



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, April 25, 2017

CALL TO ORDER:

A quorum being duly present, Town Council President Dennis Gallagher called the meeting of the Bridgewater Town Council to order at 7:32 pm, on Tuesday, April 25, 2017 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Peter Colombotos (arriving at 7:38 p.m.), Edward Haley, Timothy Fitzgibbons, Dennis Gallagher, Aisha Losche, William Wood, Kevin Perry and Frank Sousa. Town Manager Michael Dutton and Town Attorney Mark Gildea (arriving at 7:56 p.m.) were also present.

ABSENT:

- Councilor Sandra Wright

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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

- Edmund Woronicz, Sr.

APPROVAL OF MINUTES –

- April 4, 2017

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

Discussion: None

A voice vote was taken and the motion passed 7-0 (Councilor Wright absent, Councilor Colombotos not present).

ANNOUNCEMENTS FROM THE PRESIDENT

- President Gallagher read an announcement about the Mosquito Spray exclusion list. Requests must be made to the Department of MA Agricultural Resources, no longer to the Town Clerk. There is no longer a deadline to make the request.
- There will be a Housing Production Plan 2017 update June 1st at 6:30 p.m. It is a community meeting in the Council Chambers.

PROCLAMATIONS - None

Motion: A motion was made by Councilor Fitzgibbons to take agenda item F: Hearings out of order. The motion was seconded by Councilor Losche.

Discussion: Mr. Fitzgibbons explained he believed the Council could move through the items fairly quickly.

A voice vote was taken and the motion passed unanimously.

HEARINGS (taken out of order)-

- **7:35 p.m., HEARING:** Order O-2017-009: Transfer Order Capital Transfer from Water Retained Earnings
President Gallagher opened the hearing at 7:38 p.m.

President Gallagher read the process and dispositions of committee votes.

The Town Manager read an explanation of the required transfer for the High Street wells. The project has been selected for revolving fund spending. This is to complete the engineering funding which is not eligible for SRF funding. There will be a loan order on the next regular meeting agenda.

**7:38 p.m. Councilor Colombotos entered the meeting.*

President Gallagher invited any questions from the public – None came forward.

President Gallagher asked if there was anyone speaking in favor - None came forward.

President Gallagher asked if there was anyone speaking in opposition - None came forward.

President Gallagher entertained any questions from councilors:

- Councilor Wood noted his opinion that it is good for the community.



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- Councilor Colombotos asked Mr. Dutton if there was any alternative? Mr. Dutton responded; it's the only way to remove the discoloration and taste from the water.

Motion: A motion was made by Councilor Fitzgibbons to close the hearing. The motion was seconded by Councilor Wood.

Discussion: None

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

President Gallagher closed the hearing at 7:44 p.m.

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

Discussion: None

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

Wright – Absent; Colombotos – YEA; Haley – YEA; Fitzgibbons – YEA; Gallagher – YEA; Losche – YEA; Wood – YEA; Perry – YEA; Sousa - YEA. The motion passed 8-0.

- **7:40 p.m. HEARING (continued from 4/4/17):** Order O-2017-008: Laying out and Accepting a Private Way – Hartswood Way and Doe Brook Circle
President Gallagher opened the hearing at 7:44 p.m.

President Gallagher noted this matter should be continued again to the next regular meeting.

Motion: A motion was made by Councilor Fitzgibbons to continue to May 9th. The motion was seconded by Councilor Wood.

Discussion: Councilor Fitzgibbons noted he is willing to take up the sponsorship.

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

CITIZENS OPEN FORUM –

- Pat Neary: Illegal Dumping – Ms. Neary is not sure how the Town would enforce this ordinance. If the ordinance passes, there has to be enforcement and suggested an impact fee. She mentioned clean up on Sunday at 10:00 at the boat landing.
- Guillaume Dougados, South Street: Mr. Dougados agrees with Ms. Neary. The litter is incredible. In February, he picked up 60 gallons of trash. Mr. Dougados referenced a TV left on the lawn on South Street for some time. He believes there should be some enforcement.
- Jim Candito, Stetson Street: Mr. Candito is following up on issues brought up at Public Meeting. To date have had no follow up. He is requesting a written response. The issues are: repaving, maybe put a hold on School or Pine Street. Noise factor is increasing. When repaving Stetson, may be helpful to add a speed table. The State just approved Bill 2783 for local roads and bridge improvements. Where is Bridgewater's share being used? There are no "No Parking" signs on Stetson Street. Elimination of truck traffic. Elimination of residential dumpsters.

APPOINTMENTS - None

LICENSE TRANSACTIONS - None

PRESENTATIONS - None

TOWN MANAGER'S REPORT

**7:56 p.m., Town Attorney Gildea entered the meeting.*

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included an update on the MBTA meeting last week. Mr. Dutton explained Phase II proposes full Stoughton electric design. Mr. Dutton's opinion is there is not enough information to comment, however if any councilors have comments, they should reach out to Mr. Dutton. Comcast is installing all the fiber to broadcast live, improve the picture and sound. The Town has completed negotiations with DEP and EPA on wastewater treatment and have agreed to at 10-year time period. The rate payers in the sewered areas could not afford the rate increases in a five-year period. They have agreed to an Administrative Consent Order and it contains language allowing us to



revisit the time period if necessary. The Duxboro 40B ZBA hearing resumes Wednesday, May 24th. Mr. Dutton spoke about the Marijuana Ad Hoc Committee. There has been a great response and there will probably be 10 members. Mr. Dutton has spoken to most of them and they represent a great cross section of Bridgewater. Mr. Dutton gave a brief update on Skips Liquors – the owner is continuing to find a contractor to pick up the project. The footings were improperly poured, so the previous Interim Building Inspector had them taken out. The building has owner terminated the contractor and is seeking another. Mr. Dutton has asked Andrew Delonno to attend a meeting in late May or June to give a brief update. Mr. Dutton spoke about a public meeting tomorrow evening at 6:30 p.m. in the Council Chambers the downtown pedestrian safety. The Bryan McSheffrey corner dedication is this Sunday at 1:00 p.m. There will be very tight parking constraints, but the Police Department will be there to try and direct people to parking. Mr. Dutton listed boards and committees needing members. Finally, Mr. Dutton announced Town Attorney Gildea will be a Judge in Superior Court.

Councilor Questions:

- Councilor Wood agreed with Mr. Candito's comment that speed tables on Stetson Street make perfect sense. Mr. Wood spoke briefly about Springfest at BSU, noting he believes there were 21 arrests. While that's lower, it's still way too many. He suggested inviting leaders of BSU to discuss what we can do next year to soften it. Finally, he noted that Skips is still a concern.
- President Gallagher asked about the street improvement list that used to be on the website asking if that is being revised? He agrees Stetson Street is an eyesore and needs to be repaved. Mr. Gallagher requested the updated pavement management plan be on the website.

DISCUSSIONS

- Addition of a Special Town Council Meeting – Tuesday, May 2, 2017
President Gallagher explained the Town needs to hold a Special Election to move forward with the feasibility study and asked Mr. Dutton to elaborate. Mr. Dutton explained; we have worked with the Town Attorney, Bond Counsel and the School District. The warrant needs to be approved at least 35 days before the election. The district votes tomorrow and they will formally refer the matter to us.

Motion: A motion was made by Councilor Fitzgibbons to hold a Special Town Council Meeting on Tuesday, May 2, 2017 at 7:00 p.m. The motion was seconded by Councilor Losche.

Discussion: President Gallagher clarified; the meeting will begin at 7:00 p.m., and the Council will reorganize at that time. Councilor Fitzgibbons noted it's a compressed time and we're trying to accommodate the school's timeframe.

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

- Rules & Procedures Committee Amendments/Feedback on Ordinances:
Councilor Losche explained the committee has had some feedback from citizens and wanted to get some feedback from the Council.
 - Ordinance D-2017-001: Amend General Ordinances – Vacant and Abandoned Commercial Properties
Councilor Wood explained the challenge is; how do you define the building and take action, citing the Mobile Station as an example. It's not active, but the owner pays taxes. Councilor Losche added Andrew Delonno and David Moore also attended meetings to answer questions. Discussion followed while Councilors offered thoughts and suggestions and spoke about specific concerns around town. Mr. Wood brought up the other issue; does the Building Official already have the tools to enforce through MGL, without needing another Ordinance. Councilors indicated there needs to be a protocol or thresholds. Councilor Colombotos pointed out there needs to be a component to protect private interests as well. He further noted that the sponsors did not write the legislation; it came from the Community & Economic Development office. Councilor Fitzgibbons requested the Town Manager ask the Community & Economic Development Director to advise on whether the ordinance is needed; in full or in part. Councilor Losche requested Mr. Delonno attend the next



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committee meeting on 5/2 and perhaps the Council meeting on 5/9. Mr. Dutton agreed with the Councilor comments and has asked Andrew and Attorney Gildea to see what options are available on a state level.

- **Ordinance D-2017-002: Amend General Ordinances – Illegal Dumping**
Councilor Wood explained; the issue with litter is who owns it and who's responsible for it. In concept; Councilor Wood wants to support this, but in execution it becomes difficult. President Gallagher noted if there were a refrigerator left out it would be a safety issue.
- **Draft Paid Parking Ordinance**
Mr. Dutton explained; we're tying a new method of introducing legislation to the Council to solicit sponsors. The legislation formalizes a paid parking process and will provides a revenue source that goes specifically to parking related issues. It provides a safe and legal option for BSU students who may not have a parking sticker. If adopted there would be an RFP for a private entity to provide the equipment and servicing. There would be two metered zones: School Street, a portion of Spring Street, a portion of the Spring Street parking lot, and the Town parking lot. Revenue from a parking ordinance can go to repairing the lot. Discussion followed as councilors asked numerous questions about the impact to downtown businesses and patrons. Mr. Dutton answered questions clarifying the current allowable parking in the proposed metered areas. He noted; employees, firefighters and downtown business owners park in the Town Lot behind Town Hall. They are granted parking stickers. In response to Councilor Gallagher's question about how metered parking is better revenue than writing tickets, Mr. Dutton explained this is a much friendlier approach then sending someone around writing tickets and would free up the Police Department from writing tickets. Councilor Wood feels this would be pushing the problem around. Councilor Perry feels the ordinance should be more expansive. President Gallagher was not in favor of the ordinance and Councilor Wood stated he would need to see a lot more data. No Councilor offered to sponsor the legislation.

SUBCOMMITTEE REPORTS:

- **Budget & Finance:** Councilor Wood stated the committee continues to move through the budget process. They are meeting again next Monday at 7:00 p.m.
- **Rules & Procedures:** Councilor Losche stated the Council had good discussion this evening about the Committee's ordinances. They continue to move through the Charter Changes.

LEGISLATION FOR ACTION

OLD BUSINESS

- **Ordinance D-2017-005: Amend Administrative Code – Historic Commission Membership**
President Gallagher reviewed the committee dispositions.
Motion: A motion was made by Councilor Fitzgibbons to accept the proposed amendments. The motion was seconded by Councilor Losche.
Discussion: None
A voice vote was taken and the motion passed 8-0.
Motion: A motion was made by Councilor Fitzgibbons to send to advertising. The motion was seconded by Councilor Perry.
Discussion: At Councilor Colombotos' request, Mr. Dutton explained the Historic Commission had a reduced membership as a result of the Administrative Code, but they feel the increased number is more effective for the Committee.
A voice vote was taken and the motion passed 8-0.

NEW BUSINESS

- **Order O-2017-019: Affix Town Clerk Salary**
President Gallagher explained he would like to see the Town Clerk's salary raised to \$65K. He spoke about the Classification Study which indicates there were several positions in the Town that were not being paid competitively. Those adjustments are in the budget. In the wage & salary survey that was done, the average



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Town Clerk was at the low end around \$60,000 and averaged between \$70,000 - \$85,000. If we're adjusting salaries for key positions in the community, the position deserves a salary that is competitive.

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

Discussion: Councilor Fitzgibbons does not disagree and asks that, in time, position salaries be brought into alignment. Councilor Gallagher noted the current salary is \$52K. Councilor Wood noted he thinks it's fair to pay market rate for professionals and doesn't mind paying for a professional appointed position.

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

- Order O-2017-020: Special Election – June 10, 2017

This measure was not referred to any committee.

CITIZEN COMMENTS - None

COUNCIL COMMENTS

- Councilor Wright: Absent
- Councilor Colombotos: Thanked the residents of District 5 for re-electing him.
- Councilor Haley: Congratulated the councilors on the election and spoke briefly about Springfest.
- Councilor Fitzgibbons: Congratulations to Mr. Colombotos, Mr. Wood and Mr. George and thanked Mrs. Wright for her service.
- Councilor Losche: Echoed congratulations to the elected Councilors. Springfest – as soon as it became school sanctioned, nobody went.
- Councilor Wood: Spoke about Springfest. He thought it went okay, but would like to see how we can do it better next year. Thanked the District 6 voters. Congratulated the other elected councilors and thanked Mrs. Wright for her service.
- Councilor Perry: Echoed congratulations to elected Councilors and thanked Mrs. Wright for her service. Dr. Perry also congratulated Attorney Gildea and offered condolences to Ed Woronicz and Sid Lyon.
- Councilor Sousa: Congratulated the elected Councilors.
- Councilor Gallagher: Congratulated the elected Councilors, School Committee members and Library Trustees. Congratulated Attorney Gildea.

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 10:05 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 9, 2017, to approve the aforementioned minutes, as submitted, by a voice vote (8-0) (Councilor Colombotos not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk