



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 November 10, 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 Councilor were absent.*

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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

- Ronald Masselli
- Eugene Franciosi

President George announced: 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

- October 20, 2020

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:

Fitzgibbons – YEA; Colombotos – YEA; Sousa – YEA; Rushton – ABSTAIN; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 8-0-1

ANNOUNCEMENTS FROM THE PRESIDENT

PROCLAMATIONS

CITIZENS OPEN FORUM - *No citizen comments.*

APPOINTMENTS – *None*

HEARINGS

- 7:05 p.m.: Petition P-2020-019: Alteration of Premise to Class II Auto Dealer's License – 039 Auto Sales, Inc. 994 Bedford Street

President George re-opened the hearing at 7:05 p.m.

Motion: Councilor Fitzgibbons made a motion to continue to the next meeting 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.

Motion: Councilor Fitzgibbons made a motion to take agenda item "G: License Transactions" out of order 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.

LICENSE TRANSACTIONS (*Taken out of order*) – *None*

Motion: Councilor Fitzgibbons made a motion take agenda item H: Presentations out of order which was duly seconded.



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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 *(Taken out of order) - None*

Motion: Councilor Fitzgibbons made a motion to take agenda item J: Discussions out of order 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.

DISCUSSIONS *(Taken out of order) – None*

Motion: Councilor Wood made a motion take agenda item I: Town Manager's Report out of order which was duly seconded.

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

Gallagher – NO; Losche – YEA; Chase – YEA; Wood – YEA; George – YEA; Rushton – YEA; Sousa – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 9-0.

TOWN MANAGER'S REPORT *(Taken out of order)*

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)**
Mr. Dutton provided a brief update on the Mitchell School Building progress, noting the next meeting is 12/7 at 5:30 p.m. That's an important meeting where the bids will be reviewed and likely award the bid. The project is still on time and on budget. Mr. Dutton confirmed the state stays involved during the construction project. Councilor Wood asked about a time capsule that may have been in the parking lot. Mr. Dutton acknowledged there is a commemorative tree and stone, but not aware of a time capsule. Councilor Losche asked about matrix related to diversity for the bids. Mr. Dutton confirmed there are very specific matrix.
 - **COVID-19 Update**
The town seems to be holding steady at 8-10 cases/week. He spoke about the testing and cases at BSU and the DOC. The town is currently in the yellow. Town Hall is open to the public but offered a word of caution. We are juggling an assortment of staff accommodations, which can limit the number of staff in the building. We have asked departments to have someone in the office but are asking for patience as there can be accommodations. People can still do their business electronically, and over the phone.
Mr. Dutton noted this meeting is virtual as there is some confusion around the Governor's last orders regarding the curfew.
 - **Rainbow's End Ground Test Results**
Mr. Dutton showed a grid of Rainbow's end which highlighted where levels of arsenic was found. He briefly explained the testing process and reporting thresholds and precautions taken. Mr. Dutton cautioned against drawing conclusions on remediation. It has been listed as immediate response action area. Mr. Dutton noted the DOC has been very easy to work with. Mr. Dutton confirmed it's too early to tell what the Town's liability and role will be in this. Councilor Fitzgibbons asked; what's the level of risk to soccer fields that about the land? Mr. Dutton responded; he has been told by the engineers that the arsenic will not migrate. It will stay in the soil. The only risk would be if people are walking around in it and it gets on their shoes. Councilor Fitzgibbons asked if well water ought to be fine? Mr. Dutton responded it ought to be fine, but it will be a conversation with the engineers. Councilor Colombotos asked who's liability it is? Mr. Dutton responded; it's too early to tell just yet, but based on conversation with DOC very optimistic they're very willing to step up and take the lead on remediation efforts.
 - **Items for Next Meeting:** No items were put forward
- HEARINGS (Continued)**
- 7:10 p.m.: Order O-FY21-020: General Fund Free Cash Allocation to Trust Funds
President George opened the hearing at 7:27 p.m.



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President George read committee dispositions.

Mr. Dutton briefly explained the order.

President George invited any questions from the public – None

President George asked if there was anyone speaking in favor - None

President George asked if there was anyone speaking in opposition - None

President George entertained any questions from councilors:

- At Councilor Fitzgibbons' request, Mr. Dutton explained the town's philosophy around free cash.

President George closed the hearing at 7:33 p.m.

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 – NO; Colombotos – YEA; Sousa – YEA; Rushton – YEA; George – YEA; Wood – YEA; Chase – YEA; Losche – YEA; Gallagher - YEA. The motion passed 8-1.

- 7:13 p.m.: Order O-FY21-021: Transfer Order - Police Department Capital Items

President George opened the hearing at 7:34 p.m.

President George read committee dispositions.

Mr. Dutton briefly explained the order and thanked Bristol-Plymouth Technical School for their help with the project.

President George invited any questions from the public – None

President George asked if there was anyone speaking in favor -None

President George asked if there was anyone speaking in opposition - None

President George entertained any questions from councilors:

- Councilor Colombotos asked what the process is when we do buildings on town property? Are fees waived? Mr. Dutton answered, yes, we waive fees for a town project, otherwise it's the same process.
- Councilor Wood asked if Mr. Dutton anticipated it being expanded later? Mr. Dutton responded he didn't expect to expend any more funds.

President George closed the hearing at 7:37 p.m.

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.

- 7:15 p.m.: Order O-FY21-022: Transfer Order - Senior Center Capital Transfer

President George opened the hearing at 7:38 p.m.

President George read committee dispositions

President George invited any questions from the public – None

President George asked if there was anyone speaking in favor - None

President George asked if there was anyone speaking in opposition - None

President George entertained any questions from councilors - None

President George closed the hearing at 7:40 p.m.

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:



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

- 7:18 p.m.: Order O-FY21-023: Transfer Order - Capital - Complete Streets Engineering
President George opened the hearing at 7:41 p.m.
President George read committee dispositions
Mr. Dutton briefly explained the order.
President George invited any questions from the public – None
President George asked if there was anyone speaking in favor - None
President George asked if there was anyone speaking in opposition - None
President George entertained any questions from councilors:
 - Councilor Wood asked if the outcome result in drawings or recommendations? Mr. Dutton responded; 100% engineered plans for street improvements throughout Broad Street and Main Street which can be used to bid and construct.
President George closed the hearing at 7:44 p.m.
Motion: Councilor Fitzgibbons made a motion to approve which was duly seconded.
Discussion: Councilor Colombotos asked where people might find information on Complete Streets program.
Mr. Dutton briefly explained the program and suggested people can reach out to him or Jennifer Burke, CED Director.
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.

SUBCOMMITTEE REPORTS:

- Review Committee: Committee Chair Losche provided a brief update on the Town Manager evaluation progress.

LEGISLATION FOR ACTION

- Order O-FY21-019: Acceptance of a Grant - Center for Tech and Civic Life COVID-19 Response Grant
President George read the committee dispositions.
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.

OLD BUSINESS

- Ordinance D-FY21-003: Zoning Ordinance - Zoning Map Amendment - Pleasant Street
Motion: Councilor Fitzgibbons made a motion to approve for discussion which was duly seconded.
Discussion: Councilor Colombotos stated, after speaking with chair of the Planning Board, he feels maybe the change doesn't give enough protection. He requested the measure be postponed.
Motion: Councilor Colombotos made a motion to postpone to the next meeting which was duly seconded.
Discussion: The Council discussed the proposed postponement as members of the CEDC expressed confusion as this action seemed to deviate from the vote of the committee and were unaware of any other conversation outside the meeting. Discussion continued as councilors raised questions and potential outcomes if additional changes are made. After input from the Town Attorney and Town Manager Councilor Colombotos withdrew his motion to postpone.
Motion: Councilor Wood made a motion to move back to Planning Board and Community & Economic Development Committee for a joint public hearing which was duly seconded.
Discussion: Councilor Rushton noted; he participated in the joint hearing and it seemed like everyone was onboard. He noted the Community & Economic Development Director was present and asked if she would provide some insight. Jennifer Burke, CED Director recapped the history and answered questions. Councilor Wood stated, he is not sure what the additional problems are as there were no comments during the hearing. He



thought the resolution with the amendment was a good one but agrees the Ordinance should be sent back and to have additional conversation.

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

Gallagher – YEA; Losche – NO; Chase – YEA; Wood – YEA; George – YEA; Rushton – YEA; Sousa – YEA; Colombotos – YEA; Fitzgibbons - YEA. The motion passed 8-1.

NEW BUSINESS

- Ordinance D-FY21-004: General Ordinance - Amend Section III "Council Meetings" of the Council Rules and Procedures

Councilor Wood briefly explained; this will regulate the total time of meetings, versus basing it on start time.

Motion: Councilor Fitzgibbons made a motion to approve for advertising and bring back at next meeting 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-FY21-024: Waive Annual Licensing Fees - 2021

Motion: Councilor Fitzgibbons made a motion to refer to Budget & Finance and Finance Committees which was duly seconded.

Discussion: Councilor Fitzgibbons explained, this is trying to help local businesses. Councilor Rushton added; the intent is to help small business owners. Councilor Losche asked if we tried this already? Attorney Rawlins responded, that was related to meals tax. Councilor Chase noted it would be useful to know what the loss of revenue would be to the Town.

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-FY21-025: FY2021 Classification Tax Allocation-Adoption of Residential Factor

Mr. Dutton briefly explained the order.

Motion: Councilor Fitzgibbons made a motion to refer to 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 – YEA; Gallagher - YEA. The motion passed 9-0.

- Resolution R-FY21-002: Town Council Meeting Dates - 2021

Motion: Councilor Fitzgibbons made a motion to keep this legislation at the Council level which was duly seconded.

Discussion: The Council briefly discussed whether the measure should be a Resolution or Ordinance. The Town Attorney confirmed it was sufficient as a Resolution.

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 R-FY21-003: FY2022 Budget Resolution

Councilor Wood provided a brief history on the Budget Resolution and explained he left the majority of the content blank so the Finance Committee and Budget & Finance Committee could complete the detail.

Motion: Councilor Fitzgibbons made a motion to refer to Budget & Finance and Finance Committees which was duly seconded.

Discussion:

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



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

- Resolution R-FY21-004: Early Voting Location Resolution

Councilor Wood provided a brief explanation on the Resolution.

Motion: Councilor Wood 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:

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 - None

COUNCIL COMMENTS

- Councilor Gallagher: Thanked the voters who voted in the election and the Town Clerk, her staff and all the volunteers. Mr. Gallagher spoke about Veteran's Day recognition on the common and at the Senior Center.
- Councilor Losche: Echoed Councilor Gallagher's comments around Veteran's Day and the election.
- Councilor Chase: Echoed previous Councilor's comments.
- Councilor Wood: Thanked Veteran's. He noted there is new damage to the common, which is why he wanted the blocks placed in front of the monument. Mr. Wood reminded all that with COVID-19; people need to be vigilant with masks, etc. He then updated all with the good news that the Lions will still set up holiday decorations on the common.
- Councilor Rushton: Supports all previous comments regarding the election. He hopes as a town we don't stop our diversity and equity efforts. Mr. Rushton thanked the Veterans who sit on Council and all throughout the town and nation.
- Councilor Sousa: Mr. Sousa volunteered during election and appreciates the Council recognizing the volunteers.
- Councilor Colombotos: Echoed previous Councilor comments.
- Councilor Fitzgibbons: Happy Birthday to the Marines. Mr. Fitzgibbons thanked all Veteran's.
- Councilor George: Thanked the Town Clerk and all volunteers and spoke about his experience voting. President George spoke about the launch of The Reunion Project and encouraged everyone to see the display on the common. Finally, Mr. George thanked all Veterans for their service.

EXECUTIVE SESSION – No Executive Session was held.

ADJOURNMENT

Motion: Councilor Fitzgibbons 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 8:48 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, November 24, 2020 to approve the aforementioned minutes, as submitted by a voice vote (8-0) (Councilors Sousa absent).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk