



Town of Bridgewater

Town Council

October 10, 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, October 10, 2023 in the Council Chambers.

PRESENT:

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

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) September 19, 2023 Meeting Minutes

Councilor George made a motion to approve the September 19, 2023 meeting minutes, which was duly seconded by Councilor Perry.

A voice vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Abstained; Moore – Yea; Robinson – Absent at the time of the vote; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-0-1

ANNOUNCEMENTS FROM THE PRESIDENT – None

PROCLAMATIONS – None

CITIZEN OPEN FORUM

- Adelene Ellenberg, 76 Aldrich Road: asked that an explanation be given for temp absence and term limits. Believes there should not be term limits. Wants more information on funding election signs, taxpayers should not be paying for this.
- Ed Ivaldi, 10 Boxwood Lane: noted that on the stipend ordinance a discussion was had to add no benefits should be included.

APPOINTMENTS – None

HEARINGS

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

Rules & Procedures voted to recommend as amended at their 12/21/21 meeting. This Ordinance has been advertised in the 9/25/23 Enterprise.

Councilor Moore opened the public hearing at 7:06pm.

Councilor Moore asked if there were any questions from the public:

Adelene Ellenberg, 76 Aldrich Road – asked how long absence can be and would it be paid.

Councilor Moore noted that citizens met a few years ago and some of the suggestions that they made were chosen by councilors to sponsor. The goal for this order was to help clarify what was already in place and defined who takes over. The position is with the Town so benefits through HR and Town and the length of absence is up to 21 days.

Councilor Moore asked if anyone from the public wished to speak in favor – no one spoke.

Councilor Moore asked if anyone from the public wished to speak in opposition – no one spoke.

Councilor Moore asked if there were any questions from the Town Councilors:

Councilor Linde noted that the time off would be under an HR process ie sick time, vacation time.

Councilor Chase noted that the Town Manager is under a contract and also there is FMLA.

Councilor Moore closed the public hearing at 7:13pm.

Councilor George made a motion to approve Ordinance D-FY22-003, which was duly seconded by Councilor Gallagher.

A voice vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0-0

- b) Proposed Ordinance D-FY22-007: Bridgewater Town Charter Article II, Legislative Branch, Term Limits
Rules & Procedures voted to recommend as amended at their 12/21/21 meeting. This Ordinance has been advertised in the 9/25/23 Enterprise.

Councilor Moore opened the public hearing at 7:13pm.

Councilor Moore asked if there were any questions from the public:

Adelene Ellenberg, 76 Aldrich Road – noted that term limits should not be imposed.

Councilor Moore asked if anyone from the public wished to speak in favor:

Ed Ivaldi, 10 Boxwood Lane – supports term limit

Councilor Moore asked if anyone from the public wished to speak in opposition – no one spoke.

Councilor Moore asked if there were any questions from the Town Councilors:

Councilor George noted that the Charter Review committee met to discuss term limits; language needed to be tightened up. Comfortable with recommendations. This needs to go to the legislature and the voters for approval.

Councilor Moore closed the public hearing at 7:20pm.

Councilor George made a motion to approve Ordinance D-FY22-07, which was duly seconded by Councilor McKinnon.

A voice vote was taken with the results records as follows: Chase – No; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 8-1-0

LICENSE TRANSACTIONS – None

PRESENTATIONS – None

TOWN MANAGER'S REPORT

a) High Street Bridge Closure Update

Town Manager Dutton noted that there has been no issues with the removal or construction. Grant funded and lots of reporting. Road closure until mid-November. Contractor working with a time of year restriction.

b) Mobil Station Update

Town Manager Dutton noted that the landscape design is in draft and looking at mid-November for public input. Want to have easy access between parks. Spring will go to State for grants and will be looking at other sources for funding.

Councilor Linde asked if anything could be done with cleaning up the property. Councilor Dutton noted that they are working with BSU for the possibility of Art Students doing something there.

Councilor Robinson asked what the hope was for this space. Councilor Dutton noted that it is going to be a passive aggressive recreation area and will include food truck spaces, chess tables and much more.

c) Fire Station Project Update

Town Manager Dutton noted that the planning and bid documents being worked on. The project team will be attending the next meeting to give an update.

d) Stiles & Hart Parkland Project

Town Manager Dutton noted that plans are being finalized.

DISCUSSIONS

a) Virtual Meeting Participation (Councilor Moore)

Councilor Moore noted that he has received emails from residents asking for remote participant. If we consider remote we need to make sure our technology will work.

Councilor George noted he is all for expanding access but noted participation is the problem.

Councilor Perry noted that if technology not 100% it would not work.

Councilor Linde noted that we should check with BTV to see if the equipment we have is able to handle remote participation.

Councilor Robinson noted that we need to figure out technology. Can people submit comments via email; can Facebook Live be monitored for comments.

Councilor Gallagher noted that he is all for more public participation but technology issues are not always an issue with the Town.

Councilor Chase noted that the ability to submit comments via email may not be possible because we can't be sure who is sending the email. May not be Bridgewater resident. Same as Facebook, we don't know who they are.

Councilor Moore noted that he will do some homework and bring back the discussion to the council.

b) Town Council Funding of Election Signs (Councilor Moore)

Town Councilor Moore noted that at a previous meeting the Town Clerk asked the Town Council to fund voting day signs. Are people not showing up to vote because they don't know and what is our communication strategy.

Councilor Gallagher noted that these signs are not candidate signs, they are signs to announce when the election is. Want to reach out to many. Vision to Reality meeting had lots of advertising. The task should fall within the Town Clerk's office and the Town Council provide the funding.

Councilor Perry noted that it is a good idea to promote an election, maybe highway involved with putting signs around town.

Councilor Linde noted that some towns do metal signs and the date gets changed.

Councilor Moore noted that we should define who and what, have Community and Economic Development committee discuss and bring back to council.

COMMITTEE REPORTS

Councilor Chase noted that Rules & Procedures committee met on October 3rd and discussed two items that are under Legislation for action.

LEGISLATION FOR ACTION

a) Resolution R-FY24-002: First Responders Day

This Resolution was not referred to any committee. 14 days has elapsed, therefore it may be finally considered this evening.

Councilor Moore read the Resolution into the record.

Councilor George made a motion to approve Resolution R-FY24-002, which was duly seconded by Councilor Chase.

A voice vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0-0

b) Order O-FY24-010: Loan Authorization: Water Well #5A Replacement

Budget and Finance meeting 10/10/23 prior to Town Council meeting. Finance Committee voted 6 - 0 to recommend at their 10/2/23 meeting. Vote to refer to Advertising.

Town Manager Dutton noted that this Order and the next Order are for Wells at Carver Pond and High Street that need to be replaced.

Councilor George made a motion to refer Order O-FY24-010 to advertising, which was duly seconded by Councilor Linde.

A voice vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0-0

c) Order O-FY24-011: Loan Authorization: Water Well #9 Replacement

Budget and Finance meeting 10/10/23 prior to Town Council meeting. Finance Committee voted 6 - 0 to recommend at their 10/2/23 meeting. Vote to refer to Advertising.

Councilor George made a motion to refer Order O-FY24-011 to advertising, which was duly seconded by Councilor Perry.

A voice vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0-0

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

Councilor McKinnon noted that benefits language should be added.

Councilor Chase noted that we could include face level stipend and then over time an increase. During Rules meeting thought important to say when stipend is paid and if a councilor vacates.

Councilor McKinnon made a motion to amend Proposed Ordinance D-FY22-008 by adding “Regardless of compensation, Council Members will not be eligible to receive benefits through the Town”. As a last sentence in the paragraph. This motion was duly seconded by Councilor Linde.

Councilor Gallagher asked how the Rules Committee came up with arrears. Councilor Chase noted that they wanted a simple way for payout, not burdensome for the Town.

Councilor Perry asked what would happen in future for increase? Councilor Chase noted that it would require a Charter change.

Councilor Perry noted that this should be referred back to Rules as adding a ceiling would give a range for each Council to decide in the future.

Attorney Rawlins noted that he has not looked into this. Does not like flexibility in the Charter. More specific language and include citizen input. Charter should be specific.

Vote on the motion to amend: A voice vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0-0

Councilor George made a motion to postpone Proposed Ordinance D-FY22-008 until the next meeting which was duly seconded by Councilor Murphy.

Councilor George noted that he would like the Town Attorney’s opinion on the floor to ceiling wording.

Vote on the motion to postpone: A roll-call vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0-0

e) Proposed Ordinance D-FY22-009: Bridgewater Town Charter Article III, Elected Officials Recall Provision

Councilor Chase noted the recommended changes from Rules and Procedures.

Councilor Gallagher noted that he appreciates the work Rules and Procedures has done but still believe the language is subjected, intrusive.

Councilor Chase noted that provision covers that and you can strike, make amendments as you see fit. Language comes from another Town, legislature approved.

Councilor Robinson noted that lack of fitness is challenging, who decides.

Councilor Perry asked if there is a definition of fitness and moral turpitude.

Councilor Perry made a motion to refer Proposed Ordinance D-FY22-009 back to Rules and Procedures, which was duly seconded by Councilor Linde.

A voice vote was taken with the results records as follows: Chase – Yea; Murphy – No; George – No;

Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 7-2-0

OLD BUSINESS – None

NEW BUSINESS

a) Order O-FY24-012: General Fund Free Cash Allocation

Town Manager Dutton noted that this order was for the annual allocation of free cash.

Councilor Linde made a motion to refer Order O-FY24-012 to Budget & Finance and Finance Committee, which was duly seconded by Councilor George.

A voice vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0-0

CITIZEN COMMENTS

- Adelene Ellenberg, 76 Aldrich Road: noted that open meeting broadcast should be 24 hours later; signs exist for elections but need permanent signs; post all things on the signs; Councilor names should be under their picture when speaking; annual stipend must have a ballot vote and election should not take place during school vacation week.

COUNCIL COMMENTS

- Councilor Robinson - noted that her thoughts and concerns are with all those involved with the world events.
- Councilor McKinnon – no comments.
- Councilor Gallagher – no comments.
- Councilor George – no comments.
- Councilor Chase – good debate tonight.
- Councilor Murphy – great community workshop.
- Councilor Perry – great turnout to event, commend BBA on a great event on 9/20 for Autumnfest.
- Councilor Linde – thanked people for coming and giving feedback. Noted BIA trying to fund lights.
- Councilor Moore – appreciate the feedback and involvement at the meeting tonight. Overwhelmed with the attendance at the Reality workshop, great step forward and encouraged people to look at the website.

EXECUTIVE SESSION – None

ADJOURNMENT

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

A voice vote was taken with the results records as follows: Chase – Yea; Murphy – Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0-0

Meeting adjourned at 9:07pm.

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, October 24, 2023, to approve the aforementioned minutes, as submitted, by a Roll Call vote 9-0.