



Town of Bridgewater

Town Council

August 8, 2023
7:00 PM

MEETING MINUTES

CALL TO ORDER

A quorum being duly present, Town Council President Erik Moore called the meeting of the Bridgewater Town Council to order at 7:00pm on Tuesday, August 8, 2023 in the Council Chambers.

PRESENT:

Fred Chase, Paul Murphy, Shawn George, Dennis Gallagher, Erik Moore, Kevin Perry and Mark Linde and Susan Robinson via Zoom. Also in attendance was Town Manager Michael Dutton and Town Attorney Jason Rawlins.

ABSENT:

Brad McKinnon

A moment of silence was held for United States Marine Corp Veteran Albert Meserve who passed away on July 2, 2023.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) July 11, 2023 Meeting Minutes

Councilor George made a motion to approve the July 11, 2023 meeting minutes, which was duly seconded.

A roll-call vote was taken with the results recorded as follows: Perry – Absent; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea.
Motion passed 7-0-0

ANNOUNCEMENTS FROM THE PRESIDENT

PROCLAMATIONS – None

CITIZEN OPEN FORUM

- Bill Wood, 388 Hayward Street: Spoke on term limits, stipend for the Councilors and Stiles and Hart property purchase.
- Carlton Hunt, Austin Street: Spoke on the charter changes on the agenda and the Broad Street property.

APPOINTMENTS – None

HEARINGS

a) Order O-FY23-059: Laying Out and Accepting a Private Way - Trinity Circle

Public Hearing 7:05pm: *This Order has been advertised in the Enterprise and Abutter Letters sent. Planning Board voted 4-1 to recommend acceptance with conditions at their 6/21/23 meeting.*

Town Council President Moore opened the Public Hearing at 7:10pm.

Town Manager Dutton noted that the Planning Board approved the request with conditions.

Council President Moore asked if there were any questions from the public: None

Council President Moore asked if anyone wished to speak in favor:

- Nick Flynn, 6 Trinity Circle: Part of the Trinity Circle Homeowners Association and the residents did their homework before bringing the request forward. Will meet Planning Board requirements.

Council President Moore asked if anyone with to speak in opposition: None

Council President Moore asked if any councilors had any questions:

- Councilor Chase noted that on the 6/27/23 letter from the Planning Board it noted a restriction and asked if that restriction was looked into. Town Manager Dutton noted that there is no record of any restriction being placed.
- Councilor Gallagher noted that this is the first time seeing a homeowners association requesting a private way. In line with reasoning.

Council President Moore closed the Public Hearing at 7:19pm.

Councilor George made a motion to approve Order O-FY23-059, which was duly seconded.

Councilor Perry made an amendment to the motion to include the conditions set by the Planning Board, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

A roll-call vote was taken on the motion to approve Order O-FY23-059 with amendments, with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

b) Petition P-2024-001: Granting of an All Alcohol General On-Premises License

Public Hearing 7:10pm: *This request has been advertised in the Enterprise and Abutter Letters sent and may be voted on this evening.*

Town Council President Moore opened the Public Hearing at 7:22pm.

Attorney Matthew Porter gave a brief update on the request. The Petitioner is building a 3,000 square foot indoor golf facility, the manager of record lives in Bridgewater, TIPs certified. There will be a small bar but the license will be more for people waiting for their slot. Hours will be Monday to Saturday 10:00am to

10:00pm and Sunday 10:00am to 7:00pm.

Council President Moore asked if there were any questions from the public: None

Council President Moore asked if anyone wished to speak in favor: None

Council President Moore asked if anyone with to speak in opposition: None

Council President Moore asked if any councilors had any questions:

- Councilor Chase noted that the Petition should say “Champions” and not “Champion”.

Councilor George made a motion to amend the Petition to reflect the name to read “Champions”, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

Councilor Robinson asked if there was a limitation on the number of licenses and Town Manager Dutton noted that there is but not on this type of license.

Council President Moore closed the Public Hearing at 7:27pm.

Councilor George made a motion to approve Petition P-2024-001, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

LICENSE TRANSACTIONS – None

PRESENTATIONS

a) Charter Change Presentation - Ed Ivaldi and Council President Moore

Councilor Moore noted that charter changes came before the Town Council in 2021 and 2022 and were put on hold until now because of the time period it was taking for the governor to approve changes. Bringing in front of new council now.

Ed Ivaldi gave an update on the Charter changes and what they recommended which included: adding a table of contents; new/updated definitions; general neutral language; “Town” to “City” references; MGL Usage consistency; standardized computation of time; grammatical updates and hyper-links that direct readers to supporting document/reference materials.

Councilor Moore further explained that the Charter is the constitution for the town. Recommendations do not have to be accepted. If approved by the Town Council the requests get sent to the governors office for approval and then when returned goes to the voters. State advised submitting smaller packets. Encourage councilors to watch the 2/18/22 Town Council workshop.

TOWN MANAGER'S REPORT

a) Mobil Station Update

Town Manager Dutton noted that a landscape architect was hired and an ad hoc committee was formed.

Councilor George asked who was on the ad hoc committee and about the short term clean-up. Town Manager Dutton noted that a BSU Rep, Bob Rulli, Jim Small, Parks and Rec Board Representative and the Town Clerk. The brush was removed in the Spring and DPW will keep going back.

b) High Street Bridge Closure Update

Town Manager Dutton noted that the work was on schedule and on budget.

Councilor Perry asked if any historical items were found. Town Manager Dutton noted that he was not aware of any but would check.

c) Flags at the Memorial Building

Town Manager Dutton noted that there is a flag up and additional work is required for pole. Library needs a new pole.

d) Energy Aggregation Update

Town Manager Dutton noted that a request for qualification went out and 2 were received. Will be reviewed, could take up to one year.

e) Town Hall Charging Station Policy

Town Manager Dutton noted that a general policy has been in place, Town vehicles have preference, public can use outside of work hours. First come, first serve basis. Looking at grant funding for charging stations at the Library.

DISCUSSIONS

a) Town Council Resident Communication and Engagement Strategy - Council President Moore

Councilor Moore noted that the council has two meetings per year with residents with specific topics. Would Community and Economic Development take on the task of creating agenda.

Councilor Gallagher noted that he thinks it is a good idea to follow the two meetings a year but hard to stick to agenda items with residents.

Attorney Rawlins noted that if items that are not on the agenda are discussed it would be an open meeting violation. Recommended an ordinance be drafted and referred to Community and Economic Development Committee for the scheduling of the two meetings per year.

COMMITTEE REPORTS

Councilor George noted that the Review Committee met on August 3rd and discussed formulating and review of the Town Manager. Will send form out to all councilors.

Councilor Chase noted that the Rules and Procedures Committee met on July 27th and discussed the Rat Ordinance. They voted that more guidance is needed and keeping the ordinance at committee at this time.

LEGISLATION FOR ACTION

- a) Proposed Ordinance D-FY23-013: Zoning Ordinance - Amend Article III, Section 23 (a) Planning Board
This ordinance has been advertised in the Enterprise. Planning Board voted 5-0 to recommend at their 6/21/23 meeting.

Town Manager Dutton noted that fairly minor change, defines alternate member to sit on all items.

Councilor Chase made a motion to approve Ordinance D-FY23-013, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

- b) Resolution R-FY24-001: A Resolution to Apply for, Accept, and Expend a Grant from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, Division of Conservation services' Local Acquisitions for Natural Diversity (Land) Grant Program

Budget & Finance meeting 8/8/23 prior to Town Council meeting. Finance Committee voted 6-0 to recommend at their 7/31/23 meeting.

Town Manager Dutton noted that this Resolution is required by the Land Grant Program.

Councilor Perry made a motion to approve Resolution R-FY24-001, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

- c) Order O-FY23-065: Acceptance of Gift - BSU \$55,000

Budget & Finance meeting 8/8/23 prior to Town Council meeting. Finance Committee voted 6-0 to recommend at their 7/31/23 meeting.

Town Manager Dutton noted that this is the second gift in the calendar year from BSU.

Councilor Perry made a motion to approve Order O-FY23-065, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

- d) Order O-FY24-008 Transfer Order: Broad Street Two Lot Property Purchase

Budget & Finance meeting 8/8/23 prior to Town Council meeting. Finance Committee voted 6-0 to recommend at their 7/31/23 meeting.

Town Manager Dutton noted that the appropriation of CPC funds is for the purchase of two Broad Street

lots for the Stiles & Hart project. Updated appraisal as of today is \$375k but owners willing to sell for \$300k.

Councilor George made a motion to approve Order O-FY24-008, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

OLD BUSINESS

Council President Moore asked that these 5 items be voted together to stay at council.

Councilor George made a motion to retain items a) to e) below at Council, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

- a) Proposed Ordinance D-FY22-003: Bridgewater Town Charter Article IV, Town Manager "Temporary Absence"

Rules & Procedures voted 2-0 to recommend with amendments at their 12/22/21 meeting.

- b) Proposed Ordinance D-FY22-007: Bridgewater Town Charter Article II, Legislative Branch, Election Eligibility

Rules & Procedures voted 2-0 to recommend with amendments at their 12/22/21 meeting.

- c) Proposed Ordinance D-FY22-008: Bridgewater Town Charter Article II, Legislative Branch, Annual Stipend

Rules & Procedures voted 3-0 to recommend with amendments at their 1/5/22 meeting.

- d) Proposed Ordinance D-FY22-009: Bridgewater Town Charter Article II, Legislative Branch, Recall Provision

Rules & Procedures voted 2-0 to recommend with amendments at their 12/22/21 meeting.

- e) Proposed Ordinance D-FY22-010: Bridgewater Town Charter Article IV, City Manager Term of Office

Rules & Procedures voted 2-0 to recommend with amendments at their 12/22/21 meeting.

NEW BUSINESS

- a) Order O-FY24-009: Transfer Order - Contractual Buyouts
Town Manager Dutton noted that these are for sick buy back.

Councilor George made a motion to refer Order O-FY24-009 to Budget & Finance and Finance Committee, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

CITIZEN COMMENTS

- Bill Wood, 388 Hayward Street: Thanked BSU for the gift; mentioned charter amendments and noted that the Charter should be read.

- Carlton Hunt, Austin Street: Thanked the Town Manager for the policy on charging stations and noted that there is an on-line survey tool that can be used.

COUNCIL COMMENTS

- Councilor Chase: Noted that status of water storage issue and encouraged residents to continue to not use outside water.
- Councilor Murphy: No comments
- Councilor George: No comments
- Councilor Gallagher: No comments
- Councilor Robinson: Thanks Councilor Moore for the community engagement piece.
- Councilor Perry: Thanked Mr. Ivaldi for his presentation and time.
- Councilor Linde: Glad to see engagement piece and likes the survey idea.
- Councilor Moore: Know there is a problem with community engagement but does not know the answer. Encourages ideas.

EXECUTIVE SESSION – None

ADJOURNMENT

Councilor George made a motion to adjourn, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea.

Meeting adjourned at 9:15pm.

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 5, 2023, to approve the aforementioned minutes, as submitted