BRIDGEWATER TOWN COUNCIL

Tuesday, September 5, 2017
7:30 p.m.
Academy Building
66 Central Square
Council Chamber, Room 203
Bridgewater MA

MEETING AGENDA

RECEIVED
2017 AUG 31 A 11:

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS
   a) August 8, 2017

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS
   a) Municipal Clerk's Week
   b) Recognizing Constitution Week

D. CITIZEN OPEN FORUM

E. APPOINTMENTS
   a) Cultural Council – Susan Boerman
   b) Veteran's Council – Ronald Lembo

F. HEARINGS
   a) 7:35 p.m.: Order O-2017-011: Laying Out and Accepting Private Ways – Fern Hollow Road and Hillside Lane
   At a joint meeting held 5/17/17, the Community & Economic Development Committee and Planning Board both voted unanimously to approve this measure. This measure has been duly filed with the Town Clerk, abutters notifications mailed, advertised and posted on the Town's website for a public hearing and may be finally considered at the close of this evening's hearing.

G. LICENSE TRANSACTIONS
   a) **7:40 p.m., PUBLIC HEARING**: Petition P-2017-022: Transfer of all alcohol restaurant license from The Bear's Den Pub & Pizza, LLC dba The Bear's Den Pub & Pizza to Greyhound Group LLC dba Greyhound Tavern
   b) Petition P-2017-019: One Day Alcohol & Entertainment License – Black Hat Brew Works – South Shore Farmer Brew Fest 2
   c) Petition P-2017-020: Replacement of Officer(s) – 99 Restaurants of Boston, LLC and 99 West, LLC
   d) Petition P-2017-021: Transfer of Common Victualler License J.J.S. Breakfast, LLC. Dba Lou Lou's Café to C.S.M. Hospitality Inc. dba Lou Lou's Café
   e) Petition P-2017-023: Transfer of Local Licenses – The Bear's Den Pub & Pizza, LLC dba The Bear's Den Pub & Pizza to Greyhound Group LLC, dba Greyhound Tavern

H. PRESENTATIONS
   a) FY2016 Exit Interview/Audit – Roselli, Clark & Associates

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION – None

M. OLD BUSINESS

a) Ordinance D-FY18-001: Establish a Stabilization Fund *(Councilor Fitzgibbons)*
At their meeting held 8/17/17, the Budget & Finance Committee voted 3-0 to recommend approval. On 8/7/17, the Finance Committee voted 5-0 to approve. This measure requires advertising, therefore cannot be finally voted this evening.

b) Order O-2016-027: Accept Changes to Bridgewater's Home Rule Charter
On 6/27/17, the Town Council re-referred this measure to the Rules & Procedures Committee for further consideration. At their meeting held 8/15/17, the Rules & Procedures Committee voted 3-0 to recommend to the full Council with proposed amendments and voted 3-0 to recommend one ballot question.

N. NEW BUSINESS

a) Ordinance D-FY18-002: Zoning Ordinance – Temporary Moratorium on the Retail Sale of Recreational Marijuana (*Councilor Haley)*

b) Ordinance D-FY18-003: Zoning Ordinance – Zoning Map Amendment – Easy Street *(Councilor George)*

c) Ordinance D-FY18-004: Senior Work-Off Abatement Program – *(Town Manager)*

d) Ordinance D-FY18-005: Zoning Ordinance - Prohibiting the Retail Sale of Recreational Marijuana *(Councilors Gallagher and Sousa)*

e) Order O-FY18-002: South Street – Chapter 61A – Intent Not To Exercise Right to Purchase Land *(Town Manager)*

f) Order O-FY18-003: Acceptance of a Gift - Estate of John Chruniak *(Town Manager)*

g) Order O-FY18-004: Evening Hours – Office of the Town Clerk *(Councilor Wood)*

h) Order O-FY18-005: Town of Bridgewater Home Rule Charter Changes Ballot Question *(Councilor Losche)*

i) Order O-2017-006: Loan Order – Water Meter Replacement Project *(Town Manager)*

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT

RECEIVED
2017 AUG 31 A 11:50

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Order: # O-2017-011

Introduced By:	Councilor Kevin Perry
Date Introduced	April 4, 2017
First Reading:	April 4, 2017
Second Reading:	September 5, 2017
Third Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #O-2017-011

LAYING OUT AND ACCEPTANCE OF PRIVATE WAY(S) – FERN HOLLOW AND HILLSIDE LANE

WHEREAS, the owners of the subdivision known as Laurel Heights, Winter Hill Realty Trust, Peter S. Lehtola and James A. Perry, Trustees., have requested the Town Bridgewater lay out and accept Fern Hollow Road and Hillside Lane of the Laurel Heights subdivision as public way(s); it is therefore;

ORDERED: that the common necessity and convenience of the inhabitants of the Town of Bridgewater require the laying out of Fern Hollow Road and Hillside Lane and for that purpose it is necessary to take an easement for Highway purposes and lay out as a public street or way of said Town of Bridgewater, said easement passing by or over lands of those persons shown on "EXHIBIT A", attached hereto, and parties unknown.

