



CALL TO ORDER:

A quorum being duly present, Town Council President Dennis Gallagher called the meeting of the Bridgewater Town Council to order at 7:30 pm, on January 10, 2017 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Sandra Wright (arriving at 7:34 p.m.), Peter Colombotos, Edward Haley, Timothy Fitzgibbons, Dennis Gallagher, Aisha Losche, William Wood, Kevin Perry and Frank Sousa. Town Manager Michael Dutton and Town Attorney Mark Gildea were also present.

ABSENT: *No Councilors were absent.*

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

A moment of silence was held for all veterans who have passed including:

- William F. Doherty
- Charles Doyle, Jr
- William Barnett

APPROVAL OF MINUTES

- December 20, 2016

Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Sousa.

Discussion: None

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

ANNOUNCEMENTS FROM THE PRESIDENT - None

PROCLAMATIONS - None

CITIZENS OPEN FORUM –

- Mike Mainvielle – 25 Curve Street: Mr. Mainvielle noted the Strategic Planning committee had a discussion about short/long term goals. He would like to know what the goals were and what were the metrics? Councilor Haley and members of the Strategic Planning committee each offered explanations.

APPOINTMENTS

- Water & Sewer Commission – Robert Iafrate

Mr. Dutton spoke briefly about Mr. Iafrate's history and encouraged the Council to ratify the appointment based on his experience.

Motion: A motion was made by Councilor Fitzgibbons to ratify the appointment of Mr. Iafrate. The motion was seconded by Councilor Wood.

Discussion: Councilor Fitzgibbons noted the Citizens Advisory Committee's positive comments.

A voice vote was taken and the motion passed 9-0.

HEARINGS - None

LICENSE TRANSACTIONS

- Petition P-2017-001: Common Victualler's License – Transformation for Life, Inc., dba Uplifting Connections
Mr. Dutton explained they would like to serve some food at their establishment.

Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Perry.

Discussion: None

A voice vote was taken and the motion passed 9-0.

- Petition P-2017-002: New Common Victualler's License – Kendra Johnson, dba the Juice Mill

Mr. Dutton briefly explained the Petition.

Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Perry.

Discussion: None



A voice vote was taken and the motion passed 9-0.

PRESENTATIONS

- Zoning - Claremont Corporation

Mr. Dutton introduced the attendees representing the Claremont Corporation.

Mr. Carney came forward and spoke about plans for the Lakeshore Center, noting they just opened 289 rental apartments as a 40B in addition to a Marriot Residence Inn. They are looking to continue to develop the property with: 1) a 300 unit apartment complex which would be behind the offices on 495, and, 2) an office building which would require a zoning change for the office building for height relief. The representatives from Claremont explained they would be seeking a zoning change granting relief on height, setbacks and F.A.R. They stressed the need for more critical mass to entice retail business to town. Peter Freeman of Freeman Law Group spoke about the zoning change and requirements of the DHCD. He pointed out 25% of the units would be affordable which qualifies the full 300 units towards the town's 40B goal.

Councilor Questions:

- At councilor Wright's request, they confirmed the building would be five stories.
- Councilor Colombotos asked if they were seeking changes to the zoning for the whole Planned Development District. Elias Patoucheas confirmed that was their intent though they're still studying the zoning. The purpose here was to give an update. Mr. Patoucheas confirmed the units would be approximately 1,000 square feet. Councilor Colombotos requested the information on Local Action Units through the DHCD.
- Councilor Perry asked if there were other plans for commercial property. Mr. Patoucheas reiterated the plans outlined this evening and briefly noted a possible assisted living company, who were running feasibility tests. They entertain all options and have talked to many retailers, but the feedback has been that we need more critical mass.

Motion: A motion was made by Councilor Fitzgibbons to take agenda item "J: Discussions" out of order. The motion was seconded by Councilor Wood.

A voice vote was taken and the motion passed 9-0.

DISCUSSIONS *(taken out of order)*

- Skips Liquors – Progress Update

Yogi Patel came forward and stated he also brought his contractor to answer questions. They will be pouring concrete in next few days. Councilor Wood thanked Mr. Patel for coming in and asked about the delay and the overall schedule. Mr. Patel explained he couldn't apply for building permit until building was demolished. Mr. Patel's contractor came forward and stated the end of March/beginning of April is the timeline now. When they received permit, it was too late in the season. Councilor Wood explained his concern that the liquor license that they're holding is a valuable asset and if the license isn't being used we find a way to reallocate it.

- Uncle Shwarma Food Truck – Hours of Operation – Petition P-2017-003: Change of Hours

President Gallagher explained this petition was before the Council last meeting. Mr. Dutton clarified; at the last meeting the Council voted to renew the license with the same hours based on the recommendation of the Police Chief. Councilor Perry stated he believed we were considering maybe an 11:00 p.m. closing. Discussion followed as several councilors supported the 11:00 p.m. When asked if an 11:00/11:30 p.m. closing would fit better, the Police Chief responded; it's impossible to predict. The later it's open the greater the concern. Chief Delmonte noted the issue isn't the business, but the location. Councilors Fitzgibbons and Colombotos feel small increases would be beneficial.

Motion: A motion to approve was made by Councilor Fitzgibbons. The motion was seconded by Councilor Wright.

Discussion:

Motion: A motion was made by Councilor Fitzgibbons to amend the three 1:00 a.m. requests to 11:00 p.m. The motion was seconded by Councilor Wood.

Discussion:

A voice vote was taken and the motion to amend passed 9-0.

A voice vote was taken and the motion to approve, as amended, passed 9-0.

- Comcast – Update on Academy Building Connectivity



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Catherine Maloney from Comcast came forward and briefly outlined the history of her discussions with the Town. The project wasn't just about moving the connectivity in this building; it was about moving the hub which is currently at the Police Station. They were able to work out moving the hub and upgrading to digital. Now we are at the point of scheduling it with the engineers. Councilors asked various questions including clarification on the timeline for scheduling. Ms. Maloney clarified she is hoping to have it scheduled this year and will continue to provide updates through the Town Manager.

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 Town has appealed the waste water discharge permit. They met with representatives from DEP and EPA. Initial estimates to upgrade the plant are \$30MM. Mr. Dutton does not yet know if it needs to be completed in a 5 year period or if we'll get some relief. This would mean a doubling of sewer user rates which would put us within the top 5 sewer rates. We will do our due diligence to make it work. The legislature has acted on McSheffrey Corner. When we have a stretch of nicer weather we can do a ceremony. Mr. Dutton reminded the Council the Curve Street 40B project is about to start the process with the ZBA on January 11th at 7:00 p.m. The hearing will be at the High School and will go on for a number of sessions. We have a successful bidder on our downtown pedestrian safety study which allows us to bring in engineers to look at suggestions to make the downtown safer. The second phase would be the funding. Mr. Dutton spoke briefly about the three demolition projects going on noting the cost of Bedford Street has gone up exponentially due to the discovery of asbestos and they are finalizing what chemicals exactly is in the playground equipment at Rainbow's End. Now the expectation is to hear from Mass School Building Authority in early February. An internal strategic planning process has begun. The intent is to bring it before the Council before the budget process. There was a negotiation session with the second of two medical marijuana facilities on Elm Street. Mr. Dutton spoke briefly about the overlay ordinance. Finally, Mr. Dutton reminded all the censuses are due back and that there are vacancies on committees.

Questions:

- Councilor Perry asked how many plow trucks and contractors we have. Mr. Dutton responded the Highway Superintendent had to use a very old truck. There is a list of about 70 qualified contractors. About 20-25 showed up for the snow event. He further stated there will be a capital request which will include highway vehicles.
- Councilor Sousa asked how bump outs affect large trucks (in downtown)? Mr. Dutton responded; that's exactly what the second phase of the complete streets study will identify.
- Councilor Losche noted she would like a key to access the room off the Council Chambers.
- Councilor Colombotos asked how large the scope is for the downtown study. Mr. Dutton responded; the big plan is still in effect. This will take into account the downtown revitalization and will be designed to be a temporary permanent fix. Mr. Dutton clarified the Complete Streets Resolution was the first phase.
- Councilor Sousa asked about progress on the Building Official? Mr. Dutton believes we will have someone within the next couple of week.

Return to regular order of business

SUBCOMMITTEE REPORTS:

- Rules & Procedures: Committee Chair, Losche advised the committee is close to completing the review of the Charter. The committee is planning to meet January 23rd. Councilor Losche outlined the timeline to have the changes on the ballot for 2018.
- Councilor Wright gave a brief update on initiatives at Old Colony Planning Board.

LEGISLATION FOR ACTION - None

OLD BUSINESS

- Order O-2016-029: Procure Services – Strategic Planning
This measure was not taken up. No Finance Committee disposition.

NEW BUSINESS

- Ordinance D-2017-001: Vacant and Abandoned Properties



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Councilor Perry explained the ordinance; which will address issues dealing with vacant and abandoned properties. Mr. Dutton elaborated noting it incorporates commercial and residential and repeals and replaces the current ordinance.

Motion: A motion was made by Councilor Fitzgibbons to refer to the Rules and Procedures committee. The motion was seconded by Councilor Losche.

Discussion: Councilor Sousa spoke briefly about concerns he had.

A voice vote was taken and the motion passed 9-0.

- Ordinance D-2017-002: Trash Removal

Councilor Colombotos explained the ordinance has been drafted by Community & Economic Development Director and is a welcome response to some concerns we have had.

Motion: A motion was made by Councilor Fitzgibbons to refer to the Rules & Procedures Committee. The motion was seconded by Councilor Wright.

Discussion: None

A voice vote was taken and the motion passed 9-0.

- Ordinance D-2017-003: Zoning Ordinance Amendment- Land-Space Requirements

Councilor Colombotos explained; this is a technicality to correct a scrivener's error in the original ordinance.

Motion: A motion was made by Councilor Fitzgibbons to refer to the Community & Economic Development committee and Planning Board for a Joint Public Hearing. The motion was seconded by Councilor Wright.

Discussion: None

A voice vote was taken and the motion passed 9-0.

- Order O-2017-001: Collective Bargaining Agreement Ratification– SEIU

Mr. Dutton explained the town has negotiated a contract with SEIU and outlined some of the changes.

Motion: A motion was made by Councilor Fitzgibbons 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 9-0.

- Order O-2017-002: Collective Bargaining Agreement Ratification – Library Union

This measure was not taken up at the request of the Town Manager.

- Order O-2017-003: Contract Ratification – Fire Chief

Mr. Dutton explained the town has negotiated a contract with the Fire Chief this measure will ratify the contract.

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 9-0.

- Order O-2017-004: Contract Ratification – Police Chief

Mr. Dutton explained this contract essentially adopts the same contract from five years ago with some language changes.

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 9-0.

- Order O-2017-005: Transfer Order – Demolition – Bedford Street Property

Mr. Dutton explained they are estimating an additional \$30,000 for the Bedford Street property demolition due to the asbestos.

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 9-0.

- Order O-2017-006: Transfer Order – Appropriation for Ambulance



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Mr. Dutton explained this typically would be part of the capital plan, but we have an urgent need at this time.

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 9-0.

- Order O-2017-007: Transfer Order – Appropriation for Police Equipment

Mr. Dutton explained this is funding safety equipment for the Police Department.

Motion: A motion was made by Councilor Fitzgibbons to refer to the Budget & Finance Committee and Finance Committee. The motion was seconded by Councilor Wright.

Discussion: Councilor Wood asked if all the Finance Committee seats were filled at this time. Mr. Dutton responded there were a couple of vacancies.

A voice vote was taken and the motion passed 9-0.

CITIZEN COMMENTS - None

COUNCIL COMMENTS

- Councilor Wright: No comments
- Councilor Colombotos: No comments
- Councilor Haley: No comments
- Councilor Fitzgibbons: No comments
- Councilor Losche: Happy New Year. Thanked Boy Scouts for picking up her Christmas tree.
- Councilor Wood: Happy the State has passed legislation for McSheffrey Corner. They will look to do the dedication sometime between late March and May.
- Councilor Perry: Encouraged those contractors who signed up to plow to help out. Dr. Perry offered condolences to the Chiocca family who lost a member of their family.
- Councilor Sousa: No comments
- Councilor Gallagher: Wished all a Happy New Year and noted the next meeting will be January 24th.

EXECUTIVE SESSION

Motion: A motion was made by Councilor Fitzgibbons to move into Executive Session under MGL, Chapter 30A, Section 21(a)(6) To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and to adjourn from Executive Session. The motion was seconded by Councilor Losche.

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

Wright – YEA; Colombotos – YEA; Haley – YEA; Fitzgibbons – YEA; Gallagher – YEA; Losche – YEA; Wood – YEA; Perry – YEA; Sousa - YEA. The motion passed 9-0.

ADJOURNMENT – Open session adjourned at 9:17 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, January 24, 2017, to approve the aforementioned minutes, as submitted, by a voice vote (9-0).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk