



Town of Bridgewater  
Town Council Meeting  
Meeting Minutes  
Tuesday, April 24, 2018

**CALL TO ORDER:**

A quorum being duly present, Town Council President Timothy Fitzgibbons called the meeting of the Bridgewater Town Council to order at 7:30 pm, on April 24, 2018 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

**PRESENT:**

Council members present were, Aisha Losche, William Wood, Fredrick Chase, Timothy Fitzgibbons, Francis Sousa, Dennis Gallagher, Peter Colombotos (arriving at 7:46 p.m.), and Shawn George. Town Manager Michael Dutton and Town Attorney Jason Rawlins were also present.

**ABSENT:**

- Councilor Edward Haley

*President Fitzgibbons reminded all that the meeting is being aired live and taped.*

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

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

- Carl Meserve
- Joseph Tuohy

**APPROVAL OF MINUTES**

- April 10, 2018

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

**Discussion:** None

A voice vote was taken, and the motion passed 6-0 (Councilor Colombotos not present and Councilor Chase abstained).

**ANNOUNCEMENTS FROM THE PRESIDENT**

- President Fitzgibbons reminded all that the 4<sup>th</sup> of July Committee is seeking donations. He spoke about “the big push” raffle, the t-shirt design contest and the need for someone to sing the National Anthem.

**PROCLAMATIONS**

**CITIZENS OPEN FORUM**

- Pat Neary, Lakeside Drive: Ms. Neary spoke about the litter in town. She thought there was a litter ordinance. Speaking as a member of the Bridgewater Green Community; Ms. Neary is dismayed at the state of the town. We need to get plans together to address the issue. Finally, Ms. Neary requested; if a citizen speaks, could their councilor get back to them.
- Lil Holbrook, 45 Driftwood Drive: Ms. Holbrook is here on behalf of school committee. She spoke about the vote taken April 4th by the School Committee on the budget. The committee voted for the budget because it was their only choice. Not because it was the right choice. Ms. Holbrook then walked through the B-R Budget timeline and what the “needs based” budget submitted by Superintendent Swenson included. She outlined what the adjusted budget included and listed the positions which will be cut as a result of the new budget numbers. Finally, Ms. Holbrook spoke about the deficit that will occur if the budget is not level funded and stated her hope that the council will reconsider level funding the school budget.
- Danielle Silva, Tomi Ann Terrace: Ms. Silva is a parent and a teacher in another school district. She feels this will be a safety issue for the youngest students. Ms. Silva explained the challenges teachers face every day and spoke about the influx of students coming to town. Finally, she asked that the Council level fund the district budget.
- Stephanie Flaherty, 80 Cobblestone Lane: Ms. Flaherty spoke about the schools, stating; when not fully resourcing the schools, the children are being neglected. She referenced the presentation on the McElwain pointing out that



project will bring more children to the town and schools. Ms. Flaherty echoed the need for school psychologists and adjustment councilors and requested the Council level fund the school budget.

- William Lucini, 900 Elm Street: Mr. Lucini inquired about the ordinance for Elm Street is, stating something needs to be done on Elm Street.
- Joanne Farnham 45 Prospect Street: Ms. Fun lives right next to baseball field and the balls are damaging her car. She has reached out to Charlie Simonds and Michael Dutton. Would like to speak to someone.

#### APPOINTMENTS

- Finance Committee - Matthew Rushton  
**Motion:** A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wood.  
**Discussion:** President Fitzgibbons stated he has known Matt for a long time and spoke favorable on his behalf. Councilor Wood agreed with President Fitzgibbons' comments.  
A voice vote was taken, and the motion passed 8-0.

#### HEARINGS

- **7:35 p.m.:** Ordinance D-FY18-014: Establish District Improvement Financing District – Elm Street  
Mr. Dutton explained the ordinance noting; a DIF is a district improvement financing program. It allows for district improvements to be paid for by the town from properties that abut Elm Street or operate within the defined district. Tax revenues will pay for what will be a new road. Mr. Dutton referenced the zoning map projected pointing out the specific zone. Road improvement estimates are approximately \$6MM. Once the project is complete, the DIF can be extinguished.

President Fitzgibbons opened the hearing at 8:01 p.m.

President Fitzgibbons invited any questions from the public

- Mr. Lucini: How long does it take, and do you have to go out to bid? Mr. Dutton responded; yes, we have to go out to bid. Maybe it could be done by November 2019. Mr. Lucini asked if there is there anything that can be done to fix it somewhat now? He spoke about the conditions of the road.
- Jay Leach, South Street: Mr. Leach has been very upset about this road for years. He feels the town has been very shortsighted and hopes this road project goes through.

President Fitzgibbons asked if there was anyone speaking in favor - None

President Fitzgibbons asked if there was anyone speaking in opposition - None

President Fitzgibbons entertained any questions from councilors:

- Councilor Colombotos asked if all new growth goes to the repayment of the bond? Mr. Dutton responded; the short answer is "yes" and explained. Councilor Colombotos followed up asking; if it has to be 100%? He thinks it would be more beneficial to use a lesser amount. Mr. Dutton responded; there's no downside to saying 100%, then giving back to the general fund what we don't need. Based on this Ordinance; we go out and develop a plan. The Treasurer will structure a bond.
- Councilor Sousa asked how many parcels still available on Elm Street? Mr. Dutton responded; there are a number of developable parcels, he knows of at least six.
- Councilor Gallagher stated his support of the project; he feels it's a good tool. He asked if the Town will be bonding over 30 years? Mr. Dutton responded; typically, roads are a 15-year bond. He feels there is enough business there to pay off the bond

President Fitzgibbons closed the hearing at 8:17 p.m.

**Motion:** A motion to approve was made by Councilor Wood. The motion was seconded by Councilor Sousa.

**Discussion:** Councilor Wood expressed his support of the measure.

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



Losche – YEA; Wood – YEA; Chase - YEA; Haley – ABSENT; Fitzgibbons – YEA; Sousa – YEA; Gallagher – YEA; Colombotos – YEA; George - YEA. The motion passed 8-0.

#### LICENSE TRANSACTIONS

- Petition P-2018-006: Change of Manager – Bridgewater Citizen’s Club, 60 Hale Street  
**Motion:** A motion to approve was made by Councilor George. The motion was seconded by Councilor Wood.  
**Discussion:** None  
A voice vote was taken, and the motion passed 8-0.

#### PRESENTATIONS

- Roselli, Clark & Associates – FY2017 Exit Interview  
Tony Roselli came forward and presented the results of the FY17 Audit. He spoke about economic trends, accomplishments, and OPEP. Items of note included; Standard & Poor’s recommends 15% in reserves as their “gold standard”. If you have 8-15% that’s the state average, or Tier II. Mr. Roselli feels Tier I is in reach based on the planning he’s seeing. He pointed out the Town’s reserves increased and there was no use of Free Cash for General Fund. He further noted local receipts exceeded the forecast by \$1.3M. Mr. Roselli reported the Town’s Bond rating is A-1 with Moody’s right now and they are suggesting the town use the Standard & Poor’s model next time go out for rating.

#### Councilor Questions:

- Councilor Colombotos asked Mr. Dutton what kind of debt are we carrying? We don’t carry a lot of debt – The School District carries a lot of the debt for the school buildings, we have some debt for the Memorial Building, and Academy Building. Mr. Roselli pointed out the town’s bond rating affects the school district’s bond rating.
- Councilor George asked, at what point do you look at becoming a Tier I town with increased reserves vs. underestimating revenue in order to generate free cash? Mr. Roselli stated the town is in a very good position right now. He typically recommends Town’s at least reach the Tier II, but to achieve Tier I allows the town to do some interesting things.
- Councilor Wood noted; it might be helpful to break out stabilization on the slides for next year. Mr. Wood noted there are several stabilization accounts now.

Mr. Roselli spoke about the OPEB liability. GASB75 says you now need to put OPEB liability on the financial statement. Mr. Roselli pointed out to fund the liability the town would need to put \$2-3MM/year into the fund.

- President Fitzgibbons asked if including it on the books affect our rating and borrowing? Mr. Roselli responded “no”. This is a problem nation-wide and the rating agencies are aware of that.
- At Councilor Gallagher’s request, Mr. Roselli spoke about obligation bonds for OPEB. Mr. Roselli mentioned Worcester did it; it didn’t work for them at first, but they’re getting back on track with it. His opinion is; he a believer of the strategy. The state would need to have special legislation.

Paul Gargano came forward and reported on management findings. The audit produced seven comments this year; which is about half what it has been. He stated the town has made great progress. Mr. Gargano spoke about Tailings and Tax Title Collections, noting the tax title collections balances are still high, but the numbers are coming down, so the expectation is the issue will be resolved. Regarding overlay balances; it has already seen improvements. About \$400,000 has been appropriated and there are still some amounts that can still be declared surplus and appropriated. Then Mr. Gargano spoke about the Transfer Station noting it operated at a deficit again. They are recommending an analysis be done to get the fund up to a sustainable position. Accounting for Special Funds; this mainly refers to some stagnant funds and some funds which can be consolidated. Regarding Trust Fund Investment Income, the recommendation is the Capital Stabilization and OPEB funds be invested separately. Finally, they are recommending an updated analysis be done for Indirect Costs.

At Councilor Wood’s request, Mr. Gargano suggested the DOR has a formula for calculating indirect costs.

President Fitzgibbons asked Mr. Roselli his opinion of the financial model and how the Council be helping? Mr. Roselli responded; he likes the model. It’s a model that’s been tested a bit. There are some conservative parts to it, but he thinks it hits revenue/costs well.



## **TOWN MANAGER'S REPORT**

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included: There will be a very important training session on 5/2 for Boards & Committees. It's designed to help with meeting structure and conducting public hearings. One of our census tracts has qualified for Federal designation as an economic opportunity zone. It required an application from us and approval from the state, then approval from US Treasury Department. We are the only town in southeastern Ma to have a nomination. It provides significant capital gains tax benefits. With the help of Attorney Rawlins, and both Chiefs, a contract has been negotiated with outside counsel to pursue a class action lawsuit relative to legal opioid distribution. The Town has engaged a CPC consultant who will help guide them through some of their statutory work. There has been some activity at Skips. Mr. Dutton had notified their attorney that we have to see some activity. He believes they have resumed work on electrical and have pulled their permit for sprinkler. The Mitchell School Building Committee selected an OPM, who is now selecting owners architect. MSBA now takes a more active role to jointly select a designer architect. We are working closely with large scale warehouse facility on Elm Street. Regarding 40B projects; Duxborrow is owner-occupied which means only 25% will be included on subsidized housing inventory. Burrill Ave are rentals, so all units will be included on housing inventory. Until we reach the 10%, the town is subject to development applications that we may not necessarily like. Way-finding work has kicked off. The \$15,000 grant from the state allows us to work with a consultant to develop branding and way finding. The State office of Ecological Restoration and Division of Marine Fisheries conducted a public input session about possible removal or rebuilding of High Street Dam. There is more information available on the McElwain School P&S. Binders are available for Councilors and the information is also available on website. We have renegotiated a purchase price to \$645,000. Finally, Mr. Dutton noted; the Permit Pamphlet revisions are being worked on by the Community & Economic Development team.

### **Councilor Questions:**

- Councilor Sousa spoke briefly about the allowable density under zoning bylaws on Broad Street.
- Councilor Wood: Expected they would be open by May. At this point he is wondering if we should continue to move forward with license hearing. Regarding the budget; we did constrain the revenue projections again this year. We don't ask the Town Manager or Finance Director for needs-based budget. Mr. Wood asked Mr. Dutton; (if he did a needs-based budget) how many staff would be needed to staff highway? Mr. Dutton responded; at least double. Mr. Wood then asked if Mr. Dutton would you add at least six positions to police force? Mr. Dutton responded; based on recommendations, it would be more like 12.
- Councilor George asked in discussion with department heads; do they convey concerns about staffing? Mr. Dutton responded definitely. Councilor George followed up asking if we have trouble generating candidates when we have openings? Mr. Dutton responded; it depends on position. We seem to have more difficulty with licensed positions. Finally, Councilor George asked if there have been any rumblings on pay and benefits? Mr. George stated he thinks we're probably a pretty attractive town to work for. Mr. Dutton responded, we're probably middle of the road.
- At President Fitzgibbons' request, Mr. Dutton spoke about the compensation study and explained that is where our salaries are based on.
- Councilor Colombotos asked Mr. Dutton to remind all the per capita spending. Mr. Dutton responded, it's \$2,100/year. The state average is \$4,100/year.

## **DISCUSSIONS**

### **SUBCOMMITTEE REPORTS:**

- Budget & Finance: Councilor Wood spoke about the CPC order. The committee had a good discussion last night. Originally, Mr. Wood had a concern because it spends funds outside of town, but it was pointed out that the funds are for artifacts for Bridgewater which happen to be in an adjacent town in a historical building.
- Community & Economic Development Committee: Councilor Colombotos reported the committee heard from Town Counsel that there were problems with one of the (Elm Street Retail Overlay) ordinances, they are waiting for revisions before making a recommendation.



President Fitzgibbons noted; several items under “Legislation for Action” could not be voted on this evening as there was no disposition from the Finance Committee. Therefore, without objection, President Fitzgibbons postponed agenda items, a), b), c), e) and f) to the next meeting.

#### **LEGISLATION FOR ACTION**

- Order O-FY18-032: Purchase and Sale Agreement - McElwain Property  
*Postponed to next meeting without objection.*
- Order O-FY18-034: Acceptance of Other One-Time Revenue for Special Purpose - Long Built Homes  
*Postponed to next meeting without objection.*
- Order O-FY18-035: Acceptance of Other One-Time Revenue for Special Purpose – Bridgewater Homes, LLC  
*Postponed to next meeting without objection.*
- Order O-FY18-036: Town of Bridgewater Change of Voting Equipment  
**Motion:** A motion to approve was made by Councilor George. The motion was seconded by Councilor Sousa.  
**Discussion:** Councilor George stated his support of the measure.  
A roll call vote was taken with results recorded as follows:  
George – YEA; Colombotos – YEA; Gallagher – YEA; Sousa – YEA; Fitzgibbons – YEA; Haley – YEA; Chase - YEA; Wood – YEA; Losche - YEA. The motion passed 8-0.
- Order O-FY18-037: CPC Transfer - Preservation Assessment of Two Old Bridgewater Historical Society Buildings and their Collections  
*Postponed to next meeting without objection.*
- Order O-FY18-038: Transfer Order - Sewer Enterprise Capital Special Purpose Transfers  
*Postponed to next meeting without objection.*

#### **OLD BUSINESS - None**

#### **NEW BUSINESS**

- Order O-FY18-037: Transfer Order: Capital Transfer – BRRSD Capital Request – Elevator Repairs  
Mr. Dutton explained the transfer is at the request of the School District for elevator repairs.  
**Motion:** A motion was made by Councilor George to refer to the Budget & Finance and Finance Committees. The motion was seconded by Councilor Wood.  
**Discussion:** None  
A voice vote was taken, and the motion passed 8-0.

**Motion:** A motion was made by Councilor Fitzgibbons to create ad hoc committee to address FY20 budget consisting of Councilor Wood, Councilor Gallagher and himself. The motion was seconded by Councilor Wood.

**Discussion:** Councilors Wood and Gallagher expressed their support of the motion. At Councilor Losche’s request, Mr. Fitzgibbons explained this committee differs from the Budget & Finance Committee as it is specific to the School District. Mr. Fitzgibbons noted; the Town Manager and Finance Director would be involved as well.  
A voice vote was taken, and the motion passed 8-0.

#### **CITIZEN COMMENTS**

- William Lucini, Elm Street: Mr. Lucini thanked the Council for their vote on the ordinance and thanked Mr. Dutton.
- Jenny Burr Hartswood Way: Ms. Burr stated it seems there’s a clear need for increased revenue. She asked the Council to level fund the schools and to consider the implications of not level funding the schools.

#### **COUNCIL COMMENTS**

- Councilor George: Mr. George is very concerned about what he sees as a negative impact to our schools and town. He feels there may be some things to be looked at from the town perspective to allocate some funds. Mr. George reminded all that town clean-up day is coming up.
- Councilor Colombotos: Is greatly concerned about the funding for the schools. He thinks we need to strike the right balance of investing in town services and maintaining a good bond rating.
- Councilor Gallagher: Thanked all for coming out this evening. He hopes there’s something that can be done but is not sure. Mr. Gallagher agreed with Pat Neary and reminded all that May 5<sup>th</sup> is the big town clean up. He also reminded all that Saturday is election day.



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- Councilor Sousa: Spoke about the permit pamphlet and the information it will provide. He stated we have to change the perception that we don't want business in town.
- Councilor Haley: Absent
- Councilor Chase: Will be joining the cleanup effort on May 5th. He noted his agreement with Ms. Neary.
- Councilor Wood: Looks forward to continuing to work as a team on the budget process. May 5th is the cleanup and the youth Fishing Derby. This weekend the TJ2 Robotics team is going to the world event in Detroit.
- Councilor Losche: Reminded all that polls open at 7:00 a.m. and close at 8:00 p.m. She thanked all that will be doing the cleanup. Ms. Losche commented; hearing from citizens on so many topics has been wonderful.
- Councilor Fitzgibbons: Thanked all for coming out and making your voices heard. Reminded all that the Election is at the Old High School.

**EXECUTIVE SESSION** – *No Executive Session was held.*

**ADJOURNMENT**

***Motion:*** A motion to adjourn was made by Councilor Losche. The motion was seconded by Councilor George. A voice vote was taken, and the motion passed 8-0.

The meeting adjourned at 9:59 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 8, 2018 to approve the aforementioned minutes, as submitted by a voice vote (7-0) (Councilor Haley abstained, Councilor Colombotos absent).**

**A TRUE COPY ATTEST:**

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Ann M. Holmberg  
Town Council Clerk