ROLL CALL VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Said layout of said street, Fern Hollow Road, is bounded as described as follows:

Lot: FERN HOLLOW ROAD
Beginning at a concrete bound with a drill hole on the westerly sideline of Laurel Street;
thence with a curve turning to the left with an arc length of 22.18', with a radius of 15.00' to a concrete bound with a drill hole;
thence N 70°05'53" W a distance of 198.34' to a concrete bound with a drill hole;
thence with a curve turning to the left with an arc length of 286.83', with a radius of 200.00' to a concrete bound with a drill hole;
thence with a reverse curve turning to the right with an arc length of 295.63', with a radius of 240.00' to a concrete bound with a drill hole;
thence N 81°41'38" W a distance of 135.86' to a concrete bound with a drill hole;
thence with a curve turning to the right with an arc length of 310.13', with a radius of 65.00' to a concrete bound with a drill hole;
thence with a reverse curve turning to the left with an arc length of 32.59', with a radius of 20.00' to a concrete bound with a drill hole;
thence S 81°41'38" E a distance of 51.01' to a concrete bound with a drill hole;
thence with a curve turning to the left with an arc length of 246.36', with a radius of 200.00' to a concrete bound with a drill hole;
thence along Hillside Lane with a reverse curve turning to the right with an arc length of 79.26', with a radius of 240.00' to a concrete bound with a drill hole;
thence with a compound curve turning to the right with an arc length of 264.94', with a radius of 240.00' to a concrete bound with a drill hole;
thence S 70°05'53" E a distance of 208.32' to a concrete bound with a drill hole;
thence along Laurel Street S 14°37'35" W a distance of 53.85' to a concrete bound with a drill hole;
which is the point of beginning,
having an area of 49,003 square feet, 1.12 acres as shown on Plan Book 51, Page 1186

Said layout of said street, Hillside Lane, is bounded as described as follows:

Lot: HILLSIDE LANE
Beginning at a concrete bound with a drill hole on the northerly side of Fern Hollow Road;
thence with a curve turning to the left with an arc length of 20.92', with a radius of 20.00' to a concrete bound with a drill hole;
thence N 30°41'22" W a distance of 56.49' to a concrete bound with a drill hole;
thence with a curve turning to the right with an arc length of 174.20', with a radius of 240.00' to a concrete bound with a drill hole;
thence with a reverse curve turning to the left with an arc length of 19.31', with a radius of 20.00' to a concrete bound with a drill hole;
thence with a reverse curve turning to the right with an arc length of 344.09', with a radius of 65.00' to a concrete bound with a drill hole;
thence with a reverse curve turning to the left with an arc length of 24.72', with a radius of 20.00' to a concrete bound with a drill hole;
thence with a compound curve turning to the left with an arc length of 135.27', with a radius of 200.00' to a concrete bound with a drill hole;
thence S 30°41'22" E a distance of 26.40' to a concrete bound with a drill hole;
thence with a curve turning to the left with an arc length of 35.31', with a radius of 20.00' to a concrete bound with a drill hole;
thence along Fern Hollow Road with a reverse curve turning to the left with an arc length of 79.26', with a radius of 240.00' to a concrete bound with a drill hole;
which is the point of beginning,
having an area of 22,526 square feet, 0.52 acres as shown on Plan Book 51, Page 1186

ROLL CALL VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Fern Hollow Road and Hillside Lane

All the land within the limits of a private ways known as Fern Hollow Road and Hillside Lane, supposed to belong to Winter Hill Realty Trust, Peter S. Lehtola and James A. Perry, Trustees, and others, or parties unknown, being a strip of land extending from.

And; the following drainage parcels necessary for the proper functioning of the designed drainage system:

Drainage Lot

Lot: DRAINAGE LOT A
Beginning at a point on the north side of the Fern Hollow Road cul-de-sac;
thence N 33°07'28" W a distance of 45.24' to a point;
thence N 62°52'31" E a distance of 134.59' to a point;
thence S 01°00'14" W a distance of 120.30' to a point;
thence S 62°15'40" W a distance of 27.37' to a point;
thence along Fern Hollow Road with a reverse curve turning to the left with an arc length of 81.89', with a radius of 65.00' to a point;
which is the point of beginning,
having an area of 10,100 square feet, 0.23 acres as shown on Plan Book 55, Page 716

Lot: DRAINAGE LOT B
Beginning at an iron rod set on the northeasterly side of Hillside Lane;
thence N 57°35'50" E a distance of 154.64' to an iron rod;
thence S 23°08'25" E a distance of 13.50' to a point;
thence S 68°22'25" E a distance of 147.50' to a point;
thence S 14°37'35" W a distance of 90.23' to an iron rod;
thence N 72°01'35" W a distance of 226.16' to an iron rod;
thence S 57°35'50" W a distance of 33.97' to an iron rod;
thence along Hillside Lane with a curve turning to the left with an arc length of 20.73', with a radius of 65.00' to an iron rod;
which is the point of beginning,
having an area of 20,544 square feet, 0.47 acres as shown on Plan Book 51, Page 1186

Lot: DRAINAGE EASEMENT A
Beginning at a point on the westerly side of Laurel Street;
thence N 68°22'25" W a distance of 30.23' to a point;
thence N 14°37'35" E a distance of 104.90' to a point;
thence along Fern Hollow Road S 70°05'53" E a distance of 16.45' concrete bound with a drill hole;
thence along Fern Hollow Road with a curve turning to the right with an arc length of 22.18', with a radius of 15.00' to a concrete bound with a drill hole;
thence along Laurel Street S 14°37'35" W a distance of 92.13' to a point;
which is the point of beginning,
having an area of 3,122 square feet, 0.07 acres as shown on Plan Book 51, Page 1186

Lot: DRAINAGE EASEMENT B
Beginning at a point on the northerly side of Fern Hollow Road;
thence N 14°37'35" E a distance of 75.32' to a point;
thence N 09°51'27" E a distance of 72.98' to a point;
thence S 72°01'35" E a distance of 26.11' to an iron rod;
thence S 14°37'35" W a distance of 144.33' to a point;
thence along Fern Hollow Road with a curve turning to the left with an arc length of 20.13', with a radius of 240.00' to a point;
which is the point of beginning,
having an area of 3,137 square feet, 0.07 acres as shown on Plan Book 54, Page 415

ROLL CALL VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Lot: ACCESS & UTILITY EASEMENT C
Beginning at a concrete bound with a drill hole set on the southerly side of Fern Hollow Road;
thence S 54°00'16" W a distance of 50.00' to a point;
thence N 33°07'28" W a distance of 349.80' to a point;
thence N 56°52'32" E a distance of 20.00' to a point;
thence S 33°07'28" E a distance of 246.60' to a point;
thence along Fern Hollow Road with a curve turning to the left with an arc length of 92.76', with a radius of 65.00' to a concrete bound with a drill hole;
thence along Fern Hollow Road S 81°41'38" E a distance of 24.75' to a concrete bound with a drill hole;
which is the point of beginning,
having an area of 6,903 square feet, 0.16 acres as shown on Plan Book 51, Page 1186

And we have considered and estimated that the damages sustained by all persons who have not waived damages in their several estates as follows:

NO AWARDS**.**

Explanation:
Approval of this Order would formally affect the layout and acceptance of Fern Hollow Road and Hillside Lane by the Town for future maintenance and ownership.

Committee Referrals and Dispositions:

Referral(s)	**Disposition(s)**
• 4/4/17: Unanimous vote by Town Council that the Town intends to take the ways and refer to the Planning Board & Community & Economic Development Committee.	
• Community & Economic Development Committee	• 5/17/17: Vote 3-0 recommend acceptance
• Planning Board	• 5/17/17: Vote unanimously to recommend acceptance.
• This measure has been duly advertised for a public hearing, therefore may be finally considered at the close of the hearing.	

ROLL CALL VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Petition: P-2017-022

Date Introduced/Public Hearing: September 5, 2017

Amendments Adopted:

Date Adopted:

Date Effective:

Council Petition: P-2017-022

Relative to:

TRANSFER OF ALL ALCOHOL RESTAURANT and ATTENDANT LICENSES

WHEREAS, Greyhound Group, LLC dba Greyhound Tavern has submitted all applicable documentation as required for transfer of All Alcohol Restaurant and attendant licenses from The Bear's Den Pub & Pizza, LLC dba The Bear's Den Pub & Pizza;

WHEREAS, the petitioner has described the service premises at 39 Broad Street as:

> *Premises consists of single level building including dining room with booths, kitchen and two restrooms. Front entrance and rear door for emergency exit.*

WHEREAS, approval of request to sell alcoholic beverages is required by Massachusetts General Law – Chapter 138, section 12 prior to the final submission to the Commonwealth's Alcohol Beverages Control Commission (ABCC) who must ratify the action; and

WHEREAS, the maximum hours of operation for the food establishment and for the sale of alcohol will be:
Weekdays: 4:00 p.m. – 1:00 a.m. and Sundays: 4:00 p.m. – 1:00 a.m.

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority, upon consideration of the recommendations of the Building Inspector, Fire, Police, and Health Departments who have oversight authority, it appears that the public good so requires such license be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 138, section 12 and Chapter 140 - section 2 and section 6 respectively of the Massachusetts General Law (MGL), in Town Council assembled approve the petition of Greyhound Group, LLC dba Greyhound Tavern to operate an establishment and sell alcohol on the premises of 39 Broad Street, Bridgewater, Massachusetts as requested.

Bridgewater Town Council

In Town Council Tuesday, September 5, 2017

Council Petition: P-2017-019

Date Introduced/Public Hearing: September 5, 2017

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

The Granting of a One-Day Alcohol & One Day Entertainment Permit

WHEREAS, Paul Mulcahy from Black Hat Brew Works of Bridgewater has petitioned for a One-day Alcohol and One day entertainment permit for the following the South Shore Farmer Brewfest 2 event:

	EVENT	DATE	TIME	APPROXIMATE ATTENDANCE
1	South Shore Farmer Brewfest 2	October 8, 2017	12:00 p.m. - 7:00 p.m.	Up to 1000

;and,

WHEREAS, Paul Mulcahy from Black Hat Brew Works has complied with the requirements of the Town of Bridgewater and has agreed to work with the Public Safety Departments to take appropriate security measures; and,

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority and with the affirmative recommendation of the Bridgewater Building Inspector, Fire, Police, and Health Departments who have oversight authority, it appears that the public good so requires such license be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 138 - section 14 and Chapter 140- Section 183A respectively of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition of Paul Mulcahy of Black Hat Brew Works to be granted a one day alcohol and one day entertainment permit for the aforementioned event to be held on the grounds of 25 Scotland Blvd.

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Petition: #P-2017-020

Date Introduced/Public Hearing: September 5, 2017

Amendments Adopted:

Date Adopted:

Date Effective:

Petition: #P-2017-020

Relative to:

APPROVAL OF LICENSE TRANSACTION OF ALCOHOL LICENSEE

WHEREAS, 99 Restaurants of Boston, LLC dba 99 Restaurant & Pub (licensee) has petitioned the local licensing authority to affirm the petition for Change of Officer(s)/Directors; and

WHEREAS, the submitted documentation represents part of a transaction involving the Change of Officer(s)/Directors for the 99 Restaurant & Pub Restaurants, which owns all sixty-three (63) 99 Restaurants in Massachusetts. The transaction will not result in any change to the personnel, operation or physical structure of the restaurant in the Town of Bridgewater, as the day to day supervision and control of the restaurant operations remain unchanged; and

WHEREAS, with respect to the liquor licenses in Massachusetts, the Licensee submitted the applications to the ABCC through the "Inverted Approval Process", and the ABCC has reviewed and investigated the applications, information and documentation and approved the transaction as in compliance with M.G.L. Chapter 138. Per the letter sent by the executive director, the ABCC requires no other forms, documents or information in connection with the application other than the LLA (Local Licensing Approval Form) from the Town of Bridgewater; and

WHEREAS, 99 Restaurants of Boston, LLC dba 99 Restaurant & Pub has complied with the policies and requirements of the Town of Bridgewater and Commonwealth of Massachusetts in making this request; and

WHEREAS, approval of such petition by the Town of Bridgewater is permitted by Massachusetts General Law – Chapter 138, section 15A; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority, and with the affirmative recommendation of the Tax Collector's Office, it appears that the public good so requires such approvals be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 138 of the Massachusetts General Law (MGL), in Town Council assembled approve the petitions of 99 Restaurants of Boston, LLC dba 99 Restaurant & Pub for Change of Officer(s)/Directors as requested.

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Petition: P-2017-021

Date Introduced/Public Hearing: September 5, 2017

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE TRANSFER OF A COMMON VICTUALLER LICENSE

WHEREAS, C.S.M. Hospitality Inc. dba Lou Lou's Cafe has submitted all applicable documentation as required for a transfer of license from J.J.S. Breakfast, LLC dba Lou Lou's Café to operate a food establishment at 2107 Plymouth Street in Bridgewater, Massachusetts:

WHEREAS, C.S.M. Hospitality Inc. dba Lou Lou's Cafe proposes to operate the businesses during the following hours:

Monday – Sunday: 6:00 a.m. – 3:00 p.m.

WHEREAS, C.S.M. Hospitality Inc. dba Lou Lou's Cafe has complied with the requirements of the Town of Bridgewater and applicable state laws inclusive of the Building Code, Fire Codes and Health Department's Food Service Specifications governing the serving of food to the public; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority and with the affirmative recommendation of the Bridgewater Building Inspector, Fire, Police, and Health Departments who have oversight authority, it appears that the public good so requires such license be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 140 - section 2 and section 6 respectively of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition of C.S.M. Hospitality, Inc. **dba Lou Lou's Cafe be granted a license to operate a food establishment within the Town of Bridgewater.**

VOICE VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Petition: P-2017-023

Date Introduced/Public Hearing: September 5, 2017

Amendments Adopted:

Date Adopted:

Date Effective:

Council Petition: P-2017-023

Relative to:

TRANSFER OF LOCAL LICENSES

WHEREAS, Greyhound Group LLC dba Greyhound Tavern has submitted all applicable documentation as required for transfer of local licenses from The Bear's Den Pub & Pizza, LLC dba The Bear's Den Pub & Pizza including: Television and Juke Box (weekdays and Sundays from 4 pm – 1 am) Annual Entertainment - including amplified live music and DJ and dancing by patrons. These activities would take place Indoors weekdays and Sundays from 4 pm – 1 am

WHEREAS, the petitioner has described the service premises at 39 Broad Street as:

> *Premises consists of single level building including dining room with booths, kitchen and two restrooms. Front entrance and rear door for emergency exit.*

WHEREAS, the maximum hours of operation for the food establishment and for the sale of alcohol will be:
Weekdays: 4:00 p.m. – 1:00 a.m. and Sundays: 4:00 p.m. – 1:00 a.m.

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority, upon consideration of the recommendations of the Building Inspector, Fire, Police, and Health Departments who have oversight authority, it appears that the public good so requires such license be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 140 of the Massachusetts General Law (MGL), in Town Council assembled approve the petition of Greyhound Group LLC dba Greyhound Tavern to transfer all the local licenses held at 39 Broad Street, Bridgewater, Massachusetts as requested.

Bridgewater Town Council

In Town Council, Tuesday September 5, 2017

Council Ordinance: D-FY18-001

Introduced By:	Councilor Fitzgibbons
Date Introduced:	July 11, 2017
First Reading:	July 11, 2017
Second Reading:	September 5, 2017
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-FY18-001

ESTABLISH A STABILIZATION FUND

WHEREAS, structurally sound financial practices, includes the prudent use of onetime revenue(s), as a pillar of the town's long-term fiscal strategic plan; and

WHEREAS, onetime revenue is appropriately used as a funding source for onetime and/or unforeseen expenditures that are noncapital related;

WHEREAS: It is appropriate that the Town Council have a dedicated fund from which to appropriate resources for such purposes;

Now, therefore, in accordance with the authority so vested in it by the Bridgewater Home Rule Charter, the Town Council votes to take the following action:

ORDERED that under Massachusetts General Laws, Chapter 40, §5B, the Town of Bridgewater establish a Stabilization Fund for "Onetime/Unforeseen Expenditures" with the purpose of accepting funds from revenue sources that are deemed one-time or mitigation revenue, to be appropriated from, as required, to fund one-time and/or unforeseen expenditures, or take any other action relative thereto.

Explanation:

One Time/Unforeseen Expenditures – to strengthen the structurally sound financial practices that the town has been building upon/recently implementing it is prudent that we establish a process which uses one time revenue sources to fund items; such as snow & ice deficits, contract settlements, and the town's non-capital related project initiatives.

Said amounts should be appropriated from this fund, and carried over from year to year, in the general fund, for the special purpose for which they are intended. These appropriations will not be comingled with the appropriations made for the annual operating budget. All funds remaining, not required for the special purpose, would be transferred back into this stabilization fund, to be used for a future appropriation.

NOT FOR ACTION – REQUIRES ADVERTISING.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Budget & Finance Committee	• 8/7/17: Vote 3-0 recommend approval.
• Finance Committee	• 8/7/17: Vote unanimous to approve.
• This measure may not be finally considered this evening as it required advertising.	

NOT FOR ACTION – REQUIRES ADVERTISING.

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Order: O-2016-027

Introduced By:	Councilors Aisha Losche and William Wood
Date Introduced	November 15, 2016
First Reading:	November 15, 2016
Second Reading:	May 9, 2017
Third Reading:	June 27, 2017
Fourth Reading:	September 5, 2017
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Order #O-2016-027

ACCEPT CHANGES TO BRIDGEWATER'S HOME RULE CHARTER

Ordered that, that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to adopt the changes set forth in the following document, "Town of Bridgewater's Home Rule Charter with Changes Noted" and submit these changes to the Town Charter to the Legislature with all due speed.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Rules & Procedures • Referred back to Rules & Procedures – 5/9/17 and 6/27/17	• 5/2/17: Vote 3-0 recommend to full council with amendments. • 6/26/17: Vote 3-0 recommend to full council with amendments and support one ballot question • 8/15/17: Vote 3-0 recommend to full Council with amendments and recommend one ballot question.

NOT FOR ACTION – REQUIRES ADVERTISING.

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Ordinance: D-FY18-002

Introduced By:	Councilor Edward Haley
Date Introduced:	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-FY18-002

ZONING ORDINANCE - TEMPORARY MORATORIUM ON THE RETAIL SALE AND DISTRIBUTION OF RECREATIONAL MARIJUANA

Whereas, by vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes, and

Whereas, by vote of the legislature on July 20, 2017, and signature by the Governor on July 28, 2017, the General Court made changes to the law approved by voters, and altered the date by which the Cannabis Control Commission must promulgate regulations to no later than March 15, 2018, and

Whereas, currently under the Bridgewater Zoning Bylaw, Recreational Marijuana Retailers are not a permitted use in the Town and any regulations promulgated by the State Cannabis Advisory Board are expected to provide guidance to the Town in regulating Recreational Marijuana Retailers, and

Whereas, the regulation of Recreational Marijuana Retailers raise novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Recreational Marijuana Retailers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Retailers and other issues related to the regulation of recreational marijuana, and

Whereas, the Marijuana Ad Hoc Committee recommends that the Town Council adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Retailers in order to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

Now, therefore, for the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town, through its Town Council, adopts a temporary moratorium on the use of land or structures for Recreational Marijuana Retailers extending through December 31, 2018.

Explanation:
During the moratorium period, the Town would undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Advisory Board regulations regarding Recreational Marijuana Retailers and related uses, determine whether the town shall restrict any, or all, licenses for Recreational Marijuana Retailers, determine whether the town will prohibit on-site consumption at Recreational Marijuana Retailers and shall consider adopting new provisions of the Zoning Bylaw to address the impact and operation of Recreational Marijuana Retailers and related uses.

NOT FOR ACTION – FIRST READING ONLY

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Ordinance: D-FY18-003

Introduced By:	Councilor Shawn George
Date Introduced:	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-FY18-003

ZONING ORDINANCE – ZONING MAP AMENDMENT – EASY STREET

ORDERED, pursuant to MGL, Chapter 40A that the Town Council assembled votes to change boundary of Industrial A Zone by rezoning of remaining portion of the lots listed below to Residential A/B

- Map 25, Lot 23
- Map 25, Lot 22
- Map 25, Lot 27
- Map 26, Lot 29
- Map 26, Lot 54
- Map 26, Lot 75
- Map 26, Lot 76
- Map 26, Lot 77
- Map 26, Lot 78
- Map 39, Lot 3
- Map 39, Lot 4
- Map 39, Lot 35
- Map 39, Lot 36
- Map 39, Lot 37
- Including Easy Street

The resultant Industrial A zone will be comprised of the following lots along Plymouth Street, as follows:

- Map 25, Lot 24
- Map 25, Lot 25
- Map 25, Lot 77
- Map 25, Lot 89
- Map 38, Lot 1
- Map 38, Lot 2
- Map 39, Lot 1

NOT FOR ACTION – FIRST READING ONLY

- Map 39, Lot 2

See attached Exhibit “Proposed Zoning Change – June 9, 2017”:

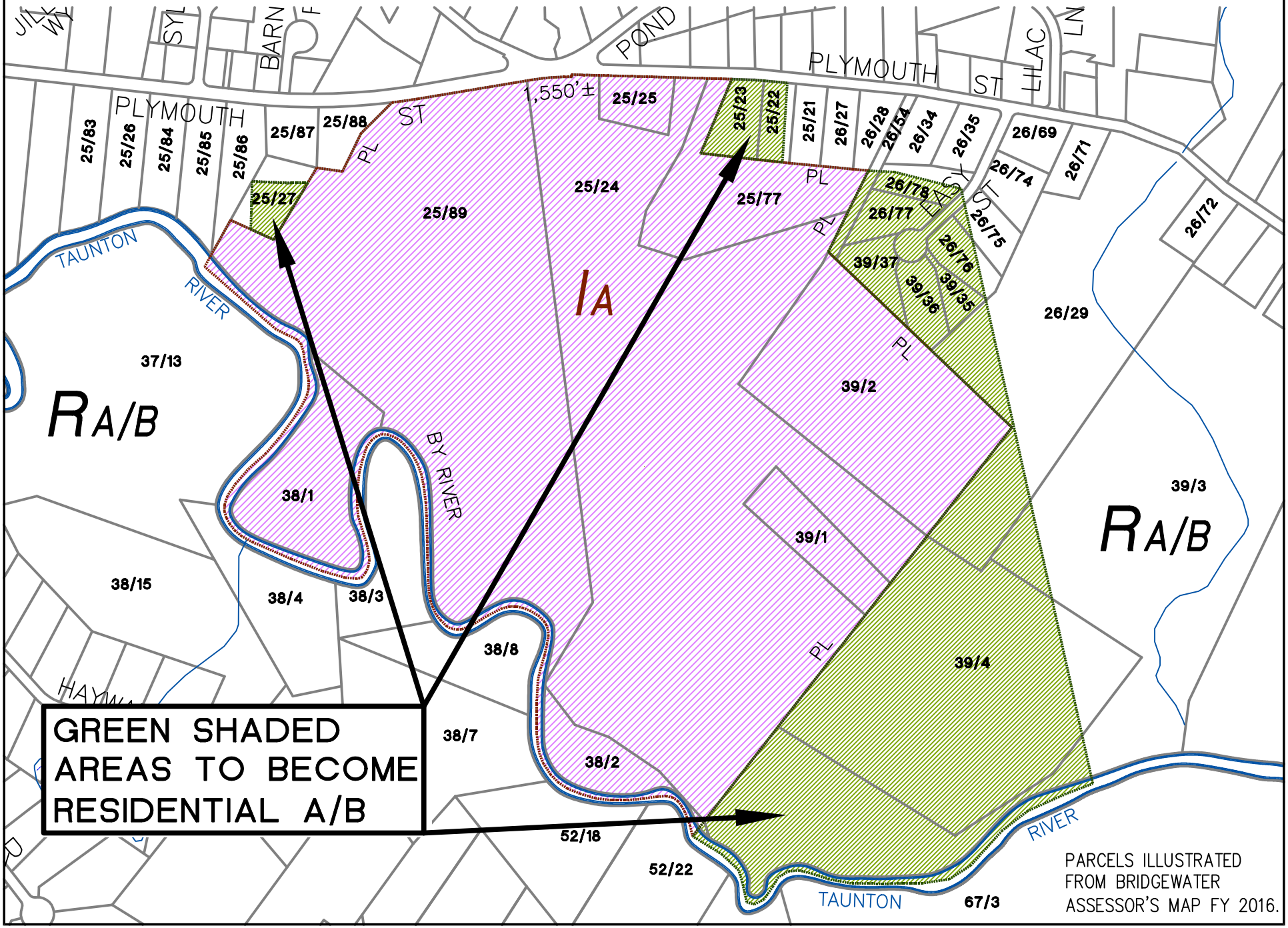
Explanation:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

EXHIBIT: PROPOSED ZONING CHANGE

JUNE 9, 2017



Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Ordinance: D-FY18-004

Introduced By:	Town Manager
Date Introduced:	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-FY18-004

SENIOR ASSOCIATES VOLUNTEER PROGRAM (SAVE)

WHEREAS, The Senior Associates Volunteer Program (SAVE) provides a mechanism to reduce the tax bills of seniors over the age of 60 in return for volunteer services to the Town of Bridgewater, and;

WHEREAS, The Town voted to accept MGL c. 59, section 5K to implement the program, and added additional language which has now become in conflict with amendments to MGL c. 59, section 5K, and;

WHEREAS, The program has provided a valuable source of volunteer labor to the Town, and a valuable reduction in tax obligation to the volunteers;

ORDERED, that the Town Council assembled votes to repeal acceptance of MGL c. 59, section 5K as adopted on November 8, 2010 and accept MGL c. 59, section 5K as effective November 7, 2016.

Explanation:

*The re-adoption of this Ordinance will include those changes that were incorporated as part of the Municipal Modernization Act. This allows the Town to increase the maximum amount that real property tax obligations can be reduced under MGL c. 59, section 5k by taxpayers over 60 years old who are participants in the senior work-off abatement program. The restriction previously adopted was based on a 125-volunteer service hour (currently equal to $1,375 or $11.00 per hour * 125 hours) in each tax year. This will increase that amount to $1,500. The minimum wage will continue to be used in the calculation of the total eligible benefit. In addition, the re-adoption will ensure that the Town is can administer the program to conform to state law.*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

NOT FOR ACTION – FIRST READING ONLY

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Ordinance: D-FY18-005

Introduced By:	Councilors Dennis Gallagher and Frank Sousa
Date Introduced:	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-FY18-005

ZONING ORDINANCE – PROHIBITING THE RETAIL SALE OF RECREATIONAL MARIJUANA

WHEREAS, In accordance with the provisions of MGL, Chapter 40A, and H.3818 it is therefore;

ORDERED, that the Town Council assembled votes to amend Section 6, Use Regulations, of the Bridgewater Zoning Bylaws to read as follows:

"6.4 Marijuana Establishments Forbidden

The Town of Bridgewater prohibits the operation of any marijuana establishment as defined in G.L. c. 94G, § 1, including without limitation a marijuana cultivator, a marijuana testing facility, a marijuana product manufacturer or a marijuana retailers in all zoning Districts of the Town of Bridgewater. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012.

Explanation:

Adoption of the aforementioned ordinance would affect a ban on the sale of recreational marijuana in the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

NOT FOR ACTION – FIRST READING ONLY

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Order: O-FY18-002

Introduced By:	Town Manager *(at the request of the Finance Director)*
Date Introduced	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY18-002

SOUTH STREET– CHAPTER 61A – INTENT NOT TO EXERCISE RIGHT TO PURCHASE LAND

ORDERED: That pursuant to MGL Chapter 61A, Section 14 the Town Council of Bridgewater, Massachusetts in Town Council assembled vote not to exercise the right to purchase the parcel of land on South Street, owned by South Street Realty Trust, Jay & David Leach Trustees (shown as "Lot 39" on "Map 74" consisting of approximately 43.8 acres of land).

Explanation:
Based on sound recommendations by both requisite departments, the Town does not seek to exercise its right under MGL Chapter 61A, Section 14 to purchase the land.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

NOT FOR ACTION – FIRST READING ONLY

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Order: O-FY18-003

Introduced By:	Town Manager *(at the request of the Finance Director)*
Date Introduced	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY18-003

ACCEPTANCE OF A GIFT – ESTATE OF JOHN CHRUNIAK

WHEREAS: Massachusetts General Laws, Chapter 44, §53A, states as follows:
"An officer ... of any city or town … may accept grants or gifts of funds from … from the commonwealth … or an agency thereof, … and may expend such funds for the purposes of such grant or gift ... with the approval of the city manager and city council...;" and

WHEREAS: The Town of Bridgewater has received a financial gift from the Estate of John Chruniak for use in the Fire Department;

Now, therefore, in accordance with Chapter 44, §53A of the Massachusetts General Laws, the Town Council votes to take the following action:

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the gift of $20,244.21 from the Estate of John Chruniak to expend the gift in accordance with stated purpose thereof.

Explanation:

The Estate of John Chruniak has donated monies to the Town of Bridgewater to be expended under the direction of the Fire Chief to benefit the department as he deems appropriate. The funds may be expended without further appropriation.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

NOT FOR ACTION – FIRST READING ONLY

Bridgewater Town Council

In Town Council, Tuesday, September 5, 2017

Council Order: O-FY18-004

Introduced By:	Councilor William Wood
Date Introduced	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY18-004

EVENING HOURS – OFFICE OF THE TOWN CLERK

WHEREAS, the Office of the Town Clerk is a customer facing office of the Town of Bridgewater; and

WHEREAS, the Academy Building is open to the public late for the meeting of the Town Council; and

WHEREAS, there are no standard evening office hours for the Office of the Town Clerk; and

WHEREAS, the Bridgewater Home Rule Charter Section 3-4 allows the Town Council to assign duties not already provided under any general or special law to the Office of the Town Clerk;

THEREFORE, BE IT ORDERED, that the Office of the Town Clerk shall remain open until the start of the Town Council meeting on evenings when a regular Town Council meeting is scheduled.

Explanation:

Board Members, Committee Members, people submitting voting information, and people from the general public that need to conduct business with the Office of the Town Clerk need convenient hours when they work away from Bridgewater and cannot visit the office between 8 AM and 4 PM.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

NOT FOR ACTION – FIRST READING ONLY

Bridgewater Town Council

In Town Council, Tuesday, September 5,2017

Council Order: O-FY18-006

Introduced By:	Town Manager *(at the request of the Finance Director)*
Date Introduced	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY18-006

LOAN ORDER – WATER METER REPLACEMENT PROJECT

ORDERED, that $3,625,000 is appropriated to pay costs of replacing water meters throughout the Town, and for the payment of all costs incidental and related thereto (the "Project"), and that to meet this appropriation, the Treasurer, with the approval of the Town Manager, is authorized to borrow said amount under and pursuant to Chapter 44, Section 8(6) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Town Manager is authorized to contract for and expend any grants, aid or gifts available to pay costs of the Project and to take any other action necessary or convenient to carry out the Project.

Explanation:
This is the second phase of the project that began in the summer of 2016. It is referred to as "advanced metering infrastructure". It is a cellular based system that uses software to interface with the water departments billing system. It allows continuous flow measurements and stores data for fifteen years. It is not necessary to visit or drive by a property to get meter readings. Data on any meter can be viewed and monitored by the water department and the customer if requested. There are an estimated 7,300 meters to be replaced and tied into the new system. It is expected that work will be completed within 18 months.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

NOT FOR ACTION – FIRST READING ONLY