



CALL TO ORDER:

A quorum being duly present, Town Council President William Wood called the meeting of the Bridgewater Town Council to order at 7:38 pm, on January 6, 2015 at BTV Studios, 80 Spring Street, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Timothy Fitzgibbons, Kevin Perry, Peter Colombotos, Sheila Whitaker, William Wood, William Rivers, and John Norris. Town Manager Michael Dutton and Town Attorney Mark Gildea were also present.

ABSENT:

- Councilor Scott Pitta
- Councilor Sandra Wright

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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

- Walter Wells

Motion: A motion was made by Councilor Fitzgibbons to take agenda item "F: Hearings" out of order. The motion was seconded by Councilor Rivers.

Discussion: None

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

**7:40 p.m. President Wood recused himself and Vice President Whitaker assumed presiding over meeting.*

HEARINGS (Taken out of order) -

- 7:40 p.m.: Order #O-2014-025: Amend Loan Order O-2013-034: Academy Building Preservation & Restoration Project

Vice President Whitaker opened the hearing at 7:40 p.m.

Vice President Whitaker read a summary of the Order.

At Vice President Whitaker's request, Mr. Dutton explained the adjustments required as some of the numbers have been adjusted, but not the total amount. Mr. Dutton noted; it was the recommendation of Bond Counsel that this measure be re-voted.

Vice President Whitaker invited any questions from the public – none came forward.

Vice President Whitaker asked if there was anyone speaking in favor - none came forward.

Vice President Whitaker asked if there was anyone speaking in opposition – none came forward.

Vice President Whitaker entertained any questions from councilors:

- At Councilor Fitzgibbons' request, Mr. Dutton confirmed the cash flow of the CPA would cover the costs.

Vice President Whitaker closed the hearing at 7:44 p.m.

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

Discussion: Councilor Rivers noted this measure was approved by both the Budget & Finance Committee and Finance Committee.

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

Fitzgibbons – YEA; Perry – YEA; Colombotos – YEA; Whitaker – YEA; Wood – RECUSED; Pitta – ABSENT; Rivers – YEA; Norris – YEA; Wright – ABSENT, the motion passed 6-0.

**7:44 p.m. President Wood returned to meeting and resumed presiding.*

- 7:45 p.m.: Petition #P-2015-001: Transfer of a Class III Auto Dealer – Karl Irving, DBA Woods Auto Parts
President Wood opened the hearing at 7:46 p.m.

Mr. Dutton confirmed all the paperwork is in order for a class II auto dealer.

President Wood invited any questions from the public – none came forward.



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, January 6, 2015

President Wood asked if there was anyone speaking in favor - none came forward.

President Wood asked if there was anyone speaking in opposition – none came forward.

President Wood entertained any questions from councilors: no questions.

President Wood closed the hearing at 7:46 p.m.

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

Discussion: Councilor Fitzgibbons wished the new owner well.

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

Return to normal order of business.

APPROVAL OF MINUTES -

- December 16, 2014

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

Discussion: None

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

ANNOUNCEMENTS FROM THE PRESIDENT

- President Wood announced the Joint meeting of the School Committee Chair, Finance Committee, Town Manager and Town Council will be held on 1/20.
- President Wood provided information for a Free Spanish class starting 1/26 at Senior Center, noting participants must be over 50. If interested, contact Lorraine Carrozza.
- President Wood read an open letter to the public from Fire Chief George Rogers.

PROCLAMATIONS - None

CITIZENS OPEN FORUM –

- Jason Cox: Post Commander at VFW: Mr. Cox has a concern with the VFW Post 2125 lease which is due to expire in 2015. He has reached out to different departments in town to extend lease beyond 3 years to 10 years. Mr. Cox explained the many upgrades they have done to the building over the year.

APPOINTMENTS –

- Middleboro Rotary Task Force – David Sbabo
President Wood briefly explained the Task Force being created and his nomination of David Sbabo.
Motion: A motion to appoint Mr. Sbabo to the task force was made by Councilor Fitzgibbons. The motion was seconded by Councilor Norris.
Discussion: Councilor Fitzgibbons thanked Mr. Sbabo for stepping forward.
A voice vote was taken and the motion passed 7-0.

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: Mr. Dutton addressed the previously mentioned VFW lease concern noting to extend a lease beyond 5 years requires legislation. Regarding pedestrian safety; we were able to get crosswalks striped before the winter. Mr. Dutton has also discussed additional lighting with both Chiefs and BSU. He will be meeting with National Grid. Additionally, Lisa Jacobson, from Nelson-Nygard will also be offering short term ideas. Mr. Dutton will be creating a website advisory committee. An offer had been extended to a Planner candidate and he dropped out of consideration for personal reasons. Mr. Dutton will be developing a recruitment strategy. Mr. Dutton addressed rumors that the new roof on the Academy Building was leaking, but it is not. He also addressed rumor that the basement is flooded with water which is also untrue. The Memorial Building roof is being fixed and Fire Station roof has been replaced. Mr. Dutton will be asking the MBC to review the McElwain building. He noted we should also



be thinking about a disposition for the town Hall when everyone is in the Academy Building. The Building Official is concerned about the structural integrity of the Spring Street Garage building. Regarding the Corner of Mill Street & Plymouth Street; the property has transferred owners, and the new owner has started storing items. There's a proposal before the Planning Board to construct a building. High and Broad Street light – bid opening was on the 16th. Pavo Construction was awarded the contract with \$1,114,000. The state is in the process of negotiating the contract. Mr. Dutton spoke on behalf of Gary Oman; who left the Finance Committee as of 12/31/14. He thanked Mr. Oman for all his service to the Town. Finally, Mr. Dutton spoke briefly about Chapter 90 Funds, noting we get about \$750K from Chapter 90 Funds each year, but we have about \$13MM in pent up need. As we go through the budget process, we will try to increase the budget.

Councilor Questions:

Councilor Fitzgibbons encouraged the Town Manager to work with the VFW to get lease extension within extent of law and to perhaps get some legislation together. Councilors Colombotos and Whitaker expressed concern with the Planner position. Councilor Colombotos noted his concern that perhaps the town was not offering enough money for the position. Finally, Councilor Colombotos asked if department heads/committees had been trained on posting items to the website. Mr. Dutton responded everyone had not yet been trained for a number of reasons. Councilor Rivers suggested looking at a home rule petition for (the VFW) on Orange Street. At Mr. Rivers' request, Mr. Dutton confirmed the town was not awarded the second grant for the Murray-Needs properties because Wildlands Trust backed out of the management portion of the agreement. Mr. Rivers asked if fines could be issued for the Mill Street property. Mr. Dutton explained, civil fines cannot be issued for zoning infractions. Councilor Colombotos noted the building the new owners are proposing is contingent upon cleaning up the property. Councilor Whitaker requested an update on the Academy Building project in mid-February. Finally, at President Wood asked who the vacant appointments belonged to on the Finance Committee. Mr. Dutton responded he believes they're the Town Clerks.

DISCUSSIONS

- **Administrative Code**

President Wood explained he sees the next step as, start blocking out sections of the Administrative Code and Code of Ordinances. He further explained, section one is Charter, section 2 is the Administrative Code. Now we need to have a formal structure for that. We also need to start looking at the current bylaws and shifting those into the code.

SUBCOMMITTEE REPORTS:

- **Budget & Finance:**

Councilor Rivers stated he will go into detail as each item comes up, but noted the Budget & Finance Committee recommended all three union contracts 2-1 and all transfers the fund the contracts were voted 2-1. The remaining two transfers (animal control and payment of a prior year invoice) were voted unanimously in favor.

LEGISLATION FOR ACTION -

- **Order #O-2014-028: Approval of Contracts for USW Professional Union**

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

Discussion: At Councilor Fitzgibbons' request, Mr. Dutton explained this is a 1-year contract in anticipation of the compensation/classification survey. Major changes were outlined as follows: some changes to the grievance/dispute resolution process, salaries will be increased over 1 year by 3%, they agreed to performance reviews, licenses/training fees required by town will be paid directly by town, so training stipends are no longer paid. We will be paying mileage reimbursement, eliminating the automobile stipend. Health Insurance opt-out stipend eliminated for new employees and made BRRSD not an eligible alternative health plan. Councilor Rivers explained he was the one in opposition in the Budget & Finance Committee vote. He thinks these (contracts) are a little generous given financial outlook. Mr. Rivers thinks increase should be no more than 2.5%. Additionally, we haven't seen compensation/classification study yet. Councilor Whitaker asked if this had been compared to the budget guidelines. Mr. Rivers responded, yes, that was the basic guideline. Councilor Whitaker indicated her agreement with Mr. Rivers. Councilor Fitzgibbons stated his opinion that, this is a one year contract, and the Town Manager needs to get behind paying market rate for positions. Councilor Colombotos agreed with Councilor Fitzgibbons. Mr. Rivers further explained his opposition to the contract before them, outlining several reasons



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, January 6, 2015

supporting his position. President Wood stated his opinion that we should be looking at the total package, noting there are other items that reduce the overall cost.

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

Wright – ABSENT; Norris – YEA; Rivers – NAY; Pitta – ABSENT; Wood – YEA; Whitaker – NAY; Colombotos – YEA; Perry – YEA; Fitzgibbons – YEA. The motion passed 5-2.

- Order #O-2014-029: Approval of Contract for SEIU Clerical Union

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

Discussion: Mr. Dutton provided an overview of the contract. Councilor Rivers pointed out the Health Insurance opt-out only affects new hires. He still thinks we need to be a little more conservative with contracts. Councilor Fitzgibbons clarified the 2/3 vote is only required because of funding source. At Councilor Whitaker's request, Mr. Dutton confirmed the health insurance split is 80/20 and the standard can be anywhere from 70/30 – 90/10. Councilor Fitzgibbons requested Mr. Dutton to get the contracts and steps from Bridgewater-Raynham.

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

Fitzgibbons – YEA; Perry – YEA; Colombotos – YEA; Whitaker – NAY; Wood – YEA; Pitta – ABSENT; Rivers – NAY; Norris – YEA; Wright – ABSENT. The motion passed 5-2.

- Order #O-2014-030: Approval of Contract for AFSCME

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

Discussion: Councilor Rivers explained some of the changes in this contract noting there were some longevity changes and asked to hear from Town Manager. Mr. Dutton explained; the new contract eliminates longevity for those employees working less than 20 hours/week. This codifies what had formerly been pieced together by various MOU's. Councilor Whitaker asked if the \$400 (longevity increase) is just at the 10 year. Mr. Dutton responded it's that year and every year after. Discussion followed regarding the provision for DOT workers who exceed 16 hours. Finally, Councilor Whitaker commented; it's really hard for her to move forward when the compensation study is imminent.

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

Wright – ABSENT; Norris – YEA; Rivers – NAY; Pitta – ABSENT; Wood – YEA; Whitaker – NAY; Colombotos – YEA; Perry – YEA; Fitzgibbons – YEA. The motion passed 5-2.

- Transfer #T-2014-047: Animal Control Department Transfer

Mr. Dutton explained the transfer. This will fund an increase of hours for the Animal Control officer from 19-26 hours.

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

Discussion: At Councilor Fitzgibbons' request, Mr. Dutton explained this is sustainable partially because we have seen a bump in revenue through the collection of fines. It was noted that the Budget & Finance Committee and Finance Committees both unanimously approved this measure. Mr. Dutton confirmed the Animal Control Officer is not part of a collective bargaining agreement.

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

Fitzgibbons – YEA; Perry – YEA; Colombotos – YEA; Whitaker – YEA; Wood – YEA; Pitta – ABSENT; Rivers – YEA; Norris – YEA; Wright – ABSENT. The motion passed 7-0.

- Transfer #T-2014-048: Payment of Prior Year Invoice for National Grid

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

Discussion: Councilor Rivers briefly explained this is for an invoice that occurred in 2008.

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

Wright – ABSENT; Norris – YEA; Rivers – YEA; Pitta – ABSENT; Wood – YEA; Whitaker – YEA; Colombotos – YEA; Perry – YEA; Fitzgibbons – YEA. The motion passed 7-0.

- Transfer #T-2014-049: Funding of Collective Bargaining Agreement – USW Professional Union

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

Discussion: Councilor Fitzgibbons noted we need to convince one vote; we've agreed to the contract, so we need to fund it. Attorney Gildea briefly explained what would occur if funding was voted down. President Wood



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, January 6, 2015

clarified the funding is coming from Stabilization, therefore it requires the 2/3 vote. Councilor Rivers stated he will be voting to fund these, even though he's against the contracts he won't use it as a means to stop the contracts.

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

Fitzgibbons – YEA; Perry – YEA; Colombotos – YEA; Whitaker – YEA; Wood – YEA; Pitta – ABSENT; Rivers – YEA; Norris – YEA; Wright – ABSENT. The motion passed 7-0.

- Transfer #T-2014-050: Funding of Collective Bargaining Agreement – SEIU Clerical Union

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

Discussion: None

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

Wright – ABSENT; Norris – YEA; Rivers – YEA; Pitta – ABSENT; Wood – YEA; Whitaker – YEA; Colombotos – YEA; Perry – YEA; Fitzgibbons – YEA. The motion passed 7-0.

- Transfer #T-2014-051: Funding of Collective Bargaining Agreement – AFSCME Laborers Union

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

Discussion: None

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

Fitzgibbons – YEA; Perry – YEA; Colombotos – YEA; Whitaker – YEA; Wood – YEA; Pitta – ABSENT; Rivers – YEA; Norris – YEA; Wright – ABSENT. The motion passed 7-0.

OLD BUSINESS

- Ordinance #D-2014-009: Creation of a Department – DPW

Motion: A motion was made by Councilor Whitaker to postpone to the next meeting. The motion was seconded by Councilor Fitzgibbons.

Discussion: None

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

- Ordinance #D-2014-010: Creation of a Department – Finance Department

Motion: A motion was made by Councilor Whitaker to postpone the measure. The motion was seconded by Councilor Fitzgibbons

Discussion: None

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

NEW BUSINESS

- Ordinance D-2015-001: Enforcement Ordinance – Canine Control

Mr. Dutton explained this essentially replaces our current bylaw and reflects changes in the law.

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

Discussion: None

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

- Ordinance D-2015-002: OPEB Trust

Mr. Dutton explained an OPEB Trust was voted in 2012; however the council did not vote and actual document. Adoption of this measure will add the language.

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

Discussion: None

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

- Ordinance D-2015-003: Affordable Housing Trust

Councilor Colombotos explained this action was recommended in our affordable housing production plan and provided a brief explanation.

Motion: A motion was made by Councilor Fitzgibbons to refer the matter to the Community & Economic Development Committee. The motion was seconded by Councilor Perry.

Discussion: None



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, January 6, 2015

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

- Transfer T-2015-001: CPC Transfer – Recreational Needs Assessment

Mr. Dutton explained as a result of a discussion previously, we submitted an application to the CPC to fund the recreational needs assessment.

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

Discussion: Councilor Colombotos noted he thinks this is a really worthwhile project.

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

CITIZEN COMMENTS - None

COUNCIL COMMENTS

- Councilor Fitzgibbons: Thanked Gary Oman for his service on the Finance Committee as Chairman.
- Councilor Perry: Echoed Mr. Fitzgibbons comments.
- Councilor Colombotos: Thanked Gary Oman for his service. Also thanked Police and Fire departments noting; they've have a really rough few weeks and he appreciates them being there for the community.
- Councilor Whitaker: Echoed previous councilor comments. Also thanked the Munis team and the team that worked on Murray-Needs Farm purchase.
- Councilor Pitta: Absent
- Councilor Rivers: Thanked Gary Oman; stating he's a pleasure to work with and he'll be missed. Mr. Rivers encouraged people to step up to volunteer for the Finance Committee. He thanked the unions and Town Manager for the contracts before us. Although Mr. Rivers voted against them, he believes they were negotiated in good faith. Regarding the search for a Town Planner: it's hurting our progress as a town to not have a planner and he feels we could be doing a better job of continuing the work without someone.
- Councilor Norris: Echoed the appreciation for the Police and Fire. Thanked Gary Oman for his service. Wished all a Happy New Year.
- Councilor Wright: Absent
- Councilor Wood: Was glad to hear about traffic light at High and Broad. Mr. Wood spoke about the outpouring of community support with the ribbons, etc., noting this is a reminder of what a great town we live in. Finally, Mr. Wood noted he thinks public safety downtown is improving.

EXECUTIVE SESSION – *No Executive Session was held.*

ADJOURNMENT

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

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

The meeting adjourned at 9:26 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, February 3, 2015, to approve the aforementioned minutes, as submitted by a voice vote (6-0-1) (Councilor Pitta abstained).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk