



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 September 8, 2020 via Zoom©.

PRESENT:

Council members present via Zoom© were, Timothy Fitzgibbons, Peter Colombotos (joining at 7:13 p.m.), 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 all veterans who have passed including:

- John Kenney
- Robert Mackey
- Marvin Hiltz

President George made the following announcement: 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.

APPROVAL OF MINUTES

- August 4, 2020

Motion: Councilor Chase made a motion to approve which was duly seconded.

Discussion: None

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

Fitzgibbons – YEA; Colombotos – NOT PRESENT; Sousa – YEA; Rushton – YEA; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 8-0.

ANNOUNCEMENTS FROM THE PRESIDENT

- Charter Review Committee Vacancy
President George formally announced there was a vacancy on the Charter Review Committee and interested citizens should reach out to him and the Council Clerk by noon Friday.
- Intention to Fill District 5 Councilor Vacancy
President George briefly announced his intention to fill the current vacancy in District 5 and explained a vote of the Council is required. At Councilor Fitzgibbons request, Attorney Rawlins explained the D5 Vacancy existed as soon as Councilor Colombotos received five write in votes during the election when he was ineligible to run. Mr. Rawlins then explained the steps outlined in the Charter and why Mr. Colombotos has been eligible to serve as a hold over and the timeline and answered additional questions from Mr. Fitzgibbons relative to how a break in service would possibly affect Mr. Colombotos' ability to run in the next election. Councilor Wood raised a concern that there were other people on the ballot who were write ins and this would be ignoring the will of the people. Attorney Rawlins clarified; the will of the people was to vote for Mr. Colombotos who received five votes. If someone else had received two votes it would be a different story, but that didn't happen.

**7:13 p.m., Councilor Colombotos joined the meeting.*

Motion: Councilor Losche made a motion to move forward in filling the vacancy which was duly seconded.



Discussion: Councilor Fitzgibbons again confirmed with Attorney Rawlins that if Mr. Colombotos should break his service, he would be eligible to serve another 12 years.

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

Gallagher – YEA; Losche – YEA; Chase – YEA; Wood – NO; George – YEA; Rushton – YEA; Sousa – NO; Colombotos – YEA; Fitzgibbons - NO. The motion passed 6-3.

PROCLAMATIONS

CITIZENS OPEN FORUM

APPOINTMENTS

- Veteran's Council – Ronald Lembo (Reappointment)

Motion: Councilor Sousa made a motion to approve 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.

- Elder Affairs Commission - Mary Harding

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.

- Elder Affairs Commission - Robin Sherrick

Motion: Councilor Chase made a motion to approve 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.

HEARINGS - None

LICENSE TRANSACTIONS

- Petition P-2020-016: The Granting of a Common Victualler's License - Kabob House Brazilian Grill - 59 Broad Street
Mr. Dutton briefly explained the business and noted; it is good to see a new business opening in Town.

Motion: Councilor Wood made a motion to approve which was duly seconded.

Discussion: Councilors congratulated the business owners for opening during a pandemic.

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.

PRESENTATIONS

- Central Square Options – McMahon Associates

Mr. Dutton briefly explained the history of the downtown planning process and study that came out of it in 2014/2015. Mr. Dutton explained he believes they are prepared to recommend concept #2 and introduced Christi Apicella from McMahon Associates. Ms. Appicella introduced her colleague Jeff Bandini who would be speaking a little later. Ms. Appicella reviewed the presentation and results of survey and spoke about high crash areas. She outlined a summary of Central Square concept designs. Mr. Bandini outlined each concept touching on potential issues and potential opportunities for each. He focused on Concept 2, which is the one staff feels is most viable. Ms. Appicella spoke about next steps, suggesting obtaining a detailed survey.

Councilor Questions:



Several Councilors asked questions relative to the proposed concepts. Mr. Brandini answered questions about the possible parking configuration in downtown. Ms. Appicella answered questions about the proposed raised section of Central Square West. Councilor Colombotos asked if the potential relocation of the fire station had been factored in. Ms. Appicella confirmed that had not been factored in. Councilor Fitzgibbons asked several questions. He pointed out they would have to look at a potential traffic signal for Grove Street. Mr. Bandini confirmed Grove Street had been looked at in the Road Safety Audit (RSA) and there were recommendations for improvements.

- Committee Presentation – Energy Committee

Mr. Dutton introduced the Energy Committee presentation being offered by Dr. Carlton Hunt, Committee Chair. Mr. Dutton noted there is a need for volunteers on the Energy Committee. Dr. Hunt walked through the history of the Energy Committee since its inception in 2008 and spoke about the four major focuses since creation: Green Communities, Alternative Energy, Advocate for alternative energy assessment and planning for electric vehicle wave. Dr. Hunt detailed overall energy use by category from FY09 – FY20. He then outlined trends in various areas of town. He provided an update on Green Communities and the Municipal Solar Energy (Fireworks Circle). Finally, Dr. Hunt outlined needs for the future.

Councilor Wood asked what the difference is between the solar project at BSU vs. the Golf Course? Mr. Dutton responded we did an RFP for a solar array at Golf Course. By the time bids came back, the incentives were gone.

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 is largely completed and will wrap up shortly. 100% design drawings will be completed between now and October, then gets reviewed by MSBA and goes out to bid October/November timeframe. Construction design to begin in December with a goal of July 2022 completion and September 2022 occupancy. School Building Committee meetings are on Zoom. All information can be found at www.bridgewaterschoolproject.com. At Councilor Fitzgibbons request, Mr. Dutton confirmed the project is on time and on budget. The demolition was completed under budget. That money remains in the total project budget.

- FY21 Revenue vs. Budget (Standing Item)

It's a little too early to draw tight conclusions based on revenue so far. State has extended payment and reporting for meals/lodging taxes. We won't have those numbers until after September 20th. Mr. Dutton spoke briefly about real estate taxes and the breakout of where the payments come from. Golf revenues are good. We are operating under the assumption that the state will continue to fund Chapter 70 and Local Aide at the same levels as FY20. Councilor Fitzgibbons urged Mr. Dutton to work closely with Superintendent on enrollment, which will be a big key on 9/1.

- COVID-19 Update

In terms of cases, the Town has been tracking fairly well over the last month, but over the last week has seen an increase in cases, including employees. Mr. Dutton updated the Council on FEMA reimbursement received in the amount of \$250,000 and CARES Act reimbursement requests, noting there will be a significant application for CARES Act reimbursement in the near future covering technology needs. Mr. Dutton highlighted a technology initiative between the Senior Center and Library. He spoke about reopening Town Buildings to the public, citing the challenge being the Governors orders on capacity limits. Mr. Dutton updated the Council on efforts of the Police Department and Health Agent to work closely with BSU speaking specifically about off campus house parties over the Labor Day weekend and BSU's zero tolerance policy noting those students face disciplinary action. Mr. Dutton answered questions from Councilors, speaking specifically about re-opening the Town Hall to the public. He explained, once we reopen, we have to track who come in, he noted the Town is also trying to be



sensitive to who are in a high-risk category. Councilor Gallagher requested an update for the next meeting on plans for early voting for November election. President George impress on Mr. Dutton the importance of getting the applications in. Finally, President George spoke about needing technology for the Council to transition into in-person meetings.

- **Update on Broad Street Project**
Mr. Dutton stated, the developer has submitted the required plans to CED office and the plans are out to Departments for comments. The hearing is scheduled for 9/16. Abutter's notices were checked twice and sent. At this time there are no very serious outstanding issues. Councilor Wood thanked Jennifer Burke and staff for working through this.
- **Academy Building – Schedule and Type of Maintenance Being Done**
Mr. Dutton outlined a detailed list of scheduled maintenance taking place for the Academy Building.
- **Update on Underbrush at the Nip**
Mr. Dutton explained, the Highway Department cut back a lot of the underbrush by the boat launch at the Nip at the request of the Police Department based on safety issues. The issue came up at the Conservation Commission and we now have a plan for replanting that is better suited to the weather season.
- **Update on Memorial Building Rehabilitation**
The Town has submitted a variance request for two bathrooms, noting it has been hard to get in touch with the plumbing board. Mr. Dutton met with Ad Hoc committee today. They brought up the need for record storage and ramp access. We need to provide specific instructions to the Architect by end of September. At Councilor Gallagher's request, Mr. Dutton explained the purpose for use of the building is designed to hold six people – essentially the DPW. There is nothing precluding using the building for a different use in the future. They then spoke about parking. Councilor Gallagher noted he doesn't feel that building is the right place for that department. He would like to see it use for historical collection.
- **Update on Comprehensive Planning Project**
The committee (also known as Master Plan) has been meeting monthly, working towards completion of the first phase by mid-November, with a public forum scheduled for November 16th. Will advertise public form as much as possible.

DISCUSSIONS - None

SUBCOMMITTEE REPORTS:

- **Rules & Procedures:** Committee Char, George spoke about the disposition relative to • Ordinance D-FY21-001: General Ordinance - New Regular Agenda Item "Finance Committee Report", explaining the committee feels there is a standing financial agenda item under Town Manager's Report. They also felt the committee can reach out at any time to come to a Council meeting. Councilors Colombotos and Sousa agreed.
- **Public Safety Committee:** Committee Chair Rushton reported; the Committee felt it was important to protect the monument from future damage. Voted to recommend the approval of Order O-FY21-011.

LEGISLATION FOR ACTION

- **Order O-FY21-010: Assessment of Cost of Public Improvement – First Street**
President George read the committee dispositions.
Motion: Councilor Sousa made a motion to approve 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-FY21-011: Protect WWI Memorial**



President George read the order history and committee dispositions.

Motion: Councilor Wood made a motion to approve which was duly seconded.

Discussion: Councilor Gallagher stated he put order #012. He has been trying to get this repaired for a year now. Mr. Gallagher stated his opinion that what's been placed there now is a bigger public safety issue than if they weren't there. Attorney Rawlins raised a point of order and offered his opinion that the order isn't appropriate under the Charter, citing maintenance of Town property is explicitly listed as a duty of the Town Manager.

Motion: Councilor Chase made a motion to table which was duly seconded.

Discussion: Discussion continued as the Councilors asked questions relative to the Charter and how it precludes the Council from directing the Town Manager.

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

Gallagher – NO; Losche – NO; Chase – YEA; Wood – NO; George – YEA; Rushton – YEA; Sousa – NO; Colombotos – NO; Fitzgibbons - YEA. The motion failed 4-5.

Discussion (cont'd on main motion): Councilor Fitzgibbons asked if the order would be appropriate as a Resolution? Attorney Rawlins agreed it would be. Councilor Wood, as the sponsor, withdrew the order.

- Order O-FY21-012: WWI Guardrail/Flagpole Repair

President George read the legislation history and committee dispositions.

Councilor Gallagher explained this should be an appropriation order. The Finance Director has attending the Budget & Finance Committee meeting and suggested an amount of \$30,000. Based on the previous discussion, Mr. Dutton suggested the Council postpone this matter to the next meeting and an amendment will be offered at the next meeting.

- Resolution FY21-001: A Resolution Supporting First Responders

Motion: Councilor Fitzgibbons made a motion to approve which was duly seconded.

Discussion:

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.

OLD BUSINESS

- Ordinance D-FY20-009: General Ordinance - Amend Administrative Code Article II, Section I (B) and Article III, Section I (I)

Motion: Councilor Sousa made a motion to approve as amended which was duly seconded.

Discussion: Councilor Gallagher reminded all of the intent behind the ordinance.

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.

Motion: Councilor Fitzgibbons made a motion to send to advertising 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.

- Ordinance D-FY21-001: General Ordinance - New Regular Agenda Item "Finance Committee Report"
As the sponsor, Councilor Wood withdrew the measure.

- Ordinance D-FY21-002: General Ordinance - SFI Paperwork Reduction - Creation of a SFI Short Form

Motion: Councilor Wood made a motion to send to advertising 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.

NEW BUSINESS

- Order O-FY21-013: Creation of an Ad Hoc Committee for Community Diversity, Inclusion and Equity
Motion: Councilor Fitzgibbons made a motion to refer to the Rules & Procedures Committee which was duly seconded.
Discussion: Councilor Losche raised concerns about an ad hoc committee stating diversity is not a temporary fix. This needs to be a longer-term fix. Councilor Gallagher explained this committee will develop the criteria for a long-term committee and is not meant to be a permanent committee, but to help make recommendations for creation of a committee to be included in the Admin Code. Councilor Losche asked if the Town Manager couldn't just create an ad hoc committee, which he confirmed he could do. Councilor Rushton further explained; there is a six-month timeframe on this ad hoc committee. This was a way to include some of the folks on the different interested committees in town to have input.
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 – NO; Gallagher - YEA. The motion passed 8-1.
- Order O-FY21-014: Acceptance of CARES Act Reimbursement
Motion: Councilor Sousa made a motion to refer to the Budget & Finance and Finance Committees 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.
- Order O-FY21-015: Transfer Order - Cross Street Engineering
Motion: Councilor Fitzgibbons made a motion to refer to the Budget & Finance and Finance Committees 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 – YES; Gallagher - YEA. The motion passed 9-0.
- Order O-FY21-016: Laying Out and Acceptance of a Private Way - Auglis Way
Motion: Councilor Fitzgibbons made a motion to declare it is the Council's intention to lay out the way which was duly seconded.
Discussion: Councilor Rushton asked about the dates on the plans submitted. Attorney Rawlins confirmed the important part of the process is the "way" that's being taken, not the subdivision. Additionally, the plans are those that were approved by the Planning Board when the subdivision was approved.
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.
Motion: Councilor Fitzgibbons made a motion to refer to the Planning Board 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 – YES; Gallagher - YEA. The motion passed 9-0.
- Order O-FY21-017: Transfer Order - CPC Recommendation - Central Square Congregational Church
Motion: Councilor Fitzgibbons made a motion to refer to the Budget & Finance and Finance Committees which was duly seconded.
Discussion: None



Town of Bridgewater
Town Council Meeting – Virtual Via Zoom©
Meeting Minutes
Tuesday, September 8, 2020

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.

CITIZEN COMMENTS

- Carlton Hunt, Austin Street: Dr. Hunt expressed his displeasure over comments earlier in the evening that Councilors and the Town Manager would suggest citizens lobby the planning board on the Broad Street project. Dr. Hunt does not agree that the project meets the zoning standards.

COUNCIL COMMENTS

- Councilor Fitzgibbons: No comments
- Councilor Colombotos: Thinks Dr. Hunt makes a good point. It seems the suggestion to lobby Planning Board blindly seems misguided. We do want to encourage development of downtown but want to protect the Town's interest.
- Councilor Sousa: No comments
- Councilor Rushton: No comments
- Councilor Wood: Mr. Wood thinks we're on a low point on the election cycles. No-one took out papers for District 5. We are going through a huge effort to replace Councilor Colombotos when no-one else has expressed an interest.
- Councilor Chase: No comments
- Councilor Losche: To be crystal clear; the importance of the committee and the value. We will need some professional guidance. Mrs. Losche wants to make sure we're thinking of this for the long term and not something that's "nice to have". It's very important that her children grow up in an inclusive culture and this not be just a feather in someone's cap.
- Councilor Gallagher: No comments
- Councilor George: No comments.

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:

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

The meeting adjourned at 10:31 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 22, 2020, to approve the aforementioned minutes, as submitted by a Roll Call vote (9-0).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk