



CALL TO ORDER:

A quorum being duly present, Town Council President Edward Haley called the meeting of the Bridgewater Town Council to order at 7:33 pm, on April 9, 2019 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

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

ABSENT:

- Councilor Aisha Losche

PLEDGE OF ALLEGIANCE

President Haley announced this meeting is being aired live and recorded.

MOMENT OF SILENCE

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

- Ivan Wikstrom

APPROVAL OF MINUTES

- March 26, 2019
Not taken up.

ANNOUNCEMENTS FROM THE PRESIDENT

PROCLAMATIONS

CITIZENS OPEN FORUM

- Marilee Hunt, 80 Austin Street: Ms. Hunt displayed the sample ballot noting it's two sided. She is looking for high school student volunteers to help at the election. Ms. Hunt spoke in support of the Resolution relative to nips, displaying bags of nips picked up along a walk. Ms. Hunt then spoke about the order for Town Hall hours, asking when the public was surveyed. She did an informal survey in the office and have had no complaints but has had several complaints about not having a drop box. Further, she does not feel being closed Friday's is public service. Finally, Ms. Hunt stated she would like to see some type of survey done before changing anything.
- Marie Fahey, Bayberry Circle: Ms. Fahey is the Nurse Leader for BRRSD. She has seen a marked escalation in children diagnosed with mental health issues, which is consistent with other districts and across the country. The addition of Adjustment Councilors is necessary. She is asking the Council to consider reviewing and increasing contribution to the budget by \$220,000.
- Lilian Holbrook, 45 Driftwood Drive: Ms. Holbrook is not here not as a School Committee member, but as a citizen. The school budget has been underfunded for many years. She spoke about how the lack of funds affects students and faculty and about students with social/emotional needs and their need for music and art. Ms. Holbrook spoke about programs that have had to be cut back because of underfunding and respectfully asked the contribution to be increased to be in line with Raynham.
- Ryan Lacivita, Beach Street: Mr. Lacivita is a student at B-R. He highlighted the need for Art and Music in the district. Spoke about the increase in student interest in the programs, pointing out there is only one music teacher. He asked the Town Council to do anything they can to increase the funding for the school district.
- Carlton Hunt, 80 Austin Street: Dr. Hunt feels there isn't enough information provided for the budget.
- Erin Ellis, 760 North Street: Ms. Ellis has children in school system. She spoke about classroom sizes in elementary school and the number of new families, with school aged children, in town. She also spoke about her child's



upcoming experience going into Kindergarten class and what the student population would look like. Finally, she asked the Town to reevaluate the funding.

- Danielle Silva, Tommi Ann Terrace: Ms. Silva stressed the importance of taking into consideration classroom size and social/emotional needs. She spoke about the difficulty of large classroom sizes. Ms. Silvia asked the Town Council to increase the contribution to the School budget.
- Allison Aducci, 50 Sea Tower Drive: Ms. Aducci has students in the school system and is the Treasurer for GMSPA. She listed items funded by GMSPA through fundraising. She feels the town funding to the schools is unacceptable and asked Town Council to provide the requested funding for FY20 school year.

APPOINTMENTS - None

HEARINGS - None

LICENSE TRANSACTIONS - None

PRESENTATIONS

- Hometown Heroes Banner Project
David Moore came forward and spoke about the Home Town Heroes Banner project. They will come close to 75 banners for Memorial Day. Mr. Moore extended an invitation to attend kickoff event at Vets Club Friday evening at 6:00 p.m. All the banners will be on display.

TOWN MANAGER'S REPORT

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included: an update on several large projects throughout town. Mr. Dutton thanked all the departments who are playing a role in planning or executing the projects. Mr. Dutton spoke about Rainbow's End. They have met with BYSA and DOC. Arrangements have been made to remove most of the Rainbow's End playground. Once disposal costs and requirements are known we'll be coming to the Council with an appropriation request. Mr. Dutton provided an update on an issue with excise tax bills. There was a glitch in the electronic invoicing. Some people were sent demand notices who had not received bills. He advised citizens who received a demand can call the Collector's office. The Town Manager's office is working with architect for the Memorial Building. Handicapped access has to be created. The lower level will continue to be used for paper storage. The upper level plan has changed a little. We will now be housing DPW administrative side and there will be some office space and display space. The LED light project is on track and they anticipate the work will be done by end of year. Mr. Dutton spoke about the water meter replacements, stating they are trying to install the last of the water meters. Most of the remaining installations are for homes who did not respond. Friday, Tony Sulmonte (Finance Director) will be leading a Facebook Live presentation on the basics of building a budget with revenue projections and how we come up with the expense side.

Councilor Questions:

- Councilor George asked several questions, beginning with an update on the McElwain Building: Mr. Dutton explained; the proponents are in front of ZBA. Once they secure the comprehensive permit approval it will trigger more funding applications for them. They are targeting a closing in early 2020. Mr. George then asked for an update on Town Hall. Mr. Dutton responded; there is a grant application in with Mass Cultural Council to convert into a community space. Will find out the results of the application in May/early June. Mr. Dutton then spoke briefly about the obstacles with Town Hall and the plans to replace the boiler. Councilor George asked about the mechanisms available to the council regarding the budget? Mr. Dutton explained; he formulates budget. They follow the Budget Resolution as guidelines. The Budget & Finance committee meet jointly with Finance Committee to go through budgets fairly methodically. The council has 45 days, from the date of submission, to act. The Council can only change expenses.
- Councilor Gallagher asked; regarding the LED project – for those who pay for their own lights, will the company reach out to them? Mr. Dutton responded; his office is reaching out to National Grid and Roadways dept. to get list of public ways where streetlights are not paid for by town. Mr. Gallagher asked when the WWI Memorial fence will be repaired? Mr. Dutton does not know when it'll be repaired; it's continuously being knocked down.



He will be asking Roadways dept to remove and clean up. Mr. Gallagher requested a WWI meeting. Mr. Gallagher stated they will be having discussions in Budget & Finance committee meetings. He encouraged people to go to those meetings. Finally, he stated his opinion that there is still some wiggle room in the revenues. Councilor Gallagher later followed up asking; while the Council cannot vote to change revenue estimates, can they suggest changes? Mr. Dutton responded; that was correct. The finance team can make adjustments. Mr. Dutton further clarified; there are departmental needs across town and we are aware that the school district has needs

- Councilor Wood asked about line painting for parking on the common. Mr. Dutton responded; he forwarded the request to the Highway Superintendent and believes it's still too cold to paint. At Councilor Wood's request, Mr. Dutton explained the School Committee's requested assessment was originally 3.41%. He further explained it is now slightly higher at 3.5%.
- Councilor Chase asked what the ultimate disposition of the Rainbow's End site would be? Mr. Dutton responded; they are not planning anything right now. There is some discrepancy in the legal documents over who controls the property. In speaking with BYSA they may look to put in some type of swing sets.
- Councilor Colombotos asked about putting Town Hall on the National Register of Historic Places. Mr. Dutton explained; the first consultant had to abandon the project and the second consultant got out of the business. It requires some expertise to get it done. Mr. Dutton then gave a brief update on the progress on emptying the building. At Councilor Colombotos' request, Mr. Dutton confirmed the Council cannot adjust revenue estimates. Councilor Colombotos asked if there were revenue figures for paid parking? Mr. Dutton responded; he will get that figure for you.
- Councilor Wood asserted; the Budget & Finance Committee meetings are very important meetings. When we vote as a council we are voting expenses. The only way to roll back an expense is to take away from someplace else. Mr. Wood then spoke about revenues and the forecasting. He later suggested citizens with budget questions email him at wwood@bridgewaterma.org.
- Councilor Fitzgibbons urged Councilor Wood to hold meetings here and have them recorded. He then asked Mr. Dutton if there had been anything from the state on the School Building Committee's recommendation. Mr. Dutton responded; there will be a board meeting tomorrow. Mr. Fitzgibbons asked if the ZBA understands the Council's wishes relative to the McElwain building? He further asked; how do you address a situation if the Planning Board or ZBA goes against a policy/project that the Council supports? Mr. Dutton responded; the council always has the right to write a collective letter expressing it's wishes or to attend meetings. Finally, Mr. Fitzgibbons noted; it would be interested to know what the shadow tax is for people in town relative to the Enterprise Funds.
- At President' Haley's request, Mr. Dutton reviewed the process of refunding the erroneous excise tax demands that have been paid.

Motion: A motion was made by Councilor Fitzgibbons to take agenda item N: New Business out of order. The motion was seconded by Councilor Gallagher.

A voice vote was taken, and the motion passed 7-1 (Councilor Wood in the dissent).

NEW BUSINESS (*Taken out of order*)

- Order O-FY19-055: Acceptance of a Gift – Howard Foundation

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

Discussion: None

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

FY2020 Budget Orders and Other FY20 Orders

- Order O-FY20-001: Budget Order - FY20 Annual Town Budget

Motion: A motion was made by Councilor Fitzgibbons to refer all budget and other FY2020 Orders to the Budget & Finance and Finance Committees. The motion was seconded by Councilor Gallagher.

Discussion: Councilor Fitzgibbons urged the committees to have meetings here (in Council Chambers) so they can be recorded.



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

- Order O-FY20-002: Budget Order - FY20 Water Enterprise Fund Budget
Referred to Budget & Finance and Finance Committees per motion above.
- Order O-FY20-003: Budget Order - FY20 Sewer Enterprise Fund Budget
Referred to Budget & Finance and Finance Committees per motion above.
- Order O-FY20-004: Budget Order - FY20 Transfer Station Enterprise Fund Budget
Referred to Budget & Finance and Finance Committees per motion above.
- Order O-FY20-005: Budget Order - FY20 OSLGC Enterprise Fund Budget
Referred to Budget & Finance and Finance Committees per motion above.
- Order O-FY20-006: Authorization of Revolving Funds
Referred to Budget & Finance and Finance Committees per motion above.
- Order O-FY20-007: CPA Reserve Accounts - FY20
Referred to Budget & Finance and Finance Committees per motion above.
- Order O-FY20-008: Transfer Order - Capital Water Special Purpose Transfer
Referred to Budget & Finance and Finance Committees per motion above.
- Order O-FY20-009: Transfer Order - Capital Sewer Special Purpose Transfer
Referred to Budget & Finance and Finance Committees per motion above.

**Return to regular order of business J: Discussions*

DISCUSSIONS

- Town Council Letter Encouraging a Comprehensive Review of the Regional School District Agreement
Councilor George asked Attorney Rawlins to speak about the procedure to have the agreement reviewed. Mr. George understands; the position for the Council is to send a letter to School Committee asking them to begin looking at agreement. Attorney Rawlins explained; the Council can't direct the review of the agreement but can write a letter requesting or encouraging the review; or speak to 10% of the constituents. Councilor George asked if the School Committee agrees; does either town have option of "not" participating? Attorney Rawlins believes the agreement says if the committee makes the determination that they're going to amend the agreement, that then goes to the voters. Councilor George confirmed there would be representation of Bridgewater and Raynham, then they would come forward with recommendations – similar to the Charter Review. Attorney Rawlins believes the Town Council can make the vote to accept amendments. Councilor George stated that's in general what he would like to see in the letter. Councilor Fitzgibbons would like it to set clear expectations and suggested we should copy our partner; Raynham. He further suggested asking Raynham if they'd like to participate and maybe send the letter jointly. Further discussion followed briefly, and Councilor George stated it is his intent to have a comprehensive full review done. He hopes Raynham will agree and asked Mr. Dutton to reach out to his counterpart in Raynham. He would like to get it started sooner rather than later.
- Creation of a "Review Committee"
Councilor Fitzgibbons lead the discussion; speaking for Strategic Planning committee Chair Losche (who was not present). The committee is recommending a standing committee be added to the Council Rules for Reviews of Council employees. The committee feels that would provide a rhythm and cadence for reviews. Councilor Fitzgibbons stated; if folks are in agreement, he will go back to Strategic Planning to craft an order to create the committee. Councilor Wood pointed out; in Rules & Procedures we've been discussing the document. Councilor Colombotos expressed his support and suggested the order include a specific charge for the committee.

SUBCOMMITTEE REPORTS:

- Rules & Procedures: Councilor Wood spoke in committee Chair Losche's absence. Regarding the order for evening hours; instead of directing the order towards one office in the building Mr. Dutton has been working with the other collective bargaining units to include departments within the building.

LEGISLATION FOR ACTION

- Order O-FY18-004: Evening Hours – Office of the Town Clerk



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Councilor Wood briefly explained; this was born from comments that people couldn't access the building. It was meant to be a convenience for the citizens.

Motion: A motion to approve with the intent to amend was made by Councilor Wood. The motion was seconded by Councilor George.

Motion: A motion to amend as presented was made by Councilor Wood. The motion was seconded by Councilor George.

Discussion: Councilor Wood explained the motivation was to make it easy access for Town Hall. Councilor Gallagher stated if we vote to open Town Hall in evening, it's not fair that it's just Town Clerk. He pointed out that we heard from the Town Clerk earlier that they had no complaints. He further pointed out that the order doesn't define the hours and the Town Manager's memo doesn't sound definite. Mr. Dutton explained the intent would be to have offices open at least until evening hours (6:30 p.m./7:00 p.m.). The intent would be to keep the building open and all offices open. Mr. Dutton spoke with IT about it; and we would need to have an IT presence. Discussion continued among councilors as the questions of hours and pay were asked and addressed.

Motion: A motion was made by Councilor Fitzgibbons to make a friendly amendment to replace the words "Town Hall" with "Academy Building" throughout the document. The motion was seconded by Councilor George. A voice vote was taken and the motion passed 8-0.

Discussion (on first amendment cont'd): Councilor Fitzgibbons expressed concern that this order is not directing the Town Manager. He suggested the order needs a little work. Attorney Rawlins cautioned against directing department heads. The order is getting very close to telling employee what they can or cannot do.

Motion: A motion to postpone to the first meeting in May was made by Councilor Fitzgibbons. The motion was seconded by Councilor Gallagher.

Discussion: Councilor Gallagher agrees the order needs more work and wondered if it should go back to Rules & Procedures. Councilor Wood also agrees with postponing, he'd like to look at how other municipalities handle this and asked Attorney Rawlins to look at it.

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

**9:45 p.m. President Haley called a brief recess.*

**9:50 p.m. President Haley called the meeting back to order.*

- Order O-FY19-054: Transfer Order - Sewer Reserve Special Purpose

Motion: A motion was made by Councilor Wood to postpone this measure. The motion was seconded by councilor George.

Discussion: Councilor Wood explained Finance Committee could not meet.

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

- Resolution R-FY19-004: Urging the State Legislature to Adopt a Deposit on "nip" Liquor Bottles
Councilor Colombotos explained this is simply asking the state to amend state law to include a deposit for "nips".
Motion: A motion to approve was made by Councilor Colombotos. The motion was seconded by Councilor George.

Discussion: It was pointed out that the order included the words "single use water bottles" and was asked if that was meant to be included.

Motion: A motion was made by Councilor Colombotos to amend by striking the last five words from the order. The motion was seconded by Councilor Wood.

Discussion: None

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

Discussion: Councilor Sousa stated he feels it should be amended to add pint bottles. Councilor Fitzgibbons pointed out "single use water bottles" was also in the second line.

Motion: A motion was made by Councilor Fitzgibbons to amend by striking "and single use water bottles" from the second line. The motion was seconded by Councilor Wood.

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

A voice vote was taken and the motion to approve, as amended passed 8-0.



OLD BUSINESS - None

CITIZEN COMMENTS

- Marilee Kenney Hunt, 80 Austin Street: Ms. Hunt spoke about the order to change hours at Academy Building requesting the Council please consider public service. He has asked her counterparts and received unanimous feedback that people do everything online. She reiterated; she is not sure there's a real problem about not serving the public.

COUNCIL COMMENTS

- Councilor Sousa: No comments
- Councilor Colombotos: Appreciates the citizens who spoke so passionately about the schools.
- Councilor Wood: Believes in the quality of the schools and wants to be sure the public is aware we aren't cutting the assessment. In fact; we're increasing it this year, but we want to be fair to all departments.
- Councilor Gallagher: Appreciates the citizens who came out this evening. The Budget & Finance committee will begin meeting a lot and encouraged all to attend. Mr. Gallagher suggested; citizens can also reach out to him with questions.
- Councilor Chase: Reminded all that the Town election is 4/27. The town website has been updated with voting information. He encouraged all to attend the 4/20 Charter Changes information session.
- Councilor George: Will be holding a Charter Information Session on Saturday 4/20 at 9 a.m., at the VFW on Orange Street. He is asking people to let him know if they're attending for logistical reasons. The intent is to go over the specific language in the ballot on the changes. The intent is to inform, not influence. Mr. George fully expects the revenue projections to increase. He feels we have been too conservative in our revenue projections.
- Councilor Losche: Absent
- Councilor Fitzgibbons: Pointed out, we still have a \$30MM OPEB Liability that hasn't been touched and will need to be funded. Mr. Fitzgibbons explained the first thing we do every year is determine the levy limit and go from there. He feels if we want to be serious about looking for new sources of revenue, we need to think seriously about turning Routes 18, 28 and 104 into something that looks more like route 44 and encouraged the Comprehensive Zoning Review committee to take a serious look at that.
- Councilor Haley: Appreciates the citizens who came out and spoke tonight. Mr. Haley spoke about his own experience with the schools and the arts. He confirmed we all take it very seriously and understand how important it is. Referenced an article that came out today in the Journal of American Medicine relative to children having high levels of depression and anxiety; noting it is a national issue. Briefly spoke about pedestrian safety in downtown.

EXECUTIVE SESSION – No Executive Session was held.

ADJOURNMENT

Motion: A motion to adjourn was made by Councilor Haley. The motion was seconded by Councilor George. A voice vote was taken and the motion passed unanimously.

The meeting adjourned at 10:10 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, May 7, 2019, to approve the aforementioned minutes, as submitted by a voice vote (8-0) (Councilor Losche absent).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk