BRIDGEWATER TOWN COUNCIL

Tuesday, December 17, 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) December 3, 2019

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

F. HEARINGS

a) **7:33 p.m.**: Petition P-2019-029: Transfer of Stock and Change of Manager - Thoknia Inc., dba Nick & Angelo's Pizza Place
b) **7:35 p.m.**: Petition P-2019-030: Alteration of Licensed Premises - Greyhound Group LLC, dba Greyhound Tavern
c) **7:45 p.m.:** Petition P-2019-031: Change of Officer and Change of Beneficial Interest: 99 Restaurant

G. LICENSE TRANSACTIONS

a) **2020 Annual License Renewals:**
1. Petition P-2019-032: Annual Renewal - Antique Dealer
2. Petition P-2019-033: Annual Renewal - Pawn/Second Hand Gold Dealers
3. Petition P-2019-034: Annual Renewal – Annual Entertainment (no alcohol)
4. Petition P-2019-035: Annual Renewal - Auto Amusements (no alcohol)
5. Petition P-2019-036: Annual Renewal - Lodging Houses
6. Petition P-2019-037: Annual Renewal - Common Victuallers (no alcohol)
7. Petition P-2019-038: Annual Renewal - Auto Dealers – Class I, II, III
8. Petition P-2019-039: Annual Renewal - All Alcohol and related Attendant Licenses

H. PRESENTATIONS

a) Update on Town Water – *Jonas Kazlauskas, Water/Sewer Superintendent*

I. TOWN MANAGER'S REPORT

a) Mitchell School Update *(Standing Item)*
b) Update on Snow/Ice Removal Limitations
c) McElwain School Update
d) Fire Station Building Committee update
e) Memorial Building Renovation Update
f) Regional School Agreement Amendment Update
g) Elm Street Update
h) Broad Street Redevelopment Update
i) Opportunity Zone Update
j) Grants Update
k) Road Engineering Update
l) Capital Plan Update
m) Master Plan Update
n) Zoning Recodification Update

J. DISCUSSIONS

K. COMMITTEE REPORTS

RECEIVED
TOWN CLERK'S OFFICE
BRIDGEWATER, MA
2019 DEC 12 P 12:11

L. LEGISLATION FOR ACTION

a) Ordinance D-FY20-003: General Ordinance - Town Council Adoption of Amendments to Rules & Procedures Document
At their meeting held 11/26/19, the Rules & Procedures Committee voted 3-0 to recommend proposed amendments. The Town Council voted 7-0 on 11/3/19 to adopt proposed amendments and send to advertising for final consideration. This measure has been duly advertised in the Enterprise and on the Town's website, therefore may be finally considered this evening.

b) Order O-FY20-038: Contract Ratification – AFSCME
The Finance Committee meet 12/16/19. Their disposition will be provided upon receipt. Budget & Finance Committee meet 12/17/19 and will provide their disposition to the full Council. This measure may be finally voted pending dispositions from Budget & Finance and Finance Committees.

c) Order O-FY20-039: Contract Ratification – Library
The Finance Committee meet 12/16/19. Their disposition will be provided upon receipt. Budget & Finance Committee meet 12/17/19 and will provide their disposition to the full Council. This measure may be finally voted pending dispositions from Budget & Finance and Finance Committees.

d) Order O-FY20-040: Transfer Order - Funding of AFSCME Contractual Settlement
The Finance Committee meet 12/16/19. Their disposition will be provided upon receipt. Budget & Finance Committee meet 12/17/19 and will provide their disposition to the full Council. This measure may be finally voted pending dispositions from Budget & Finance and Finance Committees.

e) Order O-FY20-041: Transfer Order - Funding of Library Contractual Settlement
The Finance Committee meet 12/16/19. Their disposition will be provided upon receipt. Budget & Finance Committee meet 12/17/19 and will provide their disposition to the full Council. This measure may be finally voted pending dispositions from Budget & Finance and Finance Committees.

f) Order O-FY20-042: Transfer Order - Funding of Non-Union Employees
The Finance Committee meet 12/16/19. Their disposition will be provided upon receipt. Budget & Finance Committee meet 12/17/19 and will provide their disposition to the full Council. This measure may be finally voted pending dispositions from Budget & Finance and Finance Committees.

M. OLD BUSINESS - *None*

N. NEW BUSINESS

a) Ordinance D-FY20-004: General Ordinance - Amend Ordinance D-2012-014 - Right to Farm Ordinance *(Councilor Sousa)*

b) Ordinance D-FY20-006: Zoning Ordinance - Amend Zoning By-Laws Sections 8 and 9.60 *(Councilor Sousa)*

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-029

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Petition: P-2019-029

Relative to:

APPROVAL OF LICENSE TRANSACTIONS OF ALCOHOL LICENSEE

WHEREAS Thoknia Inc., dba Nick & Angelo's Pizza Place (licensee) has petitioned the local licensing authority to affirm the petition for Transfer of Stock and Change of Manager; and

WHEREAS, the transaction will not result in any change to the personnel, operation or physical structure of the restaurant in the Town of Bridgewater, other than in the ordinary course of business; and

WHEREAS, Thoknia Inc., dba Nick & Angelo's Pizza Place 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 Thoknia Inc., dba Nick & Angelo's Pizza Place for Transfer of Stock and Change of Manager as requested.

VOICE VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-030

Date Introduced/Public Hearing: December 17, 2019

Date Adopted:

Date Effective:

Relative to:

ALTERATION OF LICENSED PREMISES RESTURANT ALL ALCOHOLIC BEVERAGES LICENSE

GREYHOUND GROUP, LLC dba GREYHOUND TAVERN

Whereas, Greyhound Group, LLC dba Greyhound Tavern has submitted the applicable documentation required for an alteration of premises for their Restaurant All Alcoholic Beverages License located at 39 Broad Street, Bridgewater, MA; and,

Whereas, the applicant proposes adding a patio area adjacent to the last approved premise. The area will be enclosed by a fence. A door will be constructed leading to and from the last approved premise. The patio will be 30' by 60' for a total square footage of 1,800 sq ft. The area will serve as an outdoor seating area for patrons; and,

Whereas, Greyhound Group, LLC dba Greyhound Tavern has complied with the requirements of the Town of Bridgewater and applicable state laws inclusive of the Building Code, Fire Codes, etc; and,

Whereas, Greyhound Group, LLC dba Greyhound Tavern maximum operating hours are Monday-Saturday from 8 am – 1 am, Sunday 8 am (10 am, alcohol) – 1:00 am.

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 and Police Departments who have oversight authority, it appears that the public good so requires such request be granted; and,

The Town Council for the Town of Bridgewater, Massachusetts, pursuant to Chapter 138, section 19b(n) and 12 of the Massachusetts General Law (M.G.L.) in Town Council assembled to approve the petition of the Greyhound Group, LLC dba Greyhound Tavern be granted an alteration of premises for their Restaurant All Alcoholic Beverages License.

VOICE VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-031

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Petition: P-2019-031

Relative to:

APPROVAL OF LICENSE TRANSACTIONS 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 and Change of Beneficial Interest; and

WHEREAS, the transaction will not result in any change to the personnel, operation or physical structure of the restaurant in the Town of Bridgewater, other than in the ordinary course of business; 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 Local Licensing Authority 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, 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 petition of 99 Restaurants of Boston, LLC dba 99 Restaurant & Pub as requested.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-032

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE LICENSING OF AN ANTIQUE DEALER'S BUSINESS

WHEREAS, Joseph A. Brazil dba Rocking Horse Crafts operating at 529 Plymouth Street desires its license to continue operations of said business; and

WHEREAS, Joseph A. Brazil dba Rocking Horse Crafts has complied with the policies and requirements of the Town of Bridgewater, as well as, applicable state laws governing its industry; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority and with approval Bridgewater Building Inspector/Zoning Enforcement Officer, Police and Fire 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 M.G.L.A. c. 140, § 54, in Town Council assembled approve the petition that Joseph A. Brazil dba Rocking Horse Crafts be granted a license to operate its antique dealers business for a period of one year - January 1, 2020 to December 31, 2020.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-033

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE LICENSING OF SECOND HAND GOLD/PAWN SHOPS

Applicants:

Platinum Scrap and Recycling
1875 Bedford Street, Unit 3
Bridgewater, MA 02324

A & D Acquisitions LLC dba Mayflower Gold & Silver
David A. Lemire Jr.
7 Main Street
Bridgewater, MA 02324

Chateau Enterprises, Inc.
Richard Allen
51 Broad Street
Bridgewater, MA 02324

GameStop, Inc.
233 Broad Street
Bridgewater, MA 02324

WHEREAS, three applicants operating at the aforementioned locations desire a license to continue the operation of Second Hand Gold/Pawn Shop/Resale of items; and,

WHEREAS, Licenses for the operation of Second Hand Gold/Pawn Shop/Resale of Items is subject to renewal annually; and,

WHEREAS, All requisite inspections have been satisfactorily completed by the Inspector of Buildings and Fire Department; and,

WHEREAS, the Tax Collector's Office has reported no outstanding obligations for the renewal candidates; and,

WHEREAS, Said applicants have complied with the policies and requirements of the Town of Bridgewater, as well as, applicable state laws governing its industry; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town have such licensing authority and with approval Bridgewater Building Inspector/Zoning Enforcement Officer, Police and Fire Departments who have oversight authority, it appears that the public good so requires such licenses be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to M.G.L.A. c. 140, § 70 in Town Council assembled approve the petitions, as submitted, and that the aforementioned applicants be granted a license to continue its operation of second hand gold/pawn shops/resale of items for a period of one year - January 1, 2020 to December 31, 2020.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-034

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE RENEWAL OF ANNUAL ENTERTAINMENT LICENSES

1) **Town of Bridgewater, Music Alley**
   64 Central Square

WHEREAS, annual entertainment licenses are subject to renewal annually; and,

WHEREAS, one applicant has requested renewal of their annual Entertainment Licenses; and,

Whereas, the applicant has submitted all applicable documentation as required to renew their annual Entertainment License; and,

Whereas, one non-profit, has requested a waiver of the annual fee; and,

WHEREAS, the applicant has complied with the policies and requirements of the Town of Bridgewater; and,

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority and with approval Police Department and Fire Department who has 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 the aforementioned individual applicants and grant annual entertainment license for a period of one year: January 1, 2020-December 31, 2020.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-035

Date Introduced: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE LICENSING OF AUTOMATIC AMUSEMENTS *(in establishments without alcohol)*

APPLICANTS:

1) **New England Authentic Eats LLC**
2) **Dba Papa Gino's**
   233 Broad Street, Campus Plaza
   ***Total Auto Amusements: 2*
3) **BRIDGEWATER SPORTS COMPLEX, INC.**
   350 Bedford Street
   ***Total Auto Amusements: 7*

WHEREAS, three applicants operating at the aforementioned locations desire a license to continue the operation of said automatic amusement devices; and

WHEREAS, Licenses for the operation of automatic amusement devices is subject to renewal annually; and

WHEREAS, All requisite inspections have been satisfactorily completed by the Inspector of Buildings and Fire Department; and

WHEREAS, the Tax Collector's Office has reported no outstanding obligations for the renewal candidates; and

WHEREAS, Said applicants have complied with the policies and requirements of the Town of Bridgewater, as well as, applicable state laws governing its industry; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town have such licensing authority and with approval Bridgewater Building Inspector/Zoning Enforcement Officer, Police and Fire Departments who have oversight authority, it appears that the public good so requires such licenses be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to M.G.L.A. c. 140, § 177Ain Town Council assembled approve the petitions, as submitted, and that the aforementioned individual applicants be granted a license to continue its operation of automatic amusement devices for a period of one year - January 1, 2020 to December 31, 2020.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-036

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE LICENSING OF LODGING HOUSES

WHEREAS, the following six (6) applicants operating at various locations desire a license to continue the operation of said businesses:

1) Tian Ming Lin & Xiao Hua Zheng, 40 Central Square
2) Brian Koplovsky, 105 Plymouth Street
3) Brian Koplovsky, 9 Burrill Avenue
4) PAK Lodges, LLC, 1912 South Street
5) Iron Fence Trust, LLC
   dba Iron Fence Inn, 46 Main Street
6) Gail Yelle, 28 School Street

WHEREAS, Licenses for the operation of lodging houses are subject to renewal annually; and

WHEREAS, All requisite inspections have been completed by the Building Inspector, Wiring Inspector, Health Agent, Plumbing Inspector and Fire Department; and

WHEREAS, the Tax Collector's Office submitted its recommendation for the renewal candidates; and

WHEREAS, Said applicants have complied with the policies and requirements of the Town of Bridgewater, as well as, applicable state laws governing its industry; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town have such licensing authority and have received no adverse recommendations from the Bridgewater Building Inspector, Health, Police and Fire Departments who have oversight authority, it appears that the public good so requires such licenses be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to M.G.L.A. c. 140, § 22, 23 and 24 in Town Council assembled approve the petitions, as submitted, and that the aforementioned individual applicants be granted a license to continue its operation of a lodging house business for a period of one year - January 1, 2020 to December 31, 2020.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-037

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE LICENSING OF COMMON VICTUALLER ESTABLISHMENTS

WHEREAS, Forty-eight (45) licensees operating at the locations in the Town of Bridgewater require authorization to continue the operation of its establishments; and

WHEREAS, Common Victualler licenses are subject to renewal annually; and

WHEREAS, Requisite inspections have been satisfactorily completed by the Building Inspector and Fire Department; and

WHEREAS, Tax Collector's Office has submitted its recommendation for the renewal candidates[i]; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority and with consideration of no adverse recommendations being received from 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 - section 2 and section 4 respectively of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petitions, as submitted, and that the individual applicants be granted a license to continue its operation as a Common Victualler for a period of one year - January 1, 2020 to December 31, 2020.

***The list of licensees requesting approval is attached. ***

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-038

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE LICENSING OF CLASS I, CLASS II and CLASS III AUTO DEALERS

- **Class I** **TOTAL: 2**
- **Class II** **TOTAL: 12**
- **Class III** **TOTAL: 7**

WHEREAS, twenty-one (21) businesses operating at various locations throughout the Town of Bridgewater desire authorization to continue the operation of their auto dealerships; and

WHEREAS, Licenses for the operation of an auto dealership are subject to renewal annually; and

WHEREAS, the requisite inspections have been completed by the Inspector of Buildings and Fire Department; and

WHEREAS, the Tax Collector's Office has submitted its recommendation for the renewal candidates; and

WHEREAS, Said applicants have complied with the policies and requirements of the Town of Bridgewater, as well as, applicable state laws governing its industry; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town have such licensing authority and with approval Police and Fire Departments, Bridgewater Building Inspector/Zoning Enforcement Officer, who have oversight authority, it appears that the public good so requires such licenses be granted;

The Town Council of the Town of Bridgewater, Massachusetts, Chapter 140 - section 58 specifically; and also sections 57 and 59 generally, of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petitions, as submitted, and that the individual applicants be granted a license to continue its operation as a Class I, Class II or Class III auto dealership for a period of one year - January 1, 2020 to December 31, 2020.

The list of licensees requesting approval is attached.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Petition: P-2019-039

Date Introduced/Public Hearing: December 17, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Council Petition: P-2019-039

THE LICENSING OF ESTABLISHMENTS WITH ALCOHOL and ATTENDANT LICENSES

- All Alcoholic Restaurant **TOTAL:** 12
- All Alcoholic Club **TOTAL:** 6
- Wine & Malt Restaurant **TOTAL:** 2
- All Alcoholic Retail Package Store **TOTAL:** 7
- Wine & Malt Beverages Package Store **TOTAL:** 6
- Farmer Series Pouring Permit **TOTAL:** 1

WHEREAS, Thirty-four (34) licensees operating at the locations in the Town of Bridgewater desire authorization to continue the operation of its establishments; and

WHEREAS, Alcohol and attendant licenses are subject to renewal annually; and

WHEREAS, Pursuant to Massachusetts General Law Chapter 304 of the Acts of 2004, all requisite inspections have been completed by the Inspector of Buildings and Fire Department; and

WHEREAS, the Tax Collector's Office has submitted its recommendation for the renewal candidates; and

WHEREAS, Pursuant to Massachusetts General Law Chapter 138 § 16A , a retail license "*shall be automatically renewed for the next annual license period upon application by the holder thereof during the month of November and shall be automatically renewed...provided that said license is of the same type as the expiring license and covers the same licensed premises*"; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority with consideration of no adverse recommendations being received from 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 - § 16A *(alcohol licenses)*; Chapter 140 § 2, 4 *(common victualler)*; Chapter 140 § 22-32 *(innholders)*; Chapter 140 § 177A *(auto amusements)*; Chapter 140 § 181 and 183A *(annual entertainment)* respectively of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petitions, as submitted, and that the individual applicants be granted a license to continue its operations for a period of one year - January 1, 2020 to December 31, 2020.

*****The list of licensees requesting approval is attached.*****

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

Pursuant to Section 2-9 of the Bridgewater Home Rule Charter, the Bridgewater Town Council will consider for action on December 17, 2019 in the Academy Building, Council Chambers, 66 Central Square, Bridgewater, MA 02324 proposed Ordinance D-FY20-003: GENERAL ORDINANCE – ADOPTION OF CHANGES TO COUNCIL RULES AND PROCEDURES: which, in summary proposes adopting changes to the existing document which will comply with MGL for Public Postings and Minutes, establish a new standing committee" Review Committee", corrects general terminology errors and adds clarity to administrative procedures followed. The full ordinance can be viewed on the following pages and is on file with the Town Council Clerk.

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Ordinance: D-FY20-003

Introduced By:	Councilors William Wood and Shawn George
Date Introduced:	December 3, 2019
First Reading:	December 3, 2019
Second Reading:	December 17, 2019
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 has been duly advertised in the Enterprise and on the Town's website, therefore may be finally considered this evening.	

ROLL CALL VOTE – REQUIRES MAJORITY OF FULL COUNCIL (5).

TOWN OF BRIDGEWATER
TOWN COUNCIL
RULES AND PROCEDURES

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, 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 (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 as voted annually by the Council, commencing at 7:30 PM. During the months of 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.

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.

Should meetings be recorded, the recording shall be made available in accordance with Massachusetts Open Meeting Law. 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. 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 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 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.** 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 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 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 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 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

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 17, 2019

Council Order: O-FY20-038

Introduced By:	Town Manager
Date Introduced	December 3, 2019
First Reading:	December 3, 2019
Second Reading:	December 17, 2019
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)
• Budget & Finance Committee • Finance Committee	• 12/17/19: • 12/16/19:

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

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Order: O-FY20-039

Introduced By:	Town Manager
Date Introduced	December 3, 2019
First Reading:	December 3, 2019
Second Reading:	December 17, 2019
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)
• Budget & Finance Committee • Finance Committee	• 12/17/19: • 12/16/19:

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

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Order: O-FY20-040

Introduced By:	Town Manager
Date Introduced	December 3, 2019
First Reading:	December 3, 2019
Second Reading:	December 17, 2019
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)
• Budget & Finance Committee • Finance Committee	• 12/17/19: • 12/16/19:

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

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Order: O-FY20-041

Introduced By:	Town Manager
Date Introduced	December 3, 2019
First Reading:	December 3, 2019
Second Reading:	December 17, 2019
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)
• Budget & Finance Committee • Finance Committee	• 12/17/19: • 12/16/19:

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

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Order: O-FY20-042

Introduced By:	Town Manager
Date Introduced	December 3, 2019
First Reading:	December 3, 2019
Second Reading:	December 17, 2019
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)
• Budget & Finance Committee • Finance Committee	• 12/17/19: • 12/16/19:

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

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Ordinance: D-FY20-004

Introduced By:	Councilor Frank Sousa
Date Introduced:	December 17, 2019
First Reading:	December 17, 2019
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Ordinance D-FY20-004

GENERAL ORDINANCE - AMEND ORDINANCE D-2012-014 – RIGHT TO FARM ORDINANCE

WHEREAS, In accordance with the provisions of Section 2-6 of the Bridgewater Home Rule Charter relative to amendments to the Town ordinances, it is therefore;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Ordinance D-2012-014, Right to Farm Ordinance, as follows:

Section 2 – Definitions, B. 6. to read as follows:

6. growing and harvesting of forest products and any other forestry or lumbering operations pertaining to forest products cultivated and harvested within the farm. The transportation of forest products from outside locations for the purpose of forestry or lumbering operations is not permitted, aside from the purpose of transporting materials in for cultivation;

Section 2 – Definitions, C. 7. to read as follows:

7. on-farm relocation of the earth and clearing of ground for farming operation; however, soil/earth shall not be imported to the farm for resale purposes;

Explanation:

The Right to Farm Ordinance is unclear about the treatment of "lumbering operations" as it pertains to the importation of logs for milling or firewood production. Similarly, it is unclear as to the importation of soils and other materials for bulk resales. This amendment would clarify both these issues by not allowing the importation of either logs to be processed into boards or firewood, or soil materials to be resold.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

NOT FOR ACTION – FIRST READING ONLY

Bridgewater Town Council

In Town Council, Tuesday, December 17, 2019

Council Ordinance: D-FY20-006

Introduced By:	Councilor Frank Sousa
Date Introduced:	December 17, 2019
First Reading:	December 17, 2019
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Ordinance D-FY20-006

ZONING ORDINANCE - AMEND ZONING BYLAWS – SECTIONS 8 AND 9.60

WHEREAS, in accordance with the provisions of Section 2-6 of the Bridgewater Home Rule Charter relative to amendments to the Town ordinances, it is therefore;

ORDERED, that pursuant to MGL, Chapter 40A, the Town Council assembled votes to amend the Bridgewater Zoning Bylaws, as follows:

1. Change the zoning of Assessors Map 83, Lots 1-20, 39 and 82 from R A/B to "Planned Development District." Amend the Town of Bridgewater Zoning map accordingly.

2. Amend § 8.40 - Land Space Requirements to change the minimum lot size in a Planned Development District from 5 acres to 2 acres.

3. Amend § 9.632 – Requirements, (1) to read as follows: "The tract is in single or consolidated ownership at the time of the application and is at least 10 acres in size. The tract may be divided by a public or private way, provided the total acreage exclusive of the public or private way is not less than 10 acres."

4. Amend § 9.632 – Requirements, (3) to read "Minimum Lot Size ~~5~~ 2 acres."

5. Delete § 8.60 – Wetland Setback.

6. Add a new § 9.632 – Requirements, (7) to read "The 5 acre minimum lot size, the 50' minimum depth buffer adjacent to public ways and the building restriction within 200 feet of Route 104 shall not apply to Planned Development District project areas lying north of Route 104 and south of Lake Nippenicket. The front yard setback in this area shall be 35 feet. In lieu of the 50' buffer adjacent to public ways, there shall be a landscaped area."

Explanation: These amendments to the Bridgewater Zoning By-laws are required to accommodate a 6,000 s.f. +/- restaurant on the north side of Route 104 (Pleasant Street) fronting on Lake Nippenicket.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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NOT FOR ACTION – FIRST READING ONLY