



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, March 8, 2016

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 March 8, 2016 at BTV Studios, 80 Spring Street, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Sandra Wright, William Wood, Peter Colombotos, Aisha Losche (arriving at 7:36 p.m.), Kevin Perry, John Norris, Dennis Gallagher and Timothy Fitzgibbons. Town Attorney Mark Gildea was also present.

ABSENT:

- Colombotos
- Town Manager, Michael Dutton

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

A moment of silence was held for all who have passed since our last meeting.

APPROVAL OF MINUTES

- February 2, 2016

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

Discussion: Councilor Fitzgibbons noted he'll abstain due to his absence from the meeting.

A voice vote was taken and the motion passed 5-0.

ANNOUNCEMENTS FROM THE PRESIDENT

- Bridgewater TRIAD is holding a seminar on Skimmer Scams.
- Condolence Victor Auglis

**7:36 p.m., Vice President Losche joined the meeting*

PROCLAMATIONS - None

CITIZENS OPEN FORUM –

- Janet Dye, 40 Dickins Street: Ms. Dye walks daily and finds trash and plastic bags along the side of the road. She encouraged all to support the Plastic Bags Ordinance. Ms. Dye further suggests merchants add a sign reminding people to "have their bags".
- Linda Karp, Maple Ave: Ms. Karp supports the Plastic Bag Ordinance and outlined several reasons why plastic bags are harmful to the environment and costly in the long run.

Motion: A motion was made by Councilor Norris to allow Professor Madhavi Venkatesan to speak. The motion was seconded by Councilor Gallagher.

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

- Dr. Madhavi Venkatesan: Dr. Venkatesan, from BSU, came forward with 700 signatures from students at BSU. Dr. Venkatesan explained; society has made poor decisions in the past but that does not mean society cannot make good decisions going forward. Dr. Venkatesan encouraged the support of the Plastic Bag Reduction Ordinance.
- Bernice Morrissey, 150 Lakeside Drive: Ms. Morrissey is with the Green Committee and cited several reasons why this Ordinance is good for the Town and State. Ms. Morrissey discussed the low recycle rate of plastic bags and outlined what happens when the plastic bags are picked up by the roadside trash. If they're not being brought back to the store, they become waste.
- Justin McCauley, 26 Vernon Street: Mr. McCauley has worked at BSU. This; and issues of sustainability are very close to the students minds. He has benefitted from the single use bags and spoke about their convenience, finally stating, it should not stand in the way of progress and what's best for the people this will impact (children, students).



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*7:51 p.m., Councilor Colombotos entered meeting.

Mr. McCalley's yard is the local bus stop. Plastic bags are often in his yard and in the trees. He urged the Council to pass the ordinance.

- Ernie Talpey, Green Leaf Road: Mr. Talpey is representing the BBA. He stated the BBA will endorse the Ordinance with the couple of adjustments that will be proposed this evening.
- Pat Neary, 225 Lakeside Drive: Ms. Neary spoke on behalf of the Green Committee. Ms. Neary spoke in favor of the Plastic Bag ordinance. She stated, there is no evidence that any businesses have been affected in towns where the ordinance is in effect. Ms. Neary encouraged passage of the amended version of this ordinance and not a watered down version.

APPOINTMENTS – None

HEARINGS - None

LICENSE TRANSACTIONS

- Petition P-2016-008 – New Common Victualler license - Chessmen's Grill, 10 Summer Street, Bridgewater (formerly Brick & Tin)
Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Norris.
Discussion: Councilor Fitzgibbons wished them the best. Councilor Norris thanked them for altering their hours. A voice vote was taken and the motion passed 8-0.
- Petition P-2016-009 – One Day Entertainment License – VFW, Orange Street
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 8-0.

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

Discussion: None

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

LEGISLATION FOR ACTION – (Taken out of order)

- Ordinance D-2015-007: General Bylaw Amendment – Plastic Bag Reduction Ordinance
Motion: A motion to approve was made by Councilor Norris. The motion was seconded by Councilor Gallagher.
Discussion:
Motion: A motion was made by Councilor Wood to amend as follows: "Section 2.1 – Replace "of 2.5 Mils or less" with "of less than 15 Mils" and Section 2.5 – Strike words after "any retail store" to read "Retail Establishment – Any Retail Store". The motion was seconded by Councilor Fitzgibbons.
Discussion: Councilor Wood explained his Charter Objection from the previous meeting. He stated he had asked Councilor Norris prior to advertising to postpone the ordinance, he therefore felt the Charter Objection was necessary. Mr. Wood feels he has found an agreement that the BBA will support. Mr. Wood addressed Clint, from the Sierra Club's objections to changing to 1.5ML. Mr. Wood stated the 1.5MIL bag does not fly (in the wind). It hits the ground and stays on the ground. 2 of 18 communities have adopted (the proposed) amendment. The Sierra Club does not support it because they wish to get rid of as many single use bags as possible. Mr. Wood then explained the disparity in the original amended ordinance.
Discussion: A brief discussion took place regarding which businesses would be affected under the previously amended language. Councilor Gallagher stated he is not in favor of the amendment as he thinks the amendment is going to confuse many. He doesn't see how the Ordinance will be enforced, but would like to see it passed as is. Councilor Fitzgibbons questioned why Councilor Gallagher would support an ordinance he doesn't think can be enforced? Councilor Gallagher explained; he thinks it's a step in the right direction and makes people aware of the problem. He believes the problem with enforcement will be the burden it puts on the Inspectional Services Department. Councilor Fitzgibbons reminded Councilor Gallagher that the proposed amendment makes the



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ordinance more inclusive and it'll be supported by the BBA. Councilor Losche agreed the proposed amendment actually makes it less confusing. Councilor Colombotos will not be supporting the amendments as he thinks it dramatically waters down the ordinance and doesn't think it's all that confusing for businesses. Regarding enforcement, he understands there will be a ticket book which alleviates his concern. Councilor Wright ultimately believes this is a state problem, but agrees with all the reasons why plastic bags should be eliminated. Councilor Wood reminded all that this amendment will bring a partnership with the local businesses and the simplified language becomes portable to other communities, which ultimately helps the state legislation. Currently there are 18 communities with 18 different ordinances. Mr. Wood sees there are three options: 1. Adopt the proposed amendment, 2. don't adopt the measure and bring down the hammer, 3. Ask for more time. Councilor Norris responded; the ordinance is a first shot, if it doesn't work, we'll fix it. Mr. Norris outlined several reasons this will help Bridgewater, and noted, President Perry's original amendments which were adopted to accommodate the BBA.

Point of Information: Councilor Wood referenced the Uline Catalog and asked if the plastic bags offered in the catalog are not available to communities. Councilor Norris did not see the question as a proper point of information. However Councilor Norris acknowledged that yes, bags that can be purchased outside, but it's a dramatic increase in cost.

Discussion continued briefly with Councilors making final comments on the proposed amendment. Finally President Perry stated he was the author of some of the initial amendments. He was concerned for the small business owner. The language (he proposed) came from the bills at the state level. We want to come as close to an agreement as possible. Ultimately we want to put forward something that we call want to support. He would be in favor of Mr. Wood's amendments, does not think it would weaken the ordinance and noted (if approved) the ordinance would have to be re-advertised.

A voice vote was taken and the motion to amend failed 4-4 (Councilors Wright, Wood, Perry and Fitzgibbons in the minority)

Discussion (on main motion cont'd): Councilor Fitzgibbons stated he is disappointed the amendment didn't pass. There was a lot of hard work put into it, though he did not want to discredit the hard work of the committees and Green Committee. Councilor Wood thinks we're applying the hammer here instead of a partnership, but is interested to see what happens in a year. Councilor Colombotos thinks if Roche Brothers was going to lay people off because of this ordinance they would have told us.

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

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

Motion: A motion was made by Councilor Fitzgibbons to direct the Town Manager study the effects and costs of to the Inspectional Services Department of this law at three months, six months, nine months and a year after its implementation and report back to the Town Council. The motion was seconded by Councilor Norris.

Discussion: Councilor Fitzgibbons agrees it will be hard to enforce and is not certain it will make a big impact. Councilor Norris agrees follow up is totally appropriate. Councilor Wood would be interested in seeing the cost of Inspectional Service Department in enforcing.

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

Resume regular order of business.

PRESENTATIONS - None

TOWN MANAGER'S REPORT

- Downtown Revitalization – Andrew Delonno

Mr. Delonno explained there are certain key principles and strategies when talking about downtown revitalization. Work is being done on several fronts: we have secured community Compact Grant Funds for zoning review and revisions. Regarding the Economic Development Plan we have worked on building on the Cecil Group's Downtown Revitalization Plan, and Zoning Amendments and moving those forward. The Community & Economic



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Development Committee is currently reviewing downtown zoning changes which removes lodging houses and creates "live/work" space.

**8:47 p.m. Councilor Fitzgibbons briefly left the meeting, return 8:52.*

A 40R Area of Concentrated Development has been submitted to the Department of Housing and Development and we are waiting for a response from them. We are currently vetting, through the Citizens Advisory Committee (CAC), Affordable Housing Trustees and are also redrafting the Sign Ordinance. The sign ordinance is currently not explicit about what merchants can and cannot do and leaves too much up to discretion. We are currently waiting on results from the OCPC downtown traffic study, which we should see this month. Downtown Association meetings were recently begun, which have been going very well. We are looking for better signs for the Municipal Parking Lot which has been discussed with the Highway Superintendent. Mr. Delonno spoke briefly about a paid parking program, which he believes students, in particular, would pay for the privilege. Mr. Delonno noted the state of vacant and abandoned properties in town is an issue that comes up and should be addressed through the Vacant & Abandoned Buildings Ordinance, but should be geared towards commercial properties. Mr. Delonno mentioned the engineering design for downtown circulation is critical towards accessing TIP and Mass Works money. Lastly, will be visiting some success stories with UConn and Keane State to see what works and what hasn't worked.

Councilor Questions:

President Perry asked about the Downtown circulation – will there be a traffic study? Mr. Delonno responded we can take what OCPC gives us and use that as a foundation to have full blown traffic study, which can be very costly.

Councilor Norris asked if the 40B safe haven is up. Mr. Delonno responded yes it is up.

Councilor Colombotos asked about the engineering design which is required for TIF and Mass Grants. Mr. Delonno responded you have to submit "shovel ready", which could be around \$100K.

**9:00 p.m. Councilor Norris exited meeting briefly.*

- Financial Update (*Enterprise Funds generally*) – Tony Sulmonte

Mr. Sulmonte explained he will be briefly covering the Enterprise funds.

Golf Enterprise Fund: Expenses are through 3/7/16 and revenues are through 2/23/16. Mr. Sulmonte noted problem areas as; the electricity budget, gas and oil and golf course supplies. He noted those items will be watched very closely. Mr. Sulmonte reported on the revenues stating there has been some positive uptrend from FY15/16 which should continue. If we look at the revenues from 2/23 and project out through the end of the year, we could achieve \$176,596 surplus in revenues.

Councilor Wood asked if they can track the need for a transfer so we can anticipate? Mr. Sulmonte responded we are meeting with departments now and building their budgets, so the information should be more accurate and timely.

Sewer - that fund operates pretty strongly. The betterments are in the Sewer Enterprise fund. We will be creating a separate fund as requested by the Auditor. Right now Mr. Sulmonte doesn't see any issue with their revenue.

Water – Expenses – there's \$1MM left in their expense budget. Their revenues are trending up and overall their results of operation should be positive.

DISCUSSIONS - None

SUBCOMMITTEE REPORTS:

- Rules & Procedures: Councilor Wood stated the Rules & Procedures Committee met earlier this evening. There's additional information that is needed (on the Wireless Communications Facilities License Ordinance) before we can take action. He asked that M (a) be withdrawn from this evening's business.

OLD BUSINESS

- Ordinance D-2016-004: Wireless Communications Facilities License Ordinance
This measure was withdrawn from this agenda as it is under legal review and will be taken up at a later date.



NEW BUSINESS

- Ordinance D-2016-005 – Zoning Ordinance - Demolition Delay Ordinance
Councilor Norris explained; many towns have something like this. He has worked closely with Mr. Delonno and the Town Counsel to draft the language. Mr. Norris understands this will need to go to the Planning Board and CEDC for a hearing.
Motion: A motion was made by Councilor Fitzgibbons to refer to the Community & Economic Development Committee and Planning Board for joint public hearing. The motion was seconded by Councilor Norris.
Discussion: Councilor Colombotos asked about the established time period. Councilor Norris explained, when he met with Mr. Delonno they felt this was the better way to go through it.
A voice vote was taken and the motion passed 8-0.
- Order O-2016-005: Acceptance of a Gift – Calthrop Property
Motion: A motion was made by Councilor Fitzgibbons to refer to the Budget & Finance and Finance Committees. The motion was seconded by Councilor Norris.
Discussion: None
A voice vote was taken and the motion passed 8-0.
- Order O-2016-006: Acceptance of a Gift – Senior Center, Trustees of the Home for Aged Men
Motion: A motion was made by Councilor Fitzgibbons to refer to the Budget & Finance and Finance Committees. The motion was seconded by Councilor Losche.
Discussion: None
A voice vote was taken and the motion passed 8-0.
- Order O-2016-007: Capital Exclusion – Highway Equipment
Motion: A motion was made by Councilor Norris to refer to the Budget & Finance and Finance Committees. The motion was seconded by Councilor Losche.
Discussion: Councilor Fitzgibbons commented this is going to require a lot of discussion.
A voice vote was taken and the motion passed 8-0.
- Order O-2016-008: Olde Scotland Links Golf Course Lease
Motion: A motion was made by Councilor Fitzgibbons to refer to the Budget & Finance and Finance Committees. The motion was seconded by Councilor Norris.
Discussion: None
A voice vote was taken and the motion passed 8-0.

CITIZEN COMMENTS - None

- Carlton Hunt – Thanked for passing ordinance.

COUNCIL COMMENTS

- Councilor Wright: No comments.
- Councilor Colombotos: Regarding the Plastic Bag Ordinance, Mr. Colombotos has great confidence that the residents of Bridgewater can rise to the challenge of this ordinance.
- Councilor Wood: A few comments were made that a particular ordinance was in committee for 9 months and he didn't pay attention. Mr. Wood believes we have to do a better job of committee communications. Mr. Wood congratulated the Robotics Team who had a win this past weekend.
- Councilor Losche: Happy International Women's Day
- Councilor Norris: No comments.
- Councilor Gallagher: No comments.
- Councilor Fitzgibbons: No comments.
- Councilor Perry: Appreciate the discussion tonight. We'll see how this comes together.

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 8-0.



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The meeting adjourned at 9:18 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, April 5, 2016, to approve the aforementioned minutes, as submitted, by a voice vote (7-0) (1 Councilor vacancy, Councilor Norris absent).
A TRUE COPY ATTEST:**

Ann M. Holmberg
Town Council Clerk