



Town of Bridgewater

Town Council

October 15, 2024

7:00 PM

Academy Building

MEETING MINUTES

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 15, 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.

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

Councilor Perry held a moment of silence for all veterans and their families.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) October 1, 2024 Town Council Meeting Minutes

Councilor McKinnon made a motion to approve the October 1, 2024 meeting minutes, which was duly seconded by Councilor Chase.

A voice 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 – None

PROCLAMATIONS – None

CITIZEN OPEN FORUM

- Sam Baumgarten, 60 Short Street: thanked the council for their service to the Town. Spoke in regards to the raising of the Pride Flag and Juneteenth flag and the flying of the POW/MIA, supports the flying of the POW/MIA flag but not as third flag on a flag pole. Flag pole on the south end of the common was a recommendation to fly the Pride and Juneteenth Flag.
- Laurene Powers, Sunrise Drive: read an email from a Junior at BR High School regarding the Pride

and Juneteenth flags and where they are flown and a letter from Caroline Taggett from BSU regarding the Pride and Juneteenth flags flying directly under the United States flag.

- David Michael, 21 Quail Run Road: spoke about the flag policy amendment and the Juneteenth and Pride flags being raised, understand and respect the POW/MIA flag. Request that the month of June the POW/MIA flag be removed to allow the Pride and Juneteenth flag to be raised in June.

Councilor Linde made a motion to suspend the rules so that Janesse from BCCR could speak, 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.

- Janesse, BCCR: spoke about the flag policy amendment and the raising of the Juneteenth and Pride flags.
- Ray Ajamian, 221 Aldrich Road: in favor of flying the POW/MIA flag, one concern, symbolic patriotism, supporting veterans is more than simply flying a flag. Write reps in congress fully fund the veterans administration.
- Carlton Hunt, Austin Street: spoke about the Specialized Energy Code – hope it gets sent to advertising. Spoke about Master Plan and specialized energy code. Spoke about Town River Landing not a park.
- Nick Baggas, 23 Church Street: traffic coming around the common is a horror show.
- Derek Bennett, 180 Main Street: discussed a project, wreaths across America. National cemetery at Otis. Raising donations to purchase wreaths for special ceremony on December 11th. \$17 for each wreath. www.wreathscrossamerica.org/MA0008P.
- Dave Siden, 70 Deerfield: thanked the council for what they do and who came to the meeting tonight. Marine corp vet, the flag is about 80,000 plus people that did not come back, died/missing. Nothing about marginalization. About remembrance, those that did not come back and fought for our country. They represented everyone. I ask that we do the right thing.
- Tom Carson, 39 Austin Street: the POW/MIA flag stands for those that never came back. There would not be a red, white and blue without the POW/MIA flag. It belongs under the United States flag. Shows that people died for it, it belongs up there all the time.
- Mary, 50 Shirley Lane: 22 members in family who served in the military and they all came home but that flag represents those that did not make it back. It is a symbol to many, the flag should not come down for one second.
- Lisa Buzzell-Curley, 91 Atkinson Drive: did not serve, does not have an issue with anyone. Everyone deserves a spot, BW is a great community. Everyone deserves respect and those that fought gave us that.

APPOINTMENTS

- a) Town Council Finance Committee Appointment:
Derek M. Bennett (2024 - 2027)

Councilor Linde spoke about Derek's background.

Councilor Linde made a motion to appoint Mr. Bennett to the Finance Committee, which was 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.

HEARINGS – None

LICENSE TRANSACTIONS

- a) Petition P-2025-004: Change of Stock Interest - Champions Indoor Golf Inc.
Attorney Porter noted that this was an Internal transfer of stock. 3 partners are buying out 1 partner. Internal transfer.

Councilor Linde made a motion to approve Petition P-2025-004, which was seconded by Councilor McKinnon.

A voice 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.

Councilor McGrath made a motion to take L. Legislation for Action out of order. This was seconded by Councilor Striggles.

A voice 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

- a) Town Clerk Update on Election process
Tina Larsen, Town Clerk gave a presentation regarding 9/3/24 State Primary update: Mailed out 3,398 votes by mail sent. 1795 returned. 87 voters participated in early voting. The cost was \$20,997 or \$6.97 per vote. Mandated by the State.

Improvements: location for polling booths, etc. on the same floor as the polls. New voting equipment; help with set-up from the Town.

November 5th Election: early voting 10/19 to 11/1, at Town Hall. Ballots were printed wrong, cannot be read by our current voting machines. Will find out tomorrow about high speed tabulator. Drop boxes out front of Town Hall. Voter turnout is expected to be 15,000.

State mailed vote-by-mail postcards in January and if you did not respond they were mailed again in September and October. Automatic voter registration at the Registry of Motor Vehicles. Total anticipated costs of November Election is: \$28,178 plus \$5k.

Final vote count must be submitted by November 20th. 3% of the precincts will be picked for an audit.

TOWN MANAGER'S REPORT

a) Fire Station Update

Bob Rulli, CED Director gave the Fire Station Update.

Councilor Murphy asked about Emergency signals on Pleasant Street. Mr. Rulli noted that it was determined that signals are needed. Emergency signal as you come out of the station and two on Pleasant Street.

Councilor Linde– thanked Mr. Rulli for keeping change orders to a minimum and aske that the ribbon cutting be scheduled through the Council Clerk so that schedules work.

Councilor Ellenberg asked what is the culvert and why is it an item and what is the cost. Mr. Rulli noted that it was wetlands and need to cross over to get to the street and station so requires a need for a culvert.

Councilor Robinson asked if the specialized energy code is approved would it impact this project and Mr. Rulli noted no it would not.

b) Update on Revenue Sources

Acting Town Manager Robinson noted that the question was specific to Marijuana revenue but added a few other revenue sources for the council. Total from BSU is approximately \$600k in the last 10 years. Prison mitigation funds \$2M over a 9 year period.

c) Tire Dump Update

Acting Town Manager Robinson noted that still working more information. In 1995 State took the property over. Still trying to find the right person at the State level and what the options might be. Will keep the councilors updated.

d) Zoning Violation Enforcement for Private Residents

Acting Town Manager Robinson updated the council on the general process of zoning violation enforcement for private residents.

e) Vernon Street Paving

Acting Town Manager Robinson updated the council on the process of street paving.

f) Marathon Park Up Keep

Acting Town Manager Robinson noted that Marathon park was built by donations and town owned. Recreation is assigned to cleaning the park.

g) Town Hall Signage

Acting Town Manager Robinson noted that they are looking at consistent signage for all buildings.

Councilor Murphy asked why there were no trash barrels provided at Marathon Park and Ms. Robinson

noted that it is a problem with every community, household trash is dumped at parks and it is hard to maintain.

Councilor Striggles thanked Ms. Robinson for the detailed report and encouraged councilors to call upon Blythe.

Councilor Ellenberg noted that the town could get citizens involved with the signs, have an on-line contest, free art work. Would like to have volunteer patrol the parks for clean-up.

Councilor McGrath asked about a neighborhood dinner that was hosted by BSU and why it stopped. Ms. Robinson was not aware of this but will get more information.

Councilor Robinson asked that a report be given at the next meeting on the Report It system.

DISCUSSIONS – None

COMMITTEE REPORTS

Councilor Murphy noted that the next Town Manager Preliminary Screening Committee Ad Hoc Meeting will be taking place via Zoom on 10/22/24 at 7pm. Interviews of the 3 search firms will be taking place.

LEGISLATION FOR ACTION

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

Budget and Finance voted 3-0 to recommend at their 9/17/24 meeting. Finance Committee will meet prior to the 10/15/24 Town Council meeting.

Councilor Linde made a motion to approve Order O-FY25-013, which was seconded by Councilor McKinnon.

A voice 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) Order O-FY25-014: Contractual Payments

Budget and Finance voted 3-0 to recommend at their 9/17/24 meeting. Finance Committee will meet prior to the 10/15/24 Town Council meeting.

Councilor Linde made a motion to approve Order O-FY25-014, which was seconded by Councilor McKinnon.

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

Budget and Finance voted 3-0 to recommend at their 9/17/24 meeting. Finance Committee will meet prior to the 10/15/24 Town Council meeting.

Councilor Linde made a motion to approve Order O-FY25-015, which was seconded by Councilor Robinson.

A voice 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-FY25-016: Acceptance of Gift - Bridgewater State University

Budget and Finance voted 3-0 to recommend at their 9/17/24 meeting. Finance Committee will meet prior to the 10/15/24 Town Council meeting.

Councilor Linde made a motion to approve Order O-FY25-016, which was seconded by Councilor McKinnon.

A voice 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.

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

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 Chase noted that he introduced at last session because of discussion with POW/MIA flag, this was simply a statement of the Town Council.

Councilor Striggles added that there is a way that we can make sure everyone can be seen and heard and thanked those that spoke.

Councilor Striggles made a motion to approve Order O-Resolution R-FY25-002, which was seconded by Councilor McKinnon.

Councilor Ellenberg asked how this Resolution differs from the Ordinance being introduced by Councilor McGrath.

Councilor Chase noted that what is before the council is a resolution, a sentiment of the council, does not have force of law.

Councilor Robinson asked how many flags can be flown on the flag pole and Councilor Linde noted that in speaking with Veterans Services 3 flags can be flown, they have to be different sizes.

Town Attorney Rawlins noted that a resolution is saying we would like to see the flag flying, not requiring it. You can amend it. Expressing your aspirations to the Town Manager, this is the will of the council, no enforcement. Councilor McGrath's is an amendment to an ordinance and if passed it would be a requirement for the Town of Bridgewater to fly the flag.

Councilor Linde made a motion to amend Resolution R-FY25-002 by striking out "remove in front of

Academy” at the end of the sentence. This was seconded by Councilor Chase.

A roll-call vote was taken with the results recorded as follows: McKinnon – No; Robinson – Yea; Ellenberg – No; Murphy – Yea; Perry – Yea; Linde – Yea; Chase – Yea; Striggles – Yea; McGrath – No; Motion passed 6-3.

Councilor Linde made a motion to approve Resolution R-FY25-002 as amended. This was seconded by Councilor Chase.

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

f) Proposed Zoning Ordinance D-FY24-003: Chapter 7.7 - Specialized Energy Code

Rules & Procedures voted 3-0 on 8/28/24 to return back to Town Council with no action.

Councilor Chase noted that this would comply with state regulations, part of the green communities. Rules and Procedures felt it did not have adequate information to make a recommendation. Needed more guidance to respect to all of the provisions.

Councilor Linde made a motion to suspend the rules to allow Carlton Hunt to speak. This was seconded by Councilor Chase.

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

Carlton Hunt – would like an opportunity to discuss with the Council. Statements that are incomplete. Building a home with gas heat cost is higher. Electric there are rebates and tax incentives that go to the building, building would save \$20k for an all electric home. Gas heat save 1.5 tons electric would be 4.3. Electric would be more beneficial to the homeowner and environment.

Councilor Chase made a motion to refer Proposed Zoning Ordinance D-FY24-003 to Planning Board. This was duly seconded by Councilor Linde.

A voice 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.

g) Ordinance D-FY24-007: Proposed Amendment to Ordinance Part II - Administrative Code: Chapter 1, Article II, Section 1

Rules and Procedures voted 3-0 to recommend with amendments.

Councilor Chase made a motion to amend Ordinance D-FY24-007 by changing “II” to “III”; add “In accordance with the provisions of MGL c. 39, Section 23D” after hearings and add “multiple member appointed body” after any. This was seconded by Councilor McKinnon.

A voice 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.

Councilor Robinson made a motion to refer Ordinance D-FY24-007 to advertising, which was seconded by Councilor McKinnon.

A voice 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) Order O-FY25-018: Acceptance of Grant Funds - Police Municipal Road Safety Grant
Councilor Linde made a motion to refer Order O-FY25-018 to Budget and Finance and Finance Committee, which was seconded by Councilor Robinson.

A voice 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) Order O-FY25-019: Acceptance of Gift - Town River Landing Pavilion
Acting Town Manager Robinson noted that a new pavilion was being built at Town River Landing, monies donated by McDonald Industries, Town Engineer is spearheading the project.

Councilor Linde made a motion to refer Order O-FY25-019 to Budget and Finance and Finance Committee, which was seconded by Councilor Striggles.

A voice 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-FY25-020: Acceptance of Grant - Parkland Acquisitions and Renovations for Communities (PARC)
Acting Town Manager Robinson noted that the town was awarded a park grant for Summer Street in the amount of \$500k. Mr. Rulli will be taking on this project, BSU pledged a match to finalize.

Councilor Linde made a motion to refer Order O-FY25-020 to Budget and Finance and Finance Committee, which was seconded by Councilor Robinson.

A voice 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) Proposed Ordinance D-FY25-008: Proposed Amendment to Part II – Administrative Code: Chapter 1, Article III, Section 1B (2)

Councilor Perry noted he is bringing this forward to change the rules for the Ad Hoc Appointments for the Town Council.

Councilor Chase made a motion to refer Ordinance D-FY25-008 to Rules & Procedures. This was seconded by Councilor McKinnon.

A voice 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.

- e) Ordinance D-FY25-009: Veterans Volunteer Services Program (Work-off)

Councilor Perry noted this was to expand the veterans volunteer program, allows them to save on their tax bills.

Councilor McKinnon made a motion to refer Ordinance D-FY25-009 to Rules & Procedures. This was seconded by Councilor Striggles.

A voice 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.

- f) Proposed Ordinance D-FY25-010: Proposed Amendment to Chapter 157, Article II, Section 1

Councilor McGrath noted that this is following federal law for the POW/MIA flag to be flown under the US Flag.

Councilor Striggles made a motion to refer Ordinance D-FY25-010 to Rules & Procedures. This was seconded by Councilor McKinnon.

A voice 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.

CITIZEN COMMENTS

- Carlton Hunt, Austin Street: asked that Town Manager's report be included in the minutes; Grant for signage, cannot put a sign without certificate from Historic committee.
- David Siden, 70 Deerfield Drive: flag does not represent a veteran thing, POW/MIA flag represents every single one of us. Asked how do you authenticate voting without an ID.

- **COUNCIL COMMENTS**

- Councilor McGrath: no comments
- Councilor Striggles: the flags that we fly in June represent more than life style choice or group want to continue to show that it matters.

- Councilor Chase: thanked all for attending, productive meeting. Concept using more than one flag pole makes sense. Discuss that at a future meeting.
- Councilor Linde: suggest a 2nd flag pole at the Academy Building.
- Councilor Murphy: Thanked people for coming out tonight and speaking. This issue does not need to be one versus another. All parties should be recognized.
- Councilor Ellenburg: thanked everyone for coming out tonight and being active citizens.
- Councilor Robinson: thanked the citizens for speaking, hot topic because of the different experiences. Everyone wants to be seen and heard and feels confident we will get to a good compromise.
- Councilor McKinnon – condolences to Joe Reis family; it is about making things right for everyone with the flags.
- Dr. Perry – recognize Senior Center Health Expo conducted today; well attended event. Ultimate goal is to come up with a solution to make everyone happy with the Flags.

EXECUTIVE SESSION – None

ADJOURNMENT

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

A voice 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.

Meeting Adjourned at 9:37p.

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, November 12, 2024, to approve the aforementioned minutes, as submitted.