



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, May 24, 2016

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 May 24, 2016 at BTV Studios, 80 Spring Street, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Peter Colombotos, Edward Haley, Timothy Fitzgibbons, Dennis Gallagher, Aisha Losche, William Wood, Kevin Perry, and Frank Sousa. Town Manager Michael Dutton and Town Attorney Mark Gildea were also present.

ABSENT:

- Councilor Sandra Wright

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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

- Dr. Thomas A. Knudson

APPROVAL OF MINUTES

- May 10, 2016

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

Discussion: None

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

ANNOUNCEMENTS FROM THE PRESIDENT

- President Gallagher read a letter of recognition for Peter Profetti from the Veteran's Agent
- President Gallagher provided information on the Memorial Day Parade, Monday to be held May 30, 2016. Begins at Perkins Street at 10:30 a.m.
- President Gallagher explained after receiving feedback, he has made a few changes to the Town Council Committee assignments, which are in the Councilors materials. President Gallagher read the committee assignments (included in packets).

PROCLAMATIONS - None

CITIZENS OPEN FORUM – None

APPOINTMENTS –

President Gallagher briefly explained the appointments.

- Plymouth County Advisory Board
 1. Councilor Edward Haley
 2. Councilor Dennis Gallagher (*Alternate*)

Motion: A motion to appoint Mr. Haley as advisory board representative and Mr. Gallagher as alternate 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.

Motion: A motion was made by Councilor Fitzgibbons to take item L: Legislation for Action out of order. The motion was seconded by Councilor Perry.

Discussion: None

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

LEGISLATION FOR ACTION (*Taken out of order*)

- Order O-2016-009: Acceptance of a Gift – BSU for Music Alley

President Gallagher noted the Budget & Finance and Finance Committees both recommended approval.

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

Discussion: None



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

Wright – ABSENT; Colombotos – YEA; Haley – YEA; Fitzgibbons – YEA; Gallagher – YEA; Losche – YEA; Wood – YEA; Perry – YEA; Sousa - YEA. The motion passed 8-0.

Motion: A motion was made by Councilor Fitzgibbons to take agenda item N: New Business out of order. The motion was seconded by Councilor Haley.

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

NEW BUSINESS - (Taken out of order)

- Transfer T-2016-005: CPC Transfer – Open Space

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

Discussion: Mr. Dutton explained this transfer would fund an outside consultant.

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

- Transfer T-2016-006: CPC Transfer – Housing Trust

Mr. Dutton explained this request for \$450,000 which is in the housing line item, and will be transferring to the housing trust where it can be more appropriately put to use.

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

Discussion: Councilor Colombotos stated he would like to know how the money will be spent and would like to hear from Housing Trust as to what will guide their actions. Councilor Fitzgibbons agreed and trusts that Budget & Finance and Finance Committee will fully vet that information. However, the Housing Trust should appear when the measure comes up for a second reading.

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

- Transfer T-2016-007: Water Retained Earnings – Meter Replacement and Advanced Meter Infrastructure

Mr. Dutton explained the transfer request if from retained earnings to begin an upgrade process for water meters.

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

Discussion: None

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

- Transfer T-2016-008: Sewer Retained Earnings – RBC

Mr. Dutton briefly explained the transfer needed for the RBC's.

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

Discussion: Councilor Perry asked if this is for replacement or repair. Mr. Dutton explained they have repaired as much as they can, and continue to repair where they can, but this request is for a new one.

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

- Transfer T-2016-009: Free Cash for Disposal of Trailers

Mr. Dutton explained; this is to finally address the trailers that sit in back of the McElwain School. They need to be demolished and carted away.

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

Discussion: Councilor Perry whole heartedly supports this transfer.

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

HEARINGS -

- 7:45 p.m.: FY2017 Budget

President Gallagher opened the hearing at 7:45 p.m.

President Gallagher asked citizens to ask questions after the Town Manager makes his presentation.

Mr. Dutton began with a power point presentation (included in materials). He thanked Tony Sulmonte for all the hard work on the budget and briefly outlined the difference in process this year.



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Mr. Dutton explained his original goals and adjusted goals. He thanked the School Committee for reducing their assessment to 3.5%. Through the process they have tried to be methodical and have no override and no layoffs. The FY16 general fund budget was \$49,244,933 and FY17 total is \$50,587,266. Mr. Dutton explained the cost drivers in the 2.7% increase in the budget. He then explained FY17 revenues and FY17 Budget – all funds. Mr. Dutton explained areas of the budget which will fall outside the Budget Resolution Guidelines: Ambulance Receipts, Excise Tax and New Growth. Mr. Dutton provided additional detail on the makeup of the revenue which includes property tax levy, state local aid, local receipts, excluded debt and enterprise funds. There are additional off-budget items which include County and State Assessments, A&E Allowance and Snow and Ice Deficit. Finally, Mr. Dutton outlined future opportunities.

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

President Gallagher entertained any questions from councilors:

Councilor Fitzgibbons asked Mr. Dutton to explain any projections done on the items to vary vote from resolution, and any projection for expected free cash. Mr. Dutton explained they have done some projections as related to the request for relief on the resolution items. Ambulance receipts should be above \$1.45MM which is conservative. They have closed out FY15 and submitted to DOR and believe there will be free cash. Mr. Fitzgibbons asked what type of analysis we do around new growth that's actually going to cost more than the new growth taxes we're pulling in. Mr. Dutton explained; a large part of Bridgewater is residentially zoned. We have a limited commercial property base. There have been several 40B projects that have been developed on commercial/industrial property. There's nothing that really could have done about that. As an example, if one home (built on commercial/industrial property) generates \$4,000 in tax revenue, but has one child the per-pupil cost \$12,000. Finally, Mr. Fitzgibbons noted we need to continue making sure employees are getting a fair salary for the job they're doing.

Councilor Wood asked Mr. Dutton to explain about Stabilization. Mr. Dutton responded; a healthy Stabilization should be 5-10% of the operating budget; which would put us at around \$2MM. Some of the FY15 free cash will go into stabilization.

Councilor Perry asked if we have an actual number from FY15 and FY16 for New Growth. Mr. Dutton responded; we have well exceeded \$700K in each of the past 2 years. Mr. Dutton clarified; there are no additions to the budget, the amendments are refinements.

President Gallagher asked if the debt of \$2.9MM is that adequate/fair is it on par with other communities? Mr. Dutton feels like we're a little low. Mr. Gallagher then asked about the Highway Department's needs. Mr. Dutton responded; we will have to revisit those needs and pointed out all the paving is done through Chapter 90 funding, but Chapter 90 does not flow through the budget. We do need a mechanism to boost our road maintenance program. Finally, Councilor Gallagher thanked everyone for their hard work on a really tough budget year and pointed out that last evening the Budget & Finance and Finance Committee voted unanimously to approve the budget as presented.

Councilor Colombotos asked to what extent towns augment the chapter 90 funds to maintain roads. Mr. Dutton responded; he thinks it varies widely, noting our roads are heavily used. Finally, Councilor Colombotos confirmed; this budget does not include any layoffs or hiring. Mr. Dutton responded; that is correct.

President Gallagher closed the hearing at 8:31 p.m.

- Order O-2016-010: FY17 Annual Town Budget

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



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Discussion: Councilor Fitzgibbons thanked Mr. Swenson and Mrs. Scleparis for all their work on the assessment. He knows the school district is trying to keep as many students as possible. Councilor Fitzgibbons offered kudos to the Town Manager. He noted there was not one Department Head at the hearing which is a great step. Councilor Wood stated he thinks we have a pretty good routine and noted the need for an extra vote to allow the use of Ambulance Receipts in excess of \$1MM.

Motion: A motion was made by Councilor Wood to allow the Town Manager source of funds from Ambulance Receipts in the amount of \$1.150MM. The motion was seconded by Councilor Fitzgibbons.
A voice vote was taken and the motion passed 8-0.

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

Discussion: None

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

Seeing no further discussion, a roll call vote was taken with results recorded as follows:

Sousa – YEA; Perry – YEA; Wood – YEA; Losche – YEA; Gallagher – YEA; Fitzgibbons – YEA; Haley – YEA; Colombotos – YEA; Wright - ABSENT. The motion passed 8-0.

- Order O-2016-011: FY17 Sewer Enterprise Fund Budget

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

Discussion: None

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

Wright – ABSENT; Colombotos – YEA; Haley – YEA; Fitzgibbons – YEA; Gallagher – YEA; Losche – YEA; Wood – YEA; Perry – YEA; Sousa - YEA. The motion passed 8-0.

- Order O-2016-012: FY17 Water Enterprise Fund Budget

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

Discussion: None

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

Sousa – YEA; Perry – YEA; Wood – YEA; Losche – YEA; Gallagher – YEA; Fitzgibbons – YEA; Haley – YEA; Colombotos – YEA; Wright - ABSENT. The motion passed 8-0.

- Order O-2016-013: FY17 Transfer Station Enterprise Fund Budget

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

Discussion: None

Motion: A motion was made by Councilor Fitzgibbons to amend as presented. The motion was seconded by Councilor Wood.

Discussion: None

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

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

Wright – ABSENT; Colombotos – YEA; Haley – YEA; Fitzgibbons – YEA; Gallagher – YEA; Losche – YEA; Wood – YEA; Perry – YEA; Sousa - YEA. The motion to approve, as amended, passed 8-0.

- Order O-2016-014: FY17 Olde Scotland Links Golf Course Enterprise Fund Budget

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

Discussion:

Motion: A motion was made by Councilor Wood to amend as written. The motion was seconded by Councilor Fitzgibbons.

Discussion: Councilor Wood stated he is okay with the final number. He understands that the golf course is running ahead and will hopefully finish the year without needing a transfer. He also understands that Mr. Dutton is trying to set up a process and is researching a MGL that allows you to recover a subsidy to an enterprise fund. Mr. Dutton responded; that is correct, there is a statute that allows you to two recover a subsidy, but clarified his intent is to establish a process.



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

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

Sousa – YEA; Perry – YEA; Wood – YEA; Losche – YEA; Gallagher – YEA; Fitzgibbons – YEA; Haley – YEA; Colombotos – YEA; Wright - Absent. The motion to approve, as amended, passed 8-0.

LICENSE TRANSACTIONS

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: The Academy Building continues to progress well. Mr. Dutton spoke with John Sharland about the Board of Health's Animal Regulations proposal. They discussed having something more collaborative between the Board of Health and Town Council via the Community & Economic Development Committee. As an aside, Mr. Dutton noted he is seeking Agriculture Commission volunteers. He has asked the Board of Health to consider the model regulation that they've found provided by another colleague in another town. It's one that's being used state wide more and more and is far less restrictive. The Board of Health has a meeting 6/2; at which time they'll discuss the possibility of doing away with Mr. Sharland's proposed regulation and using the state wide model. The Board of Health's public hearing is scheduled for 6/9. Mr. Dutton spoke briefly about the diseased Copper Beach tree in front of the library noting the tree warden has made us aware that it needs to come down. Finally, Mr. Dutton reminded all that Chief Roger's retirement party is June 3rd from 6 p.m. -11 p.m. at BSU and the Memorial Day Parade will take place Monday, May 30th at 10:30 a.m.

Councilor Questions:

- Councilor Losche asked if the Town needed a full time Animal Control Officer. Mr. Dutton responded, yes, we do and that's one of his priorities between now and the end of the year.

DISCUSSIONS

SUBCOMMITTEE REPORTS - None

LEGISLATION FOR ACTION -

- Order O-2016-015: Authorization of Revolving Funds
President Gallagher noted the Recreation line item needed to be voted separately so Councilor Wood could recuse himself.

**Councilor Wood recused himself and exited the meeting room.*

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

Discussion: None

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

Sousa – YEA; Perry – YEA; Wood – RECUSED; Losche – YEA; Gallagher – YEA; Fitzgibbons – YEA; Haley – YEA; Colombotos – YEA; Wright - ABSENT. The motion passed 7-0.

**Councilor Wood returned to the meeting.*

Motion: A motion to approve all other line items was made by Councilor Fitzgibbons. The motion was seconded by Councilor Perry.

Discussion: Councilor Colombotos asked for an explanation on the removal of the Inspectional Services revolving fund. Mr. Dutton responded; we have boosted the staff with a full-time Deputy Inspector and about \$30K in contract labor (which is designed to be flexible). That's where we'll stand staffing wise for a while. Taking 20% and putting that into a revolving fund creates the perception that we're creating a slush fund. It's clear we needed a permanent deputy. Most Finance Directors do not like revolving funds as they're hard to track.

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

Wright – ABSENT; Colombotos – NAY; Haley – YEA; Fitzgibbons – YEA; Gallagher – YEA; Losche – YEA; Wood – YEA; Perry – YEA; Sousa - YEA. The motion passed 7-1.

- Resolution R-2016-003: Town Manager Goals
Councilor Gallagher briefly explained the history of the Resolution.



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

Discussion: Councilor Fitzgibbons asked the Town Manager if he felt they are attainable. Mr. Dutton responded; he will be coming to the Council with a variety of measures that relate in some ways to the goals. The long term goals will be a work in progress and he will need some assistance from the Town Council. Councilor Gallagher stated he has spoken with the Town Manager about this and we will be having update at each meeting.

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

OLD BUSINESS

- Ordinance D-2016-001: Zoning Ordinance – Downtown Zoning

Motion: A motion was made by Councilor Fitzgibbons to approve to send to advertising. The motion was seconded by Councilor Colombotos.

Motion: A motion was made by Councilor Fitzgibbons to accept amendment as presented. The motion was seconded by Councilor Perry.

Discussion: Councilor Colombotos explained these ordinances came as a result of the Cecil Group study and read directly from the report. He further explained the original ordinance included a Town Center Overlay, but that wasn't accepted. Councilor Wood asked how the section relating to Common Driveways worked its way into the Downtown Zoning Ordinance and did not as a separate item.

**9:06 p.m. – Councilor Fitzgibbons exited the meeting briefly.*

Community & Economic Development Director, Andrew Delonno was invited to the podium to address the common driveway question. He explained; the common driveway discussion emanated from the initial Downtown Revitalization Plan. In terms of the residential component, common driveways can be seen as a way to get around constructing proper roads. There is a place for common driveways for things like access management on busy roads. This ordinance limits it to commercial districts only.

Councilor Wood suggested perhaps set aside common driveways for a separate ordinance? There's a lot of property that's owned that's behind other property, we are land locking those types of properties with this. Mr. Delonno responded; a driveway shouldn't be a substitute for a proper road. Councilor Wood asked the Town Attorney if this were to pass, are we limited for the next 2 years not to make any changes. Attorney Gildea advised that should the ordinance pass as is and additional changes were required, it would simply be done through an ordinance amendment.

A voice vote was taken and the motion to accept amendments as presented passed 8-0.

A voice vote was taken and the motion to send to advertising as amended passed 8-0.

- Ordinance D-2016-002: Zoning Ordinance – Open Space Conservation

Motion: A motion was made by Councilor Fitzgibbons to send to advertising. The motion was seconded by Councilor Perry.

Discussion: None

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

- Ordinance D-2016-006: Revocation of General Bylaws and Adoption of Ordinances

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

Discussion: Councilor Losche provided a brief history of the process and urged the council to pass as amended.

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

CITIZEN COMMENTS - None

COUNCIL COMMENTS

- Councilor Wright: Absent
- Councilor Colombotos: Spoke about Tom Knudsen's death stating he was a basketball coach at BSU. He played full court basketball up until age 73. Mr. Colombotos expressed his condolences.
- Councilor Haley: Addressed the Board of Health regulation which is being discussed on social media. He is hoping a few folks tuned in tonight to hear about the Town Manager's discussion. He is also hoping to see more positive discussion in what comes forward.



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- Councilor Fitzgibbons: The Board of Health is meeting 6/2 before the hearing. Reminded all that the Memorial Day Parade is Monday, noting it's always a very solemn but nice occasion.
- Councilor Losche: Encouraged people to join the agricultural commission and keep in mind September will be here before we know it for the Plastic Bag Ordinance.
- Councilor Wood: The budget process went extremely well this year. They had visitors come to the meetings and some had some good ideas. This year we didn't need to talk to the department heads because the story was pretty clear.
- Councilor Perry: Thanked the Town Manager, subcommittees, and Finance Director and added, he felt the process went very smoothly.
- Councilor Sousa: Thanked everyone who worked on the budget and thanked the people looking into economic development.
- Councilor Gallagher: Thanked all for the effort to bring forward a balanced budget. There are no layoffs and there was no override. The Highway Department will need to be addressed for their needs. He reminded everyone about the Memorial Day parade and encouraged all to attend.

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 8-0.

The meeting adjourned at 9:27 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, June 7, 2016, to approve the aforementioned minutes, as submitted, by a voice vote (6-0) (Councilor Perry absent, Councilors Colombotos and Losche not present for vote.)

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk