Town of Bridgewater
Town Council Meeting – Virtual Via Zoom©
Meeting Minutes
Tuesday, August 4, 2020

CALL TO ORDER:

A quorum being duly present, Town Council President Shawn George called the meeting of the Bridgewater Town Council to order at 7:00pm, on August 4, 2020 via Zoom©.

PRESENT:

Council members present via Zoom© were, Timothy Fitzgibbons, Peter Colombotos, Francis Sousa, Matthew Rushton, Shawn George, William Wood, Fred Chase, Aisha Losche and Dennis Gallagher. 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 first responders and veterans who have passed.

President George read the following disclosure: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Bridgewater Town Council will be conducted via remote participation to the greatest extent possible. There will be no in person attendance permitted. Citizens who wish to tune in to the meeting may do so via Facebook Live

Motion: Councilor Fitzgibbons made a motion to take agenda item L: Legislation for Action out of order which was duly seconded.

Discussion: Mr. Fitzgibbons briefly explained with the weather, he wanted to ensure this vote got done early.

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

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

LEGISLATION FOR ACTION *(taken out of order)*

- Petition P-2020-015: State Primary Warrant
  Motion: Councilor Fitzgibbons made a motion to approve which was duly seconded.
  Discussion: None
  A roll call vote was taken with results recorded as follows:
  Gallagher – YEA; Losche – YEA; Chase – YEA; Wood – YEA; George – YEA; Rushton – YEA; Sousa – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 9-0.

**Return to regular order of business*

APPROVAL OF MINUTES

- July 7, 2020 and July 28, 2020
  Motion: Councilor Chase made a motion to approve both sets of minutes which was duly seconded.
  Discussion: None
  A roll call vote was taken with results recorded as follows:
  Fitzgibbons – YEA; Colombotos – YEA; Sousa – YEA; Rushton – YEA; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 9-0.

ANNOUNCEMENTS FROM THE PRESIDENT

President George announced the Bridgewater Housing Authority is seeking to fill a vacancy on their board. Interested citizens should send a letter of interest to Karen Rudd or the Town Manager.

PROCLAMATIONS

CITIZENS OPEN FORUM - None

APPOINTMENTS

Councilor Fitzgibbons asked is it's okay to hold the meeting if people have limited access to the meeting according to the updated Open Meeting Law. Attorney Rawlins confirmed it was acceptable. Mr. Fitzgibbons then asked the Town Attorney about the late addition to the agenda asking if it was in compliance with the Open Meeting Law. Attorney Rawlins responded he did not feel it was in compliance, however if it qualifies as an emergency and is clearly articulated as such, it would be allowable. Town Clerk, Marilee Kenney Hunt explained there is an urgency as there would not be a representative from the Republican Town Committee on the Board of Registrars in time for the State Primary if the vote were taken at the next meeting. President George suggested moving on to the reappointments and continue this discussion.

- Annual Reappointments
  Motion: Councilor Chase made a motion to approve all annual reappointments which was duly seconded.
  A roll call vote was taken with results recorded as follows:
  Fitzgibbons – YEA; Colombotos – YEA; Sousa – YEA; Rushton – YEA; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 9-0.
  1. Board of Assessors - Ronald Barron
  2. Board of Assessors - Milton Morris
  3. Elder Affairs Commission - Regina Cohen
  4. Conservation Commission - Eileen Prisco
  5. Historic District Commission – Nicholas Palmeri
  6. Housing Authority Board of Commissioners - Martha Shionis
  7. Parks & Recreation Committee - Thomas Arrighi
  8. Parks & Recreation Committee – Michael Flaherty
  9. Planning Board - Pat Driscoll
  10. Zoning Board of Appeals - Gerald Chipman
  11. Town River Fisheries - Harold Estabrooks, III
  12. Veterans Council - Pauline Grenier
- Board of Registrars – Stephen Mordas *(*Late File – added 8/3/20)*
  President George stated his opinion that this does qualify as an emergency.
  Motion: Councilor Gallagher made a motion to declare an emergency which was duly seconded.
  Discussion: Councilor Fitzgibbons read the section of the Charter relative to Emergencies. Attorney Rawlins again advised the emergency should be clearly articulated. Councilor Fitzgibbons expressed his strong opinion that a special meeting could be called instead of voting an emergency this evening. Councilor Gallagher expressed support for moving forward.
  A roll call vote was taken with results recorded as follows:
  Gallagher – YEA; Losche – YEA; Chase – YEA; Wood – NO; George – YEA; Rushton – YEA; Sousa – YEA; Colombotos – NO; Fitzgibbons - NO. The motion to declare an emergency passed 6-3.
  Motion: Councilor Gallagher made a motion to ratify the appointment which was duly seconded.
  Discussion: None
  A roll call vote was taken with results recorded as follows:
  Fitzgibbons – NO; Colombotos – NO; Sousa – YEA; Rushton – YEA; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 7-2.

HEARINGS - *None*

LICENSE TRANSACTIONS - *None*

PRESENTATIONS

- Charter Review Committee
  Committee Chair, Ed Ivaldi presented information on the Charter Review Committee, the committee members, goals, timelines and initiatives. Mr. Ivaldi highlighted the history of the last proposed charter revisions and outlined options to change the amendment process going forward. Councilors asked questions about public outreach. Mr. Ivaldi explained the plans for a public survey to begin at the end of the month/beginning of next month. It was also noted that the meetings are open to the public.

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 demolition contractor is ahead of schedule and within their demolition budget. A concern raised by the Fire Department about a drop off at the foundation is being addressed by the OPM. The MSBC met last evening and reviewed interior finishes, HVAC system and security systems (at a high level). The 90% drawings will be completed later this month and submitted to MSBA at end of month. They are prepping for another cost estimate based on 90% drawings. 100% drawings will be complete in October, reviewed and approved and anticipate going out to bid with award and construction in December with a July 2020 completion date. The project continues to be on budget. The next meeting is scheduled for 8/17/20 at 5:30 p.m. More information can be found at www.bridgewaterschoolproject.com. Mr. Fitzgibbons asked if there is any chance they will finish ahead of schedule. Mr. Dutton did not think that was likely due to MSBA timeline. At Mr. Fitzgibbons' request, Mr. Dutton elaborated on the add/alt process. Finally, at Mr. Fitzgibbons' request, Mr. Dutton confirmed the project is being run by the school district per the MSBA.
- FY21 Revenue vs. Budget
  The town closed out FY20 slightly better than anticipated. Golf and Transfer Station also closed a little better than expected. Water and Sewer closed as expected. FY21 so far so good. We've been tracking all the invoicing we do meticulously and are projecting no serious issues with Q1 real estate payments. In terms of the state budget, we are hoping the State will fund unrestricted aide at our FY2020 levels which would mean state aid of $3.8MM and the school district would receive approximately $22.7MM. We still do not know about federal aid. President George asked; if state gives aide for FY20. Does the excess go to one-time cash? Mr. Dutton responded; we look at it week to week. Even if we get funded at FY2020 levels, we are becoming increasingly concerned about FY2022, so if there are additional revenues, they could be budgeted but again, we're keeping a close eye on 2022.
- COVID-19 Update
  Bridgewater cases have been steady. We currently have zero active cases. The Town is scheduled to get a little over 30K on 8/10 in CARES reimbursement funds. Plymouth County Commissioners planning to deliver the check to Academy Building. We have been notified that FEMA has approved our reimbursement request. We were approved for $252,000. Employees are back in the building, but not all at one time. When employees are not in building, they are working remotely. Regarding meetings in Academy Building, we are still constrained by capacity limitations and technology. We're working on the technology. It was suggested when the Council returns to in person meetings perhaps still including a Zoom element.
- Local Business Survey Results
  We asked businesses (specifically food & beverage establishments) what we could do to assist in their reopening. Several appreciated that we reached out. Some asked for expedited inspections. We came up with an expedited inspection. Some asked how detailed a plan was needed to reopen. Town only asked for a few sentences and a rough sketch. The town didn't deny any alteration of premises requests. The Health and Building Inspectors worked together to respond to requests.
- Items for Next Meeting:
  President George requested an update on the Broad Street Project

DISCUSSIONS

- Establish an Advisory Committee for Inclusion, Diversity and Equity
  Councilor Gallagher began the discussion explaining; considering recent events, many communities are establishing these types of committees. Mr. Gallagher stated he would be more than happy to draft legislation based on the discussion this evening. Several Councilors expressed support for the idea of establishing such a committee. The committee term was briefly discussed, and Attorney Rawlins noted an Ad Hoc committee must have a specified period of time per the Administrative Code. Mr. Fitzgibbons stated he is unsure the Administrative Code needs to be amended; but suggests an Ad Hoc committee to advise the Council. Councilor Rushton expressed support for the committee and noted BSU may be a great resource. Councilor Losche pointed

out the Council should be mindful that this issue will not be fixed by an ad hoc committee in 30, 60 or 90 days. It's going to take a lot of time to change systemic things that go on. Councilor Gallagher clarified he visualizes this as step one to make recommendations for an advisory committee to be possibly included in the Administrative Code.

SUBCOMMITTEE REPORTS - *None*

OLD BUSINESS - *None*

NEW BUSINESS

- Ordinance D-FY21-001: General Ordinance - New Regular Agenda Item "Finance Committee Report"
  Councilor Wood explained his reasoning for suggesting the additional agenda item.
  Motion: Councilor Fitzgibbons made a motion to refer to Rules & Procedures Committee which was duly seconded.
  Discussion: None
  A roll call vote was taken with results recorded as follows:
  Gallagher – YEA; Losche – YEA; Chase – YEA; Wood – YEA; George – YEA; Rushton – YEA; Sousa – YEA; Colombotos – NO; Fitzgibbons - YEA. The motion passed 8-1.
- Ordinance D-FY21-002: General Ordinance - SFI Paperwork Reduction - Creation of a SFI Short Form
  Councilor Wood explained much of the form is repetitive from year to year and the long form is intimidating to some. A short form would make things easier.
  Motion: Councilor Fitzgibbons made a motion to refer to the Rules & Procedures Committee which was duly seconded.
  Discussion: None
  A roll call vote was taken with results recorded as follows:
  Fitzgibbons – YEA; Colombotos – YEA; Sousa – YEA; Rushton – YEA; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 9-0.
- Order O-FY21-010: Assessment of Cost of Public Improvement – First Street
  Motion: Councilor Fitzgibbons made a motion to refer to Budget & Finance and Finance Committees which was duly seconded.
  Discussion: Mr. Dutton provided a brief explanation of the order.
  A roll call vote was taken with results recorded as follows:
  Gallagher – YEA; Losche – YEA; Chase – YEA; Wood – YEA; George – YEA; Rushton – YEA; Sousa – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 9-0.
- Order O-FY21-011: Protect WWI Memorial
  Councilor Wood is suggesting a temporary barrier to protect from traffic. The memorial is totally unprotected now. Mr. Gallagher expressed concern that the cost of a temporary fix may be more than fixing it long term. Councilor Rushton agrees with Councilor Gallagher. It has to be repaired.
  Motion: Councilor Fitzgibbons made a motion to send to the Public Safety Committee which was duly seconded.
  Discussion: None
  A roll call vote was taken with results recorded as follows:
  Fitzgibbons – YEA; Colombotos – YEA; Sousa – YEA; Rushton – YEA; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 9-0.
- Order O-FY21-012: WWI Guardrail/Flagpole Repair
  Councilor Gallagher explained he would like to see the guardrail repaired to its original condition prior to the accident. He is not sure what happened to flagpole but would also like to see that repaired.
  Motion: Councilor Fitzgibbons made a motion refer to Budget & Finance and Finance Committees with instructions for the Town Manager to provide cost estimates, which was duly seconded.
  Discussion: None
  A roll call vote was taken with results recorded as follows:
  Gallagher – YEA; Losche – YEA; Chase – YEA; Wood – YEA; George – YEA; Rushton – YEA; Sousa – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 9-0.

- Resolution FY21-001: A Resolution Supporting First Responders
  Councilor Fitzgibbons briefly explained the resolution and thanked the President for including it on the agenda.
  Councilor Rushton noted he would like to co-sponsor this legislation.
  Motion: Councilor Fitzgibbons made a motion to bring back on the next Council agenda which was duly seconded.
  Discussion: None
  A roll call vote was taken with results recorded as follows:
  Fitzgibbons – YEA; Colombotos – YEA; Sousa – YEA; Rushton – YEA; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 9-0.

CITIZEN COMMENTS

- Sam Baumgarten, 60 Short Street: Mr. Baumgarten thanked Councilor Gallagher for bringing up the idea of a committee. He is hoping the committee will look at the things asked by BCCR. Mr. Baumgarten further hopes it is a robust committee. Finally, he requests the Town Council buy into the pledge. He thinks it's important that they make that step.
- Cleonie Mainvielle, Curve Street: Ms. Mainvielle thanked Councilor Gallagher stating she appreciates all Council members supporting the committee.

COUNCIL COMMENTS

- Councilor Gallagher: None
- Councilor Losche: None
- Councilor Chase: None
- Councilor Wood: None
- Councilor Rushton: Mr. Rushton appreciates the school administrators, staff and parents for answering survey questions.
- Councilor Sousa: None
- Councilor Colombotos: None
- Councilor Fitzgibbons: Thanked President George for running a great Zoom meeting, stating he appreciates all his Council colleagues.
- Councilor George: At the September meeting he will do formal announcement for the District 5 Councilor. There is an opening on the Charter Review Committee. He is asking residents to reach out to him if interested.

EXECUTIVE SESSION – *No Executive Session was held.*

ADJOURNMENT

Motion: Councilor Losche made a motion to adjourn which was duly seconded.
A roll call vote was taken with results recorded as follows:
Gallagher – YEA; Losche – YEA; Chase – YEA; Wood – YEA; George – YEA; Rushton – YEA; Sousa – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 9-0.

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, September 8, 2020, to approve the aforementioned minutes, as submitted by a Roll Call vote (8-0) (Councilor Colombotos not present).
A TRUE COPY ATTEST:

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Ann M. Holmberg
Town Council Clerk