



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, August 6, 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 August 6, 2019 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Fred Chase, William Wood, Shawn George, Dennis Gallagher, Matthew Rushton, , Peter Colombotos (7:39 p.m.) and Timothy Fitzgibbons. Town Manager Michael Dutton and Town Attorney Jason Rawlins were also present.

ABSENT:

- Councilor Aisha Losche
- Councilor Frank Sousa

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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

President Gallagher reminded all that the meeting is being aired live and recorded.

APPROVAL OF MINUTES

- July 9, 2019

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

Discussion: None

A voice vote was taken, and the motion passed 6-0.

ANNOUNCEMENTS FROM THE PRESIDENT

PROCLAMATIONS

President Gallagher presented a proclamation for Michael Mischley.

CITIZENS OPEN FORUM

- David Moore, 54 Flagg ST: Abutter to state property on Flagg Street. Worked on Rainbow's end when it was built. Very upset with the process and the sad shape of many pieces of town property. Learned of Jenny Leonard Park, built in 1980 by members of the town. Asked for public hearing on the demise of Rainbow's end, how it happened and how it could have been prevented. Spoke about the state of other playgrounds around town.

APPOINTMENTS

- Library Board of Trustees - Matthew Gerritson

Mr. Dutton explained this is filling and elected position vacancy. When there is a vacancy, the Trustees have 30 days to fill the vacancy and the Town Council needs to ratify the appointment. Typically, the person with the second highest number of votes is selected to fill the vacancy.

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

Discussion: At Councilor Fitzgibbons' request, Mr. Dutton confirmed the Library Board of Trustees met, voted and made the recommendation to the Council.

A voice vote was taken, and the motion passed 7-0.

HEARINGS

LICENSE TRANSACTIONS

- Petition P-2019-012: Transfer of Common Victualler License from Papa Gino's Inc. to New England Authentic Eats LLC (DBA Papa Gino's)

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

Discussion: None

A voice vote was taken, and the motion passed 7-0.

- Petition P-2019-013: Auto Amusement License - New England Authentic Eats LLC., DBA Papa Gino's



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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 7-0.

- Petition P-2019-014: One Day Entertainment License - Resident Block Party - Park Avenue

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

Discussion: At Councilor Fitzgibbons request, Mr. Dutton confirmed Public Safety weighed in on this request.

A voice vote was taken, and the motion passed 7-0.

- Petition P-2019-015: Change of Manager - 99 Restaurants of Boston, LLC

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 7-0.

- Petition P-2019-016: Change of Manager - Cumberland Farms of Massachusetts

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

Discussion: At Councilor Wood's request, Mr. Dutton clarified this petition is for the Pleasant Street location.

A voice vote was taken, and the motion passed 7-0.

- Petition P-2019-017: New Common Victualler's License - Edi's Pizzeria

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

Discussion: Mr. Dutton explained this is the former Campus Pizza location.

A voice vote was taken, and the motion passed 7-0.

PRESENTATIONS

- 80 Spring Street – Sandra Wright & Hope for Heroes

Sandra Wright came forward explained they would like that lot of land to build a 10-bedroom home for Veterans. Jeremiah Sullivan came forward and spoke about the property. Has done some work with Larry Silva about the property and provided the layout (included in materials). Mr. Sullivan spoke about the work that's been put into the potential project.

Questions:

- President Gallagher asked; who is "Hope for Heroes"? Mrs. Wright responded- she is. She created the 501C. They have been in existence about a year and a half and is not involved in the government program. President Gallagher stated; he loves the concept but doesn't think that's the right location. Mrs. Wright cited several reasons why it is a good location and why she chose that location.
- Councilor Rushton asked what they need from the town? Mrs. Wright responded; they are not sure yet. It's hard to solicit funding from the state and private investors without having a location.
- Councilor Colombotos asked the Town Manager; when the town owns land can we just give it? Or is there a RFP process? Mr. Dutton responded; state law is very particular and follows a specific procurement process. You can define what type of entity you want to sell it to, but still have to go through procurement.

Discussion continued as Councilors asked questions of Mrs. Wright about the strategy, what she was hoping to get from the town, the plans for funding sources. Councilor Colombotos suggested referring to the Downtown Revitalization Plan which cites this property as one of the five areas for redevelopment and suggested; it may make sense to wait until fall when we get the results from comprehensive study.

- Mitchell School Building Committee Report - Owner's Project Manager Shane Nolan, Daedalus Inc
John Gerrish, Chair of School Building Committee came forward and spoke about the committee makeup and process through MSBA.



OPM, Shane Nolan came forward and offered a presentation, beginning with a recap on the project timeline to date. Mr. Nolan then spoke about the schematic design "New Construction" "C6.1" and outlined the benefits to the new construction choice and the educational spaces.

Gene Raymond, Engineer, came forward and provided detail on the proposed building, pointing out the ground floor is great community space as it is separate from the academic floors with a separate entrance. He then spoke about each floor highlighting specific features. Mr. Raymond then spoke about the outdoor space noting improvements in the number of parking spaces. He also stated there will be a separate entrance for busses and has gone over this with public safety. At Councilor Rushton's request, Mr. Raymond spoke about; speed tables and signage as safety features getting by the Senior Center. He then confirmed the basketball court is a subsidized expense. Mr. Nolan then spoke about the estimated project costs totaling \$80,600.00, with the anticipated town's share being \$46,771,887. He spoke about the reimbursement rate and the rate/square foot and walked through the MSBA policy for project approval. "In order for the MSBA to enter into a project funding agreement with the district the district must secure local authorization and funding within 120 days of the MSBA Board vote."

Councilor Wood requested a list of ineligible costs.

Councilors then asked questions related to the project and information presented. The question was asked what happens if we don't vote for the project. Mr. Raymond responded; it will likely result in the school district being required to submit a new SOI and await invitation. Mr. Raymond outlined the construction schedule, noting they would want to demolish the building before going out to bid for the general contract. Mr. Raymond stated; to have renovated the existing building, you would have had to remove the roof. The air quality is also an issue.

TOWN MANAGER'S REPORT

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

- Update on Town Website
Mr. Dutton stated; based on comments and three-year review; the town will be staying with the current vendor but will be doing a full site redesign in March which will include an electronic survey. The ultimate goal would be to make the website a one stop shop. The IT Director advised that changes can be made to the front page of the website in the linking to other items. Councilor Wood stated; there are important documents out there like Admin Code and Zoning Ordinances which should be made more user friendly.
- Condition of Hayward Street
Councilor Wood read a letter from a neighbor on Hayward Street for the record (included at end of document). Mr. Dutton stated the Water & Sewer Superintendent has ordered the contractor to come back before payment. They should be back next week (weather permitting) to patch and overlay. Mr. Dutton spoke briefly about the "low bidder" comments noting the contractor is known to do good work in other towns.
- Items for Next Meeting:
 - Councilor Wood requested an item on discolored water.
 - Mr. Dutton added; he will have more robust items in future.

DISCUSSIONS

- Standing Discussion Item(s):
 - i. Mitchell School Building Update
No discussion due to previous presentation.
- Update on Rainbow's End
Councilor Chase explained; recently the Rainbow's End playground was dismantled, yet the debris remains, which he learned of on the way to the last council meeting.



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Mr. Dutton explained; prior to 2005, the Town received a report from a BSU Professor who had done some testing work as part of a research project. He believes that report began the debate. In 2015 the Board of Health asked Mr. Dutton to dismantle Rainbow's End based on the chemical issues. The problem is; the control of the property is a matter of debate. Previously, the Council asked Mr. Dutton to resolve the issue, which we were able to do after speaking with DOC and BYSA. DOC provided the demolition service. BYSA was happy to see it go as it's use was not encouraged. We will do the testing on the remaining soil once the debris is moved out, which is scheduled for Monday or Tuesday. Councilor Chase noted; one of the concerns was the public felt uninformed. It was also believed that the Town was to take up the maintenance. Discussion followed as Councilors asked questions relative to the ownership of the property and the authority to move forward with soil testing and consideration of future plans. Mr. Dutton advised the Town has committed to do the soil testing. In 2015 the Town put up signs notifying it would be closed; but they were torn down. President Gallagher suggested; once the soil is tested; maybe someone will put forward an order to rebuild if that's what people want. Councilor George noted his preference that give the community choices on what is done with the property if the DOC is agreeable. Mr. Dutton advised; they're generally flexible. If the Council wanted to rebuild something they would probably entertain it, however before we recommend going that route we need to clearly understand who controls the land. Councilor Wood pointed out there is a Parks and Recreation commission as outlined in Administrative Code; The Council can support by funding the Parks and Recreation Department. Finally, Councilor Colombotos suggested the matter really should be remanded to the Parks & Recreation Commission. It was requested this item be put on the agenda for next time to discuss next steps with ground testing.

- Recording Committee Meetings

Councilor Gallagher stated he doesn't think it's right that we are responsible for recording or televising meetings. He spoke with Jeff Fowler at BTV. If BTV can provide the staff, they will. Mr. Gallagher will probably propose an ordinance to clarify.

- Bridgewater Police 5K Challenge

President Gallagher announced; he and Councilor Losche and Councilor Gallagher both running. Friendly bet on who will win. Encourage councilors to place a friendly bet – proceeds go to charity. Vest a Dog.

- Town Manager Goals

Mr. Dutton spoke about each goal as outlined in document included with materials. It was briefly discussed; if there are any recommendations that can be sent to committee. Councilor Wood reminded all that there is an order in the committee.

SUBCOMMITTEE REPORTS:

- Budget & Finance: Committee Chair Wood stated the Budget & Finance Committee had a workshop with school finance team. It was a healthy discussion on revenue projections. They will be meeting again next Tuesday night. There will be a third one where we will go over capital items. Councilor George expressed his frustration that Raynham not invited. Councilor Wood explained the purpose of the meeting was to better understand the revenue projections for Bridgewater. President Gallagher stated he thinks the meeting was very constructive but would like to include Raynham. Councilor Wood stated the intent is to expand the audience in the fall. Discussion continued around when to invite Raynham to the meetings and the value.

Motion: A motion to take agenda item L: Legislation for Action after 10:30 p.m. was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.

A voice vote was taken, and the motion passed 7-0.

LEGISLATION FOR ACTION

No items under Legislation for Action taken up as no Finance Committee dispositions were available.

- Order O-FY20-011: Contract Ratification - United Steel Workers
- Order O-FY20-012: Contract Ratification - Firefighters Association
- Order O-FY20-013: Contract Ratification - Bridgewater Administrative Association

Motion: A motion to take up agenda item M: Old Business after 10:30 p.m. was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wood.



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A voice vote was taken, and the motion passed 7-0.

OLD BUSINESS

- Ordinance D-FY20-001: General Ordinance - Stormwater Ordinance
President Gallagher read the committee dispositions.

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

Discussion:

A voice vote was taken, and the motion passed 7-0.

Motion: A motion to take up agenda item N: New Business after 10:30 p.m. was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.

A voice vote was taken, and the motion passed 7-0.

NEW BUSINESS

- Order O-FY20-014: Transfer Order - High Street Dam & Bridge Preliminary Work

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

Discussion: None

A voice vote was taken, and the motion passed 7-0.

- Order O-FY20-015: Acceptance of a Gift - Bridgewater State University

Motion: A motion to refer to Budget & Finance and Finance Committees was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.

A voice vote was taken, and the motion passed 7-0.

- Order O-FY20-016: Acceptance of a Gift - Massachusetts State Historical Records Advisory Board

Motion: A motion to refer to Budget & Finance and Finance Committees was made by Councilor Fitzgibbons. The motion was seconded by Councilor Chase.

A voice vote was taken, and the motion passed 7-0.

- Order O-FY20-017: Loan Order – Mitchell Elementary School Project

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

Discussion: Councilor Wood stated his opinion that he finds the reimbursement rate misleading. Mr. Dutton responded; it's language required by MSBA. President Gallagher directed the Council Clerk to schedule a hearing for 9/3/19.

A voice vote was taken, and the motion passed 7-0.

- Order O-FY20-018: 2019 Special Election Warrant – October 19, 2019

Councilor Wood asked why the amount is not included in question. Mr. Dutton responded; ballot questions never include numbers, but it does not preclude us from putting in an informational item. Mr. Dutton then stated the date is up to the Town Council. If a date is voted 9/3, it will give the Town Clerk more than the 35 days required. He does not recommend Columbus Day weekend, Veterans Day weekend or the weekend the time changes.

- Resolution R-FY20-001: Supporting Plymouth County Sheriff's Department "The Farm" Petting Zoo and Horticultural Center

President Gallagher explained he is the sponsor of this Resolution and outlined his reasoning. He read the Resolution for the record.

Motion: A motion to take up agenda item O: Citizen Comments up after 10:30 p.m. was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.

A voice vote was taken, and the motion passed 7-0.

CITIZEN COMMENTS

- Sandra Wright, 150 East Street: Spoke about the Farm Resolution providing background information. The concerns are that if anyone gets hurt on the land it will cost the tax payer. They're asking him to come to the table and sign a contract and pay fair value.



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COUNCIL COMMENTS – *Not voted to be taken up after 10:30 p.m.*

EXECUTIVE SESSION – *No Executive Session was held.*

ADJOURNMENT

Motion: A motion to adjourn was made by Councilor Fitzgibbons. The motion was seconded by Councilor Chase. A voice vote was taken, and the motion passed 7-0.

The meeting adjourned at 10:46 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 3, 2019, to approve the aforementioned minutes, as submitted by a voice vote (6-0-1) (Councilor Sousa abstained, Councilors Losche and Colombotos not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk