



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, December 17, 2019

CALL TO ORDER:

A quorum being duly present, Town Council President Dennis Gallagher called the meeting of the Bridgewater Town Council to order at 7:30 pm, on December 17, 2019 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Francis Sousa, Fred Chase, William Wood, Shawn George, Dennis Gallagher, Matthew Rushton, Aisha Losche, Peter Colombotos (arriving at 7:35 p.m.) 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:

- Kenneth Mattson
- Dino Bracci

President Gallagher announced the meeting is being recorded and aired live.

APPROVAL OF MINUTES

- December 3, 2019

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

Discussion: None

A voice vote was taken, and the motion passed 7-0-1 (Councilor Sousa abstained).

ANNOUNCEMENTS FROM THE PRESIDENT

PROCLAMATIONS

CITIZENS OPEN FORUM

- Pat Neary, Lakeside Drive: Ms. Neary spoke about mattresses which had been dumped at the Lakeside boat landing, she was told they would be removed, and they are still there. Ms. Neary then spoke about Jake Braking. She spoke with DPW in West Bridgewater and they find the signs have been very successful. Finally, Ms. Neary spoke about the proposed zoning change; which she finds concerning as it appears to be trying to satisfy a developer.
- Robert Hanson, Pleasant Street, Hanson Farm: Mr. Hanson spoke about Ordinance D-FY20-004. He has been cutting/selling firewood for over 50 years. This ordinance will eliminate 20% of income which will be devastating to his business.
- Roger Lundin, Ashtead Road: Mr. Lundin spoke about the Farming Ordinance asking if anyone looked into how many people it will affect?
- Janet Hansen, Pleasant Street: Ms. Hansen feels the ordinance is confusing. She is not sure why it has been brought up or what caused this and would like to hear the explanation.
- Sarah McDonald, North Street: Ms. McDonald spoke about water issues. She would like to understand what's being done to improve the water quality and what the plan is, including deadlines. Ms. McDonald feels the water is insufficient and the Town needs to do a better job of reporting.

APPOINTMENTS

HEARINGS

- **7:33 p.m.:** Petition P-2019-029: Transfer of Stock and Change of Manager - Thoknia Inc., dba Nick & Angelo's Pizza Place
President Gallagher opened the hearing at 7:43 p.m.



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, December 17, 2019

Mr. Dutton explained this is very simple change of ownership and manager from father to son.

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: None came forward.

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 George.

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

- **7:35 p.m.:** Petition P-2019-030: Alteration of Licensed Premises - Greyhound Group LLC, dba Greyhound Tavern
President Gallagher opened the hearing at 7:44 p.m.

Petitioner, Losdian Remano, Counsel for Greyhound Tavern. The alteration comes from a purchase that came from a neighbor, the Gotshalks. The facility will still serve approximately 88 people. If approved they will pull all necessary permits. The owner, Nick Palermo, thanked the Council for considering his application and expressed pleasure at running and expanding a business in town. Mr. Dutton stated that the applicant has worked closely with staff and are happy with the application.

President Gallagher invited any questions from the public

- Richard Allen, Chateau Jewelers. Mr. Allen stated he is happy with what Mr. Palermo has done but is concerned about parking and would like a crosswalk. He will now lose six spots to Greyhound, which wouldn't be a problem if people could cross the street safely.

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:

- It was confirmed that patrons must enter and exit through the building and that initially entertainment is not planned. Questions were asked about the type of fencing. Mr. Palermo's attorney provided plans and Mr. Palermo assured the Council his intention is to provide a nice atmosphere. At Councilor Colombotos' request, Mr. Dutton spoke about what control Inspectional Services has over this and appearances in conformance with downtown standards? Finally, several Councilors expressed their support for the business.

President Gallagher closed the hearing at 8:03p.m.

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

Discussion: Councilor Wood stated; the current owners have been role models for what business owners in town should be.

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

- **7:45 p.m.:** Petition P-2019-031: Change of Officer and Change of Beneficial Interest: 99 Restaurant
President Gallagher opened the hearing at 8:04 p.m.

Mr. Dutton explained; this is just a change in ownership at the 99 Corporate.

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: None came forward.

President Gallagher closed the hearing at 8:05 p.m.

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 9-0.

LICENSE TRANSACTIONS

• **2020 Annual License Renewals:**

1. Petition P-2019-032: Annual Renewal - Antique Dealer

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

Discussion: None

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

2. Petition P-2019-033: Annual Renewal - Pawn/Second Hand Gold Dealers

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

Discussion: None

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

3. Petition P-2019-034: Annual Renewal – Annual Entertainment (no alcohol)

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

Discussion: None

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

4. Petition P-2019-035: Annual Renewal - Auto Amusements (no alcohol)

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 9-0.

5. Petition P-2019-036: Annual Renewal - Lodging Houses

Motion: A motion to approve was made by Councilor Fitzgibbon. The motion was seconded by Councilor Rushton.

Discussion: Councilor Wood noted; item #1 shows the Police Chief has concerns. Mr. Dutton responded; both the Police Chief and I have concerns about the number of emergency calls. He recommends renewing license, but he anticipates a license revocation hearing in near future. Councilor Fitzgibbons asked Mr. Dutton if these renewals are pro-forma, correct? For example, this is not the place to take action and stop a license, correct? Mr. Dutton agreed.

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

6. Petition P-2019-037: Annual Renewal - Common Victuallers (no alcohol)

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

Discussion: None

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

7. Petition P-2019-038: Annual Renewal - Auto Dealers – Class I, II, III

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

Discussion: Councilor George pointed out the two notations where licenses will be held. Mr. Dutton responded; he recommends passage. There's a strong incentive for the licensee to correct issues because they cannot do business without the license.

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

8. Petition P-2019-039: Annual Renewal - All Alcohol and related Attendant Licenses

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

Discussion: Councilor Wood pointed out: applicant #25 – the recommendation from Mr. Dutton is not to renew. Mr. Dutton explained; the licensee failed to obtain a certificate of occupancy. Therefore, they could



not get a required annual fire or building inspection. He would recommend scheduling license revocation hearing. If the licensee appeals to the ABCC the ABCC will allow to continue doing business during the appeal. Mr. Dutton then explained alcohol renewals are a little different; the licensee needs to show certificate of inspection and he cannot obtain those.

Motion: A motion to amend by removing #25 from the list was made by Councilor Wood. The motion was seconded by Councilor Fitzgibbons.

Discussion: None

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

A voice vote was taken, and the motion to approve, as amended passed 9-0.

PRESENTATIONS

- Update on Town Water – *Jonas Kazlauskas, Water/Sewer Superintendent*

Water/Sewer Superintendent, Jonas Kazlauskas came forward stating; after the recent news story he reached out to Stantec to show what we're doing about it and our future. He then Introduced Katie Chamberlain.

Ms. Chamberlain came forward and gave a general overview of where the water supply comes from and explained the water color comes from suspended or dissolved particles and it's almost always minerals (Iron and manganese) which is not an uncommon problem in New England and Massachusetts as it's naturally occurring. She then explained how the particles end up in the water and spoke in detail about EPA levels. Ms. Chamberlain outlined the things the town does: building a new filtration water treatment plant, also do annual flushing. They are also considering flushing bi-annually and have been replacing water distribution pipes. Ms. Chamberlain then spoke about the High Street Water Treatment Plant; a brand-new treatment facility designed to filter out minerals. Should keep levels lower than limits and aesthetic limits. She noted; the High Street wells provide about 40% of the Town's water supply.

We have received notification from DEP, that they have done pre-approval for funding. Now we can move forward with 100% design package to go out to bid with possible construction starting in June and a possible end date of December, 2021.

- In response to various questions from the Councilors, Ms. Chamberlain provided a brief overview of her qualifications as a Chemical Engineer with a master's degree and spoke of her experience in the field; noting she specifically focuses on Iron and Manganese in New England because it's so common. She also affirmed her opinion that the water is safe from a health standpoint and offered suggestions should a citizen have discolored water. Mr. Kazlauskas added; if citizens see the heavily discolored water, call the Water Department as there is often a reason; for example, construction causes disruptions. He also confirmed; in the past if an area was particularly bad, they would go back and give an extra flushing – particularly on dead end roads.

TOWN MANAGER'S REPORT

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included:

- Mitchell School Update (Standing Item)
The committee has been meeting twice/month and is refining the floorplan.
- Update on Snow/Ice Removal Limitations
Mr. Dutton explained; our limitations are in not being able to find contractors who can do the work. He confirmed that due to the ability to overspend on snow and ice, he could raise rates, but history shows that it didn't yield more people. Finally, Mr. Dutton suggested; anyone interested in plowing for town can reach out to Highway Department.
- McElwain School Update
Received notification DHCD has approved the pre-application. The full application is due February 20th. Have been told funding decisions are made mid-summer. Then construction begins six-months after that. Once DHCD funding commitment is made, a closing can be done possibly a few months after the award.



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, December 17, 2019

- **Fire Station Building Committee update**
Committee Chair Rushton conducted a tour of the building so those who weren't familiar with building could see the conditions. Mr. Dutton then briefly outlined the charge of the committee.
- **Memorial Building Renovation Update**
The CPC and Historic District Commission have asked for some additional revisions and we've asked the architect if the revisions are feasible.
- **Regional School Agreement Amendment Update**
Nothing new to report. Possibly after new year.
- **Elm Street Update**
They have made great progress and are a little ahead of schedule. We were able to secure a waiver to do the work. Mr. Dutton spoke with Columbia Gas about replacing line from First Street to Sofia Lane and installing the new line from Sofia Lane to town border. Columbia Gas representatives will go to residents to determine if anyone who is not tied in wishes to be.
- **Broad Street Redevelopment Update**
Mr. Dutton spoke with Mr. Paskell this week and he committed to completing submission early next week. At Councilor George's request, Mr. Dutton confirmed the Town has not received an application from developer for Broad Street. Mr. George requested safety inspections on the vacant building become a high priority. Mr. Dutton added; Mr. Paskell has committed to taking care of graffiti right away.
- **Opportunity Zone Update**
The Town is working with an architectural rendering artist. Overall; most action on Opportunity Zones nationwide really hasn't shaken out yet. Nationwide we're finding money managers aren't really educated on the benefits. Once that happens they're anticipating a high flow of capital into opportunity zones.
- **Grants Update**
Received project approval certificate for High Street. Received \$225K grant from DHCD for the replacement of water mains on Curve Street. Also received additional monies from DEP to add charging stations at the library parking lot.
- **Road Engineering Update**
The RFP was released and allows qualified engineers to bid on a per-road basis. This allows us to use multiple road engineers.
- **Capital Plan Update**
When the plan is before you next month it will be more robust than you're used to. We are trying to capture every item we can think of and tried to be very careful about tying capital items to operational impacts.
- **Master Plan Update**
The schedule has been extended a bit and we are looking for completion in June.
- **Zoning Recodification Update**
A public workshop was held last week. We may be looking at second meeting in January to be before Council.

Councilor Questions:

Councilor Rushton asked for the timeline for Fire Station RFP. Mr. Dutton responded; they are waiting for BSU and are looking towards the end of week. Councilor Wood asked where people can find information on the Opportunity Zones? Mr. Dutton stated he will have something on CED webpage.

DISCUSSIONS

SUBCOMMITTEE REPORTS:

- **Budget & Finance:** Committee Chair Wood stated the committee met earlier this evening along with the subcommittee of Finance Committee to discuss the Budget Resolution.



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, December 17, 2019

- Strategic Planning: Committee Chair Losche reminded all that they have the evaluation for the Town Manager in their inbox and asked they complete by end of month.

LEGISLATION FOR ACTION

- Ordinance D-FY20-003: General Ordinance - Town Council Adoption of Amendments to Rules & Procedures Document
Motion: A motion to approve was made by Councilor Wood. The motion was seconded by Councilor George.
Discussion: Councilor Wood thanked all who helped put this together.
A roll call vote was taken with results recorded as follows:
Sousa – YEA; Chase – YEA; Wood – YEA; George – YEA; Gallagher – YEA; Rushton – YEA; Losche – YEA; Colombotos – YEA; Fitzgibbons – YEA. The motion passed 9-0.
- Order O-FY20-038: Contract Ratification – AFSCME
President Gallagher noted these items cannot be taken up as Finance Committee has not met, therefore they are postponed.
- Order O-FY20-039: Contract Ratification – Library
Postponed per above.
- Order O-FY20-040: Transfer Order - Funding of AFSCME Contractual Settlement
Postponed per above.
- Order O-FY20-041: Transfer Order - Funding of Library Contractual Settlement
Postponed per above.
- Order O-FY20-042: Transfer Order - Funding of Non-Union Employees
Postponed per above.

OLD BUSINESS

NEW BUSINESS

- Ordinance D-FY20-004: General Ordinance - Amend Ordinance D-2012-014 - Right to Farm Ordinance
President Gallagher noted for the public that this is only the beginning of the legislative process and will not be voted this evening. Councilor Sousa followed up, explaining amendments can be made. He then briefly explained the reasoning for drafting the legislation with the assistance of the Town Manager and Community & Economic Development Director.
Motion: A motion to refer to Community & Economic Development Committee was made by Councilor Fitzgibbons. The motion was seconded by Councilor Sousa.
Discussion: Councilor George stated his opinion that this may be detrimental to a couple of businesses in his district; before moving to committee he would like to see it go back to Community & Economic Development Director for some reworking. Councilor Fitzgibbons agreed; to not think this through is not okay, though he believes it should go to Community & Economic Development Committee to be worked out with the Community & Economic Development Director. President Gallagher agreed. Councilor Sousa asserted; he had several meetings with the Town Manager and Community & Economic Development Director. It was not put forward without thought.
A voice vote was taken, and the motion passed 8-1 (Councilor George in the dissent).
- Ordinance D-FY20-006: Zoning Ordinance - Amend Zoning By-Laws Sections 8 and 9.60
Councilor Sousa briefly explained the rationale for this measure; stating there's a large complex up by the Nip. They want to put 6,000 sq. foot restaurant right on the water.
Motion: A motion to refer to Community & Economic Development Committee and Planning Board for a joint public hearing was made by Councilor Wood. The motion was seconded by Councilor Chase.
Discussion: Councilor Fitzgibbons asked if this is spot zoning? Attorney Rawlins responded; he looks that way. Discussion briefly continued as Councilors questioned whether a zoning change was necessary or a special permit.
A voice vote was taken, and the motion passed 9-0.

CITIZEN COMMENTS



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, December 17, 2019

- Janet Hansen, Pleasant Street: Ms. Hansen has concerns about changing the zoning pointing out; if you change the zone, you can hope there's a restaurant, but you can get anything else that's approved. Following up on her earlier comments; she still hasn't heard the reason why the farming ordinance was brought up.

COUNCIL COMMENTS

- Councilor Sousa: No comments.
- Councilor Chase: Wished everyone a happy holiday season.
- Councilor Wood: Wished all happy holidays. Councilor Wood read from a prepared statement (included in materials) and resigned his seat as District 6 Councilor effective at the end of the meeting.
- Councilor George: Wished all happy holidays.
- Councilor Rushton: Thanked Councilor Wood for his service and wished all Happy Holidays.
- Councilor Losche: Echoed Mr. Rushton's comments.
- Councilor Colombotos: Wished all Happy Holiday's
- Councilor Fitzgibbons: Wished all Happy holidays and reminded people to check on elderly neighbors with winter weather.
- Councilor Gallagher: Regarding Mr. Wood's announcement; he understands the personal commitment he has made to the town for nine years and wished Councilor Wood the best.

EXECUTIVE SESSION –

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 9-0.

The meeting adjourned at 9:27 p.m.

Minutes submitted: 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, January 7, 2020 to approve the aforementioned minutes, as submitted by a voice vote (7-0) (Councilor Losche not present, District 6 Vacancy).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk