



Town of Bridgewater
Town Council Meeting
Meeting Minutes
Tuesday, February 28, 2017

CALL TO ORDER:

A quorum being duly present, Town Council President Dennis Gallagher called the meeting of the Bridgewater Town Council to order at 8:33 pm, on February 28, 2017 in the Academy Building Council Chambers, 66 Central Square, Bridgewater, Massachusetts.

PRESENT:

Council members present were, Sandra Wright, Peter Colombotos, Dennis Gallagher, Aisha Losche, William Wood, Kevin Perry and Frank Sousa. Town Manager Michael Dutton and Town Attorney Mark Gildea were also present.

ABSENT:

- Councilor Edward Haley
- Councilor Timothy Fitzgibbons

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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

- Richard W. Benson
- Thomas J. Kilbridge, Jr.
- President Gallagher spoke on the recent loss of Richard Monteith.

APPROVAL OF MINUTES

- January 24, 2017

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

Discussion: None

A voice vote was taken and the motion passed 7-0.

- February 7, 2017

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

Discussion: None

A voice vote was taken and the motion passed 7-0.

ANNOUNCEMENTS FROM THE PRESIDENT - None

PROCLAMATIONS - None

CITIZENS OPEN FORUM

- Keith Buohl, 10 Fieldcrest Drive: Mr. Buohl asked for an update on 9C project funds for Waterford Village project and asked if we should be worried about the state asking for the \$800,000 back. Mr. Buohl also asked for an update on the Raynham Middle School. Finally, Mr. Buohl requested a list of debt exclusions and when they come to fruition as well as educate people on the difference between a debt exclusion and an override.

APPOINTMENTS

- Board of Assessors – Ronald Barron

Mr. Dutton spoke on Ron Barron's qualifications and encouraged the council to ratify the appointment.

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

Discussion: None

A voice vote was taken and the motion passed 7-0.

HEARINGS - None

LICENSE TRANSACTIONS

- Petition P-2017-005: Transfer of Common Victualler License from 7-Eleven, Inc., dba 7-Eleven 37424H to Naveed Enterprises, Inc., dba 7-Eleven 3742A

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

Discussion: None



A voice vote was taken and the motion passed 7-0.

- **7:40 p.m., Public Hearing:** Petition P-2017-006: Alteration of Premises – Black Hat Brew Works, LLC, 25 Scotland Blvd, Unit 1

President Gallagher opened the hearing at 8:41 p.m.

Mr. Dutton explained they would like to expand in the outdoor portion.

President Gallagher invited any questions from the public – None came forward.

President Gallagher asked if there was anyone speaking in favor - None came forward.

President Gallagher asked if there was anyone speaking in opposition - None came forward.

President Gallagher entertained any questions from councilors:

- Councilor Wood asked if smoking will be allowed. The petitioner confirmed; they do not plan to allow smoking.

President Gallagher closed the hearing at 8:44 p.m.

Motion: A motion was made by Councilor Perry to close the hearing. The motion was seconded by Councilor Sousa.

A voice vote was taken and the motion passed 7-0.

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

Discussion: None

A voice vote was taken and the motion passed 7-0.

- Petition P-2017-007: Change of Manager – Bridgewater Citizen’s Club, 60 Hale Street

Mr. Dutton briefly explained this is simply a change of manager and there were no issues with any relevant department heads.

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

Discussion: None

A voice vote was taken and the motion passed 7-0.

PRESENTATIONS

- Historical Commission – David Moore

Mr. Moore handed out notes to each of the Councilors and began his presentation stating he has been a member of the Historical Commission for over 40 years. With the passing of the Administrative Code, the commission was reduced from 5 to 3. Mr. Moore is asking it be restored to 5 members. State law allows 3-7 members; they’re asking for 5. Mr. Moore spoke against the Demolition Delay Ordinance noting he tried to discourage this ordinance simply due to the Historical impact and asked the Town Council to reconsider it. It’s not effective and doesn’t help the town. Finally Mr. Moore spoke about the reporting structure of the Inspectional Services Department reporting to Economic Development stating his opinion that it doesn’t work to the best advantage of the town.

Councilor Wood asked about how we can improve on the process with Skips Liquors. Mr. Moore confirmed the situation and responded there could have been more pressure on the owner to get going.

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 received approval from Mass DOT for documents on the Complete Streets program. The ZBA held their continued public hearing on 2/22 for Duxboro Estates. We have engaged a 40B consultant and Engineer who will review the application. The next public hearing session is 4/12 in the Council Chambers. Mr. Dutton announced the new Building Official, Steven Solari, started today. Mr. Dutton has put together the 2 chiefs, and the health agent to look at how we treat abandoned buildings. Mr. Dutton provided a brief update on the search for a Treasurer/Collector noting the interim Treasurer/Collector has been excellent. Mr. Dutton spoke about the sewer discharge, stating the town has put our offer to the DEP/EPA. The EPA have indicated they may entertain extending the time period the town has to complete the upgrade. The Town Manager’s office has met with



the Carver's Pond Dam Engineer. The engineer's recommendation is to repair the dam, not abandon it. The report is at DCR now. They are almost ready to provide a Draft RFP for the McElwain School, which will propose sale of the school and possibly add affordability or assisted living. Prior to that, the Town Council would need to vote to declare the building available for sale. The WWI Monument refurbish project is getting underway. The budget process is well underway; it will be a very tough budget year. Mr. Dutton provided a detailed update on the MSBA funding. MSBA has accepted the district into the initial phase. We have begun to assemble data that needs to be provided to the MSBA to get through the eligibility phase. Regarding the question about Waterford 40R money; we have not got to the point where the state has said they'll never collect but we do provide an update to the state yearly. Though Mr. Dutton has talked with Community & Economic Development Director about submitting some sort of application to the state so the state can acknowledge the will not collect. Mr. Dutton will put the debt exclusions on the website and will repost the explanation of definitions.

Questions:

- Councilor Wood asked if we need a town vote on the feasibility and do we know the cost? Mr. Dutton responded it's premature to say. Mr. Dutton explained; the Council will have to vote to put it on the ballot. People should be given as much information as possible about it.
- Councilor Colombotos spoke about the notation in the Town Manager's report that OCPC will be updating the Housing Production Plan. Mr. Colombotos wants to be sure we are soliciting feedback from citizens. Mr. Colombotos stated he is still unclear about the zoning enforcement ticket book. Mr. Dutton will get more information on that, however, it doesn't believe Mr. Moore has used it; he has used more productive ways to enforce zoning.

DISCUSSIONS - None

SUBCOMMITTEE REPORTS: - None

LEGISLATION FOR ACTION

- Ordinance D-2017-007: Zoning Ordinance – Elm Street Retail Overlay
President Gallagher briefly updated all on the committee dispositions.
Motion: A motion to approve was made by Councilor Perry. The motion was seconded by Councilor Sousa.
Discussion: None
A roll call vote was taken with results recorded as follows:
Wright – YEA; Colombotos – YEA; Haley – ABSENT; Fitzgibbons – ABSENT; Gallagher – YEA; Losche – YEA – Wood – YEA; Perry – YEA; Sousa – YEA. The motion passed 7-0.
- Order O-2017-002: Collective Bargaining Agreement Ratification – Library Union
President Gallagher briefly updated all on the committee dispositions.
Motion: A motion to approve was made by Councilor Losche. 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 – ABSENT; Haley – ABSENT; Colombotos – YEA; Wright - YEA. The motion passed 7-0.
- Resolution R-2017-001: Town Council Approval of Reclamation Project – MacDonald Industries, DBA Marilyn's Landing
President Gallagher briefly updated all on the committee dispositions.
Motion: A motion to approve was made by Councilor Colombotos. The motion was seconded by Councilor Perry.
Discussion: None
A voice vote was taken and the motion passed 7-0.

OLD BUSINESS

- Ordinance D-2017-003: Zoning Ordinance – Amend Land Space Requirements
President Gallagher briefly updated all on the committee dispositions.



Motion: A motion was made by Councilor Perry to send to advertising. The motion was seconded by Councilor Wood.

Discussion: At Councilor Wood's request, Councilor Colombotos explained the need for the amended legislation and how it related to the old bylaw.

A voice vote was taken and the motion passed 7-0.

- Ordinance D-2017-004: Local Retail Marijuana Sales Tax
At President Gallagher's request, Councilor Wood explained this measure was on the last meeting's agenda and a motion to refer to committee failed, therefore it is before it remains at the Council level.

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

Discussion: Councilor Losche reminded all that when this was before the Council previously, they were not 100% aligned on the timing of this legislation. Discussion continued briefly as Councilors expressed their opinions on the matter. At the conclusion, it was determined that Councilor Wood would withdraw the legislation pending the outcome of state legislation.

Councilors Wood and Wright withdrew their motion and second respectively.

- Order O-2016-029: Procure Services – Strategic Planning
President Gallagher briefly explained; he does not want to take any action this evening. He distributed the scope of services to each Councilor; noting this measure will be on the next agenda and the gentleman from Paradigm will be presenting to the Strategic Planning Committee 3/6. After a brief discussion, it was decided, Councilor Gallagher would try to have the presentation done at the 3/7 Council meeting for all to participate. During the course of the discussion, Attorney Gildea clarified if a majority of a subcommittee or the council were to attend a meeting, they should properly post their own meeting to ensure Open Meeting Law compliance.

*9:42 p.m., Councilor Wright left the meeting.

NEW BUSINESS

- Order O-2017-009: Transfer Order – Capital Transfer from Water Retained Earnings
Mr. Dutton briefly explained the nature of the order.

Motion: A motion was made by Councilor Wood to refer to the Budget & Finance and Finance Committees. The motion was seconded by Councilor Perry.

Discussion: None

A voice vote was taken and the motion passed 6-0.

CITIZEN COMMENTS -

- Michael (*citizen did not provide last name or address*) – what is his next step to see his initiative moved forward.

COUNCIL COMMENTS

- Councilor Wright: Not present.
- Councilor Colombotos: No comments.
- Councilor Haley: Absent
- Councilor Fitzgibbons: Absent
- Councilor Losche: No comments.
- Councilor Wood: Mr. Wood spoke about the loss of Dick Moneith. Mr. Wood also spoke about the TJ Squared Robotics program noting their games are being held at Bridgewater-Raynham on 3/11.
- Councilor Perry: Thanked everyone for coming out this evening. Meeting of GP was one of the best we've had.
- Councilor Sousa: No comments.
- Councilor Gallagher: Thanked everyone for coming out this evening. See you next week for the next meeting.

EXECUTIVE SESSION – No Executive Session was held.

ADJOURNMENT

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



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A voice vote was taken and the motion passed 6-0.

The meeting adjourned at 9:54 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, March 21, 2017, to approve the aforementioned Minutes by a voice vote (6-0-2) (Councilor Wright absent, Councilors Fitzgibbons and Haley abstained).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk