



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, October 3, 2017

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 October 3, 2017 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Aisha Losche, William Wood, Kevin Perry, Edward Haley, Timothy Fitzgibbons, Francis Sousa, Dennis Gallagher, Peter Colombotos (arriving at 7:33 p.m.), and Shawn George. 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 who have passed and for the victims in Las Vegas.

APPROVAL OF MINUTES

- September 19, 2017

Motion: A motion to approve was made by Councilor Haley. The motion was seconded by Councilor Gallagher.

Discussion: None

A voice vote was taken and the motion passed 7-0-1 (Councilor George abstained due to absence)

ANNOUNCEMENTS FROM THE PRESIDENT

- 2017 Health and Safety Expo sponsored by the Bridgewater TRIAD.

PROCLAMATIONS

- Declaring October 2017 Bring Your Own Bag Month
President Fitzgibbons read a proclamation recognizing October, 2017 as "Bring Your Own Bag" Month. Ms. Neary came forward and accepted the proclamation.
- The Well, "Unmasked: Unmasking the Stigma of Mental Illness"
President Fitzgibbons read a proclamation recognizing The Well and their event "Unmasked: Unmasking the Stigma of Mental Illness".

Seeing no objection, President Fitzgibbons announced he would take agenda item F: Hearings out of order.

HEARINGS

- **7:35 p.m. Hearing (Continued from 9/5/17):** Order O-2017-011: Laying Out and Acceptance of a Private Way(s) – Fern Hollow Road and Hillside Lane (*Taken out of order*)
President Fitzgibbons opened the hearing at 7:38 p.m.
Mr. Dutton explained the petitioners are not here but he is aware the petitioner has cleaned up the debris and the Highway Superintendent has no problem accepting the roads
President Fitzgibbons invited any questions from the public – No citizens came forward.
President Fitzgibbons asked if there was anyone speaking in favor - No citizens came forward.
President Fitzgibbons asked if there was anyone speaking in opposition - No citizens came forward.
President Fitzgibbons entertained any questions from councilors:
 - Councilor Colombotos asked if anyone had received correspondence from the neighbors. Mr. Dutton responded he believes the Highway Superintendent had. Councilor Colombotos noted there were no neighbors present. He is interpreting the silence as their support.
 - Councilor Perry stated he believes concerns have been addressed. He drove by himself and thought everything looked to be in good condition.President Fitzgibbons closed the hearing at 7:40 p.m.



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Motion: A motion was made by Councilor Perry to find that the laying out is required by common convenience and necessity. The motion was seconded by Councilor Sousa.

Discussion: None

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

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

Discussion: None

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

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

Return to regular order of business: Citizens Open Forum.

CITIZENS OPEN FORUM

- Marie Fahey, Bayberry Circle: Ms. Fahey expressed opposition to opening Retail Recreational Marijuana shops. Ms. Fahey read from a prepared statement (Included in materials) listing several reasons for her opposition and citing her support of several points made by Dr. Kern at previous meetings. Ms. Fahey would like to see a ban.
- Dr. Kern, South Street: Dr. Kern referenced an article he printed for the Council (included in materials), pointing out the highlights of the article which compares cannabis use and the opioid epidemic. Dr. Kern then spoke about issues he has experienced in his medical office. Finally Dr. Kern stated his opinion that if marijuana is more available, it will be more widely used.
- Pat Neary: Ms. Neary thanked Mr. Dutton for the help and support on the Plastic Bag Ordinance and Proclamation. Ms. Neary is going to the High School tomorrow to view the new hydration station. Ms. Neary spoke about the benefits of the hydration stations. Ms. Neary then shared her personal opinion on the proposed moratorium. She does not want marijuana stores in the town and feels the solution for our Town is a ban. She shared a statement made by Senator Brownsberger.
- Ed Ivaldi, Boxwood Lane: Mr. Ivaldi referenced the many people who have voiced concerns about marijuana shops. Mr. Ivaldi asked; the Council - how will you know when you've had enough information to make a decision. He feels this is one of the most important decisions the Council will make. He then encouraged the Councilors to ask yourselves: How will having retail pot shops in Bridgewater make the Town better?
- Jennifer Smith, Boxwood Lane: Ms. Smith urged the Town Council to respect the Town's vote to ban recreational marijuana.
- Bernice Morrissey: Ms. Morrissey has been on the fence (about the marijuana issue) until she saw a 60 Minutes report on Marijuana as a gateway drug. Ms. Morrissey expressed her opposed to marijuana retail shops.

APPOINTMENTS - None

LICENSE TRANSACTIONS

- Petition P-2017-026: One Day Entertainment License – The Drop Spot
Motion: A motion to approve was made by Councilor Wood. The motion was seconded by Councilor Haley.
Discussion: Councilor Wood stated he went to the Drop Spot and had an opportunity to speak with them. He fully supports the event. Councilor Haley also expressed his support.
A voice vote was taken and the motion passed unanimously.

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 Town has filed all the necessary paperwork to complete phase II and move into phase III. We will be moving as quickly as possible to secure the \$400,000 in funding. The most critical piece of the Complete Streets study was the downtown which was estimated at \$1MM. Mr. Dutton has asked the Finance Director



to come up with some strategies. We have a online payment method – Invoice Cloud which allows people to pay their bills online. Mr. Dutton elaborated on the attributes of the new system. The Mitchell School Building Committee has been meeting and has created its first subcommittee who will be looking at the RFP for the Project Manager. The Town received one proposal for the sale of the McElwain School. Mr. Dutton expects to meet with the proponents. The Building Office has received and approved revised plans from Skips Liquors. However, due to the length of time of inactivity we will be issuing a notice of revocation letter for a hearing. Mr. Dutton corrected a statement in his Operational Update: The Town Clerk's office is working on 2015 and 2017 Annual Report, not the compendium of years it wasn't completed. Mr. Dutton reminded all of the 2017 Health and Safety Expo, sponsored by the Bridgewater TRIAD. Finally, Mr. Dutton thanked John Luck, who will be moving up at BTV, for all his work over the years.

Questions:

- Councilor George received correspondence from constituent with regard to the Community & Economic Development Director vacancy and suggested any changes to the Planning Board Rules should wait until a new Director is in place. Mr. Dutton responded the Planning Board has been working on changes to the rules and regulations for a while. Councilor George highly recommends holding off.
- Councilor Colombotos asked about holdovers on the Historic District Commission. Mr. Dutton responded we have very few holdovers with the exception of the HDC and a couple of others. Councilor Colombotos spoke about Chapter 90 funds and asked if the Town should be thinking about how we're going to keep up with the roadways and sidewalks since Chapter 90 funds don't cover what we need. Finally, Councilor Colombotos noted there was striping done for parking on Park Ave and asked if there was any consideration of bike traffic. Mr. Dutton responded; the striping there now is not permanent and he believes a consultant gave us a plan for a bike lane.

DISCUSSIONS - None

SUBCOMMITTEE REPORTS

- Community & Economic Development Committee: Councilor Colombotos explained there are several items in our committee. The community & Economic Director has recommended working with town Counsel on some of them.
- Councilor Sousa asked when Strategic Planning Committee would be meeting to discuss the Zoning Consultant funding order.

LEGISLATION FOR ACTION

- Ordinance D-FY18-004: Senior Work-Off Abatement Program
President Fitzgibbons read the committee dispositions.
Motion: A motion to approve was made by Councilor Wood. The motion was seconded by Councilor George.
Discussion: Councilors Wood and George expressed support for the Ordinance.
A roll call vote was taken with results recorded as follows:
A roll call vote was taken with results recorded as follows:
George – YEA; Colombotos – YEA; Gallagher – YEA; Sousa – YEA; Fitzgibbons – YEA; Haley – YEA; Perry – YEA; Wood – YEA; Losche - YEA. The motion passed 9-0.
- Order O-2017-037: Town Council Acceptance of Open Space and Recreational Plan Update
President Fitzgibbons read the committee dispositions for the record.
Motion: A motion to approve was made by Councilor Losche. The motion was seconded by Councilor Haley.
Discussion: Councilor Losche explained when the Community & Economic Development Committee met we went through the document and the goals and objectives.
A roll call vote was taken with results recorded as follows:
Losche – YEA; Wood – YEA; Perry – YEA; Haley – YEA; Fitzgibbons – YEA; Sousa – YEA; Gallagher – YEA; Colombotos – YEA; George - YEA. The motion passed 9-0.

OLD BUSINESS - None

NEW BUSINESS



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- Ordinance D-FY18-007: Parking Ordinance

Councilor Perry provided an overview of the ordinance.

Motion: A motion was made by Councilor Wood to amend by striking Spring Street from section II. The motion was seconded by Councilor Gallagher.

Discussion: Councilor Wood explained he feels there are businesses on Spring Street that need to quick parking and feels including Spring Street in this section would harm those businesses. Councilor Gallagher expressed his opinion that this is not a good public policy and feels business owners have no idea this is even being considered. Additionally he expressed concern over making an amendment at this time. Councilor Perry stated he understands Councilor Wood's comments but feels it should be discussed in committee. After a brief discussion, Councilor Wood withdrew his motion.

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

Discussion: Councilor Wood stated he feels Section III may not be very effective and pointed out metering the Spring Street lot may not be very effective and pointed out the proposal includes metering the Municipal Lot, behind Music Alley.

A voice vote was taken and the motion to refer to Community & Economic Development Committee passed 9-0.

- Order O-FY18-007: Transform Town Hall into an Arts and Commerce Center

Councilor Colombotos read the order for the record (order included in materials), then spoke about how this relates to legislation passed previously offering dispositions of town owned buildings.

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

Discussion: Councilor Gallagher pointed out the Council already voted to put out a RFP for that space and asked the Town Manger if the RFP had gone out. Mr. Dutton confirmed that was the vote. Councilor Sousa asked what research Councilor Colombotos had done. Councilor Colombotos explained something similar had been done in Plymouth. Councilor Losche noted there are links in the document to Mr. Colombotos' research.

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

- Order O-FY18-008: Transfer Order - Sewer Enterprise Transfer for Emergency Repairs

Mr. Dutton explained the nature of the transfer.

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

Discussion: Councilor Wood briefly considered if this needed to be treated as an emergency measure and not referred to committee.

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

- Resolution R-FY18-002: 2018 Town Council Meeting Dates

This measure was not referred to any committee.

CITIZEN COMMENTS - None

- Ed Ivaldi, Boxwood Lane: Mr. Ivaldi asked if; when Ordinances come before the Council having to do with downtown, is there something that refers back to some Master Plan.

COUNCIL COMMENTS

- Councilor Losche: Thanked all involved in Autumnfest. She is looking forward to South Shore Brew Fest. Mrs. Losche spoke about The Well Gala pointing out they provide great services to the community. Mrs. Losche also stated the Marijuana hearing will be here.
- Councilor Wood: Autumnfest was a challenge with the weather, however there was a good showing by the vendors. Regarding the moratorium – it's critical at this juncture as there's a lot of new information coming out. There's a lot of information that needs to be taken in. Being a District Representative, he feels districts matter.
- Councilor Perry: Thanked the BBA for hosing Autumnfest despite the weather. Congratulated the organizers of the 5K. Thanked those who brought the Proclamations before us.



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- Councilor Haley: When he first became Councilor, there wasn't a lot of citizen participation, but now there is and he is happy to have people involved.
- Councilor Sousa: Echoed previous Councilor comments.
- Councilor Gallagher: Thanked the BBA for Autumnfest. Mr. Gallagher feels as though district councilors also represent the town at large. Regarding the Recreational Marijuana hearing – he hopes the public speaks. His opinion is there is nothing good to come from issuing licenses to sell recreational marijuana.
- Councilor Colombotos: Thanked Pat Neary for the effort to put forward the Plastic Bag Ordinance. In response to Mr. Ivaldi's question: Mr. Colombotos knows the Planning Board and Community & Economic Development Committee both consider where items fit with the Master Plan. Regarding Marijuana Ordinances – not every member of the board has looked at all the information yet and he thinks it's worthy of debate. Mr. Colombotos supports a moratorium to give us the time to consider all the information.
- Councilor George: Thanked Councilors Haley and Gallagher and the Town Manager for helping to try to work through issue in his district. Autumnfest was great. Regarding the parking ordinance; it's always good to be looking at other revenue sources for the town, but we have to be mindful of the balance. Regarding Recreational Marijuana; Mr. George does not understand why the legislation did what they did on the local decision making. Mr. George believes anytime we can put specific decisions before the voters we should do it.
- Councilor Fitzgibbons: Mitchell School Building Committee is moving forward. We are expecting to be formally invited into the feasibility study. Mr. Fitzgibbons is also on the subcommittee for the OPM, noting the OPM is very important. Regarding The Well event; Mr. Fitzgibbons has worked in Health Insurance for several years. It's important to realize that having a brain disease needs to be treated; that's what mental health is.

EXECUTIVE SESSION – *No Executive Session was held.*

ADJOURNMENT

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

The meeting adjourned at 9:02 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, October 17, 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