



CALL TO ORDER:

A quorum being duly present, Town Council President Dr. Kevin Perry called the meeting of the Bridgewater Town Council to order at 7:30 pm, on September 22, 2015 at BTV Studios, 80 Spring Street, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Sandra Wright, William Wood, Peter Colombotos, Aisha Losche, Kevin Perry, Dennis Gallagher and Timothy Fitzgibbons. Town Manager Michael Dutton and Associate Town Attorney Jason Rawlins were also present.

ABSENT:

- Councilor John Norris

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES –

- September 8, 2015

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 7-0.

ANNOUNCEMENTS FROM THE PRESIDENT

• **MOMENT OF SILENCE**

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

- William W. Wilder Sr.
- Vincent Stratoti
- Carlton R. Bennett
- The Senior Center will be offering Free Spanish Classes to area residents age 50+. Sign up at the Senior Center.
- Bridgewater Police Department Police 5K will be held on Saturday, 9/26/15. The Kids Fun Run starts at 8:30 a.m., followed by the 5K at 9:00 a.m.
- Autumnfest will be held 9/26/15 on the quad at Bridgewater State University.

PROCLAMATIONS - None

CITIZENS OPEN FORUM – *No citizens came forward.*

APPOINTMENTS

Motion: A motion to approve all appointees to the Conant Trust Board was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wright.

Discussion: Councilor Fitzgibbons stated he knows all three appointees and they are all qualified. Mr. Fitzgibbons thanked them for their volunteerism.

A voice vote was taken and the motion passed 7-0.

- Conant Trust Board - Marie Fahey
- Conant Trust Board - Michael Levy
- Conant Trust Board - Harold Estabrook III

Motion: A motion was made by Councilor Fitzgibbons to appoint all three appointees to the Design Review Committee. The motion was seconded by Councilor Wright.

Discussion: Councilor Fitzgibbons stated he knows all three appointees and they are all qualified. Mr. Fitzgibbons thanked them for their volunteerism.

A voice vote was taken and the motion passed 7-0.



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- Design Review Committee (ZBA) – Andy Bisonette
- Design Review Committee (MPIC/CPC) - Shirley Krasinski
- Design Review Committee (Planning Board) – Frank Sullivan

HEARINGS -

- **7:35 p.m., Public Hearing:** Petition #P-2015-019: Install New Pole Location – Curve Street

President Perry opened the hearing at 7:37 p.m.

President Perry asked the petitioner to come forward. Barry Mafeeny of UC Synergetic came forward and explained the pole is going in at solar way.

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

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

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

President Perry entertained any questions from councilors:

- President Perry asked if there were any residents have expressed any issues. Mr. Mafeeny responded; they have all been notified and he's not heard from anyone.

President Perry closed the hearing at 7:38 p.m.

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

Discussion: None

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

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

LICENSE TRANSACTIONS

PRESENTATIONS -

- OCPC – FEMA Hazard Mitigation Plan

Eric Arbeene came forward and presented. Mr. Arbeene explained a Hazard Mitigation Plan is planning for future hazards that may occur. It seeks to see what can be done to mitigate the hazard before it occurs. They have worked with community leaders to update the plan, have reached out community members and other communities. They want to focus on the greatest vulnerability. It's meant to be incorporated into other documents throughout town and should be a living document. Mr. Arbeene spoke about grant availability from FEMA on a rolling basis. He noted, the grant doesn't necessarily have to be related to a storm. Mr. Arbeene cited the website: OCPCRA.org where people could view the full plan. He explained; a lot of the information comes from the community's emergency response plan. The plan identifies vulnerabilities and how to address them. Once the Town adopts the plan, it has a five year life and expires in August 2020. Going forward OCPC will not be doing regional plans but will do individual community plans.

Questions:

- Councilor Colombotos asked if the full plan has each community as their own chapter/section. Mr. Arbeene responded, no, it's by category. Councilor Colombotos followed up by asking if the grants are to do the work itself that's mentioned in the plan. Mr. Arbeene responded, yes. He further noted that regarding the grant process, the money that's annually applied doesn't always go to use. He clarified it is usually a 75/25 split.

TOWN MANAGER'S REPORT

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included: Construction at High & Broad Street is progressing. Based on discussions with Police Chief, we will implement some detours to address safety concerns. The detours may change day-to-day. Mr. Dutton offered an explanation on Rainbow's End there is a lot of misconception around the pressure treated wood. As of today, he has copies of some of the reports and will put up on the website (probably not today or tomorrow) so people can look at them. The engineer selection process is underway for the Mitchell School. They have had about six respondents. The School Building Committee will make a final selection. That's to get an engineer's report to use in negotiations with the insurance company. It will be used by the adjuster to file a claim. Mr. Dutton offered brief



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updates on the Academy Building construction and the Oak Street Bridge. He noted he continues to seek funding through the Transportation Bond Bill. Finally, Mr. Dutton noted there has been an uptick in the Community & Economic Development office. He briefly noted openings on committees.

Councilor Questions:

- Councilor Wright asked what the delay is with the Oak Street Bridge. Mr. Dutton responded it's purely funding. Mrs. Wright followed up; asking if there is any grant money we can apply for? Mr. Dutton responded; probably not for this type of work.
- Councilor Wood asked if a community effort would be helpful regarding Oak Street. Mr. Dutton responded; yes, a community showing of support could be important. He stated he would find out who we would contact. At Councilor Wood's request, Mr. Dutton explained the Commonwealth, through the Department of Corrections (DOC) owns the Rainbow's End land. We have a five year license to use the property, which includes the soccer field, rainbows end, etc. The DOC has been very amenable to taking care of brush removal and is still amenable to whatever plans we have.
- Councilor Gallagher clarified regarding Oak Street – The Transportation Bond Bill has been approved and funded, but we are just waiting to get our piece and we need to go to DOT for approval before it goes to congress. Mr. Dutton confirmed that was correct. Mr. Gallagher followed up asking if the state would procure the project. Mr. Dutton responded; no, we would procure it.
- At Councilor Colombotos' request, Mr. Dutton confirmed the engineer for the school is being funded through the school district, but long term, the cost of the engineer gets wrapped into the claim.

DISCUSSIONS

- Filling of vacant A-Large Council Seat
Councilor Gallagher explained we started this discussion last meeting. He believes the Charter has a mechanism to fill the vacancy and he wanted to see how we want to go about filling the vacancy. Mr. Gallagher believes the Charter directs the Council to fill the vacancy. Since there was no runner up at the last election, we should seek citizens to fill and he would like to see us solicit interested citizens. At President Perry's request, Associate Town Attorney, Jason Rawlins explained he thinks there is some ambiguity related to the "shall" referenced in the Charter. The ambiguity is whether the council "shall" fill the vacancy among the remaining board members or whether they "shall" take steps to fill. Mr. Rawlins thinks Council can determine which course of action they'd like to take. Mr. Rawlins referenced the Ordinance authored by Councilor Fitzgibbons in 2013 that set some parameters, but still doesn't set clear parameters. Discussion followed while Councilors offered opinions. Councilor Gallagher noted he feels it's in the best interests of the Council and citizens to fill the vacancy. Councilor Wright believes the seat belongs to the taxpayer and should be filled by the citizens, though she later clarified she is not advocating for a special election, which would cost the town money. Councilor Wood pointed out that there aren't citizens already offering to fill the seat. He hopes that in April, someone comes forward to run for the seat.

Motion: A motion was made by Councilor Gallagher to seek applications from citizens of the town of Bridgewater to apply for the vacant councilor at large seat.

The motion was withdrawn.

President Perry noted something should be put on the agenda for new business at the next meeting.

- Town Manager Contract
Councilor Gallagher explained; the Town Manager's contract is up in December. He would like to refer this action to the appropriate subcommittee to begin discussions. Councilor Wood suggested an Executive Session for the next meeting to discuss. Councilor Fitzgibbons reminded the Board that when we hired the Town Manager, President Colon did the negotiations one on one (on advice of Town Attorney).
- Charter Review Committee Recommendations
Councilor Gallagher explained; last April Charter Review Committee came before the Council with recommendations. Mr. Gallagher would like to know what the next steps are. President Perry explained the



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primarily priority is finishing the Administrative Code. The Rules & Procedures committee will be doing a committee hearing on 10/7. Once the Administrative Code is complete, there will be a general bylaw review, then Charter Review Committee recommendations to make Charter Changes, so most likely, after January 1st.

Councilor Wood agreed with Councilor Perry's assessment. Councilor Losche (Rules & Procedures Committee Chair) further explained, the committee has been working on the Administrative Code and is close to completion. The committee is taking the list of priorities one at a time, not in tandem.

SUBCOMMITTEE REPORTS:

- Budget & Finance: Councilor Wood stated the committee voted 2-0 to recommend acceptance of a grant, DOER, SAFER, and the Transfer for Inspectional Services.
- Rules & Procedures: Councilor Losche stated the Rules & Procedures committee has been working on Administrative Code. They will be hosting a public hearing on 10/7/15 at BTV at 7:00 p.m., so citizens can offer their comments. The hope is to have it done by the end of October/beginning of November.

LEGISLATION FOR ACTION -

- Order #O-2015-025: Acceptance of a Grant (DOER) Green Communities Division
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wood.
Discussion: Councilor Wood noted the item had been approved by both the Budget & Finance and Finance committees.
A roll call vote was taken with results recorded as follows:
Fitzgibbons – YEA; Gallagher – YEA; Norris – ABSENT; Perry – YEA; Losche – YEA; Wood – YEA; Colombotos – YEA; Wright - YEA. The motion passed 7-0.
- Order #O-2015-026: Acceptance of a Grant – Department of Homeland Security – SAFER
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Losche.
Discussion: Councilor Wood noted the item had been approved by both the Budget & Finance and Finance committees. He further noted this is a good example of how people get together and help the community. Mr. Wood also thanked Chief Rogers. Chief Rogers thanked the Council in getting the grant accepted and thanked Melissa Murphy for her hard work.
A roll call vote was taken with results recorded as follows:
Wright – YEA; Colombotos – YEA; Wood – YEA; Losche – YEA; Perry – YEA; Norris – ABSENT; Gallagher – YEA; Fitzgibbons - YEA. The motion passed 7-0.
- Order #O-2015-027: Acceptance of a Grant – Bridgewater Savings Bank
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wright.
Discussion: None
A roll call vote was taken with results recorded as follows:
Fitzgibbons – YEA; Gallagher – YEA; Norris – ABSENT; Perry – YEA; Losche – YEA; Wood – YEA; Colombotos – YEA; Wright - YEA. The motion passed 7-0.

OLD BUSINESS

- Ordinance #D-2013-015: Personal Property Tax Assessment
Motion: A motion was made by Councilor Wood to postpone as the sponsor is not present. The motion was seconded by Councilor Fitzgibbons.
Discussion: None
A voice vote was taken and the motion passed 7-0.
- Transfer #T-2015-019: Transfer from Stabilization – Supplemental Funds for Inspectional Services
Motion: A motion was made by Councilor Fitzgibbons to send to advertising. The motion was seconded by Councilor Wood.
Discussion: Councilor Wood noted this item is for funding, but we passed an order for a revolving fund and asked if this is really an extension to the previous budget process. Mr. Dutton responded; yes, we passed a revolving account. To date, we're doing very well with the revolving account, though he is not convinced the revolving



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account will be able to make up the difference for the Assistant Inspector. They are looking to fill the full time Assistant inspector. Half their time would be responsible for zoning enforcement. The other part is to continue the temporary help that's already in place. The total amount \$106,000 is likely more than we need and Mr. Dutton will most likely be asking to have this reduced during the public hearing.

A voice vote was taken and the motion passed 7-0.

NEW BUSINESS

- Order #O-2015-028: Acceptance of a Gift – Bridgewater State University
Mr. Dutton explained the University has made a commitment to "gift" the Town \$175,000.
Discussion: Councilor Colombotos asked how the money is spent. Mr. Dutton explained the funds get split three ways. When the gift comes in it gets segregated into the three different accounts to be spent by the department.
This measure was not referred to any committees.
- Resolution #R-2015-005: FEMA Hazard Mitigation Plan Adoption
Mr. Dutton explained this relates back to the presentation earlier in the evening. This item is a first reading. He does not believe there is any need for committee referral.
This measure was not referred to any committees.

CITIZEN COMMENTS -

COUNCIL COMMENTS

- Councilor Wright: Reminded everyone that there are a lot of festivities going on this weekend. She congratulated the volunteers on their appointments.
- Councilor Colombotos: No comments.
- Councilor Wood: If there's anyone who wants to help out with Oak Street Bridge, contact Mr. Wood.
- Councilor Losche: No comments.
- Councilor Norris: Absent
- Councilor Gallagher: Mr. Gallagher agrees with Mr. Wood, we need to get together and put some pressure on the State to move the process along. He noted this is a very busy weekend; the VFW Post 2125 is also holding their Pancake Breakfast.
- Councilor Fitzgibbons: No comments.
- Councilor Perry: Thanked all who were appointed this evening. At the University they are also doing the Martin Richard dedication this weekend.

EXECUTIVE SESSION – *No Executive Session was held.*

ADJOURNMENT

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

The meeting adjourned at 8:52 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 6, 2015, to approve the aforementioned minutes, as submitted, by a voice vote (7-0).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk