



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 23, 2019 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

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

ABSENT:

No councilors were absent.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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

- Phillip Bois
- Bruce Bither
- Donald Valley

**President Haley announced that Councilor Colombotos was participating remotely via telephone.*

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

APPROVAL OF MINUTES

- March 23, 2019

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

Discussion: It was pointed out that there was a scrivener's error in the date that should be corrected.

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 – ABSTAIN; Fitzgibbons - YEA. The motion passed 8-0-1.

- April 9, 2019

April 9, 2019 minutes not taken up.

ANNOUNCEMENTS FROM THE PRESIDENT

- Special Meeting

President Haley asked Mr. Dutton to provide the background. Mr. Dutton explained it was brought to our attention that the Enterprise published the incorrect budget advertisement. There is not enough time to re-advertise in time to hold the budget hearing on 5/7. He is asking the President to schedule special meeting 5/14 at 7:30 for the one agenda item. Holding the meeting will allow the Council to vote prior to the 45 days.

President Haley directed the Council Clerk to schedule the Special Meeting as discussed. Councilor Losche noted she would not be present.

PROCLAMATIONS

CITIZENS OPEN FORUM

- Pat Neary, 225 Lakeside Drive: Speaking about Resolution voted at the last meeting. Could not have imagined the Resolution as written would have been amended to eliminate single-use bottles. Spoke about single use bottles and the litter they bring. The Resolution was simply a statement supporting a state wide expansion of the bottle bill. Suggested bringing forward a new Resolution or the old Resolution. Asked if the Resolution would be sent to the State Rep and Senator.



- Kitty Doherty, Conant Street: Happy to know there are parkland plans on the website and the six-design plan are also on the website. Ms. Doherty advocated for funding for Chief Steward for the parkland system. Encouraged people to write their Councilors.

APPOINTMENTS

HEARINGS

- **7:35 p.m.:** Order O-FY19-052: Loan Order - For Upgrade of The Wastewater Treatment Facility
President Haley opened the hearing at 7:44 p.m.
Mr. Dutton explained; this order funds the rehabilitation work at the wastewater treatment facility. These upgrades will meet the DEP Discharge requirements. The project is under review by the DEP for grant funding. Are also using monies build up from the Enterprise Fund Capital Fund. Will not be drawing off this loan order for quite some time. The timing is so we can secure SRF Funding.
It was noted that the required Finance Committee disposition was not available.
Motion: A motion to continue to the 5/7/19 at 7:35 was made by Councilor Wood. The motion was seconded by Councilor Gallagher.
Discussion: Councilor Losche stated she will not be at that meeting.
A roll call vote was taken with results recorded as follows:
Fitzgibbons – YEA; Losche – YEA; George – YEA; Chase – YEA; Haley – YEA; Gallagher – YEA; Wood – YEA; Colombotos – YEA; Sousa - YEA. The motion passed 9-0.
- **7:40 p.m.:** Order O-FY19-053: Loan Order - Water Main Replacement
**7:50 p.m.; Councilor Wood recused himself.*
President Haley opened the hearing at 7:50 p.m.
Motion: A motion to continue to 5/7/19 at 7:40 p.m. was made by Councilor Losche. The motion was seconded by Councilor Gallagher.
A roll call vote was taken with results recorded as follows:
Sousa – YEA; Colombotos – YEA; Wood – RECUSED; Gallagher – YEA; Haley – YEA; Chase – YEA; George - YEA; Losche – YEA; Fitzgibbons - YEA. The motion passed 8-0.

LICENSE TRANSACTIONS

PRESENTATIONS

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 Mitchell School Building Committee met last night to begin reviewing schematics and bring plans to a comprehensive design. The committee has lost two members; if anyone interested, please reach out to the Town Manager. Mr. Dutton briefly spoke about finalizing the agreement with DeBartolo on Elm Street He then provided a brief update on the work on First Street. The water line installation on Hayward Street and Wall Street continues. The road crew is on Spruce Street. They had ground down some of the street, then were interrupted by rain. Finally, Mr. Dutton stated; the Council's requests have not gone unheard. The Finance Director has been trying to get closer to the Schools assessment. We will do it as a supplemental budget request, which will be before you for a first reading at the next meeting.

Councilor Questions:

- Councilor Losche noted there have been requests for sidewalks or striping on Spruce Street. Mr. Dutton responded; striping is far less expensive, and he expects it will be done.
- Councilor Fitzgibbons stated; Deerfield Drive and Wynwood Drive have been sore spots around drainage. Mr. Dutton confirmed that is a very high-water table area and the Highway and Roadways Department is well aware of it and are trying to do their best with it. Mr. Fitzgibbons stated on 5/8 at 1:00 there will be interactive workshop on the school with OPM and members of the School Building Committee at the Senior Center.



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- Councilor Gallagher asked about the railing on the common that's down and asked that something be done about it. He then asked about Stetson Street and how it rose to the level of getting done when it wasn't on the consultant's initial report. Mr. Dutton responded; relative cost, frequency of use and pedestrian volume all play into it.
- Councilor Wood noted his opinion on Stetson Street; stating the speed on that road needs to be contained and encouraged the Town Manager to put a speed table in. Mr. Dutton responded; the Highway Department is looking into it. Finally, Mr. Wood encouraged Mr. Dutton to have IT to put a "hotspot" type of page on the website.
- Councilor George asked what might be getting in the way of meeting the full ask of the school district's budget request. Mr. Dutton responded; lack of funds and elaborated stating they are getting some new "new growth" numbers.
- Councilor Chase asked if the town has experience in imposing restrictions on engine braking by trucks? Mr. Dutton responded; it's not something we have imposed but is aware other towns around have signs discouraging it. He is not aware of any state law preventing it, but he will look into it.
- Councilor Colombotos echoed Councilor Chase's concerns about jake brakes.

DISCUSSIONS

SUBCOMMITTEE REPORTS:

- Budget & Finance: Councilor Wood advised; the committee has met four or five times on the budget. They have a good understanding of Police, Fire and Town Clerk and thinks they're in good shape. Finance Committee has been invited each time to join us and they have not been able to make a quorum. There are several items on this agenda that cannot be voted because they have not met. Mr. Wood also noted the Finance team has made some adjustments to some of the enterprise funds. Councilor Gallagher stated; there's a lot more work that needs to be done. He has been impressed with presentation of budget and the detail. He thinks some of the revenue lines can be adjusted. The gap with the schools is getting closer. Councilor Wood added; the committee talked last night; there might be some items in the budget that could be moved to capital items.
- Rules & Procedures: Councilor Losche stated we are working on scheduling an orientation date.
- Strategic Planning: Councilor Losche stated the committee will be meeting again in the next week or so.

LEGISLATION FOR ACTION

- Order O-FY19-054: Transfer Order - Sewer Reserve Special Purpose
Motion: A motion to postpone to the next meeting was made by Councilor Wood. The motion was seconded by Councilor Gallagher.
Discussion: It was noted that the order needed to be postponed as there was no Finance Committee disposition available.
A roll call vote was taken with results recorded as follows:
Fitzgibbons – YEA; Losche – YEA; George – YEA; Chase – YEA; Haley – YEA; Gallagher – YEA; Wood – YEA; Colombotos – YEA; Sousa - YEA. The motion passed 9-0.
- Order O-FY19-055: Acceptance of a Gift - Howard Foundation
Motion: A motion to postpone to the next meeting was made by Councilor Wood. The motion was seconded by Councilor Gallagher.
Discussion: It was pointed out that "Finance Committee" was not listed under committee referrals.
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
Motion: A motion to send to advertising was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wood.



Discussion: Councilor Losche expressed concern with the amendment previously voted by the Council. She expressed her opinion that Industrial A, B and E should be “SP”, not “Y”.

Motion and second withdrawn.

Motion: A motion to amend was made by Councilor Losche to change the “Y” in IND A, B and E to “SP”. The motion was seconded by Councilor Chase.

Discussion: Councilor Fitzgibbons asked Attorney Rawlins if the amendments are adopted will it need to go through the hearing process again? Attorney Rawlins responded “yes”. A brief discussion followed while the merits and process of adopting the amendments were discussed. Councilor Fitzgibbons confirmed the ordinance will ultimately need six votes to pass. Attorney Rawlins confirmed that was correct. Councilor Fitzgibbons followed up asking if the Council failed to secure six votes, we would be left with no zoning, correct? And if after the hearing process for the new amendments, if we felt there was a better chance to get six votes by amending back to “Y”, we could do that without a new hearing correct? Attorney Rawlins confirmed both points were correct.

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

Fitzgibbons – YEA; Losche – YEA; George – YEA; Chase – YEA; Haley – YEA; Gallagher – YEA; Wood – YEA; Colombotos – NO; Sousa - NO. The motion passed 7-2.

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

Discussion: None

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.

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

Motion: A motion to send to advertising was made by Councilor Losche. The motion was seconded by Councilor George.

Discussion: Councilor Wood gave credit to Councilor Losche for putting forward a good policy. Councilor Losche gave credit to Jennifer Burke, who did a lot of the work.

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

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

NEW BUSINESS

- Ordinance D-FY19-006: General Ordinance - Acceptance of MGL c. 44, s53 3/4 Concerning PEG Access & Cable Related Fund

Mr. Dutton explained this is housekeeping. The Municipal Modernization Act gave guidelines on how to accept fees. This complies with those guidelines.

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

Discussion: None

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.

- Order O-FY19-056: Chapter 61B - Intent not to Exercise Right to Purchase Land

Mr. Dutton briefly explained; this order is written as the council’s intent not to exercise the right to purchase the land. When a land owner takes land out of chapter 61B; it requires council approval. The property owner wants to take a portion of their land out of 61B. The council needs to hold a hearing and vote. Several departments will also provide recommendations. At Councilor Fitzgibbons’ request, Mr. Dutton confirmed the council has 120 days.



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Councilor George asked if the land comes out of 61B and we don't option to purchase it do they owe any type of back taxes? Mr. Dutton responded; they owe the taxes they have deferred.

Motion: A motion to refer to the Community & Economic Development Committee was made by Councilor Fitzgibbons. The motion was seconded by Councilor Losche.

Discussion: None

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

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

CITIZEN COMMENTS – None

COUNCIL COMMENTS

- Councilor Sousa: None
- Councilor Colombotos: None
- Councilor Wood: Thanked Councilor Haley for serving and expressed appreciation for his time on the Council. Mr. Wood spoke about TJ Squared, who are off to Detroit. He spoke about all the skills kids in this program learn.
- Councilor Gallagher: Thanked David Moore and the Hometown Heroes program for the event at Vets Club. Reminded all about Town Cleanup Day on Saturday and the local election. Thanked Councilor Haley for his years on the Council and the hard work he's done.
- Councilor Chase: Offered best wishes to Councilor Haley. He encouraged everyone to participate in the Town Election and town cleanup. Mr. Chase spoke about the Bridgewater Little League dedicating this season to the memory of Bob Sterns stating he applauds the decision.
- Councilor George: Thanked Councilors Losche and Wood for coming to the Charter Review session at the VFW Saturday. It was a light turnout, but he thinks it was well received. Mr. George can't attend cleanup day this year but enjoyed it last year. He spoke about Senator Pacheco's presentation around school funding, noting there was a lot of discussion around the formula. Finally, Mr. George thanked Councilor Haley for the guidance when he first started and for his role as President.
- Councilor Losche: Echoed all previous comments about Councilor Haley's service and encouraged everyone to vote Saturday.
- Councilor Fitzgibbons: Thanked Mr. Haley for doing a great job. Mr. Fitzgibbons reminded people the School Building Committee has an interactive workshop 5/8 at 1:00 p.m. with the OPM and members of the Committee at the Senior Center.
- Councilor Haley: Thanked everyone for being kind and gracious and assured them he would be back. Mr. Haley reflected on his time growing up in Bridgewater. He reminded all to vote Saturday, noting he is hoping for 1.5% of the population to vote. Finally, referencing groups on Facebook, he suggested people get off social media and come in to a meeting.

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 unanimously.

The meeting adjourned at 8:58 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 (7-0-1) (Councilor Losche absent, Councilor Colombotos abstained).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk