward. Mr. Dutton spoke to the Boston Society of Civil Engineers. He spoke about Green solutions for storm drainage. Spring Street Garage update: the phase I assessment is complete, and they are just about done with the phase II assessment; then will deal with tank removal. Engineers have said if the building comes down it is unlikely it can be replaced. The Comprehensive Planning process is progressing. Mr. Dutton circulated save the date cards for the upcoming three public input sessions and spoke about the subject areas which will be discussed.

Councilor Questions:

- At Councilor Sousa's request, Mr. Dutton spoke about the new van for the Senior Center, stating he believes the driver position has been posted.
- At Councilor Gallagher's request, Mr. Dutton gave an update on the opening for a Confidential Secretary in his office; stating they have a temp working and have interviewed 4-5 candidates. Councilor Gallagher then asked about the town's input at MBTA hearings for their increased fees. Mr. Dutton responded; he is unsure if the town was directly notified of the hearings. Regarding the Spring Street Garage; Councilor Gallagher understands there have been inquiries for development; however, the original idea was to tear it down for more parking.



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, March 12, 2019

- Councilor Wood asked about the budget process. Mr. Dutton advised; they are on schedule with internal work and still working on relatively small deficit. They will be on track to submit a budget by 4/1/19.
- Regarding the budget, Councilor Fitzgibbons asked if they started with how much money we take in or how much we need to spend? Mr. Dutton responded; we never use the term “find the money”. We always start with finding the revenues. Then we look at the spending and identify what’s necessary.
- Councilor George would like to send a communication to State Representative D’Emilia and Senator Pacheco that the Council would like to see Bridgewater receive better Prison Mitigation funding.

Motion: A motion was made by Councilor Fitzgibbons to have the Town Manager draft the letter and have the President sign. The motion was seconded by Councilor George.

Discussion: It was noted; to include conveying the Town Council wants to get into the funding formula too. Councilor Wood asked the Town Attorney if it would be better through a measure? Attorney Rawlins responded; “yes”.

Motion: A motion was made by Councilor Fitzgibbons to amend the original motion to have the Town Manager write a letter and include on next agenda. The motion was seconded by Councilor George.

Discussion: None

A voice vote was taken, and the motion passed 8-0 (Councilor Losche not present).

- Councilor Fitzgibbons spoke briefly about the MSBA process; to date and going forward. He then asked about Mr. Dutton’s comment on the Comprehensive Master Plan about coming up with something that won’t be impossible to execute; asking what does “not impossible to execute “means? Mr. Dutton explained; it’s something where we want to come out with a plan that has benchmarks and goals that are achievable to fund. Mr. Fitzgibbons asked if that is a document the Council has to approve? Mr. Dutton responded; it’s approved by the Planning Board, but it is not binding.

DISCUSSIONS

- Bridgewater Parkland Program/Part-Time Chief Steward Position
Councilor Gallagher explained; the agenda item was a result of an email received by the Council. He recalled viewing the parklands back in 2006 and is hoping we can squeeze a little money in the budget for this position. Discussion followed as several councilors expressed their support of the position; many recounting their experience at different parklands around town. Councilor Fitzgibbons expressed his support but asked what we will not be doing in order to fund the position. Councilor George expressed his desire to see the position filled as soon as possible. Councilor Losche asked Councilor Gallagher if he had reached out to anyone on the Town’s side before bringing it forward. Councilor Gallagher stated he did not. Ms. Losche added she is in support of the position but wanted to ensure the proper departments were consulted before moving forward. Councilor Fitzgibbons suggested this matter go through the budget process. Discussion turned to funding the position and who ensures the funding is used for the intended purpose and who writes the job description. Mr. Dutton responded he would take the feedback received this evening to the Finance Director. Attorney Rawlins added; the Charter is very particular about the Council having no ability to participate in the appointment or removal of employees. Finally, Councilor Gallagher asked if it’s fair to say this position will be a line item under Parks & Recreation? Mr. Dutton responded; he will see how we create that position and how we fund it thought the budget process.

SUBCOMMITTEE REPORTS:

- Budget & Finance: Committee Chair Wood, explained the committee met to discuss two items; which are not on the agenda this evening, but he will get into more details when they appear on the agenda.

LEGISLATION FOR ACTION

- Petition P-2019-005: Annual Town Election Warrant
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Losche.
Discussion: Councilor Wood asked Attorney Rawlins if the Town Clerk has checks and balances in relation to the charter defined responsibility of the council-manager or any other town departments. Attorney Rawlins responded; as it relates to elections, they have the administrative and statutory duty to ensure the election is



properly posted and held. Attorney Rawlins could not comment on the other duties within the Town Clerk's office.

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

Sousa – YEA; Colombotos – YEA; Wood – YEA; Gallagher – YEA; Haley – YEA; Chase – YEA; George - YEA; Losche – YEA; Fitzgibbons - YEA. The motion passed 9-0.

OLD BUSINESS

- Ordinance D-FY19-003: Zoning Ordinance - Amend Table of Uses - Cultivation, Manufacturing and Testing - Recreational Marijuana

Councilor Losche provided a brief history of where the ordinance originated.

Motion: A motion was made by Councilor Losche to amend as written. The motion was seconded by Councilor Chase.

Discussion: Attorney Rawlins advised; by making it more restrictive it must be sent back to the Planning Board. Councilor Wood recalled the Town Council voted on something similar that failed and asked; how can we have a new ordinance prior to two years? Attorney Rawlins responded; this is substantially different.

Councilor Colombotos explained he was in the minority on the proposed changes. He thought it should remain a "yes" on Industrial A and B. He thought it should be allowed by right in those zones. Mr. Colombotos is concerned with all the restrictions; the town will not get the testing facilities the Council seemed to desire.

Motion: A motion was made by Councilor Colombotos to amend to change Industrial A and B to "yes". The motion was seconded by Councilor Wood.

Discussion: Councilor Fitzgibbons asked why wouldn't we include CBD since it's right next to it? Councilor Colombotos responded; these types of uses don't really generate foot traffic, which are the types of businesses we're trying to attract for the business district. A map displaying zones within town was projected and general discussion continued around which districts would make the most sense. Councilor Colombotos asked Mr. Dutton how much in tax revenues would a single testing facility generate? Mr. Dutton responded; he couldn't hazard a guess. Councilor Colombotos followed up asking; how much do we generate from the existing facilities? Mr. Dutton responded; the medical marijuana has committed to about \$150,000/year in mitigation payment for cultivation, which is over and above what they pay in property taxes. Councilors Chase and George expressed similar opinions that; allowing by special permit will not deter businesses from coming as long as there are clear guidelines. Councilor Losche expressed her opinion that businesses will not be deterred if the special permit criteria are clearly defined. Councilor Colombotos re-affirmed his position that he doesn't see the harm in allowing it in the two industrial zones. Councilor Fitzgibbons asked Attorney Rawlins; if the Planning Board doesn't like what we send can we still act? Attorney Rawlins responded; absolutely. The Planning Board is there to provide a recommendation.

Motion: A motion was made by Councilor Fitzgibbons to move the question. The motion was seconded by Councilor Losche.

A voice vote was taken and the motion to move the question passed unanimously.

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

Fitzgibbons – YEA; Losche – NO; George – NO; Chase – NO; Haley – YEA; Gallagher – NO; Wood – YEA; Colombotos – YEA; Sousa - YEA. The motion passed 5-4.

Motion: A motion was made by Councilor Colombotos to amend to include Industrial E as a "Yes". The motion was seconded by Councilor Wood.

Discussion:

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

Sousa – YEA; Colombotos – YEA; Wood – YEA; Gallagher – NO; Haley – YEA; Chase – NO; George - NO; Losche – NO; Fitzgibbons - YEA. The motion passed 5-4.

Discussion (on main motion to amend): Councilor Fitzgibbons reminded all that we'll have to have six votes to ultimately vote on a zoning ordinance. Based on the previous two votes, he is concerned there may not be six votes.

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



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, March 12, 2019

Fitzgibbons – YEA; Losche – NO; George – NO; Chase – NO; Haley – YEA; Gallagher – NO; Wood – YEA; Colombotos – YEA; Sousa - YEA. The motion passed 5-4.

Motion: A motion was made by Councilor Fitzgibbons to refer to the CEDC and Planning Board. The motion was seconded by Councilor Wood.

Discussion:

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

Sousa – YEA; Colombotos – YEA; Wood – YEA; Gallagher – YEA; Haley – YEA; Chase – NO; George - NO; Losche – NO; Fitzgibbons - YEA. The motion passed 6-3.

NEW BUSINESS

- Ordinance D-FY19-005: Zoning Ordinance – Establish Special Permit Criteria – Cultivation, Manufacturing and Testing – Adult Use Marijuana

Motion: A motion was made by Councilor Losche to refer to Community & Economic Development Committee and Planning Board for joint hearing. The motion was seconded by Councilor Fitzgibbons.

Discussion: Councilor Wood pointed out the definition of marijuana says does not include oil but later says does include oil (at end of 2nd paragraph).

A voice vote was taken and the motion passed unanimously.

- Order O-FY19-051: Acceptance of a Gift – Bridgewater Police Department
Mr. Dutton briefly explained the gift generously donated by Chuckran’s.

Motion: A motion was made by Councilor Fitzgibbons to refer to Budget & Finance and Finance Committees. The motion was seconded by Councilor Losche.

Discussion: None

A voice vote was taken and the motion passed 9-0.

CITIZEN COMMENTS

COUNCIL COMMENTS

- Councilor Fitzgibbons: Highlighted that BSU makes available 25-\$1000 scholarships to any B-R student who goes to BSU.
- Councilor Losche: Wished all a Happy St. Patrick’s Day. There will be a great forum to ask questions Monday at 7:00 p.m.
- Councilor George: Nothing
- Councilor Chase: Nothing
- Councilor Gallagher: Hopes people come out for budget hearing tomorrow night. Wished all a Happy St. Patrick’s Day.
- Councilor Wood: Spoke about the open forum Monday evening. He can’t attend the budget meeting tomorrow night. Mr. Wood spoke about TJ2 Robotics, who got runner up. They also got excellence in engineering.
- Councilor Colombotos: Thanked the citizens who came out this evening. He further expressed his support of a Parkland Steward.
- Councilor Sousa: Mr. Sousa referenced an email received by the Council regarding Kindergarten curriculum and asked the Council to demonstrate by a show of hands if anyone held the belief outlined in the email. No hands were raised.
- Councilor Haley: Spoke about the Robotics Team and thanked all for coming out about the Parks & Recreation item.

EXECUTIVE SESSION – *No Executive Session was held.*

ADJOURNMENT

Motion: A motion to adjourn was made by Councilor Fitzgibbons. The motion was seconded by Councilor Losche. A voice vote was taken and the motion passed 9-0.

The meeting adjourned at 10:09 p.m.
Minutes submitted by: Ann Holmberg



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, March 12, 2019

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, March 26, 2019, to approve the aforementioned minutes, as submitted by a voice vote (7-0) (Councilor Losche absent Councilor Colombotos not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk