Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, September 8, 2015

CALL TO ORDER:

A quorum being duly present, Town Council Vice President Kevin Perry called the meeting of the Bridgewater Town Council to order at 7:32 pm, on September 8, 2015 at BTV Studios, 80 Spring Street, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Sandra Wright, William Wood, Peter Colombotos, Kevin Perry, Aisha Losche, John Norris Dennis Gallagher and Timothy Fitzgibbons. Town Manager Michael Dutton and Town Attorney Mark Gildea were also present.

ABSENT:

- No Councilors absent; one Council vacancy

PLEDGE OF ALLEGIANCE

Reorganization of Council

Vice President Perry explained the need to reorganize the Council as former President Rivers moved out of state. He then invited Town Clerk, Marilee Hunt to come forward and conduct the election.

Town Clerk, Marilee Hunt came forward and called for nominations for the seat of Town Council President.

Motion: A motion was made by Councilor Fitzgibbons to nominate Councilor Perry to President. The motion was seconded by Councilor Norris.

Discussion: Councilor Gallagher asked for clarification on the procedure, questioning if an election is actually necessary. As a point of interest, he asked why the Council needs to take vote and reorganize. Councilor Fitzgibbons explained; we did this when former President Colon stepped down, as there are references in Charter that refer to "President", not "Acting President". Mr. Fitzgibbons thought it was clearer to formally elect a President. Mrs. Hunt noted; she feels it's a good protection to have a Vice President. Councilor Colombotos asked if, having a current Vice President/Acting President precludes the Council from nominating someone different. Mr. Colombotos clarified he was not suggesting that was his intention, he was merely asking for clarification.

No other nominations were put forward.

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

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

Town Clerk, Marilee Hunt then called for nominations for the seat of Town Council Vice President.

Motion: A motion was made by Councilor Fitzgibbons to nominate Councilor Losche to Vice President. The motion was seconded by Councilor Gallagher.

Discussion: Councilor Colombotos noted he supports this nomination. Mrs. Losche's background makes her suitable for this position.

No other nominations were put forward.

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

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

Motion: A motion was made by Councilor Wood to remain (seated) where they are. The motion was seconded by Councilor Gallagher.

Discussion: It was noted that Vice President Losche would move to the seat to the right of the President at the next meeting.
A voice vote was taken and the motion passed unanimously.

Mrs. Hunt announced she has had had a legal opinion on Charter Section 2.4, Subsection (c),(3). Mrs. Hunt referenced an ordinance authored by Councilor Fitzgibbons and passed by the Council.

Motion: A motion was made by Councilor Gallagher to solicit letters of interest from citizens to fill at-large seat. The motion was not seconded.
Discussion: Councilor Norris noted Mr. Rivers' term would have been up in April, so he would rather leave the seat empty. President Perry would like to table for now and make an agenda item for next meeting. Councilor Colombotos asked Town Attorney Gildea to clarify if we are obligated to appoint someone to the vacant seat. Attorney Gildea responded, he will look at it and report back at next meeting.

APPROVAL OF MINUTES –

- August 4, 2015
  Motion: A motion was made by Councilor Fitzgibbons. The motion was seconded by Councilor Gallagher.
  Discussion: None
  A voice vote was taken and the motion passed 8-0.

ANNOUNCEMENTS FROM THE PRESIDENT

- **MOMENT OF SILENCE**
  A moment of silence was held for all veterans who have passed including:
  - Theodore Morse
  - John Backgren
- President Perry announced the 19th Citizens Police Academy which begins September 9th.
- Bridgewater Senior Center is holding flu shots on Tuesday, October 6th (10:00 a.m. – noon) and Thursday, October 15th (10:00 a.m. – noon).
- September 26th is the 27th annual Autumnfest to be held on the quad at BSU.
- Louie Lora from Senator Pacheco's office will hold office hours from 11 a.m., – noon on September 17th at the Senior Center.
- The grace period for dog licenses has been extended to September 30th. If you do not register by September 30th, a $50 penalty will be assessed.

PROCLAMATIONS - None

CITIZENS OPEN FORUM - No citizens came forward.

APPOINTMENTS – None

HEARINGS - None

LICENSE TRANSACTIONS

- Petition #P-2015-018: Bernier's Liquors Pledge of License
  Mr. Dutton explained this is the applicants desire to pledge their license against their loan with Bridgewater Savings.
  Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Norris.
  Discussion: Councilor Norris clarified for the public; this is a normal procedure.
  A voice vote was taken and the motion passed 8-0.

PRESENTATIONS -

- CPC Presentation – Marilee Hunt
  Former CPC Chairperson, Marilee Hunt came forward and gave a detailed presentation on the Community Preservation Act (CPA) in Bridgewater over the last 10 years. Mrs. Hunt briefly explained the history, administration and purpose. She also explained what CPA funds may be used for, the fund sources and the match. Mrs. Hunt explained about the budget process and the FY16 budget, highlighting the difference between Undesignated Fund Balance (which is money that was left over from the previous fiscal year) and the Budgeted Reserve (which is the balance of projected revenues available for projects). At the request of Councilor Norris, Mrs. Hunt explained that historically the CPC uses the reserve account first but, for all intents/purposes the accounts are equal. She then elaborated on the benefits of the 3% surcharge noting 3% communities get more bites at the apple, but to change the percentage has to be a ballot vote. Mrs. Hunt walked through the Accounting Report for CPA as of July, 2015; explained the process for expending CPA funds and what happens when an application is received. Mrs. Hunt noted the Town Council finally approves all appropriations of funds and explained the Council process. Mrs. Hunt noted that since she has stepped down form Chair of the CPC, Harry Bailey Jr. has become the Chair. Mrs. Hunt highlighted many projects done through CPC funds, including a brief update on the Academy Building which is currently being renovated. Finally Mrs. Hunt spoke briefly about upcoming projects.

**8:25 p.m., Councilor Colombotos left meeting, returning at 8:28 p.m.*

At Councilor Colombotos' request, Mrs. Hunt explained Conservation Restrictions and how they benefit the town. She cited Murray-Needs as an example noting, the town does not own the land. If they sold the land, the conservation restriction restricts what can be built on the land, so it couldn't be used for homes etc.

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 commitment letter for the SAFER grant through FEMA has been received. Chief Rogers and Melissa in his office did a lot of work to secure this grant. Tony Sulmonte (Town Accountant) has started and hit the ground running. He has been charged with putting solid processes in place to address some of the items in the Audit Management Letter. The Building office continues to try and catch up on their backlog. Work is underway at High and Broad Street to install traffic signals. As of right now, there is no plan to detour traffic. Line striping is basically complete. Mr. Dutton thanked Bridgewater Savings Bank for the grant that allowed the town to do the striping.

**8:38 p.m., Councilor Fitzgibbons left meeting, returning at 8:48 p.m.*

Mr. Dutton explained that at the recommendation of Health Agent, today they have effectively closed Rainbow's End Playground due to safety issues. A sign will be posted and if all goes well we will see some clearing work organized by volunteers. The recreation needs assessment will provide some direction on how to move forward. He reminded all that Bridgewater State University is celebrating its 175th anniversary tomorrow and provided an update on the Academy Building project noting, he will begin to post pictures soon. Mr. Dutton met with the new Superintendent and Dr Forbes regarding the Mitchell School. He explained, the district has begun planning for the shuttering of the school, and has shut the systems down. The heat will be left on, but all other systems will be shut down. The district will be recommending to building subcommittee a short list of engineering firms. It's hard to put a timeline on the process. There are ultimately three funding sources: insurance proceeds, FEMA funds, and the Mass School Building Authority. Mr. Dutton spoke about the Oak Street Bridge stating he is trying to secure a commitment from the DOT; noting our State Representative has been very helpful. Finally, Mr. Dutton listed the need for volunteers on the following committees: Website Advisory Committee, Solid Waste Advisory Committee, Affordable Housing Trust and the Parking Ad Hoc Committee.

Councilor Questions:

- Councilor Losche asked if volunteer opportunities would be listed like job descriptions on the website so people know what the committee does. Mr. Dutton responded, he's aware there's very little description right now and he'd like to at least add the mission of each committee, though most of these are short term committees.
- Councilor Gallagher asked when we will know if the Mitchell School building is salvageable? Mr. Dutton responded he doesn't think there is a definitive timeframe.

- Councilor Norris asked if there is a plan to do a town-wide traffic study. M. Dutton stated he is not proposing a town-wide study at this point. The OCPC data will give us data which will help position us for funding.
- Councilor Wood complimented the detail officer doing High & Broad Street. Mr. Wood asked if there is there anything we can do to gather community support to assist in moving the project along. Mr. Dutton stated he will follow up with the State Representative.
- At Councilor Colombotos' request, Mr. Dutton provided a brief update on the Housing Coordinator position, noting he is considering 2 options. Andrew DeIonno is looking at the options now. Mr. Dutton would like to get someone on board sooner rather than later. Councilor Colombotos noted there has been a dramatic increase in building permits. He asked if it has an impact on new growth projections. Mr. Dutton responded, new growth is basically projected through new permits, though he thinks this year's new growth figure was accurate. Finally, at Councilor Colombotos' request, Mr. Dutton spoke briefly about the BAT Bus Line's extended service trial from Brockton to BSU.

DISCUSSIONS

- Calthrop/Childs Bridge
  Mr. Dutton explained, the Town received letter from Angelo D'Emilia regarding the open space commitment. The Planning Board formerly issued a letter with acceptable options. Mr. D'Emilia is requesting some direction from the Town on what they'd like to see done. Mr. Dutton does not think there's an incredible urgency to get a decision. He can ask the Town Attorney and Economic Director to do analysis. Councilor Wood noted it would be helpful to have a tax analysis included for the different cases. It would be good to have a map of the whole development area and the piece being considered. Councilor Colombotos also noted it should include an analysis on the cost to maintain.
- Skips Liquor Store Update
  Mr. Dutton shared an update provided by Skips Liquor's attorney. He noted; plans were submitted to Building Inspector. The Building Inspector had to reject the plans and an appeal has been submitted to the Planning Board. Councilor Fitzgibbons asked why the Building Inspector "had to" reject the plan. Mr. Dutton responded; the new plan did not meet setbacks and parking requirements. It then goes to the Planning Board to approve a special permit if they choose. Discussion continued and Councilor Norris expressed his dissatisfaction in their failure to attend any of the Council meetings, noting he specifically requested they do so. President Perry suggested the Town Manager request their presence for our meeting in October. Councilor Losche suggested perhaps Mr. Norris can do an outline of exactly what they'll be required to present. President Perry asked if this was acceptable to Mr. Norris who answered it was. Councilor Wood noted he is pleased with the update they sent and he's not really sure having them come in is really necessary if they're going to provide an update to the Town Manager.
- Strategic Planning
  Mr. Dutton explained he has seen an increase in people coming in asking questions on various things, like street issues, signage, tree removal; a whole host of operational issues. Mr. Dutton thought it might be a good idea to discuss some of these with the Strategic Planning Committee for some direction from a financial standpoint on these initiatives and to perhaps develop some short term and long term goals. Councilor Fitzgibbons thinks it's appropriate to bring up at Strategic Planning committee meeting and bring back before the council. Councilor Colombotos suggested anyone looking at long term plans should look to the Master Plan. President Perry also agreed it's a good idea to get Strategic Planning Committee together.
- Town Website
  Councilor Wood explained, a few weeks ago we started talking about whether a vendor package would be a good option. He hears from other towns that the package prices can be very reasonable. Our IT Director handles many other things. It can be difficult to find information on our website, so maybe it's time to consider looking at other avenues. Councilor Fitzgibbons stated this might be a good idea to send to Strategic Planning. Councilor

Colombotos noted he supports the idea of farming out the website. Mr. Dutton stated he doesn't think it's a bad idea. They're currently testing something similar with one of our public safety departments.

- Town Manager Performance Evaluation – Next Steps
  Councilor Colombotos explained he is looking for guidance from rest of the Town Council. In August, 2013, the Council passed a resolution establishing Town Manager goals. Mr. Colombotos thinks it's the Town Council's role is to oversee the Town Manager, therefore we need to have the discussion. Councilor Norris agreed; stating he thinks this is an important issue and suggested making an ad hoc subcommittee to get it done in the next month or so. At Councilor Gallagher's request, Mr. Dutton confirmed his contract is up in mid-December. Mr. Gallagher asked what the Council was going to do about the contract. Councilor Wood noted the Town Manager did look at, and respond to, the goals, though we didn't formalize anything. Councilor Fitzgibbons suggested he and Mr. Wood could go back and look at what former Councilor Whitaker put together. He further suggested there should be a discussion item on the next agenda for the Town Manager's contract.
- Zoning Enforcement Issues
  Councilor Colombotos referenced an e-mail sent by the Building Inspector on 6/25 stating all the things they will no longer be doing. Mr. Dutton responded the Building office has been inundated with work. One of the Building Inspectors roles is zoning enforcement. Since that June e-mail we have increased staffing to allow building official to free up more of his time for permit review. The expectation is that he should be able to handle the workload. Councilor Colombotos asked about a ticket book. Mr. Dutton responded we have begun to look at 21D violations. He worked with Animal Control Officer to develop something for her needs and he will be adapting that for other areas. Councilor Fitzgibbon asked if Mr. Dutton authorized the Building Inspector to send it. Mr. Dutton responded he'd have to go back and look.

SUBCOMMITTEE REPORTS - None

LEGISLATION FOR ACTION

- Order #O-2015-021: Establish Fee – Farmer's Pouring Alcohol License
  Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wood.
  Discussion: Mr. Dutton explained this fee is designed for a brewery. This allows small samples. There is an amendment to prorate the fee for the first year.
  Motion: A motion was made by Councilor Fitzgibbons to amend: as recommended. The motion was seconded by Councilor Wood.
  Discussion: It was noted that Budget & Finance Committee and Finance Committee agreed with the amendment. A voice vote was taken and the motion to amend passed 8-0.

  Seeing no further discussion, a roll call vote was taken with results as follows:
  Wright – YEA; Colombotos – YEA; Wood – YEA; Perry – YEA; Losche – YEA; Norris – YEA; Gallagher – YEA; Fitzgibbons - YEA. The motion to approve, as amended, passed 8-0.
- Transfer #T-2015-018: Transfer Appropriation – Police Department 911 Dispatch Renovation Project
  Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wood.
  Discussion: Mr. Dutton briefly explained the transfer. Councilor Wood noted the Budget & Finance Committee recommended approval as did the Finance Committee. He further noted this measure requires 9/10 vote due to the Prison Mitigation funding source.
  A roll call vote was taken with results recorded as follows:
  Fitzgibbons – YEA; Gallagher – YEA; Norris – YEA; Losche – YEA; Perry – YEA; Wood – YEA; Colombotos – YEA; Wright - YEA. The motion passed 8-0.
- Resolution #R-2015-004: Complete Streets Resolution
  Councilor Colombotos explained endorsing a complete streets resolution is a conceptual piece of legislation and would put us in better standing for funding and fits with master plan.
  Motion: A motion to approve was made by Councilor Colombotos. The motion was seconded by Councilor Norris.
  Discussion: None

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

OLD BUSINESS

- Ordinance #D-2015-008: Zoning Bylaw Amendment: 10.60 Off-Street Parking
  Motion: A motion was made by Councilor Wood to take no action as the Planning Board is still researching. The motion was seconded by Councilor Fitzgibbons.
  Discussion: Councilor Colombotos noted the Community & Economic Development Committee recommended tabling, but have been informed taking no action is a more appropriate motion.
  A voice vote was taken and the motion passed 8-0.

NEW BUSINESS

- Order #O-2015-024: Authorize the Lease of Town Property
  Mr. Dutton explained this will allow for a solar canopy array at the golf course and requires authorization from council. This prepares us to go out to bid and issue an RFP.
  Motion: A motion was made by Councilor Fitzgibbons to refer to the Budget & Finance Committee and Finance Committee. The motion was seconded by Councilor Wood.
  Discussion: None
  A voice vote was taken and the motion passed 8-0.
- Order #O-2015-025: Acceptance of a Grant – Department of Energy Resources (DOER), Green Communities Division
  Mr. Dutton briefly explained the grant and its intent.
  Motion: A motion was made by Councilor Norris to refer to the Budget & Finance and Finance Committee. The motion was seconded by Councilor Losche.
  Discussion: None
  A voice vote was taken and the motion passed 8-0.
- Order #O-2015-026: Acceptance of a Grant – Department of Homeland Security – SAFER
  Mr. Dutton explained the grant and its purposes.
  Motion: A motion was made by Councilor Norris to refer to the Budget & Finance Committee and Finance Committee. The motion was seconded by Councilor Losche.
  Discussion: President Perry noted there is time sensitivity and would like to have back by next meeting for a vote.
  A voice vote was taken and the motion passed 8-0.
- Order #O-2015-027: Acceptance of a Grant – Bridgewater Savings Bank
  Mr. Dutton briefly explained the grant and its purpose.
  This measure was not referred to any committees.
- Transfer #T-2015-019: Transfer from Stabilization - Supplemental Funds for the Inspectional Services Department
  Mr. Dutton explained the positions to be funded by this transfer.
  Motion: A motion was made by Councilor Norris to refer to the Budget & Finance Committee and Finance Committee. The motion was seconded by Councilor Wright.
  Discussion: None
  A voice vote was taken and the motion passed 8-0.
- Transfer #T-2015-020: Prior Year Invoices
  This measure was not taken up at the request of the Town Manager

CITIZEN COMMENTS - None

COUNCIL COMMENTS

- Councilor Fitzgibbons: None

- Councilor Gallagher: Congratulations to Councilors Perry and Losche. Mr. Gallagher also congratulated Fred Clark on his inauguration. Finally Mr. Gallagher thanked Bridgewater Savings Bank for their grant.
- Councilor Norris: None
- Councilor Losche: None
- Councilor Colombotos: Thanked Dr. Hunt and the Energy Committee for their hard work.
- Councilor Wood: None
- Councilor Wright: Echoed previous comments by Councilors.
- Councilor Perry: Thanked Bill Rivers for his time and service and congratulated the Badgers.

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 10:00 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, September 22, 2015, to approve the aforementioned minutes, as submitted, by a voice vote (7-0).

A TRUE COPY ATTEST:

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Ann M. Holmberg
Town Council Clerk