



BRIDGEWATER TOWN COUNCIL

Tuesday, February 7, 2012

7:30 PM

Memorial Building, 25 South Street

AGENDA

a) APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- | | |
|-----------------------------------|---------------------|
| a) November 29, 2011 (as amended) | d) January 17, 2012 |
| b) December 20, 2011 (as amended) | e) January 30, 2012 |
| c) January 3, 2012 (as amended) | |

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

- Commendation – Mr. Michael Casey

D. CITIZEN OPEN FORUM

E. APPOINTMENTS - None

F. HEARINGS - None

G. LICENSE TRANSACTIONS - None

H. PRESENTATIONS

- a) Submittal of Five Year Capital Plan

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

- a) Health Insurance Plan Design (Councilor Berolini)

- ❖ ORDER #O-2012-001 - MUNICIPAL HEALTH INSURANCE

{LEGISLATION IS NOT FOR COUNCIL ACTION AT THIS TIME}

**** The Finance Committee will consider this matter at their meeting scheduled to be held on 1/11/2012.**

**** The Health Insurance working group - Mr. Mike Levy, Town Manager Clarkson, Councilor Berolini and Councilor Fitzgibbons – may provide an update of their discussions and/or recommendation on this matter.**

K. SUBCOMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Order #O-2012-006: Warrant for Presidential Primary (2nd Reading)
The Commonwealth requires notification to the inhabitants of the Town of Bridgewater who are qualified to vote in Primaries. Pursuant to Section 8-4. – Measures Not Subject to Initiative and Referendum – this matter does not require a 30-day waiting period to become effective.

- b) Order #2011-074: Authorization to Negotiate Tax Agreements
*** The Finance Committee voted unanimously to approve this measure: 7-0 (meeting held 12/28/11). This measure was subject to a Charter objection on 1/17/2012.*
- c) Ordinance #2011-008: Dealers in Junk, Antiques, Second Hand Articles
*** The Public Safety Committee did not take action on this matter since its referral on 9/6/2011. This measure was relieved from the Public Safety Committee on 1/3/2012 by vote of the Town Council: (9-0). This measure was duly advertised on 1/27/2012.*
- d) Ordinance #D-2012-003: Building Permit Bonds (as amended)
*** The Finance Committee approved this item: 7-0 (meeting held 1/11/2012). The Rules & Procedures Committee voted to approve this item with amendments at their 1/17/2012 meeting: 2-0. Subsequently, this measure with amendments was accepted and approved by the Town Council at their meeting held 1/17/2012. This measure was duly advertised on 1/26/2012.*
- e) Resolution #R-2012-001: Council First Quarter Goals
*** This matter was not referred to a committee for review. The 14-day requirement as specified in the Town Council Rules and Procedures – XVIII. Readings - has elapsed and the matter may be considered by the Town Council.*
- f) Order #O-2012-003: Acceptance of Gift – Van from the Town of Lakeville
*** The Finance Committee approved this item: 7-0 (meeting held 1/11/2012).*

M. OLD BUSINESS

- a) Ordinance #D-2012-001: Council Meeting Times
*** The Rules & Procedures Committee recommends to return the measure to the full Town Council for action The Committee did not provide a recommendation on this matter: 2-0 (meeting held 1/17/2012).*
- b) Ordinance #2011-013: Administration and Fiduciary Oversight of Budget: Approval Requirements
*** This matter was referred to the Rules & Procedures Committee for review on 10/18/2011. The Rules & Procedures Committee was deadlocked: 1-1 (meeting held 11/10/2011). This measure was relieved from the committee on 11/22/2011 by vote of the Town Council (7-2). The Finance Committee voted to “not recommend” this item: 6-0 (meeting held 12/28/2011). This measure was duly advertised on 1/5/2012 pursuant to Section 2-9 of the Home Rule Charter.*
- c) Order #O-2012-002: Establishment of Bridgewater Local Gaming Policy and Mitigation Advisory Task Force (Councilor Demos)
***The Rules & Procedures Committee voted to return the measure to the full Town Council with suggested amendments: 2-0 (meeting held 2/2/2012).*

