



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 24, 2017 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Sandra Wright, Peter Colombotos, Edward Haley, Timothy Fitzgibbons (arriving at 7:50 p.m.), 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 McAvoy
- Edgar Westgate Sr.
- Mary Larkin

APPROVAL OF MINUTES –

- January 10, 2017

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

Discussion: None

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

ANNOUNCEMENTS FROM THE PRESIDENT

- President Gallagher announced the Meeting of the General Public will be held February 28, 2017. He will begin the meeting thirty minutes prior to the regularly scheduled meeting.
- President Gallagher announced the State of the Town Address will be held Tuesday, March 28, 2017

PROCLAMATIONS

- Derek Linhares – Eagle Scout

President Gallagher read a proclamation for Derek Linhares who achieved his Eagle Scout.

Derek Linhares came forward and spoke about his achievement and the work involved.

CITIZENS OPEN FORUM –

- Sam Baumgarten – Complimented all on the meeting held last week for the technology and respectful public comment. Mr. Baumgarten suggested possibly getting senior citizens involved to volunteer with the P.A. system through the SAVE program.
- Pat Neary, Lakeside Drive: Regarding the joint meeting last week (CEDC and Planning Board), Ms. Neary was very pleased with the meeting the members were reasonable and listened. Ms. Neary suggested implementing a long term moratorium to limit marijuana
- Keith Buohl, Fieldcrest Drive: Thanked all for their service. Mr. Buohl feels it's important for people to understand their voice can be heard. Again suggested social media should be utilized more and suggested an internship with a BSU Student. Encouraged all to stay transparent during the budget season.
- Bernice Morrissey, Lakeside Drive: Agreed with previous comments about the Community & Economic Development Committee Meeting and Planning Meeting. Ms. Morrissey endorses the recommendation made by the Planning Board and Community & Economic Development Committee.



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, January 24, 2017

- Jennifer Smith, 225 Boxwood Lane: Ms. Smith asked if there is there definitely a second medical marijuana facility. Mr. Dutton responded; both facilities have been approved by the Planning Board.
- Amy Sumner Old Cedar Village: Encouraged the Town Council to support the recommendation of the Planning Board and Community & Economic Development Committee and cited several reasons why.

APPOINTMENTS - None

HEARINGS - None

LICENSE TRANSACTIONS - None

PRESENTATIONS

- Financial Review
Mr. Dutton explained this meeting is being held as it is required by the Charter and begins the budget process. Tony Sulmonte, Finance Director presented the historical perspective, current reality and outlook for the future of the Town's finances. He highlighted major events and touched on local actions that impacted the town's financial position. Mr. Sulmonte presented a graphic which displayed revenue sources and the changes over the years. Mr. Sulmonte spoke at length about the impact of the Quin Bill elimination. A graphic displayed the revenues in the general fund. Mr. Sulmonte showed a report of revenues and expenses for FY2016 noting the biggest hit was in the snow and ice line item. Mr. Sulmonte provided a detailed explanation on Undesignated Fund balance (Free Cash), and then outlined opportunities for the future though sound financial policies. Mr. Sulmonte briefly displayed a first pass at a five year forecast and a working draft of a General Fund Free Cash Policy as well as an overarching Financial Policy. Finally, he outlined challenges for FY18.

Councilor Questions:

- Councilor Fitzgibbons asked much do we have to build up in the undesignated fund before you're comfortable that we can extend over a four-year bad cycle. Mr. Sulmonte does not have that answer this evening, noting he would need to really look closely at the assumptions. Mr. Fitzgibbons also requested a graph of the expenses of the town like the revenues.
- Councilor Wood asked questions around the graphic showing 55% of the overall budget going to the schools. Mr. Sulmonte explained he did not include any debt exclusions.
- President Gallagher outlined his priorities as: addressing capital needs in the Highway department, a full time Facilities person and see a full time Treasurer/Collector brought on board.

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

Discussion: None

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

DISCUSSIONS (*Taken Out of Order*)

- Joint Meeting with Town Manager, Finance Committee and School Committee Chair (or designee)
All attendees introduced themselves, then Mr. Dutton offered Superintendent Swenson the opportunity to speak. Mr. Swenson spoke about the school district's budget season, which started in October. They will be presenting the preliminary budget tomorrow evening. Mr. Swenson noted he has had a great relationship and communication with Tony Sulmonte and Michael Dutton. The school budget is always driven by the mission and five core values in the district. The operational budget is needs based and the priority has always been to reduce or maintain class size. Class sizes are currently in the 20's. The district must maintain fully functioning snow removal, a snow removal vehicle is required in this budget. The district needs a replacement vehicle. The preliminary budget does not reflect grant funding. Additionally, Capital Improvements exceeding \$10,000 are brought directly to the respective towns. In terms of additional staffing the request is nine positions: school adjustment councilors, K-3 intensive special education program with two paraprofessionals and up to two positions to fill throughout the summer. Mr. Swenson spoke about contractual obligations, utility increases (noting a 27% increase in natural gas and 25% in electricity). He also pointed out technology should be viewed as a utility. Mr. Swenson spoke about cost avoidance measures, noting collaborative bidding with several



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, January 24, 2017

communities for supplies. In house plowing which is much more cost effective. Special Education needs they have developed and implemented several programs within the district.

Councilor Questions:

- Councilor Fitzgibbons confirmed with Mr. Swenson that the district will be looking for slightly more than the 2.5% number. Mr. Fitzgibbons asked about special education funding. Mr. Swenson explained, last year was a \$1.2MM increase. They are anticipating some students coming to the district next year in the K-3, but noted creating an additional in house program will save the district money. At Councilor Fitzgibbons' request, Mr. Swenson gave a brief update on E&D (Excess & Deficiency).
- At Councilor Perry's request, School Committee Chair, Ms. Riley spoke about the population growth across the districts. Mr. Swenson specified the population is 5,417 students. They are seeing the majority of spikes in the K-4/5 level and are having a real issue finding rooms for these new programs. At Councilor Perry's request, Mr. Swenson spoke on the request for funding through MSBA.

The Finance Committee had no comments at this time.

- President Gallagher noted the Governor spoke at MMA Annual Conference and stated there will be a \$90MM increase in chapter 70 funds and asked if that is included in the budget? Mr. Swenson explained it amounts to approximately \$20/student and is not included in the projections this evening as the Governor's plan is not approved yet. It most likely will be factored in at the committee level.
- Councilor Wood spoke about the process for the budget, noting everyone works together well. We need to advertise our schedule and asked how we can make the budget process better in terms of advertising, etc. Ms. Riley outlined the school's timeline as: 3/8 public hearing. 3/29 will vote to adopt the budget after making adjustments, 4/29 certified by the District Treasurer, 5/9 goes before Town of Bridgewater and 5/16 goes before Town of Raynham.

Mr. Dutton expressed appreciation for the forum, which he finds very helpful. Regarding the dates, we will begin coordinating and get them out.

**9:09 p.m., President Gallagher called a 5 minute recess.*

**9:19 p.m., President Gallagher called the meeting back to order.*

Motion: A motion was made by Councilor Colombotos to suspend the rules and take item M (a) (Old Business, Ordinance D-2016-007) out of order. The motion was seconded by Councilor Wright.

Discussion: None

A voice vote was taken and the motion passed 8-1 (Councilor Wood in the minority).

OLD BUSINESS (Taken Out of Order)

- Ordinance D-2016-007: Zoning Ordinance – Elm Street Overlay
President Gallagher explained the voting history and the process going forward, then asked Mr. Dutton to explain. Mr. Dutton explained; the overriding importance is to reduce and clarify the medical marijuana district. Councilor Colombotos offered a recap from the joint hearing held by the Planning Board and Community & Economic Development Committee on January 18th. He noted there was a strong sentiment from the citizens to see marijuana banned all together.

Motion: A motion was made by Councilor Fitzgibbons to adopt amendments and send to advertising. The motion was seconded by Councilor Wood.

Discussion: Discussion followed as councilors expressed opinions on the proposed ordinance. Councilor Wood citing several concerns, noted there was not a map included with the materials to reference. Councilor Fitzgibbons thanked residents for coming out and asked the Town Manager what prompted the ordinance. Mr. Dutton explained the importance is to reduce and clarify the medical marijuana district. Councilor Wood is not sure how he feels about the amendment. He suggested; for any zoning change we need should have an informational session before handing it off to a committee so we can have questions and answers and make adjustments. Mr. Wood continued to express concern over the amendment and outlined choices available this evening. Councilor Colombotos pointed out the amendment does not preclude us from banning it through legislation and is still in support. Councilor Perry noted this is an attempt to get in front of this issues. It's very clear the residents in that area want the adult entertainment stricken from the ordinance, therefore he would be



in support of the amendment In the interest of getting the discussion about marijuana (recreational and medicinal) from both sides of the table, Mr. Dutton was able to project the map for consideration. Councilor Haley would like to get an advisory group together with a full cross section of people.

A voice vote was taken and the motion to adopt amendments passed unanimously.

Motion: A motion to amend was made by Councilor Wood to reinsert the language “The boundaries of the ERO are outlined within the appendix herein. The motion was seconded by Councilor Fitzgibbons.

Discussion: None

A voice vote was taken and the motion to amend passed unanimously.

Motion: A motion was made by Councilor Wood to send the re-amended Ordinance to advertising. The motion was seconded by Councilor Fitzgibbons.

Discussion: Councilor Losche noted she felt this has been handled very quickly.

A voice vote was taken and the motion passed unanimously.

Motion: A motion was made by Councilor Fitzgibbons to suspend the rules and take agenda item L: Legislation for Action out of order. The motion was seconded by Councilor Haley.

Discussion: None

A voice vote was taken and the motion passed unanimously.

LEGISLATION FOR ACTION (*Taken Out of Order*)

- Ordinance D-2016-004: Wireless Communications Facilities

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

Discussion: None

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.

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

President Gallagher explained both Budget & Finance and Finance committees approved unanimously.

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

Discussion: None

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

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

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

Motion: A motion to approve was made by Councilor Wood. The motion was seconded by Councilor Losche.

Discussion: None

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.

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

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

Discussion: Councilor Wood briefly thanked the Town Manager who worked through all these contracts successfully before the full budget season.

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

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

Return to regular order of business – Town Manager’s report

TOWN MANAGER’S REPORT

Mr. Dutton reported on information about various activities happening around town and highlighted meetings and events. Items of note included: Regarding the Curve Street 40B hearing; the ZBA had several complaints due to



amplification. They will now hold their hearings in Council Chambers. They have put out a request for consultants. The continued hearing resumes 2/22 at 7:30 here in the Council Chambers. The Auditors are on site this week for FY16 audit. Mr. Dutton expects the FY16 audit will look substantially better than FY15. Regarding the Treasurer/Collector position; we continue to advertise even while we negotiate with a very qualified candidate. We are in final negotiation with one of several candidates for the Building Official position. Mr. Dutton thanked David Moore for helping to get us all caught up. Mr. Dutton reminded all that Bridgewater is appealing the discharge permit for the water treatment plan. The town has met with DEP and EPA and they may be interested in a point by point basis in granting some sort of waiver. Mr. Dutton reminded all that census forms are due to the Town Clerk and it has been combined with dog licensing. Mr. Dutton is working to put together an internal Strategic Plan. Finally, Mr. Dutton briefly updated all on a meeting Mr. Dutton attended with Sam Baumgarten, Joe Gillis and BSU about the Spring Track program. There had been rumors that the program was not going to be allowed due to the University's new policies. However, Mr. Dutton believes most of the issues have been resolved to allow the program to continue.

DISCUSSION (Continued)

- Public Access at Public meetings and Hearings
Councilor Colombotos explained his intention to gather concerns around public meetings, for example, there was not enough seating for Elm Street Overlay hearing. Mr. Colombotos suggested setting up a small ad hoc committee of the Council to work with the Town Manager. Councilor Fitzgibbons volunteered to participate. Councilor Colombotos asked if a person could sign up for notifications about certain projects through the website.
- Reports from Committees and Departments
Councilor Colombotos stated his opinion that it's essential to hear from committees. He would like to hear from the Traffic Committee, Affordable Housing and the CPC. After a brief discussion, it was decided that Councilors would notify the Council Clerk with their requests for department/committee updates.
- Update on Spending Priorities for Free Cash
Councilor Colombotos briefly stated he wants to make sure there's a plan. Councilor Wood pointed out that the policy needs to be looked at.

SUBCOMMITTEE REPORTS:

- Rules & Procedures:
Councilor Losche briefly stated Council Committees should all be meeting regularly and this is where we should be discussing what we're doing. The Rules & Procedures Committee is meeting on 1/31 at 7:00 in the Academy Building. The Committee will be looking at the charter review legislation, then at the Council Rules.

OLD BUSINESS (Continued)

- Order O-2016-029: Procure Services – Strategic Planning
President Gallagher noted the Finance Committee voted to approve this measure last evening and the Budget & Finance Committee referred this matter back to the Council for further discussion.
Motion: A motion was made by Councilor Fitzgibbons to send to advertising. The motion was seconded by Councilor Haley.
Discussion: After a brief discussion, Councilor Losche noted that within the Strategic Planning committee; all members were not 100% aligned on this matter.
Councilor Fitzgibbons withdrew his motion.
Discussion (continued): Councilor Wood stated he wasn't in favor of the spending. He wants to be sure we're clear on the mission. Councilor Colombotos explained the process the Strategic Planning Committee went through with regard to services.

NEW BUSINESS

- Resolution R-2017-001: Town Council Approval of Reclamation Project at MacDonald Industries, DBA Marilyn's Landing



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, January 24, 2017

Mr. Dutton explained Bridgewater Sand and Stone requested virtually the same thing a few months ago, this one involves Marilyn's Landing to ensure the land is flat for future solar installation.

Motion: A motion was made by Councilor Perry to refer to the Community & Economic Development Committee. The motion was seconded by Councilor Fitzgibbons.

Discussion: At Councilor Colombotos' request, Mr. Dutton confirmed the zoning district is Industrial. A voice vote was taken and the motion passed 9-0.

- Order O-2017-002: Collective Bargaining Agreement Ratification – Library Union
At the Town Manager's request, no action was taken.
- Order O-2017-008: Laying Out and Accepting Private Way(s) Hartswood Way and Doe Brook Circle
Councilor Wright explained; the developer has petitioned the Town to accept the roads and asked Mr. Dutton to explain the process. Mr. Dutton explained; the council will vote tonight its intent to lay out the way and refer to the Planning Board.

Motion: A motion was made by Councilor Fitzgibbons that the town intends to take the ways and to refer to the Planning Board. The motion was seconded by Councilor Wright.

Discussion: None

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

Motion: A motion was made by Councilor Fitzgibbons to refer to Planning Board and Community & Economic Development Committee. The motion was seconded by Councilor Wright.

Discussion: None

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

CITIZEN COMMENTS

- Keith Buohl, Fieldcrest Drive: Mr. Buohl requested an e-mail list for the full council. Regarding the budget process he would like the town to consider making the Animal Control Officer (ACO) a full time employee.

COUNCIL COMMENTS

- Councilor Wright: None
- Councilor Colombotos: Mr. Colombotos noted; the Elm Street item brought a lot of new people to the meetings and encouraged people to get involved.
- Councilor Haley: In response to a citizen comment previously, he believes the Animal Control Officer (ACO) is up for full time. He is looking forward to getting a committee together.
- Councilor Fitzgibbons: Offered apologies for being late. He thought this was a great meeting with School Committee, Superintendent and Finance Committee.
- Councilor Losche: None
- Councilor Wood: Mr. Wood still has concerns about Skips Liquors property. Mr. Wood has pulled papers to run again.
- Councilor Perry: Thanked all the School Committee members and Finance Committee members for attending the joint meeting. Dr. Perry appealed to plow drivers to help out for rest of season.
- Councilor Sousa: None
- Councilor Gallagher: None

EXECUTIVE SESSION – *No Executive Session was held.*

ADJOURNMENT

Motion: A motion to adjourn was made by Councilor Fitzgibbons. The motion was seconded by Councilor Colombotos.

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

The meeting adjourned at 10:44 p.m.
Minutes submitted by: Ann Holmberg



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, January 24, 2017

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, February 28, 2017, to approve the aforementioned minutes by a voice vote (7-0) (Councilors Haley and Fitzgibbons absent).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk