



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, September 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 September 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 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:

- Francis Bartholomeo
- Ronald Sironen
- Kevin Vaughan
- Frank Romano
- Joseph Schuster

APPROVAL OF MINUTES

- September 3, 2019

Councilor George pointed out an error with the vote recorded relative to the motion to table Resolution R-FY20-001: Supporting Plymouth County Sheriff's Department "The Farm" Petting Zoo and Horticultural Center.

Motion: A motion to postpone 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.

ANNOUNCEMENTS FROM THE PRESIDENT

- President Gallagher read updated information on EEE precautions.
- President Gallagher announced the Town has received a Green Communities Grant.
- President Gallagher announced the Mitchell School Building Committee Informational Meeting information for September 19th and October 3rd

PROCLAMATIONS

CITIZENS OPEN FORUM

- Sam Baumgarten, 60 Short Street: Thanked the Council for serving the Town and moving forward. Mr. Baumgarten spoke about events being sponsored by BCCR. He complimented Councilors and Town Manager for supporting the Bystander Training. Finally, Mr. Baumgarten announced he will be putting on the Kids Road Race again this year.
- Dr. Carlton Hunt, 80 Austin Street: Dr. Hunt thanked Elijah Romulus for his work on the Green Communities Grant, and also thanked the Town Manager for great work on the LED Lights Plan. He added; we have also received \$30-40K in National Grid Incentives to offset costs. Dr. Hunt would like a status update on the solar possibilities at the Golf Course for the next meeting under Town Manager Updates. Finally, thanked BSU for taking the initiative, offering the Senior College Program, giving the opportunity for life-long learning.

APPOINTMENTS - *None*



HEARINGS

- **7:40 p.m.:** Order O-FY20-014: Transfer Order - High Street Dam & Bridge Preliminary Work (*Continued from 9/3/19*)
President Gallagher re-opened the hearing at 7:46 p.m.
President Gallagher continued the hearing to October 1st pending disposition by Finance Committee.

LICENSE TRANSACTIONS

- Petition P-2019-020: Change of Manager – Bridgewater Citizen’s Club
Mr. Dutton explained; this is a simple change of manager and encouraged the Council to support.
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.
- Petition P-2019-022: Pledge of License – Wine, Beer and More
Mr. Dutton explained; this is also fairly routine, noting he would ask for the following amendment:
In the first “Whereas” statement after the word “year”, add “and a \$50,000 line of credit to lender,”
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.
Motion: A motion to amend as read by Town Manager was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.
Discussion (on amendment): None
A voice vote was taken, and the motion to amend passed 9-0.
Discussion (on main motion):
A voice vote was taken, and the motion to approve, as amended, passed 9-0.

PRESENTATIONS - None

Motion: A motion to take agenda item J: Discussions out of order was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.
A voice vote was taken, and the motion passed 9-0.

DISCUSSIONS (*Taken out of order.*)

- “The Farm” Petting Zoo – Plymouth County Sherriff McDonald
*7:49 p.m.: Councilor Rushton recused himself and left room.

Sherriff McDonald came forward handing out materials he brought with him. He then spoke about the history of the farm which has been there for over 200 years. Initially, it was his intention to save the it and maintain it as an inmate rehabilitation program. Approximately 1.5 – 2 years ago the Sherriff was approached by Plymouth 400 about doing the festival. Shortly thereafter, he received a demand for a lease payment by the Plymouth County Commission. In the beginning he tried to be very accommodating. The two issues were liability and they wanted some of the land for 4-H. The Sherriff spoke about the cost of the insurance. They were up to \$20,000/year in insurance. Regarding 4-H; he pointed out people should keep in mind it’s a correctional facility. He was willing to do \$20,000/year, but then he was told he owed \$200,000 in back payments. Then came the eviction notices. In 2015 the County put out an RFP to lease the land. However, there is a Conservation Restriction. Finally, Sherriff McDonald advised; our last best offer was rejected by the County today.

Councilor Questions:

President Gallagher stated he presented a resolution to the Council a couple of weeks ago supporting the efforts of what you do; and encouraged continued negotiations. He feels Bridgewater has a vested interest as we pay County Taxes.

Councilor Wood stated; it sounds like this matter is headed towards a court and he is not sure why Bridgewater would want to get involved – even though it sounds like a great place.

Councilor George pointed out; the resolution doesn’t advocate for either side.



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- Consideration to “Take From the Table”: Resolution R-FY20-001: Supporting Plymouth County Sherriff’s Department “The Farm” Petting Zoo and Horticultural Center

Motion: A motion to take Resolution FY20-001: Supporting Plymouth County Sherriff’s Department “The Farm” Petting Zoo and Horticultural Center from the table was made by Councilor George. The motion was seconded by Councilor Chase.

Discussion: Councilor Losche stated she feels this is a slippery slope and not a good use of the Council’s time. She asked the Town Manager what power this has to change things. Mr. Dutton responded; the Council has every right to voice support, but the Council has no role. Councilor Losche does not support taking from table. After verifying the process with the Town Attorney, Councilor Wood agreed with Councilor Losche stating; it sounds like a great place, but the Resolution won’t have any real impact. Discussion continued as Councilors offered opinions. President Gallagher noted; if it voted to take it from the table, the legislation will come back before the Council. It does not get voted tonight. Councilor George has heard we shouldn’t get involved in the County business, but pointed out; we elect them, we pay taxes, so he thinks we are well within our right to consider it.

Motion: A motion to move the question was made by Councilor Losche. The motion was seconded by Councilor Fitzgibbons.

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

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

Sousa – YEA; Chase – YEA; Wood – NO; George – YEA; Gallagher – YEA; Rushton – RECUSED; Losche – NO; Colombotos - NO; Fitzgibbons - NO. The motion to take Resolution R-FY20-001 from the table failed 4-4.

**8:31 p.m. Councilor Rushton returned*

- Recreation Maintenance Plan

President Gallagher explained he and Councilor Chase held an information session on Rainbow’s End. During meeting, people asked why have recreation areas if there is no recreation maintenance plan. Councilor Chase added; there was a general sense of resignation due to frustration. There seems to be no plan, accountability or funding for maintenance. Councilor Fitzgibbons pointed out he had put forward an order to maintain academy building but understands that’s part of a larger plan that needs to make sense. This is a bigger issue than recreation. If we want to build up a full recreation plan, it’ll take a prop 2 1/2 override. President Gallagher pointed out that for three fiscal years in a row, the Council has approved a maintenance person to be hired in this building, but one hasn’t been hired. We’ve also been trying to slowly add people to the DPW. Councilor Colombotos agreed, this is a bigger issue.

- October Meetings

President Gallagher stated he thinks it’s important for the Council to hold a special meeting after the October 19th vote to see what the plan would be going forward. He was thinking either 10/22 or 10/29. Discussion followed briefly and Mr. Dutton advised; in the event of a “yes” vote he doesn’t anticipate the need to meet and if it was a “No” vote he would be looking for an appropriation. October 29th was suggested as the date. President Gallagher called a Special Town Council Meeting on 10/29 at 7:30 p.m. for the purposes of discussing the election results and next steps.

- Crosswalk at Plymouth Street/Hale Street

Councilor Wood explained; around 8:00 a.m. the traffic backs up – all the way down Spring Street and onto Broad Street. He thought maybe the Town could ask BSU to provide crossing guard. Councilor Rushton noted; the university usually picks up the cost for the detail at the beginning of school, but the real issue is the volume of traffic and timing of the lights. Mr. Dutton reminded the Council that the Town is in the middle of doing a highway safety audit for Central Square and are in the middle of doing an analysis of the light system. We have had some informal communications with the University about a foot bridge as a long-term solution. Councilor Colombotos offered; another long-term solution could be to swap the MBTA Parking Lot.



**Return to regular order of business (Town Manager Report)*

TOWN MANAGER'S REPORT

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events including:

- **Mitchell School Update**
Election is 10/19. It is a debt exclusion election. It will determine whether or not the town moves forward with the demolition of the old building and construction of a new building. Mr. Dutton clarified the notion that there are options. The MSBC and MSBA approved the new building option, that's why it is on the ballot. He encouraged all to review the information available at www.bridgewaterschoolproject.com.
The vote will be at the Old High School, on Mt. Prospect Street from 7am – 8pm. Councilor Wood asked; why there is no solar on this building? Mr. Dutton's understanding is; the building didn't qualify for grant funding for it. The Town would have to absorb the entire cost.
- **Rainbow's End**
 - **Soil Test Results**
Mr. Dutton stated; the soil has not been tested yet. It will probably be another 30 days before that happens.
 - **Lease Agreement Relationship**
Mr. Dutton walked through the history stating; there was a lease signed by BYSA in 1978 which automatically renews every seven years. The area of that lease is the same area that the state now licenses to the Town every five years. Councilors Gallagher and Chase spoke information shared at the information session held. Councilor Chase pointed out in the Comprehensive Master Plan from 2002 there is a reference to Rainbow's End coming under the authority of Parks and Recreation. Finally, Mr. Dutton stated he met with Parks and Recreation Commission last night and has asked them to review the recreational (playground) needs and what they would need from the Council.
- **Upcoming Street Repairs – Flagg Street**
Mr. Dutton showed a video demonstrating the issues on Flagg Street. He explained; there is about 1500-1700 feet of drainage that needs to be addressed immediately on Flagg Street. The top of the drainage is rotting and the vibration from the cars above cause debris to drop into the pipes.
Councilor Rushton asked how this road became a priority and why is it more of a priority than Cross Street? Mr. Dutton responded; the road issues aren't only what you see on the surface. In terms of Flagg Street, we risk total road failure because of the drainage. Cross Street will require a combination of funding sources and doesn't have drainage. Cross Street will be a big project but one we all agree needs to be done. At Councilor Wood's request, Mr. Dutton explained; Flagg Street is not part of the calculation on the website for the debt exclusion. Cross Street tentatively would be a Capital item. The order will be approximately \$450,000.
- **Consultant/Project Update**
Mr. Dutton has updated the consultant list and will probably get that up on the website.
- **Goals**
Mr. Dutton gave a brief update on the following goals:
 - Fire Station
 - Memorial Building
 - School District
 - Broad Street and Elm Street
 - Create communication standard operating procedure
 - Language from Budget Resolution

Discussion briefly turned to where the Town Manager Goals order is in the process. Councilor Losche confirmed it was in committee, but the Town Manager was updating from the list of goals reviewed by the Council at a previous meeting.
- **Items for Next Meeting**



- Councilor Chase asked about the emergency notification protocol.

SUBCOMMITTEE REPORTS:

- Budget & Finance: Committee Chair Wood stated; the committee voted in favor of the water transfer order. The committee held the third workshop with School District, which focused on Capital Planning. Mr. Wood walked through a Capital Plan Project Pipeline report which outlined capital items. Mr. Wood stated there would probably be debt exclusions put before the voters over the next few years.

LEGISLATION FOR ACTION

- Order O-FY20-020: Transfer Order - Water Enterprise Transfers - Capital Special Purpose
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wood.
Discussion: Councilor Fitzgibbons noted Budget & Finance Committee and Finance Committee both recommended approval.
A roll call vote was taken with results recorded as follows:
Fitzgibbons – YEA; Colombotos – YEA; Losche – YEA; Rushton – YEA; Gallagher – YEA; George – YEA; Wood – YEA; Chase – YEA; Sousa - YEA. The motion passed 9-0
- Resolution R-FY20-002: Declaring the Town of Bridgewater, MA a Pollinator-Friendly Community
Motion: A motion to approve was made by Councilor Sousa. The motion was seconded by Councilor Chase.
Discussion:
A voice vote was taken, and the motion passed 9-0.
- Resolution R-FY20-003: Handicap Accessibility - Academy Building
Councilor Sousa briefly explained the purpose of the Resolution.
Motion: A motion to approve was made by Councilor Chase. The motion was seconded by Councilor Sousa.
Discussion: Councilors discussed whether the legislation should be an order. Councilor Sousa explained; the Town Manager has already begun looking into the matter. Mr. Dutton confirmed that was correct stating his office is waiting for pricing. At the Councilors request, Attorney Rawlins clarified; a Resolution is non-binding, however if it was to be changed to an order, it must go back through the process.
A voice vote was taken, and the motion passed 9-0.

OLD BUSINESS - None

NEW BUSINESS

- Order O-FY20-023: Loan Order – Community Septic Management Program (CSMP) Loans
Mr. Dutton explained this is for Title V loans for the tax payer.
Motion: A motion to refer to Budget & Finance and Finance Committees 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.
- Order O-FY20-024: Transfer Order – Capital Sewer Special Purpose Transfer
Mr. Dutton briefly explained; this is for the purchase of a new loader in the at the sewer treatment plant necessitated by age.
Motion: A motion to refer to Budget & Finance and Finance Committees 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.

CITIZEN COMMENTS - None

COUNCIL COMMENTS

- Councilor Fitzgibbons: Referenced the Capital Special Purpose transfer for water department and pointed out it is a very long process dealing with the state.
- Councilor Colombotos: No comments.
- Councilor Losche: Announced Cross Street is having a meeting at the Golf Course at 5pm. Reminded all to register to vote.



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- Councilor Rushton: No comments.
- Councilor George: No comments.
- Councilor Chase: No comments.
- Councilor Wood: Spoke about his opinion on the Mitchell School; stating, for him it comes down to the feasibility of renovation. He doesn't feel we've done a detailed analysis of what that would be. He needs to understand the true cost of the renovation.
- Councilor Sousa: Stated he is happy to see the Highway Dept was out trimming trees.
- Councilor Gallagher: Thinks important when Councilor hosts informational session that people attend.

EXECUTIVE SESSION – *No Executive Session was held*

ADJOURNMENT

Motion: A motion to adjourn was made by Councilor Losche. The motion was seconded by Councilor Fitzgibbons. A voice vote was taken, and the motion passed 9-0.

The meeting adjourned at 10:07 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 1, 2019, to approve the aforementioned minutes, as submitted by a voice vote (6-0) (Councilors Gallagher and Rushton absent, Councilor Colombotos not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk