



BRIDGEWATER TOWN COUNCIL

Tuesday, August 6, 2019

7:30 p.m.

Academy Building

66 Central Square

Council Chamber, Room 203

Bridgewater MA

RECEIVED
TOWN CLERKS OFFICE
BRIDGEWATER, MA.

2019 AUG -2 A 11: 32

MEETING AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) July 9, 2019

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

a) Library Board of Trustees - Matthew Gerritson

F. HEARINGS

G. LICENSE TRANSACTIONS

- a) Petition P-2019-012: Transfer of Common Victualler License from Papa Gino's Inc. to New England Authentic Eats LLC (DBA Papa Gino's)
- b) Petition P-2019-013: Auto Amusement License - New England Authentic Eats LLC., DBA Papa Gino's
- c) Petition P-2019-014: One Day Entertainment License - Resident Block Party - Park Avenue
- d) Petition P-2019-015: Change of Manager - 99 Restaurants of Boston, LLC
- e) Petition P-2019-016: Change of Manager - Cumberland Farms of Massachusetts
- f) Petition P-2019-017: New Common Victualler's License - Edi's Pizzeria

H. PRESENTATIONS

- a) 80 Spring Street – *Sandra Wright & Hope for Heroes*
- b) Mitchell School Building Committee Report - *Owner's Project Manager Shane Nolan, Daedalus Inc.*

I. TOWN MANAGER'S REPORT

- a) Update on Town Website
- b) Condition of Hayward Street (*Councilor Wood*)
- c) Items for Next Meeting:

J. DISCUSSIONS

- a) Standing Discussion Item(s):
 - i. Mitchell School Building Update – (*Town Manager*)
- b) Update on Rainbow's End (*Councilor Chase*)
- c) Recording Committee Meetings – (*President Gallagher*)
- d) Bridgewater Police 5K Challenge – (*President Gallagher*)
- e) Town Manager Goals (*Strategic Planning Committee*)

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Order O-FY20-011: Contract Ratification - United Steel Workers
The Finance Committee meet 8/5/19. Their disposition will be provided upon receipt. The Budget & Finance Committee meet 8/6/19 and will provide their disposition to the full Council. This measure may be finally considered pending dispositions from the Budget & Finance and Finance Committees.
- b) Order O-FY20-012: Contract Ratification - Firefighters Association
The Finance Committee meet 8/5/19. Their disposition will be provided upon receipt. The Budget & Finance Committee meet 8/6/19 and will provide their disposition to the full Council. This measure may be finally considered pending dispositions from the Budget & Finance and Finance Committees.

- c) Order O-FY20-013: Contract Ratification - Bridgewater Administrative Association
The Finance Committee meet 8/5/19. Their disposition will be provided upon receipt. The Budget & Finance Committee meet 8/6/19 and will provide their disposition to the full Council. This measure may be finally considered pending dispositions from the Budget & Finance and Finance Committees.

M. OLD BUSINESS

- a) Ordinance D-FY20-001: General Ordinance - Stormwater Ordinance
At their meeting held 7/30/19, the Community & Economic Development Committee voted 3-0 to recommend approval. This measure may not be finally considered this evening as it requires advertising.

N. NEW BUSINESS

- a) Order O-FY20-014: Transfer Order - High Street Dam & Bridge Preliminary Work *(Town Manager)*
- b) Order O-FY20-015: Acceptance of a Gift - Bridgewater State University *(Town Manager)*
- c) Order O-FY20-016: Acceptance of a Gift - Massachusetts State Historical Records Advisory Board *(Town Manager)*
- d) Order O-FY20-017: Loan Order – Mitchell Elementary School Project *(Town Manager)*
- e) Order O-FY20-018: 2019 Special Election Warrant – October 19, 2019 *(President Gallagher)*
- f) Resolution R-FY20-001: Supporting Plymouth County Sheriff's Department "The Farm" Petting Zoo and Horticultural Center *(President Gallagher)*

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Petition: P-2019-012

Date Introduced/Public Hearing: August 6, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Council Petition: P-2019-012

Relative to:

TRANSFER OF COMMON VICTUALLER LICENSE

WHEREAS, New England Authentic Eats LLC dba Papa Gino's has submitted all applicable documentation as required for a transfer of a common victualler license from Papa Gino's Inc., which is currently valid through the end of calendar year 2019

WHEREAS, New England Authentic Eats LLC dba Papa Gino's has purchased the business and assets of Papa Gino's Inc.:

WHEREAS, the hours of operation for the food establishment will remain as:

Monday - Thursday: 10:30 a.m. – 10:00 p.m.

Friday - Saturday: 10:30 a.m. – 11:00 p.m.

Sunday: 11:00 a.m. – 10:00 p.m.

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

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 140 of the Massachusetts General Law (MGL), in Town Council assembled approve the petition of New England Authentic Eats LLC dba Papa Gino's to transfer the common victualler license of Papa Gino's Inc. at 233 Broad Street, Bridgewater, Massachusetts as requested.



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Petition: P-2019-013

Date Introduced: August 6, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

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

APPLICANT:

- 1) **New England Authentic Eats dba PAPA GINO'S**
233 Broad Street, Campus Plaza
***Total Auto Amusements: 2*
Hours of Auto Amusement Operation
10 am – 11 pm

WHEREAS, One applicant operating at the aforementioned locations desire a license to engage in 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, § 177A in Town Council assembled approve the petitions, as submitted, and that the aforementioned individual applicant be granted a license for its operation of automatic amusement devices that will expire December 31, 2019.



Bridgewater Town Council

In Town Council Tuesday, August 6, 2019

Council Petition: P-2019-014

Date Introduced: August 6, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

The Granting of One Day Entertainment Permit

WHEREAS, Shari Sprong has petitioned for one (1) One-day entertainment permit for the following event:

	EVENT	DATE	TIME	APPROXIMATE ATTENDANCE
1	Block Party	August 25, 2019	1:30PM-6:00PM	25-30

;and,

WHEREAS, Shari Sprong has complied with the 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 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 license be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 140- Section 183A of Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition of Shari Sprong to be granted one (1) one day entertainment permit for the aforementioned event to be held on Park Ave.

VOICE VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Petition: P-2019-015

Date Introduced/Public Hearing: August 6, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Petition: P-2019-015

Relative to:

CHANGE OF MANAGER OF AN ALCOHOL ESTABLISHMENT

WHEREAS, 99 Restaurants of Boston, LLC has petitioned to change the manager of the alcohol establishment from Robert Paul Tierney to Cindy Medeiros; and

WHEREAS, Approval of such request is required by Massachusetts General Law – Chapter 138 prior to the final submission to the Commonwealth's Alcohol Beverages Control Commission who must ratify such appointment; and

WHEREAS, 99 Restaurants of Boston 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 local licensing authority and with affirmative recommendation from Police Department, it appears that the public good so requires such petition 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 to change its manager from Robert Paul Tierney to Cindy Medeiros as requested.



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Petition: P-2019-016

Date Introduced/Public Hearing: August 6, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Petition: P-2019-016

Relative to:

CHANGE OF MANAGER OF AN ALCOHOL ESTABLISHMENT

WHEREAS, Cumberland Farms of Massachusetts, Inc. has petitioned to change the manager of the alcohol establishment from Christopher Choquette to Arthur M. Weeden; and

WHEREAS, Approval of such request is required by Massachusetts General Law – Chapter 138 prior to the final submission to the Commonwealth's Alcohol Beverages Control Commission who must ratify such appointment; and

WHEREAS, Cumberland Farms of Massachusetts, Inc. 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 local licensing authority and with affirmative recommendation from Police Department, it appears that the public good so requires such petition 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 Cumberland Farms of Massachusetts, Inc. to change its manager from Christopher Choquette to Arthur M. Weeden as requested.



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Petition: P-2019-017

Date Introduced/Public Hearing: August 6, 2019

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE GRANTING OF A COMMON VICTUALLER LICENSE

WHEREAS, **Edi's Pizzeria**, has submitted all applicable documentation as required for a license to operate a food establishment located at 955 Pleasant Street, Bridgewater, Massachusetts; and

WHEREAS, Edmond Toska will serve as the manager of record and the hours of operation will not exceed:

Monday - Thursday	10:30 a.m. – 9:00 p.m.
Friday – Saturday	10:30-9:30
Sunday	Closed

and;

WHEREAS Edi's Pizzeria 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 Edi's Pizzeria be granted a license to operate a food establishment within the Town of Bridgewater.

VOICE VOTE REQUIRED



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Order: O-FY20-011

Introduced By: Town Manager
Date Introduced: July 9, 2019
First Reading: July 9, 2019
Second Reading: August 6, 2019
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-011

CONTRACT RATIFICATION - UNITED STEEL WORKERS

ORDERED, in accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated agreement covering July 1, 2018 through June 30, 2021 with the United Steel Workers.

Explanation:

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	8/6/19: 8/5/19:



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Order: O-FY20-012

Introduced By: Town Manager
Date Introduced: July 9, 2019
First Reading: July 9, 2019
Second Reading: August 6, 2019
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-012

CONTRACT RATIFICATION - FIREFIGHTERS ASSOCIATION

ORDERED, in accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated agreement covering July 1, 2018 through June 30, 2021 with the Bridgewater Firefighters Association.

Explanation:

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	8/6/19: 8/5/19:



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Order: O-FY20-013

Introduced By: Town Manager

Date Introduced: July 9, 2019

First Reading: July 9, 2019

Second Reading: August 6, 2019

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Order O-FY20-013

CONTRACT RATIFICATION - BRIDGEWATER ADMINISTRATIVE ASSOCIATION

ORDERED, in accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated agreement covering July 1, 2018 through June 30, 2021 with the Bridgewater Administrative Association.

Explanation:

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	8/6/2019 8/5/19:

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



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Ordinance: D-FY20-001

Introduced By: Councilor Aisha Losche and Councilor Pete Colombotos
Date Introduced: July 9, 2019
First Reading: July 9, 2019
Second Reading: August 6, 2019
Amendments Adopted:
Date Adopted:
Date Effective:

Ordinance D-FY20-001

GENERAL ORDINANCE – STORMWATER ORDINANCE

Whereas the National Discharge Elimination System (NPDES) program now requires changes to municipalities' Stormwater Management Ordinances, and

Whereas, the Town of Bridgewater desires to remain in compliance with the requirements of the NPDES program,

ORDERED, pursuant to Bridgewater Town Charter, Section 2-2, that the Town Council assembled votes to amend Article XIII (Municipal Separate Storm Sewer System (MS4)) of the Town of Bridgewater General Ordinances by deleting said Article in its entirety and replacing it as follows and authorize the Town Manager to conform the text to the numbering conventions of the Town's General Ordinances.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Community & Economic Development Committee - This measure may not be finally considered this evening as it requires advertising.	7/30/19: Vote 3-0 recommend approval.

STORMWATER MANAGEMENT ORDINANCE

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SECTION I – GENERAL PROVISIONS

Part 1. Purpose

- A. The purpose of this ordinance is to protect the health, safety, general welfare, and environment by regulating illicit connections and discharges to the storm drain system and controlling the adverse effects of construction site stormwater runoff and post-construction runoff. Stormwater runoff is potentially a major cause of:
 - (1) Impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands, groundwater and drinking water supplies;
 - (2) Contamination of drinking water supplies;
 - (3) Contamination of downstream coastal areas;
 - (4) Alteration and/or destruction of aquatic and wildlife habitat;
 - (5) Overloading and/or clogging of municipal stormwater management systems; and
 - (6) Flooding.
- B. The objectives of this ordinance are to:
 - (1) Protect water resources;
 - (2) Comply with state and federal statutes and regulations relating to stormwater discharges including total maximum daily load requirements;
 - (3) Prevent pollutants from entering the Town's municipal separate storm sewer system (MS4) and reduce or eliminate pollutants entering the Town's MS4 from existing uses;
 - (4) Prohibit illicit connections and unauthorized discharges to the MS4 and require their removal;
 - (5) Establish minimum construction and post construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
 - (6) Establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and
 - (7) Ensure compliance with the provisions of this ordinance through inspection, monitoring, and enforcement.

Part 2. Definitions

Definitions applicable to this ordinance are as follows:

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a Land Disturbance

Permit for proposed land-disturbance activity.

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

DEVELOPMENT: The modification of land to accommodate a new use or expansion of use, usually involving construction.

DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

DISTURBANCE OF LAND: Any action that causes a change in the position, location, or arrangement of soil, sand, rock, gravel or similar earth material.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN: A document containing a narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff and erosion and sedimentation during pre-construction and construction related land disturbance activities.

GROUNDWATER: Water beneath the surface of the ground.

ILLICIT CONNECTION: A surface or subsurface drain or conveyance which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water, and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of the Stormwater Management Ordinance.

ILLICIT DISCHARGE - Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Article II §D(2). The term does not include a discharge in compliance with an NPDES stormwater discharge permit or resulting from fire-fighting activities exempted pursuant to Article II §D(1) of the Stormwater Management Ordinance.

IMPERVIOUS SURFACE - Any material or structure on or above the ground that prevents water from infiltrating the underlying soil. "Impervious surface" includes without limitation roads, paved parking lots, sidewalks, and rooftops.

IMPOUNDMENT: A stormwater pond created by either constructing an embankment or excavating a pit which retains a permanent pool of water.

INFILTRATION: The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

LAND-DISTURBING ACTIVITY: Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

LAND USE OF HIGHER POTENTIAL POLLUTANT LOAD (LUHPPL): Land uses or

activities with higher potential pollutant loadings, as defined in the Massachusetts Stormwater Management Standards such as auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high intensity use, road salt storage areas, commercial nurseries and landscaping, outdoor storage and loading areas of hazardous substances or marinas.

MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS: The Standards issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L. c. 131 §. 40 and Massachusetts Clean Waters Act G.L. c. 21, §. 23-56. The Standards address stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity and quality of runoff from a site.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM - The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Bridgewater.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT - A permit issued by United States Environmental Protection Agency or jointly with the Commonwealth of Massachusetts that authorizes the discharge of pollutants to waters of the United States.

NONSTORMWATER DISCHARGE - Discharge to the municipal storm drain system not composed entirely of stormwater.

OPERATION AND MAINTENANCE PLAN: A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OUTFALL: The point at which stormwater flows out from a point source into waters of the Commonwealth.

OWNER: A person with a legal or equitable interest in property.

PERSON - An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE: Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

PRE-CONSTRUCTION: All activity in preparation for construction.

POLLUTANT - Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, whether originating at a point

or nonpoint source, that is or may be introduced into any storm sewer, water works or waters of the commonwealth. Pollutants shall include but are not limited to:

- A. Paints, varnishes, and solvents;
- B. Oil and other automotive fluids;
- C. Nonhazardous liquid and solid wastes and yard wastes;
- D. Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnance, accumulations and floatables;
- E. Pesticides, herbicides, and fertilizers;
- F. Hazardous materials and wastes; sewage, fecal coliform and pathogens;
- G. Dissolved and particulate metals;
- H. Animal wastes;
- I. Rock; sand; salt; soils;
- J. Construction wastes and residues; and
- K. Noxious or offensive matter of any kind.

RECHARGE - The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface on previously developed sites.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

SLOPE: The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

SOIL: Any earth, sand, rock, gravel, or similar material.

STABILIZATION: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

STORMWATER: Runoff from precipitation or snow melt and surface water runoff and drainage.

STORMWATER AUTHORITY: Town of Bridgewater Conservation Commission or its authorized agent(s).

STORMWATER MANAGEMENT PLAN (SWMP): A plan required as part of the application for a Land Disturbance Permit.

TOXIC OR HAZARDOUS MATERIAL OR WASTE: Any material which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic

chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as "toxic" or "hazardous" under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

WASTEWATER - Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

WATERCOURSE - A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

WATERS OF THE COMMONWEALTH - All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, vernal pools, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

WETLANDS: As specifically defined in the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131 and its Regulations, 310 CMR 10.00 and the Town of Bridgewater Wetlands Protection Bylaw but generally include tidal and non-tidal areas characterized by saturated or nearly saturated soils most of the year that are located between terrestrial (land-based) and aquatic (water) environments, including freshwater marshes around ponds and channels (rivers and streams), brackish and salt marshes; common names include marshes, swamps & bogs.

Part 3. Authority

This ordinance is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the home rule statutes, the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

Part 4. Responsibility for administration

- A. The Stormwater Authority shall administer, implement and enforce this ordinance. Any powers granted to or duties imposed upon the Stormwater Authority may be delegated in writing by Stormwater Authority to any employees or agents of the Town.

Part 5. Waivers

- A. Following a public hearing on a waiver request, in accordance with the Stormwater Regulations, the Stormwater Authority may waive strict compliance with any requirement of this ordinance or the rules and regulations promulgated hereunder, where:
 - (1) such action is allowed by federal, state and local statutes and/or regulations; and
 - (2) is in the public interest; and
 - (3) is not inconsistent with the purpose and intent of this ordinance.
- B. Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the ordinance does not further the purposes or objective of this ordinance.

- C. If in the Stormwater Authority's opinion, additional time or information is required for review of a waiver request, the Stormwater Authority may continue a hearing to a certain date announced at the meeting. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.

Part 6. Compliance with EPAs General Permit for MS4s in Massachusetts

This ordinance is intended to further the objectives of and to act in concert with any existing federal, state or local laws concerning storm water discharges in the Town of Bridgewater, including but not limited to the requirements of the United States Environmental Protection Agency's most recent General Permit for MS4s, and nothing in this ordinance is intended to limit or restrict the authority of any board, commission or officer of the Town to act in accordance with any federal, state and local laws within their jurisdiction, and in the event of a conflict, the more stringent requirements will control.

Part 7. Regulations

The Stormwater Authority may adopt, and periodically amend, regulations, rules and/or written guidance relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater Ordinance by majority vote after conducting a public hearing to receive comments. Such hearing shall be advertised in a newspaper of general local circulation, once in each of two successive weeks, the first publication being at least fourteen (14) days prior to the hearing date. Failure of the Stormwater Authority to issue such rules, or regulations, or a legal declaration of their invalidity by a court, shall not act to suspend or invalidate the effect of this Ordinance.

Such regulations, rules or guidance may include without limitation, provisions for the establishment of one or more categories of administrative review approvals for specific types or sizes of projects. Administrative review applications that meet all the standard requirements may be issued by one or more agents designated in writing by the Stormwater Authority, without the requirement for a public hearing as detailed in Article III of this ordinance. Administrative review approval shall comply with all other provisions of this Ordinance.

Part 8. Severability

The provisions of this ordinance are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance.

SECTION II – DISCHARGES TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

Part 1. Applicability

Article II of this ordinance shall apply to all discharges of water entering the municipally owned storm drainage system or going, directly or indirectly, into a watercourse, or into the waters of the Commonwealth, that is generated on any developed or undeveloped lands except as explicitly exempted in this ordinance or where the Stormwater Authority has issued a waiver in accordance with Section I, Part 5.

Part 2. Prohibited Activities; Exemptions.

- A. Illicit discharges. No person shall dump, discharge, spill, cause or allow to be discharged any pollutant or nonstormwater discharge into the municipal separate storm sewer system (MS4), onto an impervious surface directly connected to the MS4, or, directly or indirectly, into a watercourse, or into the waters of the Commonwealth.
- B. Illicit connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- C. Obstruction of municipal storm drain system. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written consent from the Stormwater Authority.
- D. Exemptions.
 - (1) Discharge or flow resulting from fire-fighting activities.
 - (2) The following nonstormwater discharges or flows are exempt from the prohibition of nonstormwaters provided that the source is not a significant contributor of a pollutant to the municipal storm drain system or, directly or indirectly, into a watercourse, or into the waters of the Commonwealth:
 - (a) Waterline flushing;
 - (b) Flow from potable water sources, with the exception of landscape irrigation and lawn watering;
 - (c) Springs;
 - (d) Natural flow from riparian habitats and wetlands;
 - (e) Diverted stream flow;
 - (f) Rising groundwater;
 - (g) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater (e.g. sump pump), provided that where a pump intake exists inside a structure, the operator seeks a permit from the Stormwater Authority prior to discharge and thereafter discharges in accordance with the requirements of the permit

and applicable laws and regulations to be issued by the Stormwater Authority;

- (h) Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air-conditioning condensation;
- (i) Discharge from dechlorinated swimming pool water (less than one ppm chlorine) provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
- (j) Discharge from street sweeping;
- (k) Dye testing, provided verbal notification is given to the Stormwater Authority prior to the time of the test;
- (l) Nonstormwater discharge permitted under an NPDES permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
- (m) Discharge for which advanced written approval has been received from the Stormwater Authority as necessary to protect public health, safety, welfare or the environment.

Part 3. Additional Prohibited Pollutants

- A. Pet Waste: Dog feces are a major component of stormwater pollution, it shall be the duty of each person who owns, possesses, or controls a dog to remove and properly dispose of any feces left by the dog on any public or private property neither owned nor occupied by said person. It is prohibited to dispose of dog feces in any public or private storm drain, catch basin, wetland, or water body or on any paved or impervious surface. Persons walking dogs must carry with them a device designed to dispose of dog feces including, but not limited to, a plastic bag or “pooper scooper.” For specific requirements and penalties for violations see Bridgewater Town Code Part III, Chapter 14, Article 1, Sections 1-7.

Part 4. Emergency Suspension of Storm Drainage System Access

The Stormwater Authority may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that present imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Stormwater Authority may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

Part 5. Notification of Spills

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has

information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Municipal Fire and Police Departments. In the event of a release of nonhazardous material, the reporting person shall notify the authorized enforcement agency no later than the next business day. The reporting person shall provide to the Stormwater Authority written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Part 6. Enforcement

The Stormwater Authority or its authorized agent shall enforce this ordinance, and any associated regulations, orders, violation notices, and enforcement orders and may pursue all civil and criminal remedies for such violations. The Town may enforce this Ordinance or enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

- A. Civil relief. If a person violates the provisions of this ordinance, or any associated regulations, permit, notice, or order issued thereunder, the Stormwater Authority may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- B. Orders.
 - (1) The Stormwater Authority or its authorized agent may issue a written order to enforce the provisions of this ordinance or any regulations thereunder, which may include:
 - (a) Elimination of illicit connections or discharges to the MS4;
 - (b) Performance of monitoring, analyses, and reporting;
 - (c) That unlawful discharges, practices, or operations shall cease and desist;
 - (d) That measures shall be taken to minimize the discharge of pollutants until such time as the illicit connection shall be eliminated; and
 - (e) Remediation of contamination in connection therewith.
 - (2) Said orders shall specify a deadline by which the required action shall be completed and the Stormwater Authority or its designee may further advise that, should the violator or property owner fail to perform the required action or remediation within the specified deadline, the Town may, at its option, undertake such work, at the owner and/or violator's sole costs and expense, that it deems necessary to protect public health, safety and welfare.
 - (3) Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the

costs incurred by the Town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Stormwater Authority within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Stormwater Authority affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in MGL c. 59, § 57 after the 31st day at which the costs first become due.

- C. Criminal penalty. Any person who violates any provision of this ordinance, regulation, order or permit issued thereunder may be penalized by indictment or on complaint brought in a court of competent jurisdiction. Except as may be otherwise provided by law and as the court may see fit to impose, the maximum penalty for each violation or offense shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
- D. Non-Criminal Disposition. Any person who violates any provision of this ordinance, regulation, order or permit issued thereunder may be penalized by non-criminal disposition as set forth in MGL c. 40, § 21D and in the Bridgewater Town Code Part III, Chapter 1, Article 2, Sections 1-3. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
- E. Entry to perform duties under this ordinance. To the extent permitted by law, or if authorized by the owner or other party in control of the property, the Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this ordinance and regulations and may make or cause to be made such examinations, surveys or sampling as the Stormwater Authority deems reasonably necessary.
- F. Appeals. The decisions or orders of the Stormwater Authority shall be final. Further relief shall be to a court of competent jurisdiction.

Part 7. Transitional Provisions

Residential property owners with illicit discharges, connections and/or obstructions to the MS4 shall have a period of 30 days from the effective date of this ordinance to remove such discharges, connections and/or obstructions, unless immediate removal is required for the protection of public health, safety, welfare or the environment. The Stormwater Authority may extend the time for compliance by regulation or by waiver in accordance with Part 6 of this Ordinance.

SECTION III – STORMWATER MANAGEMENT AND LAND DISTURBANCE

Part 1. Applicability

A. Section III of this Ordinance shall apply to all activities that result in disturbance of 5,000 square feet of land or more that drains to the municipal separate storm sewer system (MS4). Except as authorized by the Stormwater Authority or as otherwise provided in this Ordinance, no person shall perform any activity that results in disturbance of 5,000 square feet of land or more. There are two levels of reviews based on the amount of proposed land to be disturbed as part of a single project and they are as follows:

- (1) Land Disturbance Review is required for projects disturbing between 5,000 square feet and one-half acre (21,780 square feet) of land.
- (2) A Land Disturbance Permit is required for disturbance of greater than one-half acre (21,780 square feet) of land or for a proposed use that is listed as a land use of higher potential pollutant loads as defined in the Massachusetts Stormwater Management Standards.

B. Exemptions:

- (1) Maintenance of existing landscaping, gardens or lawn areas associated with a single or two family dwellings conducted in such a way as not to cause a nuisance;
- (2) Construction of fencing that will not substantially alter existing terrain or drainage patterns;
- (3) Construction of utilities other than drainage (gas, water, sewer, electric, telephone, etc.) which will not alter terrain or drainage patterns or result in discharge of sediment to the MS4;
- (4) Normal maintenance and improvement of land in agricultural or aquacultural use; and

The Stormwater Authority is authorized to enact regulations to effectuate the purposes of this ordinance, including but not limited to regulations outlining the application requirements for the different levels of review specified in Section A hereof. Any person that fails to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, and Operations and Maintenance Plan issued under the Stormwater Management Regulations shall be in violation of the Town of Bridgewater Ordinances.

Part 2. Approval and/or Permit

An applicant seeking an approval and/or permit shall file an appropriate application with the Stormwater Authority in a form and containing information as specified in this ordinance and in regulations adopted by the Stormwater Authority. Approval or permit must be obtained prior to the commencement of land disturbing or redevelopment activity based on thresholds described in the Stormwater Management Regulations.

Part 3. Entry

Entry to perform duties under this ordinance. To the extent permitted by law, or if authorized by the owner or other party in control of the property, the Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this ordinance and regulations and may make or cause to be made such examinations, surveys or sampling as the Stormwater Authority deems reasonably necessary.

Part 4. Inspection and Site Supervision

The Stormwater Authority or its designated agent shall make inspections of the work subject to this Ordinance to verify and document compliance with the Ordinance and regulations and orders of the Stormwater Authority.

Part 5. Surety

The Stormwater Authority may require the applicant to post before the start of land disturbance or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by the Stormwater Authority and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Stormwater Authority may release part of the bond as each phase is completed in compliance with the permit.

Part 6. Final Reports

Administrative Land Disturbance Review: Upon completion of the work, the applicant shall submit a written notice to the Stormwater Authority with photographic evidence that the work was completed in accordance with the plan.

Land Disturbance Permit: Upon completion of the work, the applicant shall submit a report (including certified as-built construction plans) from a Massachusetts Professional Engineer (P.E.), or Massachusetts Professional Land Surveyor (PLS) as applicable as determined by the Stormwater Authority, certifying that all erosion and sedimentation control devices, and approved changes or modifications, have been completed in accordance with the conditions of the approved Erosion and Sediment Control Plan and Stormwater Management Plan. Any discrepancies shall be noted in the cover letter.

Part 7. Enforcement

The Stormwater Authority or its authorized agent shall enforce this ordinance, and any associated regulations, orders, violation notices, and enforcement orders and may pursue all civil and criminal remedies for such violations. The Town may enforce this Ordinance or enjoin

violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

- A. Civil relief. If a person violates the provisions of this ordinance, or any associated regulations, permit, notice, or order issued thereunder, the Stormwater Authority may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- B. Orders. The Stormwater Authority or its authorized agent may issue a written order to enforce the provisions of this ordinance or any regulations thereunder, which may include:
 - (1) A requirement to cease and desist from the land-disturbing activity until there is compliance with the ordinance and provisions of the Land Disturbance Permit
 - (2) Maintenance, installation or performance of additional erosion and sediment control measures;
 - (3) Monitoring, analyses, and reporting
 - (4) Remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity.

Said orders shall specify a deadline by which the required action shall be completed and the Stormwater Authority or its designee may further advise that, should the violator or property owner fail to perform the required action or remediation within the specified deadline, the Town may, at its option, undertake such work, at the owner and/or violator's sole cost and expense, that it deems necessary to protect public health, safety and welfare.

- C. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Stormwater Authority within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Stormwater Authority affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the cost shall become a special assessment against the property owner of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Chapter 59, s 57 after the thirtieth (30) day at which the costs first become due.
- D. Criminal Penalty. Any person who violates any provision of this ordinance, regulation, permit, approval or order issued there under, may be penalized by indictment or on complaint brought in a court of competent jurisdiction. Except as may be otherwise provided by law and as the court may see fit to impose, the maximum penalty for each violation or offense shall be three hundred dollars (\$300). Each day such violation occurs or continues shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
- E. Non-Criminal Disposition. Any person who violates any provision of this ordinance, regulation, order or permit issued thereunder may be penalized by non-criminal

disposition as an alternative to criminal prosecution or civil action, the Town of Bridgewater may elect to utilize the non-criminal disposition procedure set forth in MGL c. 40, § 21D and in Bridgewater Town Code Part III, Chapter 1, Article 2, Sections 1-3. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

- F. Appeals. The decisions or orders of the Stormwater Authority shall be final. Further relief shall be to a court of competent jurisdiction.



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Order: O-FY20-014

Introduced By: Town Manager
Date Introduced: August 6, 2019
First Reading: August 6, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-014

TRANSFER ORDER - HIGH STREET DAM & BRIDGE PRELIMINARY WORK

ORDERED, in accordance with Section 6-4 of the Bridgewater Home Rule Charter, that the Town Council assembled vote to transfer and appropriate the following funds for the purposes as intended:

Source of Funds	Account No.	GL Account Description	Amount
CAPITAL STABILIZATION	80105-596110	TRANSFER TO CAPITAL OUTLAY	\$ 45,000.00
Total:			\$ 45,000.00
Use of Funds	Account No.	GL Account Description	Amount
PRELIM DESIGN WORK	10123220-584000	Professional Services	\$ 45,000.00
Total			\$ 45,000.00

Explanation: The Massachusetts Division of Ecological Restoration from the Massachusetts Department of Fish and Game, in conjunction with numerous state, federal, and non-governmental organizations are partnering up for Town River Restoration and Dam and Bridge redesign and restoration projects. This appropriation for the Preliminary Design Services will match other funds to complete this design work.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Order: O-FY20-015

Introduced By: Town Manager
Date Introduced: August 6, 2019
First Reading: August 6, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-015

ACCEPTANCE OF A GIFT - BRIDGEWATER STATE UNIVERSITY

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 State University to be expended by the Roadways Department, the Police Department and the Fire Department;

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

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the gift of \$55,000.00 from Bridgewater State University to expend the gift in accordance with stated purpose thereof.

Explanation:

Bridgewater State University has donated monies to be distributed equally between the Fire, Police, and Roadways Departments. These funds may be expended without further appropriation. Acceptance of this gift will allow the town to expend the funds for their stated purpose as part of the University's Municipal Aid initiative with the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Order: O-FY20-016

Introduced By: Town Manager
Date Introduced: August 6, 2019
First Reading: August 6, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-016

ACCEPTANCE OF A GIFT - MASSACHUSETTS STATE HISTORICAL RECORDS ADVISORY BOARD

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 reimbursement payment for \$892.61 for the Re-grant Program relating to the Massachusetts State Historical Records Advisory Board and the National Historical Publications & Records Commission gift from the Secretary of State’s Office, William Francis Galvin.

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 grant of \$892.61

Explanation:

As the Town continues to undergo its Digital Documentation Program, this particular grant fit into the ongoing projects and will offset some of the supply costs in the Town Clerk’s office in particular.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Order: O-FY20-017

Introduced By: Town Manager
Date Introduced: August 6, 2019
First Reading: August 6, 2019
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY20-017

LOAN ORDER - MITCHELL ELEMENTARY SCHOOL PROJECT

Ordered:

That the Town hereby approves the \$81,000,000 borrowing authorized by the Bridgewater-Raynham Regional School District, for the purpose of paying costs of demolition of the current Mitchell Elementary School located at 500 South Street, and the construction of a new school located on the same site, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-five and sixty-three hundredths percent (55.63%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any vote hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, s. 21C (Proposition 2½); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Order: O-FY20-018

Introduced By: President Gallagher

Date Introduced: August 6, 2019

First Reading: August 6, 2019

Second Reading:

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Order O-FY20-018

2019 SPECIAL ELECTION WARRANT - OCTOBER 19, 2019

ORDERED: (1) that the Town of Bridgewater, pursuant to G.L. c. 59, § 21C(k), shall seek voter approval at the next special election on October 19, 2019 to assess taxes in excess of the amount allowed pursuant to G.L. c. 59 § 21C for the payment of the Town's share of the principal and interest on bonds, notes or certificates of indebtedness, issued by the Bridgewater-Raynham Regional School District to pay costs of the demolition of the current Mitchell Elementary School located at 500 South Street, and the construction of a new elementary school located on the same site, including the payment of costs incidental or related thereto;

(2) to that end the Town Clerk is hereby directed to place the following question on the ballot:

Shall the Town of Bridgewater be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the Town's allocable share of the bond issued by the Bridgewater-Raynham Regional School District to pay the costs of the demolition of the current Mitchell Elementary School located at 500 South Street, Bridgewater, MA 02324, and the construction of a new elementary school located on the same site, including all costs incidental and related thereto?

Yes ____ No ____

(3) that the Town Council of the Town of Bridgewater, Massachusetts, assembled accepts, as a matter of record, the attached 2019 Special Election Warrant for October 19, 2019 relative to the funding of the Mitchell School feasibility study.

Explanation: It is required that the Town Council call the town election, sets the form of ballot question and directs the Town Clerk to prepare ballots, and accepts and approves the attached Warrant for the Special Town election as a matter of record.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



**COMMONWEALTH OF MASSACHUSETTS
TOWN OF BRIDGEWATER
SPECIAL TOWN ELECTION WARRANT**

Plymouth, SS.

To either of the Constables of the Town of Bridgewater:

GREETINGS:

In the name of the Commonwealth of Massachusetts and the Town of Bridgewater, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the Special Town Election to vote at:

Precincts 1,2,3,4,5,6 & 7
Bridgewater Middle School
166 Mount Prospect Street, Bridgewater, MA 02324

On **SATURDAY, THE** ____ **19th DAY OF** OCTOBER, 2019 from 7:00 A.M. to 8:00 P.M. for the following purposes:

To cast their votes in the Special Town Election for the following question:

Shall the Town of Bridgewater be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the Town's allocable share of the bond issued by the Bridgewater-Raynham Regional School District to pay the costs of the demolition of the current Mitchell Elementary School located at 500 South Street, Bridgewater, MA 02324, and the construction of a new elementary school located on the same site, including all costs incidental and related thereto?

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands, this _____ day of _____, 2019.

_____	_____
_____	_____
_____	_____
_____	_____

Town Council of: Bridgewater

(Indicate method of service of warrant)

_____	_____, 2019
Constable	(month and day)

(Warrant must be posted at least *seven days prior* to _____, 2019)

NOT FOR ACTION – FIRST READING ONLY



Bridgewater Town Council

In Town Council, Tuesday, August 6, 2019

Council Resolution: R-FY20-001

Introduced By: President Gallagher
Date Introduced: August 6, 2019
First Reading: August 6, 2019
Second Reading:
Amendments Adopted:
Date Adopted:
Effective Date:

Resolution R-FY20-001

SUPPORTING PLYMOUTH COUNTY SHERRIFF'S DEPARTMENT "THE FARM" PETTING ZOO AND HORTICULTURAL CENTER

WHEREAS, for more than 100 years, the Sheriff of Plymouth County has operated a 90-acre farm on Obery Street in Plymouth which includes a farm stand and free petting zoo; and

WHEREAS, the farm has also served as a correctional rehabilitation program for inmates of Plymouth County Correctional Facility

WHEREAS, The Farm, Petting Zoo and Horticultural Center are a valuable community asset not only as one of the most popular visitor attractions in Plymouth, but through their community outreach; donating thousands of pounds of fresh vegetables to local food pantries each year.

WHEREAS, recently there has been a dispute over the land and the requirement for a lease including provisions for liability insurance;

WHEREAS, the dispute threatens to close the operation, farm stand and petting zoo to the public

THEREFORE, we, the Town Council of Bridgewater, do strongly support the Plymouth County Sherriff in his efforts to keep the farm, farm stand and petting zoo operational and open to the public and to see an amicable resolution reached for this valuable and beloved local resource.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•