



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, December 18, 2018

CALL TO ORDER:

A quorum being duly present, Town Council President Edward Haley called the meeting of the Bridgewater Town Council to order at 7:30 pm, on December 18, 2018 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Francis Sousa, Peter Colombotos (arriving at 7:49 p.m.), William Wood, Dennis Gallagher, Edward Haley, Fred Chase, Shawn George, Aisha Losche, 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:

- David Bryant

**President Haley announced the meeting is being aired live and recorded.*

APPROVAL OF MINUTES

- December 4, 2018

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 8-0.

ANNOUNCEMENTS FROM THE PRESIDENT - None

PROCLAMATIONS - None

CITIZENS OPEN FORUM - None

APPOINTMENTS

- Zoning Board of Appeals – *Kevin Costa*

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

Discussion: Councilor Fitzgibbons thanked Mr. Costa for stepping forward.

A voice vote was taken and the motion passed 8-0.

HEARINGS -

- **7:35 p.m.:** Petition P-2018-021: Approval of License Transactions of Alcohol Licensee – The Nip, LLC
President Haley opened the hearing at 7:35 p.m.

Attorney Brian Hughes came forward explaining he is speaking on behalf of the Nip, LLC. change of liquor license manager and ownership change.

He addressed the change of manager item first stating they are going to appoint Brian Reed to the position and spoke on Mr. Reed's behalf. He then addressed the change of beneficial interest; explaining Ms. Carney wants to transfer her interest to Claremont LLC. Claremont LLC will control the other licenses. ABCC has already approved the ownership in Needham.

President Haley invited any questions from the public – None came forward.

President Haley asked if there was anyone speaking in favor - None came forward.

President Haley asked if there was anyone speaking in opposition - None came forward.

President Haley entertained any questions from councilors - No Council questions

President Haley closed the hearing at 7:41 p.m.



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Motion: A motion was made by Councilor Fitzgibbons to approve the change of manager. The motion was seconded by Councilor George.

Discussion: None

A voice vote was taken and the motion passed 8-0.

Motion: A motion was made by Councilor Fitzgibbons to approve the change of beneficial interest. The motion was seconded by Councilor Losche.

Discussion: None

A voice vote was taken and the motion passed 8-0.

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

Discussion: None

A voice vote was taken and the motion passed 8-0.

- **7:40 p.m.:** License Revocation Hearing – Patelsons, Inc. dba Skip's Liquors, 98-100 Plymouth Street, Bridgewater MA

President Haley read the pertinent part of the notification letter.

President Haley opened the hearing at 7:42 p.m.

President Haley invited Mr. Patel to come forward and explain the status of his corporation with the state and his comments on the violation:

Mr. Patel explained; after the last meeting he asked accountant. On December 7th, the corporation was reinstated by the Secretary of state. Mr. Patel showed the certificate (included in materials). Councilor Gallagher read the certificate out loud (copy with materials).

President Haley entertained any questions from councilors:

- Councilor Wood asked several questions about the certificate of good standing. Mr. Patel explained he has not received it yet. The accountant knew the business wasn't open, so didn't file it.
- Councilor Chase stated he saw that the corporation was revived and requested a copy of the certificate of good standing be available to the Council once received. He noted, in his opinion, the corporation issue has been cured.

President Haley asked the Licensee if he has any closing statements:

M. Patel stated he went today to acquire my business certificate from S. Solari, however Mr. Solari did not issue the certificate stating the DBA is only for sole proprietor, not corporation. Councilor Fitzgibbons noted; that topic is not relevant to this discussion.

President Haley closed the hearing at 7:49 p.m.

Councilors Comments:

- Councilor Wood stated he is still stuck on the fact that, for four months of operation, you didn't have an active corporation.

Motion: A motion was made by Councilor Fitzgibbons to find a violation has occurred. The motion was seconded by Councilor Wood.

Discussion: Councilor Wood agreed. There was a substantial period of time when no business certificate was on file.

A voice vote was taken and the motion passed 7-1-1 (Councilor Losche in the dissent, Councilor Colombotos recused).

Motion: A motion was made by Councilor Fitzgibbons to take no action. The motion was seconded by Councilor Chase.

Discussion: None

A voice vote was taken and the motion passed 8=0-1 (Councilor Colombotos recused)



LICENSE TRANSACTIONS

- Petition P-2018-022: Annual Renewal – Taxis/Common Carriers
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Gallagher.
Discussion: None.
A voice vote was taken and the motion passed unanimously.
- Petition P-2018-023: Annual Renewal - Antique Dealer
Motion: A motion to approve was made by Councilor Wood. The motion was seconded by Councilor Losche.
Discussion: None.
A voice vote was taken and the motion passed unanimously.
- Petition P-2018-024: Annual Renewal - Pawn/Second Hand Gold Dealers
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.
Discussion: Mr. Dutton confirmed the 21-day Ordinance was still in effect.
A voice vote was taken and the motion passed unanimously.
- Petition P-2018-025: Annual Renewal – Annual Entertainment (no alcohol)
Motion: A motion to approve was made by Councilor George. The motion was seconded by Councilor Fitzgibbons.
Discussion: None
A voice vote was taken and the motion passed unanimously.
- Petition P-2018-026: Annual Renewal - Auto Amusements (no alcohol)
Motion: A motion to approve was made by Councilor George. The motion was seconded by Councilor Fitzgibbons.
Discussion: Mr. Dutton confirmed The Cave was still open.
A voice vote was taken and the motion passed unanimously.
- Petition P-2018-027: Annual Renewal - Lodging Houses
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor George.
Discussion: Mr. Dutton confirmed there had been no issues.
A voice vote was taken and the motion passed unanimously.
- Petition P-2018-028: Annual Renewal - Common Victuallers (no alcohol)
Motion: A motion to approve was made by Councilor Gallagher. The motion was seconded by Councilor George.
Motion: A motion was made by Councilor Fitzgibbons to amend #27 and change closing hours from 4:00 a.m. to 2:00 a.m., and #44 Sunday hours should read 12:00 p.m. – 8:00 p.m. The motion was seconded by Councilor George.
Discussion: At Councilor Wood's request, Mr. Dutton explained; the Police Chief has been consistent in asking not to have business open past 2 a.m.
A voice vote was taken and the motion to amend passed unanimously.
A voice vote was taken and the motion to approve, as amended, passed unanimously.
- Petition P-2018-029: Annual Renewal - Auto Dealers – Class I, II, III
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 unanimously.
- Petition P-2018-030: Annual Renewal - All Alcohol and related Attendant Licenses
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Chase.



Discussion: Councilor George asked if the license for #11 will be held and if it has ever been issued. Mr. Dutton confirmed it has never been issued. Mr. Dutton confirmed there are 28 restaurant licenses available with all alcohol, and 6 for wine & malt. He also noted the town is doing quite a bit to attract restaurants.

Motion: A motion was made by Councilor Losche to amend #12 with the updated Manager's name. The motion was seconded by Councilor George.

Discussion: None

A voice vote was taken and the motion to amend passed unanimously.

Discussion: At Councilor Wood's request, Mr. Dutton confirmed the name associated with Skips Liquors is what has been provided by ABCC. Any name change would have to be initiated by the owner. He further confirmed there had been no further issues.

A voice vote was taken and the motion to approve, as amended, passed unanimously.

- Petition P-2018-031 – Change of Hours' Notice and Acknowledgement – Skips Liquors

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

Discussion: Councilor Fitzgibbons pointed out the business has a rite to open at 10:00 a.m. on Sunday.

A voice vote was taken and the motion passed unanimously.

PRESENTATIONS - None

TOWN MANAGER'S REPORT

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included: A neighborhood meeting was held last week on Elm Street. A number of people came. The VHB Engineer presented and answered questions. The neighbors understand it will be an extensive project. The Nature Conservancy and several other entities have issued an RFP for design work for Dam removal and replacement of High Street dam and bridge. Boston Architectural College (BAC) students presented several ideas for the WWI Monument. Mr. Dutton will be putting their ideas up online. McElwain ZBA application was filed this week. The ZBA will open the hearing on January 23rd. They are expecting DHCD to issue the eligibility letter sometime next week. Mr. Dutton spoke about planning for Memorial Building upgrades, stating we have about \$1MM, and it will cost a little more than \$1MM. Mr. Dutton has heard rumors about a 90-house subdivision on South Street. There was an approval through Conservation Commission for 2-3 houses. Mr. Dutton provided an update on Mitchell School Building Subcommittee stating they are working toward a February filing deadline. Mr. Dutton updated the Council on the Comprehensive Planning Committee's meeting with the Zoning Consultant Judy Barrett. It's an aggressive timeline, but she seems very organized and committed. The plan is to get the comprehensive plan and the implementation, which will create the Master Plan. Judy suggested wrapping up by November 2019. The Branding/Wayfinding session did not have a high turnout, but there was some good feedback via Facebook. The Town Manager's office will be asking for feasibility grant funding through the Massachusetts Cultural Council for work on the Town Hall Building. We're eligible for \$50,000 and will be asking for that amount. The Capital Plan is well underway. Budget & Finance has looked at it. It may be before the Council in January. We are developing a plan to market our Opportunity Zone, reaching out to business owners, etc. to highlight the benefits. Finally, Mr. Dutton reminded all that winter parking hours are in effect and spoke about openings on Boards and Committees.

Council Questions:

- Councilor Gallagher asked how much of the revenue received from the parking program will go to the Town? Mr. Dutton explained; they did a flat fee deal for all the parking management at \$70,000. He noted; we will continue to police the parking.
- Councilor Wood asked for confirmation on the hours of operation on the meters. Mr. Dutton stated 7:00 a.m. – 8:00 p.m. Mr. Wood asked what happens with Music Alley? Mr. Dutton responded; if there is no available parking on the common, then there may be the potential to park in the metered spots in the municipal lot.
- At Councilor George's request, Mr. Dutton updated all on the property auction: we sold two significant properties and a handful of smaller properties bringing in just under \$250,000. Councilor George followed up asking where the funds go. Mr. Dutton responded he will find out.
- Councilor Fitzgibbons suggested it might be helpful to have the MSBSC OPM here to give a presentation.



DISCUSSIONS

SUBCOMMITTEE REPORTS:

- Public Safety Committee Report – Town Public Safety Needs
Committee Chair, Councilor Fitzgibbons read the report (included in materials). Committee member, Councilor George agreed; this was the committee painting a broad picture. Committee member, Councilor Chase added; at the meetings the departments presented us with compelling information. Councilor Colombotos stated his opinion that this is a great precedent.

LEGISLATION FOR ACTION

- Resolution R-FY19-002: FY2020 Budget Resolution
Motion: A motion was made by Councilor Wood to discharge Resolution R-FY19-002 from Finance Committee. The motion was seconded by Councilor Fitzgibbons.
Discussion: Councilor Wood briefly explained it had been referred to Finance Committee in error. This measure is a policy of the Council.
A voice vote was taken and the motion passed unanimously.
Motion: A motion to approve was made by Councilor Wood. The motion was seconded by Councilor Fitzgibbons.
Discussion: Councilor Wood advised the Budget & Finance Committee voted to recommend this measure to the full council as amended.
Motion: A motion was made by Councilor Wood to amend by striking the 5th portion and the Town Manager's Budget Objectives. The motion was seconded by Councilor Sousa.
Discussion: Councilor Wood explained the Town Manager's Budget Objectives should be taken up by the Strategic Planning Committee.
A voice vote was taken and the motion passed unanimously.
Discussion (cont'd on main motion): A brief discussion followed as Councilor Wood noted how the document had changed. He encouraged anyone interested to look at the forecasting models.
A voice vote was taken and the motion to approve, as amended, passed unanimously.

OLD BUSINESS - None

NEW BUSINESS

- Order O-FY19-037: Acceptance of One-Time Revenue – American Tower
Motion: A motion was made by Councilor Fitzgibbons to refer to Budget & Finance and Finance Committees. The motion was seconded by Councilor Wood.
Discussion: None
A voice vote was taken and the motion passed unanimously.

CITIZEN COMMENTS

COUNCIL COMMENTS

- Councilor Fitzgibbons: Wished all Happy Holidays and reminded all to check in on elderly neighbors. Pedestrian safety & enforcement.
- Councilor Losche: Wished all Happy Holiday's
- Councilor George: Went to Lucini Transportation's opening on Elm Street. It is exciting to see a company making a significant investment in their neighborhood. Happy Holiday's.
- Councilor Chase: Wished everyone Happy Holiday's
- Councilor Gallagher: Thanked the Town Manager for reaching out to BAC on the WWI Memorial and to them for their suggestions on redesign not only for the Memorial, but for the common. Wished everyone a Happy Holiday season.
- Councilor Wood: Wished everyone Happy Holidays and echoed Mr. Fitzgibbons comments about checking on neighbors.
- Councilor Colombotos: Wished everyone Happy Holiday's. Expressed his appreciation to Budget & Finance Committee for all their hard work. We are making a lot of progress.
- Councilor Sousa: Wished everyone a Happy and safe Holiday Season.



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- Councilor Haley: Wished all Happy Holiday's.

EXECUTIVE SESSION – *No Executive Session was held.*

ADJOURNMENT

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

The meeting adjourned at 9:05 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, January 22, 2019, to approve the aforementioned minutes, as submitted by a voice vote (8-0) (Councilor Losche not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk