



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, November 3, 2015

CALL TO ORDER:

A quorum being duly present, Town Council President Kevin Perry called the meeting of the Bridgewater Town Council to order at 7:33 pm, on November 3, 2015 at BTV Studios, 80 Spring Street, Bridgewater, Massachusetts.

PRESENT:

Council members present were, William Wood, Peter Colombotos (arriving at 7:52 p.m.), Aisha Losche, Kevin Perry, John Norris Dennis Gallagher and Timothy Fitzgibbons. 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 who have passed since our last meeting.

APPROVAL OF MINUTES –

- October 20, 2015

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

Discussion: None

A voice vote was taken and the motion passed 6-0.

ANNOUNCEMENTS FROM THE PRESIDENT

- President Perry offered condolences to the family of Ronald C. Ambroseno and held a moment of silence.
- President Perry provided information on the Tri-Town Veterans Parade being held on 11/11/15 in East Bridgewater.
- Christmas on The Common on will be held Sunday, 12/6/15 on the Bridgewater Town Common.

PROCLAMATIONS - None

CITIZENS OPEN FORUM

- Michael O'Connor, Vera Drive: Mr. O'Connor stated his Interest in filling the vacant councilor position. He was raised in Bridgewater and is currently a student at BSU. He is looking to make a positive impact on the community. Mr. O'Connor is excited to get involved in Bridgewater Redevelopment and to provide opportunities for the youth to grow. Mr. O'Connor can provide a different point of view on the Council and is an active member of community.

APPOINTMENTS

- Carolyn Reis – Design Review Committee
Mr. Dutton explained this appointment is filling the open seat. Ms. Reis is a business owner in the Business District.
Motion: A motion was made by Councilor Fitzgibbons to ratify the appointment. The motion was seconded by Councilor Norris.
Discussion: None
A voice vote was taken and the motion passed 6-0.
- Lisa McKay – Animal Control Officer (Annual Reappointment)
Mr. Dutton explained this is an annual reappointment required by the Department of Agriculture.
Motion: A motion was made by Councilor Fitzgibbons to reappoint Ms. McKay. The motion was seconded by Councilor Wood.
Discussion: It was noted that Ms. McKay is doing a great job and we're happy to have her.
A voice vote was taken and the motion passed 6-0.

HEARINGS - None



LICENSE TRANSACTIONS - None

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 contractor for High & Broad Street will be resuming their work. The Marathon Park volunteers have wrapped up their work for the fall. The Recreation Department will now start taking care of it until spring. Mr. Dutton thanked all who volunteered, particularly Keith Buohl and who organized the whole thing. Regarding the Oak Street Bridge; Mr. Dutton has spoken with DOT. There are a number of Bridge Repair Programs that we can look at. However, at this time Mr. Dutton is only 50% confident we'll be able to fund. National Grid did a public presentation last evening in an effort to explain to the public what their processes are during storms, they also talked about billing and bidding on electrical rates. The Academy Building continues to see progress. The windows in rear have been put in and the front windows will be coming soon. Mr. Dutton will organize a tour for Councilors once the staircase goes in (in December). On November 19th at 7:00 p.m., there will be another public input session for the Recreational Needs Assessment at Olde Scotland Links Golf Course Clubhouse. The paving on Walnut Street should be wrapping up in the next week. It's been a very complicated project and they've done a great job. We have filed the Engineers Report on Carvers Pond Dam. The next step is to go out to a qualified engineer. The cost could be as much as 100K. Mr. Dutton and the Town Clerk visited Management at the new apartment complex. Due to the volume, rental rates have now gone up. The Town Clerk has arranged with them to set up a day to cycle through some dog licensing and census information. Finally, Mr. Dutton noted, the Highway Superintendent has brought up issues with fleet of trucks. Some of the trucks are 20 years old.

Councilor Questions:

- Councilor Norris asked if there was any update on metrics for Inspectional Services. Mr. Dutton responded, there's no data yet. Metrics has not been rolled out yet, but perhaps by end of this month he may have metrics in place and to be able to track information.
- At Councilor Wood's request, Mr. Dutton advised the current grey color on the Academy Building is not the final color; it's the primer. The finished color should resemble the Town Hall.
- Councilor Gallagher asked if the Animal Control Officer has a new vehicle yet. Mr. Dutton responded we funded one, but she doesn't have it yet. At Councilor Gallagher's request, Mr. Dutton elaborated on the funding for the Oak Street Bridge and the earmarked funds.

**7:52p.m., Councilor Colombotos entered the meeting.*

DISCUSSIONS

- Meeting of the General Public Agenda (*November 17, 2015, 7:00 p.m.*)
Mr. Dutton explained that twice each year the Town Council is required to hold a public session. The purpose is to solicit comments and questions from the public. Any member of the public can send agenda items. At Councilor Gallagher's request, President Perry confirmed the meeting would be held at BTV just prior to the Regular Town Council meeting.

SUBCOMMITTEE REPORTS - None

LEGISLATION FOR ACTION

- Order #O-2015-030: Filling of a Council Vacancy
Councilor Gallagher noted this is the third meeting we've discussed this issues. He feels as though under the Charter we "shall" fill the vacancy and thinks there is some interest by the public to have it filled.
Motion: A motion was made by Councilor Gallagher to move forward to fill the vacancy of the at large councilor seat vacated by Councilman Bill Rivers in accordance with the ordinance passed by this Council Ordinance D-2013-001. The motion was seconded by Councilor Colombotos.
Discussion: Councilor Gallagher stated Ordinance D-2013-001 sets a procedure of announcing and posting. Councilor Fitzgibbons stated we can have different opinions on whether or not it gets filled. Given there is a procedure in place, he will be supporting the order. A brief discussion followed with regard to the intent of the motion made by Councilor Gallagher. He clarified his intent is to move forward with the order. Councilor Wood pointed out; even if the order passes, we can't follow the order until 30 days has passed. Councilor Norris agreed



with Mr. Wood's point adding he feels appointing someone to this seat could allow an unfair advantage when it's time to campaign. He asked the Town Attorney if we are required by a certain deadline to do this. Attorney Gildea responded Charter section 2-5 does not specify a deadline. Councilor Colombotos noted Attorney Rawlins advised there is no obligation to fill this, but Mr. Gallagher's order reads we "shall" fill the vacancy.

Motion: A motion was made by Councilor Colombotos to amend by adding "may choose to" after the words "from the town". The motion was seconded by Councilor Fitzgibbons.

Discussion: Councilor Fitzgibbons clarified Councilor Colombotos intent.

Councilor Norris noted it should be registered voters; however he is against the whole thing. Councilor Wood thinks we can skip this order all together and just add appointments to the next meeting. He is not sure we need the measure at all. Councilor Fitzgibbons noted we have a procedure 2013-001 which talks about soliciting applicants. He would like to see us skip the order and simply vote to invoke the ordinance. Councilor Norris reiterated his feeling that there isn't an urgent need to fill this seat. Councilor Wood noted he will respectfully vote against this order, but will vote in favor if Councilor Fitzgibbons motions to declare a vacancy on the Council he will support that. President Perry confirmed with Attorney Gildea that it is not necessary to have this order in place in order to invoke the Ordinance. Attorney Gildea advised the Council can choose either route.

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

Motion: A motion was made by Councilor Gallagher to table the measure. The motion was seconded by Councilor Fitzgibbons.

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

Motion: A motion was made by Councilor Fitzgibbons that pursuant to Ordinance 2013-001 to declare a vacancy on the Council and invoke the procedure to appoint a new Councilor. The motion was seconded by Councilor Gallagher.

Fitzgibbons – YEA; Gallagher – YEA; Norris – NAY; Perry – YEA; Losche – YEA; Wood – YEA; Colombotos – YEA; Wright - YEA. The motion passed 6-1 (Councilor Norris in the minority)

OLD BUSINESS

NEW BUSINESS

- Ordinance #D-2015-011: Amend Ordinance #D-2015-001: Enforcement Ordinance – Canine Control

Councilor Norris explained this is some language clarification and cleanup and will make it a little easier. This allows the Town Clerk to start collecting information from licensed owners, develops a discounted program and allows the municipal hearings officer to hear cases and change fees if necessary.

Motion: A motion was made by Councilor Fitzgibbons to refer to the Rules & Procedures Committee. The motion was seconded by Councilor Gallagher.

Motion: A motion was made by Councilor Wood to amend by following section F (1) before the bold section amend by adding a line "letters will be sent to delinquent dog owner or keeper during August each year notifying them that the dog has not been licensed and a late fee will be charged if not licensed on or before September 1st". The motion was seconded by Councilor Fitzgibbons.

Discussion: Mr. Wood explained when we went through the ordinance process prior, we missed this piece. By codifying this line we are ensuring proper notification. Councilor Norris pointed out section F1 last paragraph, 2nd page which does address notification. Discussion followed briefly relative to the notification process outlined in the proposed ordinance.

A voice vote was taken and the motion to amend passed 6-1 (Councilor Norris in the minority)

A voice vote was taken and the motion to refer to Rules & Procedures committee passed 6-1 (Councilor Wood in the minority).

- Order #O-2015-031: FY16 Classification Tax Allocation - Adoption of a Residential Factor (*Town Manager at the request of the Assessor*)



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Mr. Dutton explained; this is a yearly item on the agenda. We will be holding the hearing in December which will allow you to set the tax rate.

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

Discussion: President Perry asked the Council Clerk to schedule the public hearing for 12/8.

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

- Transfer #T-2015-022: Housing Coordinator Funds

Mr. Dutton explained this is a fairly simple transfer. The Town Council voted previously to allocate \$26,000 for a Housing Coordinator. This is a bookkeeping transfer.

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

Discussion: None

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

CITIZEN COMMENTS - None

COUNCIL COMMENTS

- Councilor Wright: Absent
- Councilor Colombotos: Nothing
- Councilor Wood: Requested a discussion on the Parking Committee for the next meeting. Mr. Wood noted the Brick 'N Tin has a "for rent" sign and the new frozen yogurt store is closed. The downtown revitalization has done great work, but Mr. Wood thinks we need to start small. He never spoke to Brick 'N Tin owners before they closed, but it's difficult to park there.
- Councilor Losche: Nothing
- Councilor Norris: Mr. Norris reminded all that the next meeting is the public meeting which is a great opportunity for people to come in and tell us what they think we can improve.
- Councilor Gallagher: Wednesday is Veteran's Day. Will be marching in Tri-Town Parade in EB.
- Councilor Fitzgibbons: Nothing
- Councilor Perry: Echoed all previous sentiments. Dr. Perry thanked Keith Buohl and all the volunteers who cleaned up Marathon Park. The Badgers D1 teams have make playoffs and he wishes them all luck.

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 7-0.

The meeting adjourned at 8:30 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 17, 2015 to approve the aforementioned minutes, as submitted, by a voice vote (6-0) (Councilors Fitzgibbons and Losche absent, 1 councilor vacancy).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk