

BRIDGEWATER TOWN COUNCIL

Tuesday, December 3, 2019

7:30 p.m.

Academy Building

66 Central Square

Council Chamber, Room 203

Bridgewater MA

MEETING AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) November 5, 2019

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Library Director – *Jed T. Phillips*
- b) Historic District Commission – *Judith Gabriel (Reappointment)*

F. HEARINGS

- a) **7:35 p.m.:** O-FY20-019: Laying Out and Accepting a Private Way - Colonial Drive
At their meeting held 10/16/19 the Planning Board voted unanimously not to recommend acceptance. On 10/25/19 the Community & Economic Development Committee voted 3-0 not to recommend acceptance. This measure has been duly filed with the Town Clerk, advertised in the Enterprise and on the Town's website for a public hearing and may be finally considered at the conclusion of the hearing.

G. LICENSE TRANSACTIONS

- a) Petition P-2019-028: New Common Victualler's License – Bridgewater Brunch Inc., dba Summer Street Café, 10 Summer Street

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

- a) Mitchell School Update (*Standing Item*)
- b) New Education Funding Law (*Councilor Fitzgibbons*)
- c) Broad Street Update (*Councilor Fitzgibbons*)
- d) Update on DOT Discussion re: Engine Braking Restrictions (*Councilor Chase*)
- e) High Street Dam & Bridge Replacement
- f) Items for Next Meeting

J. DISCUSSIONS

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Order O-FY20-029: Transfer Order - CPC Funding for Broad Street Property Purchase
At their meeting held 10/28/19, the Finance Committee voted 5-0 to recommend approval. On 11/20/19, the Community Preservation Committee voted 5-0 to approve this measure. The Budget & Finance Committee meet 12/3/19 and will provide their disposition to the full Council. This measure may be finally voted this evening.
- b) Order O-FY20-033: Acceptance of a Gift - Bridgewater Savings Bank
At their meeting held 11/19/19, the Budget & Finance Committee voted 2-0-1 to recommend approval. The Finance Committee voted to recommend approval at their meeting held 11/25/19. This measure may be finally considered this evening.
- c) Order O-FY20-034: Transfer Order - Collective Bargaining Agreement Obligation - United Steelworkers
At their meeting held 11/25/19, the Finance Committee voted to recommend approval. The Budget & Finance Committee meet 12/3/19 and will provide their disposition to the full Council. This measure may be finally considered pending disposition from Budget & Finance Committee.

RECEIVED
TOWN CLERK'S OFFICE
BRIDGEWATER, MA.
2019 NOV 27 A 11:48

- d) Order O-FY20-035: Transfer Order - Collective Bargaining Agreement Obligation -Bridgewater Firefighters Association

At their meeting held 11/25/19, the Finance Committee voted to recommend approval. The Budget & Finance Committee meet 12/3/19 and will provide their disposition to the full Council. This measure may be finally considered pending disposition from Budget & Finance Committee.

- e) Order O-FY20-036: Transfer Order - Collective Bargaining Agreement Obligation - Bridgewater Administrators Association

At their meeting held 11/25/19, the Finance Committee voted to recommend approval. The Budget & Finance Committee meet 12/3/19 and will provide their disposition to the full Council. This measure may be finally considered pending disposition from Budget & Finance Committee.

M. OLD BUSINESS

- a) Ordinance D-FY19-007: Creation of a "Review Committee"

The Rules & Procedures Committee voted 3-0 at their meeting held 11/26/19 to recommend "table indefinitely" and include change in proposed Ordinance D-FY20-003. This measure may not be finally voted this evening as it requires advertising prior to adoption.

N. NEW BUSINESS

- a) Ordinance D-FY20-003: General Ordinance – Town Council Adoption of Amendments to Rules and Procedures Document (*Councilor Wood*)
b) Order O-FY20-038: Contract Ratification - AFSCME
c) Order O-FY20-039: Contract Ratification - Library
d) Order O-FY20-040: Transfer Order - Funding of AFSCME Contractual Settlement
e) Order O-FY20-041: Transfer Order - Funding of Library Contractual Settlement
f) Order O-FY20-042: Transfer Order - Funding of Non-Union
g) Order O-FY20-043: Construction Vehicle Restriction on Wally Kreuger Way (*Councilors Wood and Sousa*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT

TOWN OF BRIDGEWATER

OFFICE OF THE TOWN COUNCIL



Dennis Gallagher
At-Large
President

Shawn George
District 3
Vice President

Aisha Losche
District 1

Timothy Fitzgibbons
District 2
President

Fred Chase
District 4

Peter Colombotos
District 5

William Wood
District 6

Frank Sousa
District 7

Matthew Rushton
At-Large

Academy Building, 66 Central Square
Bridgewater, MA 02324

TOWN OF BRIDGEWATER TOWN COUNCIL PUBLIC HEARING NOTICE

ACCEPTING A PRIVATE WAY – COLONIAL DRIVE

The Bridgewater Town Council will hold a public hearing and consider for action Order O-FY20-019: Laying out and Accepting a Private Way – Colonial Drive, in the Council Chambers located in the Academy Building, 66 Central Square, Bridgewater, MA 02324 Tuesday, December 3, 2019 at 7:35 p.m. Copies of the full Order are available for inspection by the public in the office of the Town Clerk, or on the following pages and with the Town Council Clerk.



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-019

Introduced By: Councilor Aisha Losche
Date Introduced: September 3, 2019
First Reading: September 3, 2019
Second Reading/Public Hearing: December 3, 2019
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-019

LAYING OUT AND ACCEPTING A PRIVATE WAY - COLONIAL DRIVE

WHEREAS, the owners of the subdivision known as Colonial Drive, E and J, LLC., Paul Cincotta, Manager, have requested the Town of Bridgewater lay out and accept Colonial Drive as a public way; it is therefore;

ORDERED: that the common necessity and convenience of the inhabitants of the Town of Bridgewater require the laying out of Colonial Drive 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.

Explanation:

Approval of this order would effectively adopt Colonial Drive as a public way.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Community & Economic Development Committee • Planning Board	• 9/27/19: Postpone to 10/25/19. • 10/25/19: Vote 3-0 not to recommend. • 10/1/29: Continued • 10/16/19: Planning Board voted unanimously not to recommend.

VOTE #1: VOICE VOTE – FIND THAT THE LAYING OUT IS REQUIRED BY COMMON CONVENIENCE AND NECESSITY
VOTE #2: ROLL CALL VOTE – APPROVE LAYING OUT THE WAY

"The Meadows" Definitive Subdivision

Colonial Drive

Beginning at a concrete bound with a drill hole on the easterly side of South Street;
thence with a curve turning to the left with a radius of 20.00', with an arc length of 31.42', to a concrete bound with a drill hole;
thence N 72°23'52" E a distance of 193.90' to a railroad spike set in a driveway;
thence with a curve turning to the right with a radius of 220.00', with an arc length of 257.34', to a concrete bound with a drill hole;
thence S 40°34'54" E a distance of 171.61' to a railroad spike set in a driveway;
thence with a curve turning to the right with a radius of 220.00', with an arc length of 88.47', to a concrete bound with a drill hole;
thence with a curve turning to the right with a radius of 65.00', with an arc length of 289.12', to a concrete bound with a drill hole;
thence with a curve turning to the left with a radius of 25.00', with an arc length of 42.72', to a concrete bound with a drill hole;
thence N 40°34'54" W a distance of 143.13' to a concrete bound with a drill hole;
thence with a curve turning to the left with a radius of 180.00', with an arc length of 210.55', to a concrete bound with a drill hole;
thence S 72°23'52" W a distance of 193.90' to a concrete bound with a drill hole;
thence with a curve turning to the left with a radius of 20.00', with an arc length of 31.42', to a concrete bound with a drill hole on the easterly side of South Street;
thence N 17°36'08" W along South Street a distance of 80.00' to a concrete bound with a drill hole;
which is the point of beginning,
having an area of 39,731 square feet, or 0.91 acres as shown on Plan Book 59, Page 944.

"The Meadows" Definitive Subdivision

Drainage Lot

Beginning on the southerly side of the Colonial Drive cul-de-sac and adjacent to 25 Colonial Drive;
thence S 34°48'23" W a distance of 289.02' to a point;
thence S 12°11'02" E a distance of 104.20' to a point;
thence S 84°22'38" E a distance of 82.87' to a point;
thence N 05°37'22" E a distance of 80.44' to a point;
thence S 73°53'24" E a distance of 158.17' to a point;
thence N 29°57'03" E a distance of 326.49' to a capped iron rod;
thence N 76°28'18" W a distance of 22.66' to a point;
thence N 67°10'51" W a distance of 50.53' to a point;
thence S 89°53'18" W a distance of 31.99' to a point;
thence N 66°18'24" W a distance of 64.56' to a capped iron rod on the southeasterly side of the Colonial Drive cul-de-sac;
thence westerly with a curve turning to the right with a radius of 65.00', with an arc length of 122.33', to a capped iron rod;
which is the point of beginning,
having an area of 87,566 square feet, or 2.01 acres as shown on Plan Book 59, Page 944.

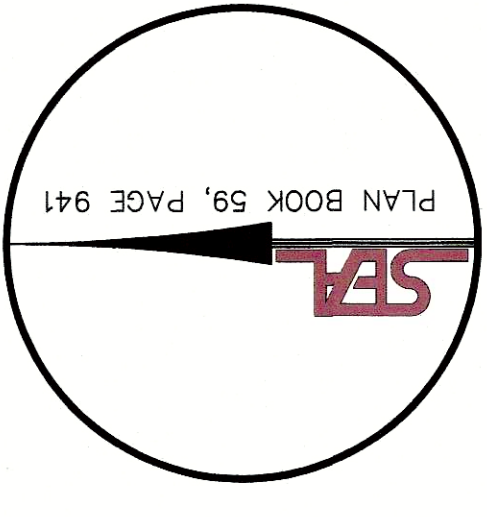
Access Easement

Beginning at a capped iron rod on the southeasterly side of the Colonial Drive cul-de-sac and also being the lot corner between Lot 8 and the Drainage Lot;
thence with a curve turning to the left with a radius of 65.00', with an arc length of 10.04',
thence S 66°18'24" E a distance of 63.12' to a point;
thence N 88°47'56" W a distance of 105.66' to a point;
thence S 10°43'57" W a distance of 37.76' to a capped iron rod;
thence N 76°28'18" W a distance of 22.66';
thence N 67°10'51" W a distance of 50.54' to a point;
thence S 89°53'18" W a distance of 31.99' to a point;
thence N 66°18'24" W a distance of 64.56' to a point on the southeasterly side of the Colonial drive cul-de-sac;
which is the point of beginning,
having an area of 2,813 square feet, or 0.06 acres as shown on Plan Book 59, Page 944.

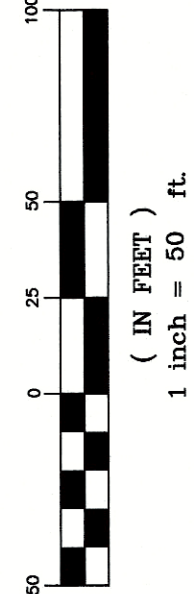
"The Meadows" Definitive Subdivision

Water Line Easement

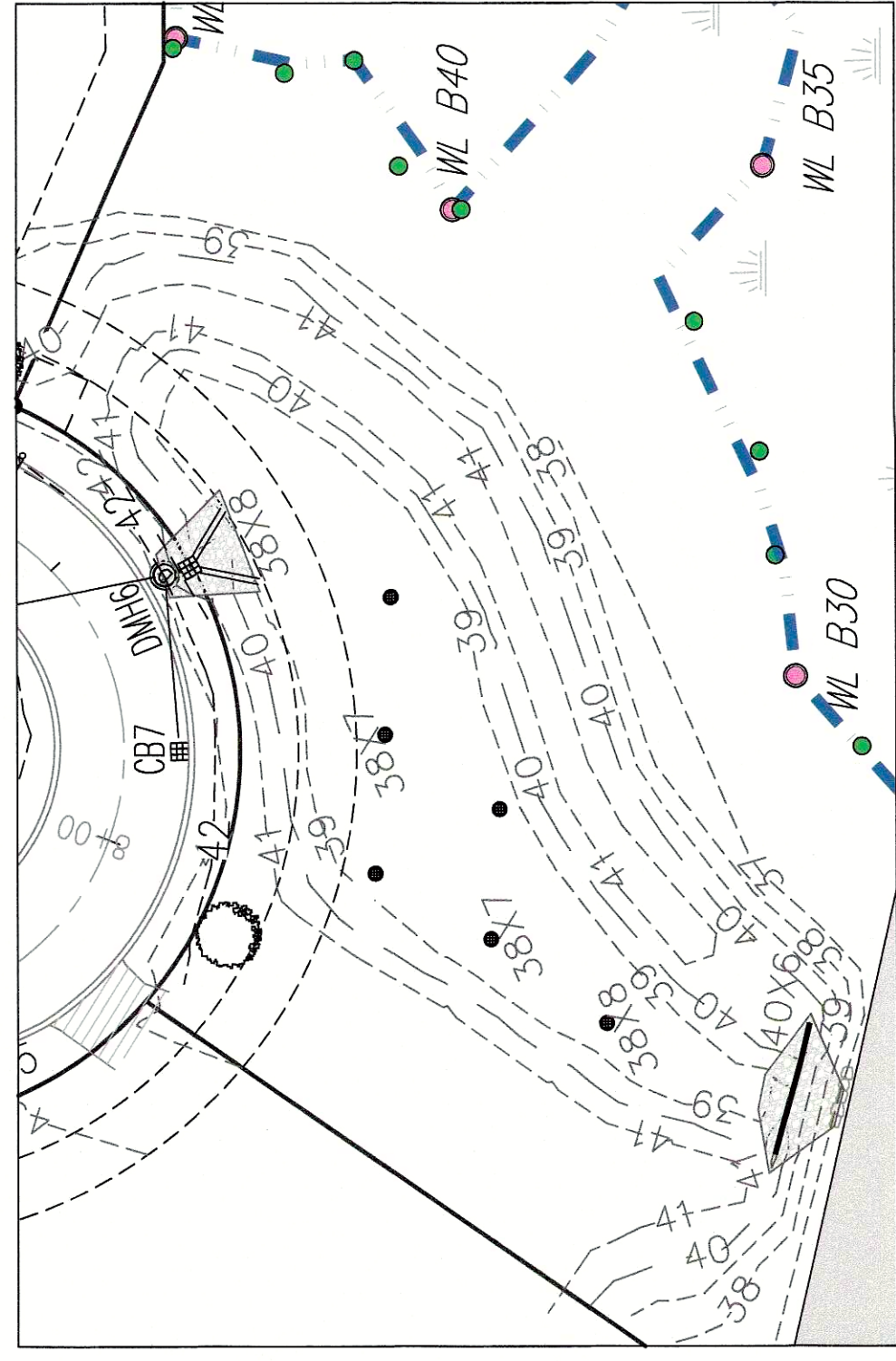
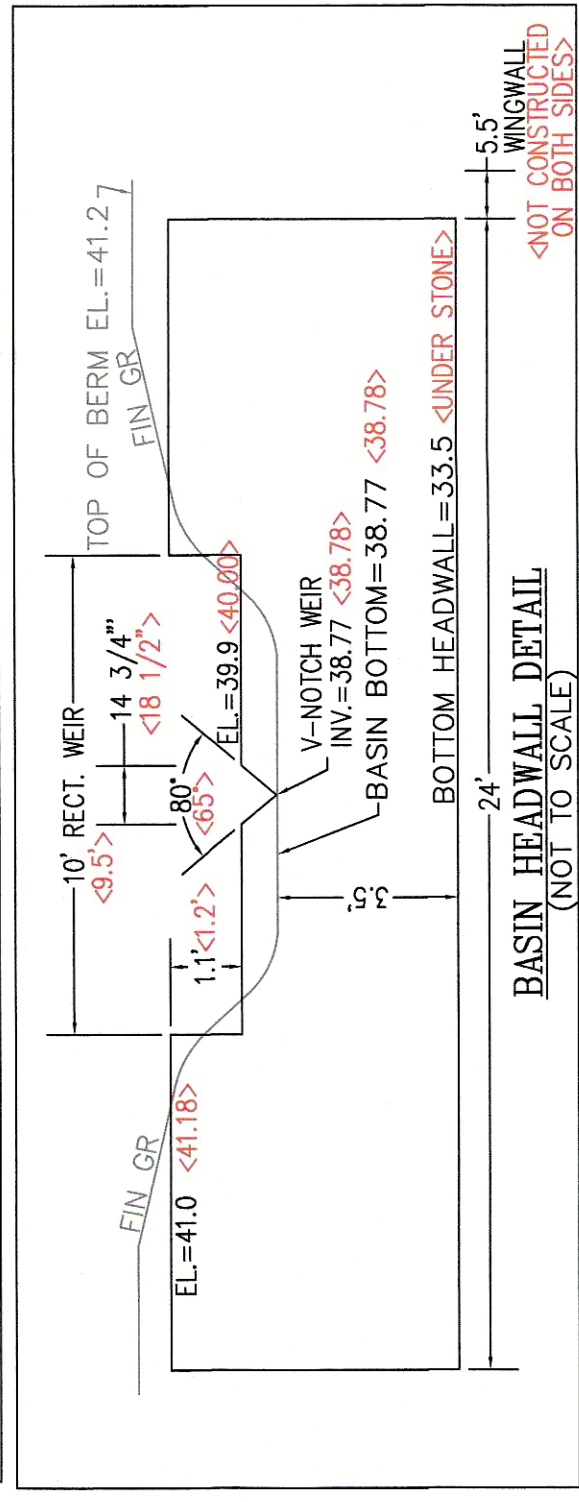
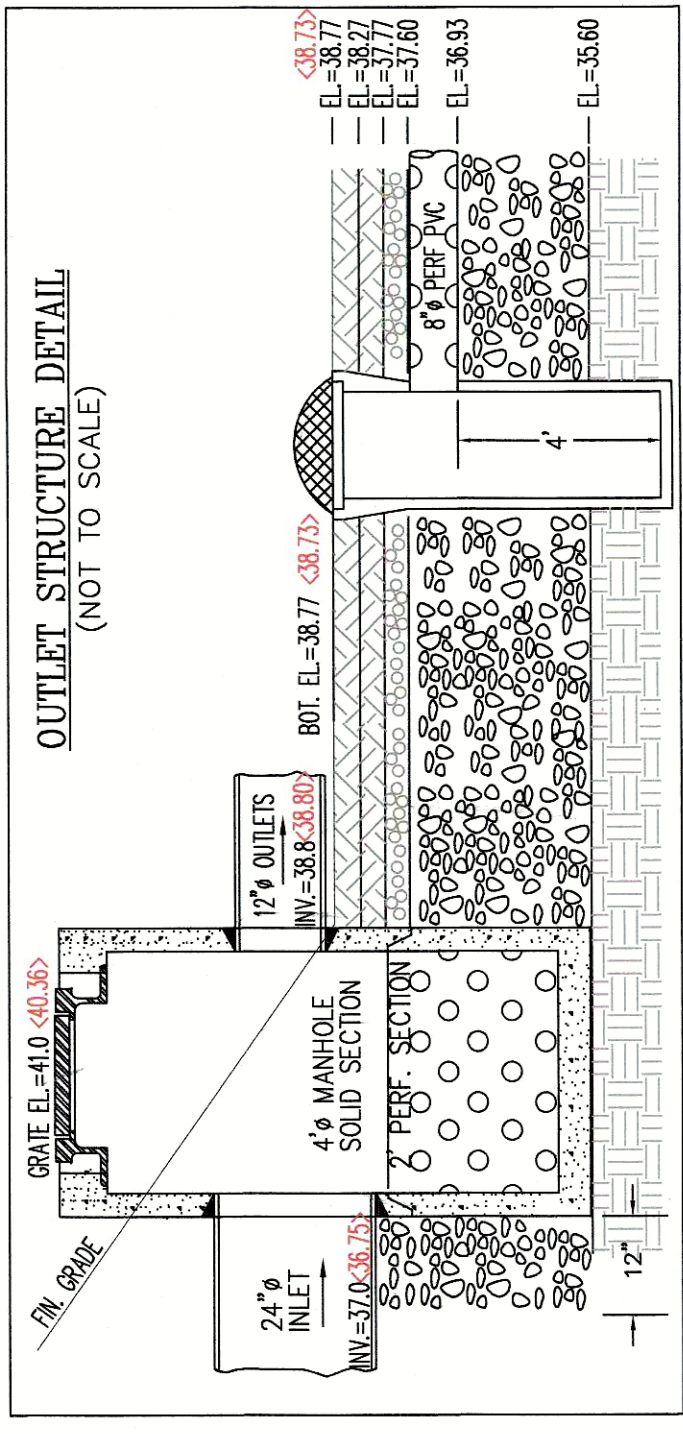
Beginning at a point on the westerly side of the Colonial Drive cul-de-sac, said point being 44.03' southwesterly along a curve from a concrete bound with a drill hole;
thence N 84°04'59" W a distance of 431.89' to a point on the easterly side of South Street;
thence S 05°53'09" W along South Street a distance of 20.00' to a capped iron rod;
thence S 84°04'59" E a distance of 430.58' to a point on the westerly side of the Colonial Drive cul-de-sac;
thence northerly with a curve turning to the right with a radius of 65.00', with an arc length of 20.12', to a point;
which is the point of beginning,
having an area of 8,614 square feet, or 0.20 acres as shown on Plan Book 59, Page 944.



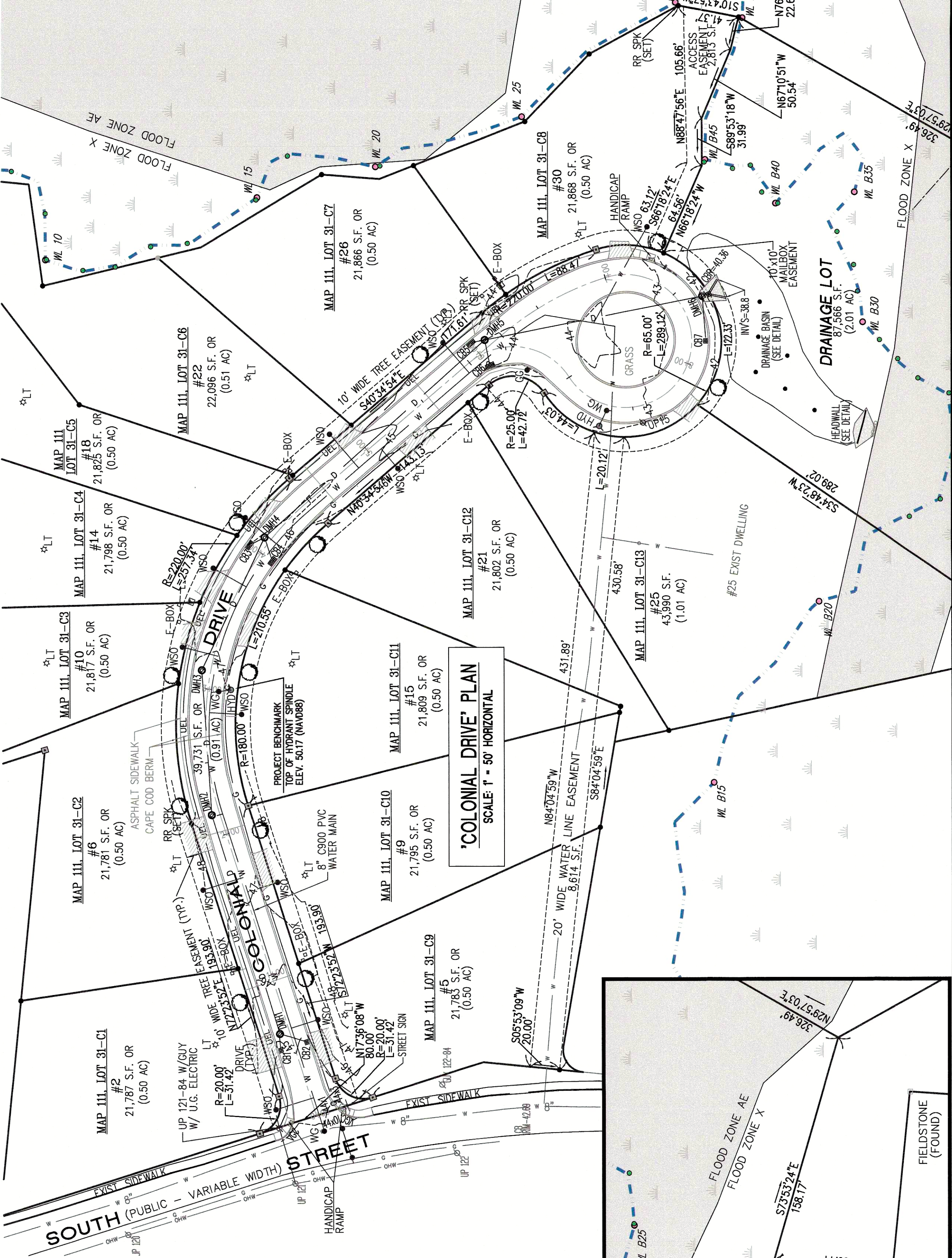
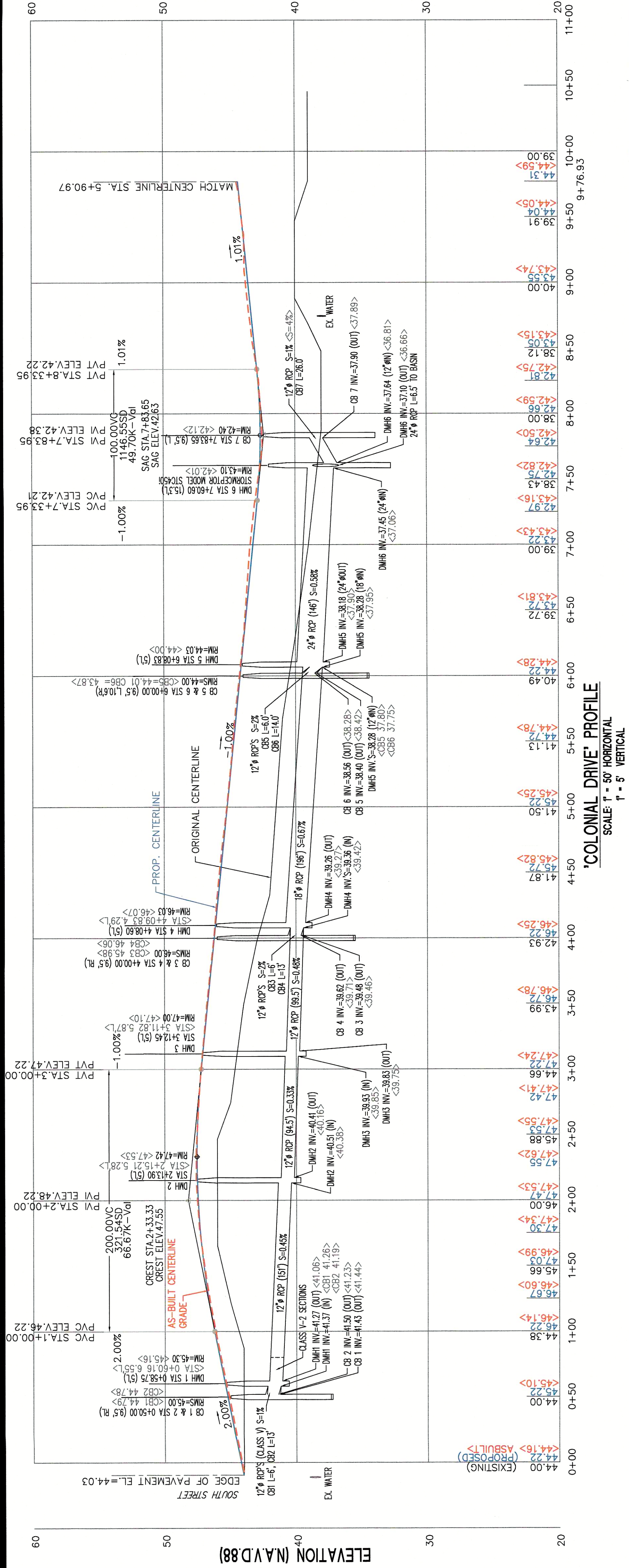
GRAPHIC SCALE



LEGEND	
	PROPERTY LINE
	CONCRETE BOUND SET
	CAPPED IRON ROD SET
	CONTOUR
	WATER LINE
	HYDRANT
	WATER GATE
	WATER SERVICE
	DRAIN LINE
	DRAIN MANHOLE
	CATCHBASIN
	GAS LINE
	GAS GATE
	UNDERGROUND ELECTRIC
	TRANSFORMER
	ELEC/TEL/CATTY
	DRIVEWAY LANTERN
	MAILBOX
	STREET TREE
	WATERLINE PIPE



BASIN PLAN (SCALE: 1"=30')



'COLONIAL DRIVE' PLAN (SCALE: 1"=50' HORIZONTAL)

PLAN REFERENCES:

- MAP AND LOT NUMBERS.
- PLAN BOOK 59, PAGES 41-49, "THE MEADOWS" A DEFINITIVE SURVEY OF THE TOWN OF BRIDGEWATER, MASSACHUSETTS, PREPARED BY SILVA ENGINEERING ASSOCIATES, P.C., 1615 BEDFORD STREET, BRIDGEWATER, MA 02324, AND A PORTION OF ASSESSOR'S MAP 101, LOT 39, COLONIAL DRIVE, BRIDGEWATER, MASSACHUSETTS, REVISED, JUNE 16, 2015.
- PRELIMINARY ROADWAY ASBUILT "THE MEADOWS" COLONIAL DRIVE, ASSESSOR'S MAP 111, LOTS 31, 32, 13A, AND A PORTION OF MASSACHUSETTS, DATED: FEBRUARY 10, 2016.
- SURVEY PERFORMED BY SILVA ENGINEERING ASSOCIATES ON JANUARY 19, 2016 AND NOVEMBER 28, 2017 IDENTIFIES THE SUBJECT PROPERTY AS BEING IN ZONE X AND AE AREAS OF UNLAWFUL FLOODING.
- COMMUNITY PANEL No. 2502303034, DATED JULY 17, 2012.
- ORDER OF CONDITIONS FILE # 5E116-1341; RECORDED AS DEED BOOK 49852, PAGE 287; CERTIFICATE OF COMPLIANCE RECORDED AS DEED BOOK 46778, PAGE 13.
- HANDICAP RAMP SURVEY PERFORMED BY SILVA ENGINEERING ASSOCIATES ON OCTOBER 25, 2018.
- PLANNING BOARD LETTER DATED DECEMBER 6 2018 TO ALLOW 3 LAMP POSTS AT THE DRIVEWAY ENTRANCE OF HOUSE NUMBER 3, 14 AND 30 COLONIAL DRIVE.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE TOWN OF BRIDGEWATER PLANNING BOARD, EXCEPT WHERE WAIVERS WERE REQUESTED AND IN SUBSTANTIAL COMPLIANCE WITH DESIGN PLANS.

LAWRENCE P. SILVA, P.E. REG NO. 33381-C
DATE 1/4/19

JONATHAN J. PINK, P.L.S. REG. NO. 41787
DATE 1-4-19

DATE	DRAWN	DESCRIPTION

"THE MEADOWS"
COLONIAL DRIVE
BRIDGEWATER, MASSACHUSETTS
ROADWAY ASBUILT PLAN

SITE:
ASSESSOR'S MAP 111, LOTS 31, 32, 13A
AND A PORTION OF
ASSESSOR'S MAP 101, LOT 39
OFF SOUTH STREET
BRIDGEWATER, MASSACHUSETTS

PREPARED FOR:
P.J. CINCOTTA, INC.

SILVA
ENGINEERING
ASSOCIATES, P.C.
CIVIL ENGINEERS, LAND SURVEYORS
& ENVIRONMENTAL CONSULTANTS
1615 BEDFORD STREET
BRIDGEWATER, MA 02324
PHONE (508) 697-3100 FAX (508) 697-3136
www.silvaeng.com

SCALE	DRAWN	DATE	ACAD FILE	SHEET
1"= 50'	MGB/RAB	1/4/19	14111-SAB3	1 OF 1

From: [Etoniru, Azu](#)
To: [Holmberg, Ann](#)
Cc: [Burke, Jennifer](#); [Romulus, Elijah](#); [Dorr, Leslie](#); [Desrosiers, Katherine](#); [Town Manager](#); [Paul Cincotta](#); [Kazlauskas, Jonas](#); [Ladue, Ronald](#)
Subject: Colonial Drive Petition for Street Acceptance
Date: Wednesday, August 28, 2019 1:23:21 PM
Attachments: [Colonial-Dr-right-HP-ramp-27August-2019.jpg](#)
[Colonial-Dr-left-HP-ramp-27August-2019.jpg](#)
[Colonial-Dr-hydrant-&-gate-27August-2019.jpg](#)

Hello Ann:

On August 27, 2019, the town's roadway superintendent, Ron Ladue, the town's water and sewer superintendent, Jonas Kazlauskas and I conducted an inspection of the above subject roadway in response to the developer's petition for street acceptance. As a result of the inspection, as well as my review of the street as-built plan, the following deficiencies need to be addressed before the staff would recommend acceptance of the roadway:

- 1:** the handicap ramps (*see the attached images*) need repairs.
- 2:** the water gate at the intersection of Colonial Drive and South Street needs to be cleaned.
- 3:** the street water gate in front of the hydrant near the terminus of Colonial Drive needs to be cleaned.
- 4:** the water gate that is appurtenant to the hydrant is buried in the grass and should be raised and cleaned.
- 5:** drainage basin is not properly maintained – there is vegetation overgrowth (*both the inlet structure and the inside of the basin are covered with thick uncut/un-mowed vegetation*).
- 6:** we were unable to verify that all of the required monuments (*street bounds and lot markers*) have been installed. The applicant and/or his surveyor should flag the locations of the monuments to facilitate our verification work. We were able to verify the locations of three concrete road bounds and two road monuments in the form of railroad spikes set in driveways.
- 7:** the street as-built plan shall be drawn on a medium recordable at the Registry of Deeds.
- 8:** the street as-built plan does not include the geometric data necessary to locate the road on the ground.
- 9:** acceptance endorsement block for the approving authority has not been reflected on the plan.
- 10:** the surveyor's certification as to the conformance of the as-built roadway layout to the definitive subdivision plan approved by the Planning Board has not been noted on the as-built plan.

As an additional observation, there is inadequate provision for the interception and conveyance of stormwater runoff at the intersection of Colonial Drive and South Street.

Please let me know if you have any questions or need additional information.

Regards,

Azu

Azu O. C. Etoniru, PE, PLS

Town Engineer/Conservation Agent

Community & Economic Development Department

Municipal Building, 66 Central Square

Bridgewater, MA 02324

508-697-0906

aetoniru@bridgewaterma.org

From: [Etoniru, Azu](#)
To: [Holmberg, Ann](#)
Cc: [Burke, Jennifer](#); [Ladue, Ronald](#); [Kazlauskas, Jonas](#)
Subject: Colonial Drive
Date: Monday, November 25, 2019 10:49:11 AM

Hi Ann:

Based on the last round of inspections conducted by the Engineering, Highway and Water Department staff members, we have determined that all of the outstanding roadway deficiencies relative to the developer's petition for street acceptance have been satisfactorily addressed. If you have any questions or need additional information please send me an email. Thanks!!!

Regards,

Azu Etoniru, PE, PLS
Town Engineer
Town of Bridgewater

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)



TOWN OF BRIDGEWATER PLANNING BOARD

Academy Building, 66 Central Square, Room 003
Bridgewater, Massachusetts 02324

☎: (508) 697-0942 ✉: CED@bridgewaterma.org

Staff: Elijah Romulus, Assistant Town Planner &
Leslie Dorr, Office Administrator

*Patrick Driscoll, Chair,
Raymond Ajemian,
Jean Guarino,
Lisa Sullivan,
Michael MacDonald,
Steven Geller, Associate.
William Akins, Associate.*

October 17, 2019

Bridgewater Town Council
66 Central Square,
Bridgewater, MA 02324

Dear Ann,

Please be advised that at the Planning Board meeting held at 6:30 PM Wednesday October 16, 2019. The Council has sought a recommendation from the Planning Board on Order O-FY20-019: Laying Out and Accepting A Private Way - Colonial Drive. The Planning Board unanimously voted to make an unfavorable recommendation on the acceptance of Colonial Drive. This decision was made due to the following outstanding issues:

- two transverse cracks across the pavement, one approximately 200 feet east of the intersection of Colonial Drive and South Street, and the second one at the beginning of the cul-de-sac;
- the northerly accessible ramp at the intersection of Colonial Drive and South Street has a crack that was previously identified and not addressed;
- the water gate valve located in the pavement in front of the hydrant at the cul-de-sac has not been cleaned.

If you have any further questions or concerns, please do not hesitate to contact me.

Respectfully Submitted,

Elijah Romulus,
Assistant Town Planner, CED

CC: Bridgewater Planning Board
Jennifer Burke, Director CED,
Azu O. C. Etoniru, PE, PLS, Town Engineer/Conservation Agent
Ron Ladue, Highway Superintendent
Leslie Dorr, Office Administrator, CED
P. J. Cincotta Inc.



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Petition: P-2019-028

Date Introduced/Public Hearing: December 3, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE GRANTING OF A COMMON VICTUALLER LICENSE

WHEREAS, ***Bridgewater Brunch, Inc. dba Summer Street Café*** has submitted all applicable documentation as required for a license to operate a food establishment located at 1485 Pleasant Street, Bridgewater, Massachusetts; and

WHEREAS, Karlyn Bourne will serve as the manager of record and the hours of operation will not exceed:

Monday - Sunday	6:00 a.m. – 10:00 p.m.

and;

WHEREAS Bridgewater Brunch, Inc. dba Summer Street Café 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 Bridgewater Brunch, Inc. dba Summer Street Café be granted a license to operate a food establishment within the Town of Bridgewater.

VOICE VOTE REQUIRED



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-029

Introduced By:	Town Manager
Date Introduced	October 1, 2019
First Reading:	October 1, 2019
Second Reading:	December 3, 2019
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY20-029

TRANSFER ORDER - CPC FUNDING FOR BROAD STREET PROPERTY PURCHASE

WHEREAS, the Town Manager has negotiated a purchase of property located on Broad Street for \$475,000;

WHEREAS, the property is intended to provide public access and parking for the Stiles and Hart Park, roughly 70 acres of preserved parkland, forest, and water bodies;

WHEREAS, to meet this appropriation, up to \$500,000 (Five Hundred Thousand dollars) was recommended from available amounts in the Community Preservation Fund; now, therefore it is hereby

ORDERED, that the Town Manager is authorized to expend up to \$500,000 from the Community Preservation Funds Reserve Balance for the purpose of paying costs incidental and related for the Project.

Explanation:

For several years, the Town Manager has been negotiating the purchase of a 5 +/- acres piece of property off Broad Street to create a proper entrance to Stiles and Hart with formalized parking areas, a trailhead, and signage. This transfer provides funds to purchase the property. State grant funding will offset the cost to the Town in the amount of \$325,974.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Budget & Finance Committee	10/15/19: Continue to next meeting. 11/5/19: Postpone to next meeting. 11/19/19: Postpone to next meeting 12/3/19:
Finance Committee	10/28/19: Vote 5-0 recommend approval.
Community Preservation Committee	11/20/19: Vote 5-0 approve.

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



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-033

Introduced By:	Town Manager
Date Introduced	November 5, 2019
First Reading:	November 5, 2019
Second Reading:	December 3, 2019
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY20-033

ACCEPTANCE OF A GIFT - BRIDGEWATER SAVINGS BANK

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 Bridgewater Savings Bank for the purpose of providing a secure mailbox/lockbox;

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 \$2,500.00 from Bridgewater Savings Bank to expend the gift in accordance with stated purpose thereof.

Explanation:

Bridgewater Savings Bank has donated monies to be used for the purpose of purchasing a secure mailbox/lockbox.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Budget & Finance Committee	11/19/19: Vote 2-0-1 recommend approval (Council Gallagher abstained).
Finance Committee	11/25/19: Vote 5-0 recommend approval.

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



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-034

Introduced By: Town Manager
Date Introduced: November 19, 2019
First Reading: November 19, 2019
Second Reading: December 3, 2019
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-034

TRANSFER ORDER - COLLECTIVE BARGAINING AGREEMENT OBLIGATION - UNITED STEELWORKERS

ORDERED, Pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below schedule of Use of Funds

SOURCES OF FUNDING				Amount
0100-322000	OVERLAY SURPLUS			\$ 54,660.99
6100-359000	RETAINED EARNINGS			\$ 1,968.55
6200-359000	RETAINED EARNINGS			\$ 1,968.55
6300-359000	RETAINED EARNINGS			\$ 4,285.93
				\$ 62,884.02
USES OF FUNDING		FY19 Retro	FY20 Budget Adj	Amount
135 ACCOUNTING	SALARIES & WAGES	\$ 534.58	\$ 571.52	\$ 1,106.10
141 ASSESSING	SALARIES & WAGES	\$ 420.73	\$ 652.90	\$ 1,073.63
145 TREAS/COLLECT	SALARIES & WAGES	\$ 1,545.75	\$ 1,892.28	\$ 3,438.03
155 IT	SALARIES & WAGES	\$ 808.50	\$ 16,716.43	\$ 17,524.93
161 TOWN CLRK	SALARIES & WAGES	\$ 643.22	\$ 1,286.60	\$ 1,929.82
182 CED	SALARIES & WAGES	\$ 322.08	\$ -	\$ 322.08
220 FIRE	SALARIES & WAGES	\$ 380.18	\$ 5,345.54	\$ 5,725.72
240 INSPECT SVC	SALARIES & WAGES	\$ 1,465.51	\$ 3,308.82	\$ 4,774.33
410 ENGINEERING	SALARIES & WAGES	\$ 485.32	\$ 753.16	\$ 1,238.48
420 HIGHWAY	SALARIES & WAGES	\$ 473.21	\$ 788.70	\$ 1,261.91
440 SEWER	SALARIES & WAGES	\$ 565.80	\$ 1,402.75	\$ 1,968.55
450 WATER	SALARIES & WAGES	\$ 565.81	\$ 1,402.75	\$ 1,968.56
510 HEALTH	SALARIES & WAGES	\$ 359.34	\$ 557.73	\$ 917.07
541 COA	SALARIES & WAGES	\$ 862.15	\$ 12,312.69	\$ 13,174.84
630 PARKS & RECR	SALARIES & WAGES	\$ 1,020.57	\$ 1,153.47	\$ 2,174.04
655 OLSGC	SALARIES & WAGES	\$ 1,723.79	\$ 2,562.14	\$ 4,285.93
		\$ 12,176.54	\$ 50,707.48	\$ 62,884.02

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

Explanation:

Funding of the USW Union Contract Settled and approved 9/3/2019

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Budget & Finance Committee • Finance Committee	• 12/3/19: • 11/25/19: Vote 5-0 recommend approval.

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



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-035

Introduced By: Town Manager
Date Introduced: November 19, 2019
First Reading: November 19, 2019
Second Reading: December 3, 2019
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-035

TRANSFER ORDER - COLLECTIVE BARGAINING AGREEMENT OBLIGATION -BRIDGEWATER FIREFIGHTERS ASSOCIATION

ORDERED, Pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below schedule of Use of Funds

SOURCES OF FUNDING				Amount
0100-322000	OVERLAY SURPLUS			\$ 143,652.00
				\$ 143,652.00
USES OF FUNDING		FY20 Budget Adj		Amount
220 Fire	SALARIES & WAGES	\$	143,652.00	\$ 143,652.00
				\$ 143,652.00

Explanation:

Funding of the FIRE Union Contract Settled and approved O-FY20-012 9/3/2019

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	12/3/19: 11/25/19: Vote 5-0 recommend approval.

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



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-036

Introduced By: Town Manager
Date Introduced: November 19, 2019
First Reading: November 19, 2019
Second Reading: December 3, 2019
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-036

TRANSFER ORDER - COLLECTIVE BARGAINING AGREEMENT OBLIGATION - BRIDGEWATER ADMINISTRATORS ASSOCIATION

ORDERED, pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer **from** below schedule Source of Funds **to** below schedule of Use of Funds:

SOURCES OF FUNDING				Amount
0100-322000	OVERLAY SURPLUS			\$ 26,080.00
6100-359000	RETAINED EARNINGS			\$ 284.00
6200-359000	RETAINED EARNINGS			\$ 940.00
				\$ 27,304.00
USES OF FUNDING		FY19 Retro	FY20 Budget Adj	Amount
141 ASSESSING	SALARIES & WAGES	\$ 778.00	\$ 1,426.00	\$ 2,204.00
145 TREAS/COLLECT	SALARIES & WAGES	\$ 595.00	\$ 1,701.00	\$ 2,296.00
161 TOWN CLRK	SALARIES & WAGES	\$ 767.00	\$ 2,590.00	\$ 3,357.00
182 CED	SALARIES & WAGES	\$ 1,364.00	\$ 2,416.00	\$ 3,780.00
210 POLICE	SALARIES & WAGES	\$ 1,643.00	\$ 3,154.00	\$ 4,797.00
220 FIRE	SALARIES & WAGES	\$ 898.00	\$ 1,654.00	\$ 2,552.00
240 INSPECT SVC	SALARIES & WAGES	\$ 1,918.00	\$ 2,552.00	\$ 4,470.00
510 HEALTH	SALARIES & WAGES	\$ 1,241.00	\$ 1,383.00	\$ 2,624.00
440 SEWER	SALARIES & WAGES	\$ 285.00	-	\$ 284.00
450 WATER	SALARIES & WAGES	\$ 950.00	-	\$ 940.00
				\$ 27,304.00

Explanation: Funding of the BAA Bridgewater Clerical Administrative Union Contract Settled & approved O-FY20-013 9/3/2019

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	12/2/19: 11/25/19: Vote 5-0 recommend approval.

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



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Ordinance: D-FY19-007

Introduced By: Councilor Aisha Losche

Date Introduced: May 21, 2019

First Reading: May 21, 2019

Second Reading: December 3, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Ordinance D-FY19-007

CREATION OF A "REVIEW COMMITTEE"

WHEREAS, In accordance with the provisions of Section XXXVII of the Town Council Rules and Procedures relative to amendments to the Rules and Procedures, it is therefore;

ORDERED, that the Town Council assembled votes to amend the Town Council Rules and Procedures, Section XXVI Committees; by adding the following new standing committee established by rule:

- Review Committee

***Explanation:** Creation of a committee to focus on the performance reviews of staff under the prevue of the Town Council will aide in more efficient, timely and quality evaluations.*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Rules & Procedures Committee	• 11/26/19: Vote 3-0 recommend "table indefinitely" and include change in Ordinance D-FY20-003.



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Ordinance: D-FY20-003

Introduced By: Councilor William Wood

Date Introduced: December 3, 2019

First Reading: December 3, 2019

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Ordinance D-FY20-003

GENERAL ORDINANCE – ADOPTION OF CHANGES TO COUNCIL RULES AND PROCEDURES

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, “Rules and Procedures Document”.

Further Ordered that, upon its passage, the adopted document replace Chapter 2, Article II “Council Administrative Policies and Procedures” of the Bridgewater Town Code in its entirety.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• 11/26/19: Rules & Procedures Committee votes 3-0 to recommend the attached proposed amended document to Town Council for adoption. • This measure requires advertising pending the adoption of proposed amendments.	

TOWN OF BRIDGEWATER TOWN COUNCIL RULES AND PROCEDURES

Proposed Amendments
voted by Rules &
Procedures Committee
11/26/19

I. PREAMBLE

The Bridgewater Town Council, as the elected representatives of the people of Bridgewater, commit to the highest levels of openness and transparency in their meetings and deliberations, consistent with the prudent transacting of the business of the town. These rules and procedures are intended to codify and clearly express the means and methods of communicating at meetings. Public input and engagement is a high priority for the Council and is recognized with its prominent role in Council Meetings. The rules and orders contained herein shall be observed at every meeting of the Town Council.

II. PARLIAMENTARY PROCEDURE

The Council shall be governed by Robert's Rules of Order Newly Revised, 10th edition, in all questions of parliamentary practice not provided for by special rules or orders.

III. COUNCIL MEETINGS

Regular meetings of the Council shall be held in the Council Chambers (Memorial Academy Building or another suitable location as needed and as determined by a majority group of the Council or by the Council President). Regular meetings will be held twice monthly on Tuesdays: dates to be on the first and third Tuesday of each month, or as otherwise voted annually by the Council, commencing at 7:30 PM. During the months of ~~June~~, July and August, the Council shall meet monthly on the first Tuesday following the first Monday. No agenda item shall be brought forth after 10:30 PM, unless approved by a majority of the then-present Councilors. The seats of the members of the council shall be numbered and determined by lot, and no member shall change his seat except by permission of the President.

IV. QUORUM

A quorum of the Town Council shall consist of a majority of its members. If at any time a meeting is called to order, or, if during a meeting a roll call shows less than a quorum present, the President shall declare a recess of not more than fifteen minutes, after which time, if a quorum is not present, the meeting shall be adjourned. Any member may call for a roll call on the question of the presence of a quorum.

V. PUBLIC POSTINGS

In accordance with the Massachusetts Open Meeting Law, M.G.L. c. 30A, §§ 18-25, public notices of all Council meetings, except in emergencies, must be posted with the Town Clerk a minimum of 48 hours before any meeting and posted on the Town's website in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located, and through other media as the Council deems appropriate.

VI. MINUTES

A written record of each council meeting and council committee meeting is required by law and becomes part of the public record. Town Council meeting minutes shall be created, maintained and posted in accordance with Massachusetts Open Meeting Law, must contain the date, time, and place of the meeting, members present or absent, the names of the makers and seconds of all motions, all formal votes of the Council, and a brief summary of discussion (per Robert's Rules Revised). Minutes must be approved by a majority of the Council. Minutes of all Council meetings, and subcommittee meetings, once approved, must be placed on file in the office of the Town Clerk, where they will be available for public inspection upon request, and shall be available through other outlets as the Council deems appropriate. In addition, a copy will be kept on file in the Council Chambers.

Should meetings be recorded, the recording shall be made available in accordance with Massachusetts Open Meeting Law. A DVD or Digital copy of each meeting, in its entirety, with the exception of executive session, will accompany the written meeting minutes, and be on file in both the Town Clerks Office and Council Chambers. In addition, meeting minutes will be posted on the Town website. In the event of a technical difficulty and a DVD copy is not available, an audio copy, at minimum, will accompany the written minutes.

In accordance with section 2-8 of the Bridgewater Home Rule Charter, notices and minutes of meetings shall be maintained by the Council Clerk.

(Revised 4/2011 per Order #2011-014)

VII. THE PRESIDENT -- POWERS AND DUTIES

The President, or Vice President in the absence of the President, shall take the Chair at the hour appointed for the Council to meet and shall immediately call the members to order. In the absence of the President, the Vice President shall assume the role of President pro tem. The Clerk will designate a presiding President by seniority in the event both the President and Vice President are absent. The President shall exercise all powers and duties as outlined in section 2-3 of the Bridgewater Home Rule Charter.

VIII. PRESERVATION OF DECORUM AND ORDER AND APPEALS FROM DECISION OF THE PRESIDENT.

The President shall preserve decorum and order, may speak to points of order in preference to other members, shall decide all questions of order, subject to an appeal to the Council, regularly seconded, and no other business shall be in order until the question on the appeal shall have been decided. The question shall be put as follows: "Shall the decision of the President stand as the judgment of the Council?" The vote shall be by roll call.

IX. VIVA VOCE AND RAISED HANDS

All questions shall be stated and put by the President. In case of a roll call vote, the President shall declare the result, after the Clerk has announced the number voting on each side. The President shall call the roll i from left to right. Ensuing votes shall be in reverse order. The results of viva voce votes shall be declared by the President without reference to the Clerk. Where a raised hand vote is taken, the President shall count and announce the result. Where the result of a viva voce vote is in doubt, the President may, and on demand of any member, shall call for a division of the Council, which shall be taken by a show of hands, or by a roll call if requested by any Councilor. It shall not be in order for members to explain their votes during the call of the roll.

Every member present when a question is put shall vote, unless the Council for special reasons excuses him. Application to be so excused on any question shall be made before the Town Council has decided a question, and such application shall be accompanied by a brief statement of the reasons and shall be decided without debate.

X. THROUGH PRESIDENT

All remarks and questions shall be addressed to the Council as a whole through the President and not to any member thereof. No person other than members of the Council and the person having the floor shall enter into discussion either directly or through a member of the Council without permission of the President.

XI. RECESS

The President may at any time, during debate or otherwise, declare a recess for not more than ten minutes, and such action shall not be subject to appeal, nor shall any motions apply thereto.

XII. ADDRESSING THE PRESIDENT

Every member speaking to a question or making a motion shall address the President as "Mr./Madame President," who shall thereupon pronounce the name of the member entitled to the floor. Members addressing the Council shall confine themselves to the question under debate and avoid personalities; nor shall there be any conversation among the members while a question is being stated, while a member is speaking, or a paper is being read. If a member is speaking or otherwise transgresses the rules of the Council, any other member may call the offending member to order by addressing the President.

XIII. PRESIDENT MAY SPEAK

The President may speak in favor of, or in opposition to, any motion and will be bound by the same rules as those which are applied to other speakers; i.e., speaking once for no more than three minutes, as referenced in section XXXIII, and not to speak again until all others who wish to speak have spoken once.

XIV. CITIZENS COMMENTS

The Bridgewater Town Council encourages citizens to attend its meetings and welcomes their views on issues of import. A Citizen Open Forum will be placed on each Council agenda, and a citizen comment period will be included at the end of each agenda. Anyone may comment at this time for up to three minutes. Comments and/or inquires should be made in a respectful manner and not cast aspersions on individual council members or the council as a whole. All inquires should be responded to if the information is available at the time or a public response should be forth coming at a future meeting of the Town Council. Responses shall be limited to the question at hand and are limited to three minutes. The President shall have the discretion to declare any question or comment duplicative. Such a declaration may be overruled with a two-thirds vote of the Council.

Non-residents may speak only with the approval of a vote of the Council.

XV. POINT OF ORDER

Any Councilor on being called to a point of order shall cease debate until the point of order is decided, unless allowed by the President to explain.

XVI. ELECTION OF OFFICERS

A majority of all members elected to the Council (5) shall be required to elect a President and Vice President. The Clerk of the Council shall be appointed in accordance with the Charter.

XVII. VOTE REQUIREMENTS

All votes on ordinances shall be by roll call.

All action taken by the Town Council requiring a vote will be by a simple majority (majority of Councilors present and voting) unless otherwise provided for in the Massachusetts General Laws, Home Rule Charter, Ordinances, or by Rules set forth in the Procedures Manual of the Bridgewater Town Council.

Resolutions require a simple majority.

In case of a tie in votes on any proposal, the proposal shall be considered lost.

The passage of an ordinance requires a majority vote of the full Council (5), in accordance with section 2-6 (b) of the Bridgewater Home Rule Charter. Vote is by roll call.

Any adoption of an ordinance related to zoning requires a two-thirds vote of the full Council (6), unless otherwise provided for in MGL Ch. 40A, Sec. 5. Vote is by roll call.

An Emergency ordinance requires a two-thirds vote of the full Council (6). Vote is by roll call. ~~Two-Three~~ votes are needed: One on the emergency [2/3 vote of the full Council (6)], one to suspend the rules (Section XVIII) to allow only one reading and one on the ordinance [2/3 vote of the full Council (6)].

To take money from the Stabilization Fund for any municipal expenditure requires a two-thirds vote of the Council membership (6) [MGL Ch. 40, Sec. 5b].

Unpaid and prior year's bills require 2/3 vote (Councilors present and voting)

Expenditures from the Capital Fund require a 9/10ths vote of those present.

Any Rule, Regulation, or other local legislation which provides for the imposition of any fine or penalty shall be provided for by the adoption of an ordinance. The Council shall vote annually on an ordinance setting all fees for the ensuing calendar year. Said ordinance shall be publicized in accordance with the requirements set forth in section 2-9 of the Bridgewater Home Rule Charter.

In order to expedite the Council's deliberations when considering lengthy proposed ordinances, when the reading of said proposed ordinances has been waived, and yet not to deprive the public of the nub of the matter at hand, a brief summary of the substance of the proposed Ordinance ~~By law~~ will be attached to it for reading by the Clerk of the Council.

The President may require that a vote be taken on any item before the Council if failure to do so would make the item illegal to adopt because of the expiration of a federal or state mandated time limit or similar circumstance.

XVIII. READINGS

Every ordinance, order or resolution shall have two separate readings and shall be voted only after two separate readings; the second of said readings and votes will not be less than fourteen days after the first, except in cases in which a shorter period is authorized by law. If any member of the Council objects to a [3](#) reading, section 2-7c of the Charter shall apply.

XIX. RESUBMISSION

When any measure has been finally rejected by the Council, no motion embodying substantially the same subject shall be presented to the Council within six months of its previous writing for resubmission, except as otherwise provided in the Bridgewater Home Rule Charter and unless approved by a majority of the full Council.

A zoning ordinance which is voted down may not be reconsidered within two years unless the Planning Board makes a recommendation to do so, [MGL Ch. 40A, Sec. 5].

XX. SPONSOR ABSENCE

In the event that the sponsoring member of any order, resolution, or other matter is not present when the Clerk reads said matter, the President shall instruct the Clerk to withdraw said matter from consideration at that meeting.

XXI. MOTIONS

The order of precedence of motions shall be as follows:

1. Motion to Adjourn
2. Motion to recess
3. Raise a question of privilege
4. Lay on the table
5. Suspend the rules (two-thirds vote)
6. Previous question (two-thirds vote)
7. Limit or extend limits of debate (two-thirds vote)
8. Postpone to a certain time
9. Commit or refer
10. Amend
11. Postpone indefinitely
12. Main Motion

The highest in rank being at the head of the list and the lowest in rank at the last of the list. When any one of them is immediately pending, the motions before it on the said list are in order and shall be acted upon first, and those below are out of order.

The following motions shall be non-debatable:

1. To adjourn
2. To recess (when privileged)
3. To raise a question of privilege
4. To lay on the table
5. To suspend the rules
6. Previous question (two-thirds vote)
7. To limit or to extend limits of debate (two-thirds vote)

The following motions only can be amended:

1. To recess
2. To postpone to a certain time
3. To commit or refer
4. To amend

5. Main motion

A motion to adjourn shall be in order at any time except upon immediate repetition.

XXII. WRITTEN PROPOSALS

All proposed Ordinances, Orders, and Resolutions shall be in writing and shall bear the name of the sponsor, and shall be submitted to the Clerk of the Council. Each proposed ordinance shall include a statement of authority for the Council to act with the appropriate section of the Bridgewater Home Rule Charter or Massachusetts General Laws clearly cited.

XXIII. PERSONAL PRIVILEGE

The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are assailed, questioned, or impugned.

XXIV. ORDER OF BUSINESS AND AGENDA

At every meeting of the Council the standard order of business shall be as follows:

- A. Approval of Minutes
- B. Announcements from the President
- C. Proclamations
- D. Citizen Open Forum
- E. Appointments
- F. Hearings
- G. License Transactions
- H. Presentations
- I. Town Manager's Report
- J. Discussions
- K. ~~Subcommittee Reports~~ Council Committee Updates
- L. Legislation for Action
- M. Old Business
- N. New Business
- O. Citizen Comments
- P. Council Comments
- Q. Executive Session
- R. Adjourn

Only privileged motions (to adjourn; to recess; personal privilege; or orders of the day) shall be made during "Council Comments."

During "New Business," the Council shall consider only those matters that relate to or concern potential legislation. If a "simple majority as required by charter" of the Councilors present during "New Business" so determine, such matters will be included on a future agenda for consideration by the Council. Debate during "New Business" shall be limited to whether the matter raised shall be included on an agenda in the future and each Councilor shall be limited to three minutes.

The above order shall not be changed except by a vote of a majority of all the members of the Council; and upon the motion to change the order, no debate shall be allowed. Additions to this order may be made by the President and/or Town Manager when setting the agenda (Example: Committee Reports).

All items for the agenda, including any relevant communications from town officers and town boards other than the Town Manager, shall be submitted to the ~~Town Manager's office~~ Council Clerk in writing no later than 10:00 AM on the Wednesday preceding the regular Council meeting. The agenda including any additional relevant information shall be provided to the Council ~~by 12:00 noon~~ on the Friday preceding a Tuesday Council meeting.

The agenda will be prepared by the Town Manager and Council Clerk with input from and approval by the Council President, or, in his absence, the Vice President of the Council.

All information requests from Councilors shall be submitted through the President to help coordinate, manage and prioritize the requests and responses from the Town Manager. All information requests should be in writing, clearly defined and provide a requested response date. Information request shall be sent/e-mailed to the Council President and the Council President will cc the requesting Councilor when the request is forwarded to the Town Manager. Councilors should provide the President with as much lead time as possible and understand that it may take a few days to process their requests.

All correspondence related to information requests between the Council President; or designee, Town Manager, and Council members should be via town e-mail accounts.

Once a request has been forwarded from the President, or designee, the Town Manager may correspond directly with the requestor, but should copy the President to keep the President informed.

The Town Manager, or designee, will maintain a list of all requests for information, their current status, and priority assigned. The updated list must be emailed to the Council by the end of each week.

The information request list should be discussed during the Managers Report at each Council meeting.

(revised 6/2011 per Order #2011-017, 10/2011 per Order #2011-032 and 10/2011 per Order #2011-033)

XXV. HEARINGS

The time devoted to public hearings at any meeting of the Town Council shall not be more than three (3) hours at any one sitting. Any hearing not completed within the specified time may be continued to another meeting. Hearings which are authorized by the order of the Council shall have precedence and shall be followed by public presentations. In all hearings before the Council, the case of the petitioner shall be first submitted, except where the President of the Council rules otherwise.

Public hearing format (after petitioner's presentation):

1. General questions from public
2. Public speaking in favor
3. Public speaking in opposition
4. Questions from Town Councilors

Debates on the merits of the petition shall be reserved until and if there is a motion duly made and seconded at the appropriate time and date following the hearing.

This format shall not apply during public hearings to consider the annual budget, when normal Council budget format is followed, in accordance with sections 6-2 & 6-3 of the Bridgewater Home Rule Charter.

XXVI. COMMITTEES

Committees of Council members shall be authorized by majority vote of the Council. The following standing Committees are hereby established by rule: A Budget and Finance Committee, whose members also serve as the Audit Committee, a Rules and Procedures Committee, A Public Safety Committee, a Community and Economic Development Committee ~~and~~ a Strategic Planning Committee and a Review Committee. Appointments to committees of the Council are made by the President and must be made within 30 days of being elected. Appointed individuals shall receive notification of their appointment from the President prior to the public announcement of the makeup of the committee. Notice of all committee meetings must adhere to the Massachusetts Open Meeting Law. All Committee meetings shall be held in the ~~Council chambers~~ Academy Building, unless otherwise authorized by the President.

(revised 3/2011 per Order #2011-008 and 2011-011, 11/2011 per Ordinance #2011-011, 6/2013 per Order #2013-020, 7/2013 per Order #2013-025)

XXVII. COMMITTEE MEETINGS

A committee shall meet on the call of the Committee Chair, or a majority of its members.

XXVIII. COMMITTEE QUORUM

A majority of the members of a committee shall constitute a quorum.

XXIX. COMMITTEE REPORTS

The President of the Council, upon receipt of the Committee Report, shall call for the vote on the motion, petition, or order as introduced by the Committee, so that the vote would be on that motion, petition, or order, and not on the Committee Report itself.

When debate centers on committee reports, committee members may be recognized beyond the time limit to answer questions.

Documents referred to in committee shall be returned with the report.

Nothing in this rule shall be construed to prohibit the introduction of minority reports.

XXX. RELIEVING FROM FURTHER CONSIDERATION

Upon motion, the Council may, by a majority vote of all members of the Council, relieve a committee of further consideration of a matter referred to it and order the same placed on the agenda.

XXXI. MOTIONS FOR RECONSIDERATION

After a motion has been passed or defeated, any member voting with the prevailing side may move for reconsideration, which shall be open to debate. A motion to reconsider a vote shall be in order at the same or the regular meeting next succeeding that at which the vote was passed. No more than one motion for reconsideration of any vote shall be entertained. In the case of a question decided by a tie vote, the prevailing side shall be considered to be the one in whose favor the question was decided.

XXXII. DEBATE DECORUM

Every member when about to speak shall address the President and wait until recognized by the President. No member shall be recognized unless seated. Every member, when about to speak, shall raise their hand to be recognized and respectfully address the President and wait until he is recognized. When two (2) or more members request to be recognized at once, the President shall name the member who shall take precedence, providing that no member shall speak to the same question more than once until all other members choosing to speak have spoken. No member shall interrupt another while speaking, except by requesting a call to order.

In speaking, the member shall be confined to the question, shall not use unbecoming, abusive, or unparliamentary language, and shall avoid personalities. Any member who, in debate, Council related correspondence or otherwise, indulges in personalities or makes charges reflecting upon the character of another member, or of citizens, shall make an apology in open session at the meeting at which the offense is committed or at the next succeeding regular meeting and, failing to do so, shall be named by the President or held in contempt and suspended from further participation in debate until said apology is made.

XXXIII. DEBATE LIMITATION

No member shall speak more than once on a question when another member who has not spoken claims the floor and no member speaking shall, without his consent, be interrupted by another, except on a point of order. A member may speak upon a matter for no more than three (3) minutes at a time. A councilor may yield all or part of his or her time to another councilor. A member who has not spoken on a matter shall have priority and recognition by the President. Unless granted privilege by the Council President, no member shall speak more than twice on any question.

The Clerk of the Council shall inform the President whenever a member has spoken longer than three minutes or has spoken twice on any question.

XXXIV. CONFLICTS OF INTEREST

No member shall vote on any matters, or serve on any committee, where the member's private or family interest will conflict with the public's interest in a way that is violative of the Conflict of Interest Law, MGL. Ch. 268A, as amended. All Councilors shall conduct themselves in the true spirit of openness and transparency and shall honor the intent of section 1-8 of the Bridgewater Home Rule Charter.

XXXV. OPEN MEETING LAW

The Massachusetts Open Meeting Law, M.G.L. c. 30A, §§ 18-25, provides the public and the media with a legal right to attend all meetings of regional and municipal boards and committees, except when the board or committee votes to go into Executive Session.

Before an Executive Session can be called, the following procedure must be followed:

1. The body has first convened in an open session pursuant to M.G.L. c. 30A, section 21;
2. A majority of members of the body have voted to go into executive session and the vote of each member is recorded by roll call and entered into the minutes;
3. Before the executive session, the chair shall state the purpose for the executive session, stating all subjects that may be revealed without compromising the purpose for which the executive session was called;
4. The chair shall publicly announce whether the open session will reconvene at the conclusion of the executive session; and
5. Accurate records of the executive session shall be maintained

Executive Sessions can be held only when the following matters are discussed or considered:

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:

- i. to be present at such executive session during deliberations which involve that individual;
- ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
- iii. to speak on his own behalf; and
- iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.

2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;
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;
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;
9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:

(i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and

(ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session; or

10. To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

Votes and proceedings in Executive Session may be kept private, as long as privacy will serve the purpose for which the Executive Session was called.

All votes taken in Executive Session must be by roll call.

XXXVI. SPECTATOR DECORUM

Guests will be allowed in the gallery of the Council chamber when the Council or a Council Committee is in session. No demonstrations of approval or disapproval from guests shall be permitted, and if such demonstrations are made, the gallery may be cleared by the President.

XXXVII. AMENDMENT AND REPEAL

~~None of the foregoing rules and orders shall be amended or repealed at any meeting unless a simple majority of those members present and voting consent thereto and a motion for that purpose shall not be made and acted upon at the same meeting.~~ Changes to the rules shall conform to the procedures of adoption of ordinances and shall first be heard by the Rules and Procedures Committee.



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-038

Introduced By: Town Manager
Date Introduced: December 3, 2019
First Reading: December 3, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-038

CONTRACT RATIFICATION - AFSCME

ORDERED, Pursuant to Section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated Memorandum of Agreement covering July 1, 2018 through June 30, 2020 with the AFSCME COUNCIL 93, LOCAL 1700 members.

Explanation:

The Town Manager negotiated an agreement with the AFSCME members. An affirmative vote of the Council will approve the contract as presented. A transfer request will fund the appropriation thereof

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-039

Introduced By: Town Manager
Date Introduced: December 3, 2019
First Reading: December 3, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-039

CONTRACT RATIFICATION - LIBRARY

ORDERED, pursuant to Section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated Memorandum of Agreement covering July 1, 2018 through June 30, 2021 with the Bridgewater Public Library Staff Association, MLSA, AFT-MA.

Explanation:

The Town Manager negotiated an agreement with the Bridgewater Public Library Staff Association. An affirmative vote of the Council will approve the contract as presented. A transfer request will fund the appropriation thereof.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-040

Introduced By: Town Manager
Date Introduced: December 3, 2019
First Reading: December 3, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-040

TRANSFER ORDER - FUNDING OF AFSCME CONTRACTUAL SETTLEMENT

ORDERED, pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below scheduled of Use of Funds \$57,028.47.

SOURCES OF FUNDING		Amount
0100-322000	OVERLAY SURPLUS	\$ 16,287.91
09145170-517013	FMLA MA TOWN SHARE	\$ 8,732.52
6100-359000	RETAINED EARNINGS	\$ 15,631.40
6200-359000	RETAINED EARNINGS	\$ 16,376.64
		\$ 57,028.47

USES OF FUNDING		FY19 Retro	FY20 Budget Adj	Amount
420 HIGHWAY	SALARIES & WAGES	\$ 11,177.80	\$ 11,978.47	\$ 23,156.27
6100 SEWER	SALARIES & WAGES	\$ 7,691.36	\$ 7,940.04	\$ 15,631.40
6200 WATER	SALARIES & WAGES	\$ 7,543.71	\$ 8,832.93	\$ 16,376.64
630 RECREATION	SALARIES & WAGES	\$ 928.51	\$ 935.65	\$ 1,864.16
				\$ 57,028.47

Explanation:

Funding of AFSCME Union Contract

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-041

Introduced By: Town Manager
Date Introduced: December 3, 2019
First Reading: December 3, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-041

TRANSFER ORDER - FUNDING OF LIBRARY CONTRACTUAL SETTLEMENT

ORDERED, pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below schedule of Use of Funds \$27,753.51

SOURCES OF FUNDING		Amount
09145170-517013	FMLA MA TOWN SHARE	\$ 27,753.51
		\$ 27,753.51

USES OF FUNDING		FY19 Retro	FY20 Budget Adj	Amount
0610 LIBRARY	SALARIES & WAGES	\$ 7,765.59	\$ 17,187.92	\$ 24,953.51
0610 LIBRARY	SALARIES & WAGES - LONGEVITY	\$ 1,400.00	\$ 1,400.00	\$ 2,800.00
				\$ 27,753.51

Explanation:
Funding of Settlement of Library Union Contract

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-042

Introduced By: Town Manager
Date Introduced: December 3, 2019
First Reading: December 3, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-042

TRANSFER ORDER - FUNDING OF NON-UNION EMPLOYEES

ORDERED, pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below schedule of Use of Funds \$9575.19

SOURCES OF FUNDING		Amount
0100-322000	OVERLAY SURPLUS	\$ 9,319.10
6200-359000	RETAINED EARNINGS	\$ 256.09
		\$ 9,575.19

USES OF FUNDING		FY19 Retro	FY20 Budget Adj	Amount
111 TOWN COUNCIL	SALARIES & WAGES	\$ 304.76	\$ -	\$ 304.76
135 ACCOUNTING	SALARIES & WAGES	\$ 701.42	\$ 1,963.20	\$ 2,664.62
123 TOWN MANAGER	SALARIES & WAGES	\$ 105.75	\$ -	\$ 105.75
145 TREASURER	SALARIES & WAGES	\$ 296.51	\$ 502.66	\$ 799.17
182 CED	SALARIES & WAGES	\$ 910.62	\$ 1,694.41	\$ 2,605.03
292 ACO	SALARIES & WAGES	\$ 435.67	\$ 787.15	\$ 1,222.82
450 WTR	SALARIES & WAGES	\$ 256.09	\$ -	\$ 256.09
541 COUNCIL ON AGING	SALARIES & WAGES	\$ 242.80	\$ -	\$ 242.80
543 VETERANS' AGENT	SALARIES & WAGES	\$ 566.09	\$ 808.06	\$ 1,374.15
				\$ 9,575.19

Explanation:

Funding of Non-Union Employees

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, December 3, 2019

Council Order: O-FY20-043

Introduced By: Councilors William Wood and Frank Sousa
Date Introduced: December 3, 2019
First Reading: December 3, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-043

CONSTRUCTION VEHICLE RESTRICTION ON WALLY KRUGER WAY

WHEREAS, the public safety of the public using the Senior Center is critical; and
WHEREAS, demolition and construction areas tend to have many vehicles entering and exiting the area during the work day; and
WHEREAS, Wally Kruger Way is an active road leading to the Senior Center; and
WHEREAS, the Senior Center is building used by Seniors and others:

THEREFORE, be it ORDERED, that no construction vehicles will use Wally Kruger Way to enter or exit the Mitchell Elementary Construction area. The only exception to this order shall be for specific road improvements in and about the Senior Center and on Wally Kruger Way.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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