BRIDGEWATER TOWN COUNCIL

Tuesday, October 6, 2020
7:00 p.m.

The meeting will be held virtually via Zoom.
To attend via video, click on the link below:
Link to Join 10/06/2020 Town Council Meeting
To attend via phone, dial: 1(646)876-9923
Meeting ID: 970 0461 2923

MEETING AGENDA

Disclosure: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Bridgewater Town Council will be conducted via remote participation to the greatest extent possible. There will be no in person attendance permitted. Citizens who wish to tune in to the meeting may do so via Facebook Live.

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS
   a) September 22, 2020

B. ANNOUNCEMENTS FROM THE PRESIDENT
   a) District 5 Vacancy

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS
   a) Veteran's Council – John Pagnotta
   b) Transportation Committee – James Creed

F. HEARINGS - *None*

G. LICENSE TRANSACTIONS
   a) Petition P-2020-017: Four (4) One-Day Entertainment Licenses – Black Hat Brew Works – Octoberfest

H. PRESENTATIONS
   a) Early Voting – Town Clerk
   b) Fire Station Building Committee

I. TOWN MANAGER'S REPORT
   a) Mitchell School Update *(Standing Item)*
   b) FY21 Revenue vs. Budget *(Standing Item)*
   c) COVID-19 Update
   d) Central Square Improvements Process
   e) Update on Town Hall
   f) Update on Walgreens Parking Lot Striping
   g) Update on Town Hall Ad Hoc Committee
   h) Items for Next Meeting:

J. DISCUSSIONS
   a) Online Auto Dealer License *(Town Manager)*

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION
   a) Order O-FY21-014: Acceptance of CARES Act Reimbursement
   At their meeting held 9/28/20, the Finance Committee voted 5-0 to recommend this measure. The Budget & Finance Committee voted 3-0 to recommend approval of this measure at their meeting held 9/21/20.

b) Order O-FY21-015: Transfer Order - Cross Street Engineering
At their meeting held 9/28/20, the Finance Committee voted 5-0 to recommend this measure. The Budget & Finance Committee voted 3-0 to recommend approval of this measure at their meeting held 9/21/20

c) Petition P-2020-018: State Election Warrant

M. OLD BUSINESS - *None*

N. NEW BUSINESS

a) Order O-FY21-018: Old High School Purchase and Sale Agreement Ratification – Bridgewater, Raynham Regional School District *(Town Manager)*

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION
MGL, Chapter 30A, Section 21(a)(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.

R. ADJOURNMENT

Bridgewater Town Council

In Town Council Tuesday, October 6, 2020

Council Petition: P-2020-017

Date Introduced: October 6, 2020

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

The Granting of One Day Entertainment Permits

WHEREAS, Black Hat Brew Works has petitioned for four (4) One-day entertainment permit for the following event:

	EVENT	DATE	TIME	APPROXIMATE ATTENDANCE
1	Octoberfest	October 11, 2020	12:00PM-7:00PM	85
2	Octoberfest	October 18, 2020	12:00PM-7:00PM	85
3	Octoberfest	October 25, 2020	12:00PM-7:00PM	85
4	Octoberfest	November 1, 2020	12:00PM-7:00PM	85

;and,

WHEREAS, ***Black Hat Brew Works*** have 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;

WHEREAS, this license is being issued under the most current state guidelines which could be revoked or changed such that the applicant will have to abide by any new state or local requirements;

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 Black Hat Brew Works to be granted four (4) one day entertainment permit for the aforementioned event to be held at 25 Scotland Boulevard .

Meeting Date: October 6 2020

APPLICANT: Black Hat Brew Works

	EVENT	DATE	TIME	ATTENDANCE	NOTES
1	Octoberfest	11-Oct-20	12:00 p.m. - 7:00 p.m.	85	
2	Octoberfest	18-Oct-20	12:00 p.m. - 7:00 p.m.	85	
3	Octoberfest	25-Oct-20	12:00 p.m. - 7:00 p.m.	85	
4	Octoberfest	1-Nov-20	12:00 p.m. - 7:00 p.m.	85	

Town Documents

1 ✓ One-Day Entertainment Applications

2 **Waived** $750.00 - Town License Fees

Recommendations

3 ✓ Fire Department

4 ✓ Police Department

5 ✓ Building Department

6 ✓ Health Department

NOTES:

1) Fire Department will require permits and walk through if they decide to tent or use heating source before license will be issued.

2) License is subject to all state and local regulations, if the guidance is changed due to COVID numbers event may need to be canceled or altered.

Bridgewater Town Council

In Town Council, Tuesday, October 6, 2020

Council Order: O-FY21-014

Introduced By:	Town Manager
Date Introduced	September 8, 2020
First Reading:	September 8, 2020
Second Reading:	October 6, 2020
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY21-014

ACCEPTANCE OF CARES ACT REIMBURSEMENT

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 REIMBURSEMENT OF CARES FUNDING OF $30,703.07 as per CARES Act of for Coronavirus Disease 2019 (COVID-19) Relief Fund

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 reimbursement of $30,703.07 from Plymouth County for reimbursements in accordance with stated purpose thereof.

Explanation:
In accordance with CARES Funding Act any funds received by the Town as a reimbursement, must be accepted by the Town Council.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Budget & Finance Committee • Finance Committee	• 9/21/20: Vote 3-0 recommend approval. • 9/28/20: Vote 5-0 recommend approval

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

Bridgewater Town Council

In Town Council, Tuesday, October 6, 2020

Council Order: O-FY21-015

Introduced By:	Town Manager
Date Introduced	September 8, 2020
First Reading:	September 8, 2020
Second Reading:	October 6, 2020
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY21-015

TRANSFER ORDER - REALLOCATION ROADWAY DRAINAGE/ENGINEERING

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

Source of Funds	**Account No.**	**GL Account Description**	**Amount**
General Fund Capital	10420219-580000	FLAGG ST DRAINAGE	$ 300,000.00
Total:			$ 300,000.00
Use of Funds	**Account No.**	**GL Account Description**	**Amount**
General Fund Capital	10420221-580000	CROSS ST DRAINAGE	$ 300,000.00
Total			$ 300,000.00

Explanation:

This Order will reallocate $300,000 of the appropriation for Flagg Street to Engineering for Cross Street. The money will cover all the engineering for the rebuilding of Cross, including drainage, easements, sidewalk, etc, pending any unexpected occurrences. This will leave $200,000 in the Flagg Street appropriation which will cover the engineering for the Flagg Street improvements. This includes only design and engineering. It does not cover construction but will provide us with plans ready for construction.

Committee Referrals and Dispositions:

Referral(s)	**Disposition(s)**
• Budget & Finance Committee • Finance Committee	• 9/21/20: Vote 3-0 recommend approval. • 9/28/20: Vote 5-0 recommend approval

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

Bridgewater Town Council

In Town Council Tuesday, October 6, 2020

Council Petition: P-2020-018

Date Introduced: October 6, 2020

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to: Petition P-2020-015

2020 State Election Warrant

ORDERED: That the Town Council of the Town of Bridgewater, Massachusetts, assembled accepts, as a matter of record, the attached 2020 State Election Warrant as provided by the Town Clerk.

Explanation: It is required that the Town Council accepts and approves the attached Warrant as a matter of record.

ROLL CALL VOTE

COMMONWEALTH OF MASSACHUSETTS

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR 2020 STATE ELECTION

Plymouth County SS.
To the Constables of the Town of Bridgewater,

GREETINGS:
In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Elections to vote at:

PRECINCTS 1, 2, 3, 4, 5, 6 & 7

BRIDGEWATER MITCHELL AT THE MIDDLE SCHOOL, 166 MOUNT PROSPECT STREET
(polling location)

on **TUESDAY, THE THIRD DAY OF NOVEMBER, 2020**, from 7:00 A.M. TO 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices:

ELECTORS OF PRESIDENT AND VICE PRESIDENT .....FOR THESE UNITED STATES
SENATOR IN CONGRESS..... FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS..... EIGHTH DISTRICT
COUNCILLOR..... FIRST DISTRICT
SENATOR IN GENERAL COURT.....FIRST PLYMOUTH & BRISTOL DISTRICT
REPRESENTATIVE IN GENERAL COURT..... EIGHTH PLYMOUTH DISTRICT
REGISTER OF PROBATE..... PLYMOUTH COUNTY
COUNTY COMMISSIONER..... PLYMOUTH COUNTY
COUNTY TREASURER ..... PLYMOUTH COUNTY
SCHOOL COMMITTEE ..... BRISTOL PLYMOUTH REGIONAL DISTRICT

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 5, 2020?

SUMMARY

This proposed law would require that motor vehicle owners and independent repair facilities be provided with expanded access to mechanical data related to vehicle maintenance and repair.

Starting with model year 2022, the proposed law would require manufacturers of motor vehicles sold in Massachusetts to equip any such vehicles that use telematics systems –- systems that collect and wirelessly transmit mechanical data to a remote server –- with a standardized open access data platform. Owners of motor vehicles with telematics systems would get access to mechanical data through a mobile device application. With vehicle owner authorization, independent repair facilities (those not affiliated with a manufacturer) and independent dealerships would be able to retrieve mechanical data from, and send commands to, the vehicle for repair, maintenance, and diagnostic testing. Under the proposed law, manufacturers would not be allowed to require authorization before owners or repair facilities could access mechanical data stored in a motor vehicle's on-board diagnostic system, except through an authorization process standardized across all makes and models and administered by an entity unaffiliated with the manufacturer.

The proposed law would require the Attorney General to prepare a notice for prospective motor vehicle owners and lessees explaining telematics systems and the proposed law's requirements concerning access to the vehicle's

mechanical data. Under the proposed law, dealers would have to provide prospective owners with, and prospective owners would have to acknowledge receipt of, the notice before buying or leasing a vehicle. Failure to comply with these notice requirements would subject motor vehicle dealers to sanctions by the applicable licensing authority.

Motor vehicle owners and independent repair facilities could enforce this law through state consumer protection laws and recover civil penalties of the greater of treble damages or $10,000 per violation.

A YES VOTE would provide motor vehicle owners and independent repair facilities with expanded access to wirelessly transmitted mechanical data related to their vehicles' maintenance and repair.

A NO VOTE would make no change in the law governing access to vehicles' wirelessly transmitted mechanical data.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 5, 2020?

SUMMARY

This proposed law would implement a voting system known as "ranked-choice voting," in which voters rank one or more candidates by order of preference. Ranked-choice voting would be used in primary and general elections for all Massachusetts statewide offices, state legislative offices, federal congressional offices, and certain other offices beginning in 2022. Ranked-choice voting would not be used in elections for president, county commissioner, or regional district school committee member.

Under the proposed law, votes would be counted in a series of rounds. In the first round, if one candidate received more than 50 percent of the first-place votes, that candidate would be declared the winner and no other rounds would be necessary. If no candidate received more than 50 percent of the first-place votes, then the candidate or candidates who received the fewest first-place votes would be eliminated and, in the next round, each vote for an eliminated candidate would instead be counted toward the next highest-ranked candidate on that voter's ballot. Depending on the number of candidates, additional rounds of counting could occur, with the last-place candidate or candidates in each round being eliminated and the votes for an eliminated candidate going to the voter's next choice out of the remaining candidates. A tie for last place in any round would be broken by comparing the tied candidates' support in earlier rounds. Ultimately, the candidate who was, out of the remaining candidates, the preference of a majority of voters would be declared the winner.

Ranked-choice voting would be used only in races where a single candidate is to be declared the winner and not in races where more than one person is to be elected.

Under the proposed law, if no candidate received more than 50 percent of first-place votes in the first round, the rounds of ballot-counting necessary for ranked-choice voting would be conducted at a central tabulation facility. At the facility, voters' rankings would be entered into a computer, which would then be used to calculate the results of each round of the counting process. The proposed law provides that candidates in a statewide or district election would have at least three days to request a recount.

The Secretary of State would be required to issue regulations to implement the proposed law and conduct a voter education campaign about the ranked-choice voting process. The proposed law would take effect on January 1, 2022.

A YES VOTE would create a system of ranked-choice voting in which voters would have the option to rank candidates in order of preference and votes would be counted in rounds, eliminating candidates with the lowest votes until one candidate has received a majority.

A NO VOTE would make no change in the laws governing voting and how votes are counted.

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 _____, 2020.

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

Town Council of: BRIDGEWATER

Posting: Academy Building, Senior Center & Bridgewater Public Library

Online viewing: www.bridgewaterma.org

(method of service of warrant)

_____ _____, 2020.
Constable Signature (Month and Day)

Warrant must be posted by October 27, 2020, (no fewer than seven days prior to the November 3, 2020 State Election).

ROLL CALL VOTE

Bridgewater Town Council

In Town Council, Tuesday, October 6, 2020

Council Order: O-FY21-018

Introduced By:	Town Manager
Date Introduced	October 6, 2020
First Reading:	October 6, 2020
Second Reading:	
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY21-018

OLD HIGH SCHOOL PURCHASE AND SALE AGREEMENT RATIFICATION - BRIDGEWATER, RAYNHAM REGIONAL SCHOOL DISTRICT

ORDERED, in accordance with section 4-2 of the Bridgewater Home Rule Charter, that the Town Council assembled vote to ratify the negotiated agreement governing the terms and conditions of the purchase of property and improvements known as the Old High School (166 Mt. Prospect Street).

Explanation: *The Town Manager has negotiated an agreement with the Town of Raynham and the Regional School District. An affirmative vote of the Council will approve the agreement as presented. A subsequent transfer request will fund the appropriation thereof.*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

NOT FOR ACTION – FIRST READING ONLY