



Town of Bridgewater

Town Council

October 1, 2024

7:00 PM

Academy Building

66 Central Square

Council Chamber/2nd Floor

The Town Council meeting is being streamed Live via You Tube.

Go to the Town of Bridgewater Facebook Page for the link.

MEETING AGENDA

Due to Massachusetts Open Meeting Law requirements, discussions will not take place during Public Comment periods. If appropriate, responses to questions and concerns will be given by the Town Manager at a future Town Council meeting.

CALL TO ORDER

A quorum being duly present, Town Council President Kevin Perry called the meeting of the Bridgewater Town Council to order at 7:00pm on Tuesday, October 1, 2024 in the Council Chambers.

Present: Fred Chase, Paul Murphy, Mary McGrath, Kevin Perry, Brad McKinnon, Mark Linde, Adelene Ellenberg, Sonya Striggles and Susan Robinson via Zoom.

Also in attendance was Acting Town Manager Blythe Robinson via Zoom and Town Attorney Jason Rawlins.

Councilor Perry held a moment of silence for Robert Burgess, a Navy Vietnam Era veteran who passed away on September 14, 2024.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) September 10, 2024 Meeting Minutes

Councilor Striggles made a motion to approve the September 10, 2024 meeting minutes, which was duly seconded by Councilor McKinnon.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0.

b) September 27, 2024 Meeting Minutes

Councilor McKinnon made a motion to approve the September 10, 2024 meeting minutes, which was duly

seconded by Councilor Striggles.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0.

ANNOUNCEMENTS FROM THE PRESIDENT

Councilor Perry noted that the Town Clerk wanted the residents to know that the ballots have arrived in the office and will be mailed to those that requested ballots by this weekend. Last day to register to vote is 10/26 by 5pm.

PROCLAMATIONS – None

CITIZEN OPEN FORUM

- MJ Spagone, 5 Lakeshore Center: noted that there were 2 openings on the Finance Committee, issues in the past with membership not attending and not having a quorum.
- Kittie Doherty – noted that there is something exciting on the agenda tonight, 14 years in the making, hope it's a favorable vote to accept the easement from DCAM for the trail so we can commence with the next steps.

Councilor Ellenberg made a motion to take Council Comments out of order. This motion failed for lack of a second.

Councilor McKinnon made a motion to take New Business out of order, this was duly seconded by Councilor Linde.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0.

APPOINTMENTS

- a) Cultural Council: Theodore Simeoni (Term 2024 - 2027)

Councilor Linde made a motion to approve the appointment of Theodore Simeoni to the Cultural Council, which was duly seconded by Councilor Chase.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0.

- b) Cultural Council: Hayley Bacewicz (Term 2024 - 2027)

Councilor Linde made a motion to approve the appointment of Hayley Bacewicz to the Cultural Council, which was duly seconded by Councilor Striggles.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea;

Ellenberg – No; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea;
Motion passed 8-1-0

HEARINGS - None

LICENSE TRANSACTIONS

- a) Petition P-2025-002: The Granting of One Day Entertainment Permit
Councilor Linde made a motion to approve Petition P-2025-002, which was duly seconded by Councilor Ellenberg.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0.

- b) Petition P-2025-004: Change of Stock Interest - Champions Indoor Golf Inc.
Councilor Chase noted that this petition does not tell us about the nature of the change.

Councilor Chase made a motion to continue to the next meeting, which was duly seconded by Councilor Linde.

Councilor Ellenberg noted that the council does not want to be against the private sector businesses.
Councilor Striggles noted that there is a lack of transparency from what is in front of them.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0.

PRESENTATIONS

TOWN MANAGER'S REPORT

There was no Town Managers Report this week due to the Acting Town Manager being on vacation during the prior week.

Councilors asked that the following be on a future agenda:

Councilor Striggles would like to know the process for zoning violations for private citizens and if there are plans to pave Vernon Street in the future.

Councilor McKinnon would like a fire station update on each agenda and would also like an update from the State on the tire dump when available.

Councilor Robinson would like an update on Stiles & Hart parcel of land easement and legal action and Town Attorney Rawlins noted that this will have to be done in Executive Session.

Councilor McGrath noted that a resident reached out to her and was concerned about the Board of Health move and HIPPA violations.

DISCUSSIONS

a) Relationship between the Town Manager and School District

Councilor Robinson noted that this was a topic on the agenda for the Ad Hoc Search committee and she was in agreement that this topic should be discussed with the entire council.

Councilor Perry noted that the item on the Ad Hoc agenda was based on an email sent from a school committee member wanted to stress the importance of a new Town Manager who would work with the school.

Councilor Linde suggested that a school member come to a meeting.

Councilor Robinson noted that more than 55% of our budget goes to the school and we do not have a say on how they use it, believes sharing can be improved.

Councilor Perry noted that he will reach out to Mr. Fitzgibbons to see if they can come to a future meeting.

COMMITTEE REPORTS

Councilor Murphy gave an update on the Ad Hoc Committee: have met twice, first meeting a plan to review the search firm was discussed and second meeting a plan to review the search firms was discussed. The next meeting is scheduled for October 22nd and it will be to interview the search firms.

Councilor Linde thanked the committee for their work and noted that the firms will be interviewed via Zoom but it should be the search firms on Zoom and the Ad Hoc members should be in-person.

LEGISLATION FOR ACTION

a) Proposed Ordinance D-FY25-005: An Ordinance Establishing the Process for Hiring a Town Manager
Advertised in the Enterprise on 9/17/24. Rules and Procedures voted 3-0 with amendments on 9/9/24.

Councilor Striggles made a motion to approve Proposed Ordinance D-FY25-005, which was duly seconded by Councilor Chase.

Councilor Ellenberg made a motion to amend Proposed Ordinance D-FY25-005 by adding "other Town Councilors not on said Ad Hoc Committee, may attend all the screenings of candidates, as observers, within Executive Session meetings. Our council secretary will post all proposed Executive Sessions (to avoid quorum/posting violations) in a timely manner."

Town Attorney noted that this amendment is a violation of the open meeting law according to the Attorney General's website on preliminary screening committees.

Councilor Ellenberg noted that there is the Charter and council rules and it's rather excessive what has to be looked and withdrew her amendment.

A roll-call vote on Councilor Striggles motion to approve was taken with the results recorded as follows:

McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0.

b) Order O-FY25-010: Granting of an Easement - Massachusetts Electric Company

This measure was not referred to committee. 14 days has elapsed per Section XVII of the Council Rules & Procedures, therefore this measure may be finally considered this evening.

Councilor McKinnon made a motion to approve Order O-FY25-010, which was duly seconded by Councilor Striggles.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0

c) Order O-FY25-011: Granting of an Easement - Commonwealth of Massachusetts

This measure was not referred to committee. 14 days has elapsed per Section XVII of the Council Rules & Procedures, therefore this measure may be finally considered this evening.

Councilor Striggles made a motion to approve Order O-FY25-011, which was duly seconded by Councilor Linde.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0

d) Order O-FY25-013: Transfer Order - Salary to Expense

Budget & Finance voted 3-0 to recommend at their 9/17/24 meeting. Finance Committee meeting on 9/30/24.

Finance Committee has not met to recommend this Order, therefore this Order will be on the 10/15/24 agenda.

e) Order O-FY25-014: Contractual Payments

Budget & Finance voted 3-0 to recommend at their 9/17/24 meeting. Finance Committee meeting 9/30/24.

Finance Committee has not met to recommend this Order, therefore this Order will be on the 10/15/24 agenda.

f) Order O-FY25-015: Transfer Order - Public Education Government (PEG) for Town Council Chambers

Budget & Finance voted 3-0 to recommend at their 9/17/24 meeting. Finance Committee meeting 9/30/24.

Finance Committee has not met to recommend this Order, therefore this Order will be on the 10/15/24 agenda.

g) Order O-FY25-016: Acceptance of Gift - Bridgewater State University

Budget & Finance voted 3-0 to recommend at their 9/17/24 meeting. Finance Committee meeting 9/30/24.

Finance Committee has not met to recommend this Order, therefore this Order will be on the 10/15/24 agenda.

- h) Order O-FY25-007: An Order Dedicating 46-48 Summer Street as a Public Park Pursuant to MGL Chapter 45, Section 3

Community and Economic Development Committee voted 2-0 to recommend at their 9/18/24 meeting.

Councilor Linde made a motion to approve Order O-FY25-007, which was duly seconded by Councilor McKinnon.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0

- i) Petition P-2025-003: Warrant for State Election

Councilor Linde made a motion to approve Petition P-2025-003, which was duly seconded by Councilor Chase.

A roll-call vote was taken with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0

OLD BUSINESS - None

NEW BUSINESS

- a) Resolution R-FY25-002: A Resolution to Raise the POW/MIA Flag

Councilor Chase noted that together with Councilor Striggles they are bringing this resolution forward because of the discussion on the POW MIA flag. This resolution is requesting that the flag be flown throughout the year except when a citizen brings a petition to fly another flag.

Councilor Striggles noted that we listened to residents concerns about the flag not being up and wanted to acknowledge it on that day and then create a permanent solution.

Councilor Linde noted that he is in favor of the resolution, that was his original intent for the proclamation that he sponsored, just surprised someone would raise a concern and thinks it is a disgrace that it came down, should have been a discussion.

Councilor Chase noted that he was informed by a citizen that the flag had been flying and the approval was only for one day. He further noted that he expressed that it should be lowered because the proclamation that was approved provided for one day recognition and that some people might think that is a technicality but we have a flag ordinance and we ask citizens to undergo a detailed procedure so we should be held to the same rules.

Councilor Linde asked who decided to lower the flag, on what authority.

Councilor McKinnon made a motion to amend Resolution R-FY25-002 by removing all words after “at all times.”. This was duly seconded by Councilor Linde.

A roll-call vote was taken on the amendment with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – No; Striggles – Yea; McGrath – Yea; Motion passed 8-1-0.

Councilor McKinnon made a motion to suspend the council rules and allow the Veterans Agent, Greg Martin to speak. This was duly seconded by Councilor Linde.

A roll-call vote was taken on the amendment with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea; Motion passed 9-0.

Veterans Agent Greg Martin noted that he suggests that the POW MIA Flag, which is 5 feet by 8 feet fly under the American flag and then other flags would be 3 foot by 5 foot and fly beneath the POW MIA flag. He further noted that today it is the month of June but there is nothing to suggest what future flags might be asked to be flown. Not suggesting that the POW MIA flag is more important than any other, the motto of the flag is never forget and it goes against that motto to take that flag down in lieu of another flag.

Town Attorney Rawlins noted that the Council was voting a resolution and the flag ordinance would trump a resolution. requirement.

Councilor Striggles noted that despite this we can proceed with this resolution and then we can make changes to the existing flag policy to cover all bases.

CITIZEN COMMENTS

- Cristina Ajemian, 221 Aldrich Road: spoke about her concern for the resolution on the POW MIA Flag, feels placing other flags in a lower position is degrading, would like an amendment to include the month of June being Pride and Juneteenth month.
- Ray Ajemian, 221 Aldrich Road: noted that he served in the US Army and also would like the resolution amended for the month of June.
- Lynnette Delano-Chase, 60 Old Farm Road: noted that she was not pleased with the way that the Town Counsel and other Town Councilors are spoken too by certain councilors.
- MJ Spagone, 5 Lakeshore Center asked that councilors review Roberts Rules of Order and be respectful of one another and show some decency.

COUNCIL COMMENTS

- Councilor McKinnon – no comments.
- Councilor Robinson: thanked those that showed up and reminding us about our rules.
- Councilor Ellenberg: noted that everyone has different views, kudos to Ms. McGrath for doing

Autumnfest.

- Councilor Murphy: thanked the folks for Autumnfest and Councilor McGrath for manning a table. Also noted that homecoming is coming up this weekend at BSU.
- Councilor Linde: thanked the residents for coming to the meeting and speaking and Councilor McGrath for doing the table at Autumnfest. Noted that the POW MIA flag should be up 365 days a year and all other flags should not be 3rd, maybe another flag pole.
- Councilor Chase: noted that he is glad we had support for the flag resolution, we are working from ground zero.
- Councilor Striggles: noted that she echoes Councilor Chase and also that the two flags flown in June are important to her. Gave kudos to Councilor McGrath for taking on the task of a table at Autumnfest, would like the information on recreational marijuana and apologized to the residents for the decorum at the meetings.
- Councilor McGrath: thanked Mr. Dutton for the help in getting the table at Autumnfest, thanked Josh McGraw for helping with the documents and Michael Silvia from Open Space.
- Councilor Robinson: added that she would like to understand the tax benefit of recreational marijuana and the cost of services for it.
- Councilor Perry: thanked the BBA for Autumnfest, thanked Councilor McGrath for the booth, thanked Ted and Hayley for stepping up and joining. Also noted that the Police held their 10th 5k race on Saturday and thinks the flag is a sensitive issue and we have to look at all sides and come up with a solution.

EXECUTIVE SESSION – None

ADJOURNMENT

Councilor McKinnon made a motion to adjourn, which was duly seconded by Councilor Striggles.

A roll-call vote was taken on the amendment with the results recorded as follows: McKinnon – Yea; Robinson – Yea; Ellenberg – Yea; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – Yea;

Meeting adjourned at 8:51pm.

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 15, 2024, to approve the aforementioned minutes, as submitted.