N. NEW BUSINESS

- a) Transfer #T-2012-001: Transfer of Appropriations - Salt Shed, Highway Barn site at 80 Spring Street
- - Transfer and appropriate \$4,500.00 to account #001-420-04-1021-530000 (Professional Services) from the Insurance Proceeds in excess of \$20,000.00 account #206-420-00-2013-596100 (Transfer to General Fund)
- b) Supplemental Appropriation #T-2012-002: Sewer Prior Year Invoice - South Shore Fuel
- - Transfer and appropriate \$969.37 to account #601-440-05-1021-521002 (FY11 Unpaid Heating Fuel Bill) from the FY12 Sewer Enterprise budget account #601-440-01-0102-521002 (Heating Fuel)

- c) Transfer #T-2012-003: Transfer of Water & Sewer Retained Earnings to Equip New Office Space
-- Transfer and appropriate \$35,000.00 to account #601-440-05-1021-570000 (Office Relocation) from the Sewer Enterprise budget account #601-000-00-0000-359000 (Sewer Retained Earnings) and \$35,000.00 to account #602-450-09-1021-570000 (Office Relocation) from the Water Enterprise budget account #602-000-00-0000-359000 (Water Retained Earnings)
- d) Order #O-2012-004: Establishment of a Revolving Fund for Cable Services (pursuant to the provisions of M.G.L. c.44, §53E ½)
- e) Order# O-2012-008: Title V Loan Order - Water Abatement Pollution Treatment
- f) Order# O-2012-009: Loan Order – Fire Apparatus
- g) Order# O-2012-010: Calthrop Conservation Restriction
- h) Ordinance # D-2012-004: Administration and Fiduciary Oversight of the Budget - Appropriation of Operating Expenses from Ambulance Receipts and/or Ambulance Reserve Account
** As a measure of substantially the same subject (Order #2011-010) has previously been considered within six months of its previous writing and rejected by a vote of the Town Council on 12/20/2011, pursuant to "Section XIX. – Resubmission" of the Town Council Rules and Procedures this legislation requires a majority vote of full Council (5) in order that it be considered for its first reading at this evening's meeting.

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION - Massachusetts General Laws - Chapter 30A sec. 21, subsection 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).

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, January 3, 2012

Council Order: O-2012-001

2-7-2012 DISCUSSION ITEM ONLY: Legislation is not for Town Council action at this time.

Introduced By: Councilor Michael Berolini

Date Introduced/First Reading: January 3, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-001

MUNICIPAL HEALTH INSURANCE

ORDERED: Pursuant to MGL Chapter 69 of the Acts of 2011 "An Act Relative to Municipal Health Insurance", which authorizes municipalities to implement local health insurance changes, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to require that:

Effective July 1, 2012 the Town of Bridgewater will transfer all employees, retirees, and others that obtain health insurance through the Town of Bridgewater to the Group Insurance Commission (this change would provide quality health insurance coverage for its members and save the Town of Bridgewater approximately \$480,042* annually per a document prepared by the Mayflower Municipal Health Group dated 10-28-11);

or

Effective July 1, 2012 the Town of Bridgewater will transfer all employees, retirees, and others that obtain health insurance through the Town of Bridgewater to the new "Benchmark Plans" being offered by the Mayflower Municipal Health Group. (this change would provide quality health insurance coverage for its members and save the Town of Bridgewater approximately \$341,585* annually per a document prepared by the Mayflower Municipal Health Group dated 10-28-11); these new plans were developed by Mayflower to provide Group Insurance like co-pays and deductibles and other items and allow municipalities to benefit from the savings.

Explanation:

MGL Chapter 69 of the Acts of 2011 "An Act Relative to Municipal Health Insurance", authorizes municipalities to implement local health insurance changes including plan design changes without engaging in the traditional bargaining process or to transfer subscribers to the Group Insurance Commission without following the requirement of Section 19(e). The Town of Bridgewater would continue to provide quality health insurance coverage for its members and provide significant annual savings to Bridgewater under either provision.

**The estimates noted above from Mayflower assume the same employer/employee contribution rates which range between 13-10% member share for approximately 94% of members with approximately 6% of members paying 25%; the Town of Bridgewater pays the balance of 87-90% share for most members and the 75% share for about 6% of members. Any negotiated increases in member share would lead to additional savings for the Town of Bridgewater.*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Measure sent to Finance Committee 1/5/12	1/11/12: Vote 7-0 Approve



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Order: O-2012-006

Introduced By: President Scott Pitta (At the request of the Town Clerk)
Date Introduced/First Reading: January 17, 2012
Second Reading: February 7, 2012
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order O-2012-006

PRESIDENTIAL PRIMARY WARRANT

ORDERED: that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the attached Warrant for Presidential Primary

Explanation:

It is required that the Town Council accepts and approves the attached Warrant for Presidential Primary as a matter of record.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 1/17/12. • No referral needed. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH
WARRANT FOR PRESIDENTIAL PRIMARY

Plymouth County, SS.

To either of the Constables of the Town of Bridgewater

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at

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

at

BRIDGEWATER MIDDLE SCHOOL, 166 MT. PROSPECT ST.

on **TUESDAY, THE SIXTH DAY OF MARCH, 2012**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Presidential Primary for the candidates of political parties for the following offices:

PRESIDENTIAL PREFERENCE FOR THIS COMMONWEALTH
STATE COMMITTEE MAN EIGHTH PLYMOUTH SENATORIAL DISTRICT
STATE COMMITTEE WOMAN EIGHTH PLYMOUTH SENATORIAL DISTRICT
WARD OR TOWN COMMITTEE TOWN OF BRIDGEWATER

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 _____, 2012.
(month)

Town Council of Bridgewater

(Indicate method of service of warrant.)

_____, 2012.
Constable (month and day)

Warrant must be posted by **February 28, 2012**, (at least *seven days prior* to the **March 6, 2012**, Presidential Preference Primary).



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Order: 2011-074

Introduced By:	Town Manager
Date Introduced/First Reading:	December 20, 2011
Second Reading:	January 3, 2012
Third Consideration:	January 17, 2012
Fourth Consideration:	February 7, 2012
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #2011-074

AUTHORIZATION TO NEGOTIATE TAX AGREEMENTS

ORDERED: Pursuant to MGL Ch. 59 §38H and MA Department of Revenue Informational Guideline Release 98-403, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to Authorize the Town Manager to negotiate tax agreements relative to electric generation facilities on behalf of the Town.

Any agreements must be approved by the Town Council.

Explanation:

This measure will grant the Town Manager the ability to negotiate payment in lieu of taxes (PILOT) agreements with solar project developers to provide a sustained and predictable source of revenue relative to solar powered electric generating facilities. The town has taken a thorough approach to this, working cooperatively with the Assessing Department and Board of Assessors to establish protocols for determining the value of such facilities.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure was not referred to any Council Committees • Finance Committee review required. • On 1/3/12 Town Council voted to postpone the matter to 1/17/12 • On 1/17/12 the matter was subject to a Charter Objection.	• N/A • 12/28/11: Vote approve unanimously (7-0)



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Ordinance: #2011-008

Introduced By:	Councilor Pitta
Date Introduced/Public Hearing:	September 6, 2011
Second Reading:	January 17, 2012
Third Reading:	February 7, 2012
Amendments Adopted:	January 17, 2012
Date Adopted:	
Date Effective:	

Proposed Ordinance #2011-008 (as amended)

Pawn Shops

ORDERED that, Dealers in Junk, Antiques, Second-Hand Articles, Gold, Silver, Other Valuable Secondhand Items and Pawnbrokers No person who makes a business of purchasing or purchasing and selling, or who keeps a place of business in the Town of Bridgewater for purchasing or purchasing and selling, either gold, silver, other precious metals, including catalytic converters, other precious or semi precious gemstones, art objects, painting, jewelry, rugs, antiques, furniture, furs, computers and computer equipment, video equipment, audio equipment, cameras, other electronic devices such as video game systems, games, software, shall engage in such business or open such place of businesses unless duly licensed by the Town of Bridgewater.

Definitions:

A Second hand Dealer is a person or business who, makes an outright purchase of personal property that has been used.

A Consignment Dealer is a person or business who, without taking ownership of goods or merchandise displays the merchandise for sale for a specified period of time and, upon sale, delivers the proceeds or a portion thereof, as agreed, to the owner. For purposes of this Ordinance, Consignment Dealers shall be licensed as Second Hand Dealers and shall comply with all record keeping and retention requirements of Second Hand Dealers.

A Pawnbroker is a person or business, who offers loans to individuals who use their personal property as collateral. These items are called pledges or pawns. For purposes of this Ordinance, Pawnbrokers shall be licensed as Second Hand Dealers and shall comply with all record keeping requirements of Second Hand Dealers. Application for license: Each application for a license under this section shall set forth the name and address of the business being licensed as well as the principal(s) of the business, their dates of birth and current addresses. The Chief of Police or his designee shall conduct a character investigation upon the applicant. The Town Manger may refuse to issue a license to a principal(s) who is deemed "unsuitable" to operate such business or whose registration has been revoked for violation of this Ordinance previously, or who has been convicted of a felony and may deny a license if the applicant has been convicted of anyone or more of the following listed offenses:

- a. breaking and entering; entering; or breaking;
- b. defrauding an insurer;
- c. larceny;
- d shoplifting;
- e. uttering fraudulent checks;
- f. unlawful or fraudulent use of credit cards;
- g. unlawful taking of money or other goods;
- h. buying, receiving or concealing stolen goods;
- i. making or publishing false statements;
- j. firearms or weapons violations; and,

The license shall be in force until the 1st day of January unless sooner revoked.

Record of Purchases

Every dealer, clerk, agent or other person in charge of such premises shall record, in legible written English language, at the time of the purchase, the detailed description of each item purchased, the price paid for the item, the name, date of birth, current residence, giving a street and number of the person from whom the purchase was made. Such name, date of birth, and residence being obtained by the production of a photo identification issued by the Commonwealth of Massachusetts, passport, or out of state driver's license containing a photo of the seller. At the time of purchase the day, date and hour of the purchase shall also be recorded. Further, a statement shall be taken from the seller of the item, as to the manner in which such item was obtained by the seller, which statement shall be entered on such record.

An electronic photograph clearing showing the Item shall be taken of each item along with the identification presented. Each dealer or keeper of the shop shall also take a photograph of the person presenting such item and ID which will also be maintained for the permanent record, and available for inspection by the Chief or his designee, No entry on such record shall be changed, erased, obliterated or defaced. Such record shall be maintained on a form approved by the Chief of Police and shall be in duplicate form. The original and a copy of the electronic photograph shall be delivered, either electronically or by hand, to the Chief of Police or his designate by the opening of business on the nearest Monday and Thursday following said purchase. The duplicate copy shall be kept in some suitable place by the owner or dealer and shall be available for inspection by any person authorized by the Chief of Police.

Every dealer, at his expense, will be required to record all such information on a form prescribed or participate in an electronic data base for recording and transmitting such data immediately, including color pictures, to the Chief of Police or his designee. All items purchased must be photographed individually or separated in a singular photograph so they can be easily identified.

Articles Purchased to be Kept for 21 Days Before Resale or Removal From Town

Nor such item purchased or received by any dealer or keeper of a shop shall be removed from the Town or sold or otherwise disposed of, nor its identity changed for at least twenty-one (21) days from its date of purchase or acquisition unless permission in writing has been obtained from the Chief of Police or his designee. Per MGL c140 §71, any item taken in by a Pawnbroker or Pawn Shop, must be retained by them for a period of no less than 4 months from time of deposit.

Purchase From Persons Under Eighteen Years of Age Prohibited

No person or keeper of a shop shall directly or indirectly receive or buy any such items from any person under the age of eighteen (18) years.

ROLL CALL VOTE – PASSAGE REQUIRES AFFIRMATIVE VOTE OF FULL COUNCIL (5)

Display of License

Each such dealer or keeper of a shop shall have conspicuously displayed his license at the place where he does business.

Reason to Believe Items are Stolen

Every dealer, clerk, agent or other person in charge of such premises shall immediately report to the Bridgewater Police Department any persons and items they have reason to believe may have stolen or be in possession or stolen items.

Repeat Sales

Every dealer, clerk, or agent shall be required to report to the Chief of Police or his designee any person who offers for sale any such items defined above on three (3) or more occasions in any 30 day period, or four (4) or more occasions in a 60 day period.

Revocation of License

A violation of any provision of the license or subsequent rule or regulation that may be passed shall be sufficient cause and reason to revoke said license. The Town Manager, may at any time, with or without cause, revoke said license.

Penalty for Violation of Article

Any person, firm, or corporation violating any provisions of this Article shall also be fined of twenty dollars (\$20.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues

Per c140 §55 \$20 is max fine.

Examination and Inspection of Records, Articles and Merchandise

The Chief of Police or his designee shall at all times have the authority to inspect or examine alt books, records, photographic images, articles and merchandise therein.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure was referred to the Public Safety Committee on 9/6/11 • This measure was relieved from the Public Safety Committee by a unanimous vote of the Council on 1/3/12 • Amendments voted at 1/17/12 Council Meeting • This measure has been duly advertised.	• No action taken



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Ordinance: D-2012-003

Introduced By:	Town Manager (at the request of the Treasurer/Collector & Highway Superintendent)
Date Introduced/First Reading:	January 3, 2012
Second Reading:	January 17, 2012
Amendments Adopted:	January 17, 2012
Date Adopted:	
Date Effective:	

Proposed Ordinance #D-2012-003 (as amended)

BUILDING PERMIT BONDS

ORDERED: that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled, vote to rescind Building Inspector Article XIX Section 4 of the Bridgewater General Bylaws, as amended at the Annual Town Meeting on June 24, 1991 and replace with the following language:

Prior to the issuance of a building permit, the Town shall require the applicant for the building permit to post a bond with the town prior to the issuance of said permit.

The bond amount will be determined by the DPW Director and/or the Highway Superintendent or his designee and will be submitted to the Council each year for review and approval.

The bond will be for the sole purpose of restoring any damage to the Right of Way layout coincidental to as a result of construction activity on said lot.

Upon final construction, grading, and or landscaping of the lot, and inspected by the DPW Director and/or the Highway Superintendent or his designee the bond shall be returned to the applicant unless it is determined that the bond will be acted upon by the Town to repair any damages to the Right of Way damaged and not repaired by the applicant.

Explanation:

Presently, building permit applicants must post a bond to obtain a building permit. The bonds are for the sole purpose of making repairs to the right of way if it is damaged during the course of construction and not properly restored. The bonds are almost exclusively cash bonds and are deposited by the Town in an existing bank account. When the construction project is completed the cash bond is returned to the applicant with interest.

The proposed change would require an insurance bond for the application. This would be a paper bond and submitted with the building permit application. The amount of the bond would be determined in the same manner in which it is now; by the type and condition of the existing roadway. The present requirement for bond amounts are outdated and need to be revisited and adjusted to meet present conditions and repair costs. Bond amounts will be reviewed yearly and submitted to the Town Manager and forwarded for approval in a schedule of fees to the Town Council.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Rules & Procedures Committee 1/3/12 • Referred to Finance Committee 1/3/12 • Amendments voted 1/17/12 • This measure has been duly advertised.	• Dispositions/Feedback to be provided 1/17/12 • 1/11/12: Approved (7-0)



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Resolution: R-2012-001

Introduced By: Councilor Pitta
Date Introduced/First Reading: January 3, 2012
Second Reading: February 7, 2012
Amendments Adopted: None
Date Adopted:

Resolution #R-2012-001

Town Council First Quarter Goals - 2012

Whereas, the Charter specifically requires certain actions from the Town Council that have not yet been completed.

Therefore, the Town Council of The Town of Bridgewater hereby resolves that the following legislative items shall be the primary focus of the Council.

- Establish a Licensing Board IAW Charter section 2-10
- Complete State of Financial Interest Ordinance IAW Charter Section 9-1
- Create a Campaign Finance Ordinance IAW Charter section 9-3
- Conduct a review of all Town Bylaws IAW Charter section 10-9
- Creation of an Administrative Code IAW Charter section 10-9
- Consider Health Insurance Plan Design Legislation IAW MGL.

The Council also resolves that these items shall be completed by April 1st, 2012.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure not referred to any Committee • Does not require advertisement • Per Council Rules & Procedures Section XVIII – 14 days has elapsed. • This measure was included on the 1/17/12 agenda, but not taken up.	•

ROLL CALL VOTE: PASSAGE REQUIRES SIMPLE MAJORITY



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Order: O-2012-003

Introduced By: Town Manager
Date Introduced/First Reading: January 3, 2012
Second Reading: February 7, 2012
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order O-2012-003

ACCEPTANCE OF GIFT

WHEREAS: Massachusetts General Laws, Chapter 44, §53A 1/2, states as follows:

“A city council, with the mayor’s approval if the charter so provides, or a board of selectmen or town council may, in its sole discretion and authority, accept gifts of tangible personal property on behalf of the city or town from the federal government, a charitable foundation, private corporation, individual, or from the commonwealth or any political subdivision thereof, and may, in its sole discretion and authority, use said gifts, without specific appropriation thereof, for the purpose of such a gift or, if no restrictions are attached to the gift, for such other purposes as it deems advisable;” and

WHEREAS: The Town of Bridgewater has received the gift of a 1997 GMC Savana van from the Town of Lakeville.

Now, therefore, in accordance with Chapter 44, §53A ½ 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 a 1997 GMC Savana van, VIN # 1GKGG25R2V1022777

Explanation:

Working with the Bridgewater Animal Control Officer and the Town Manager, the Town of Lakeville has agreed to donate this vehicle for use of animal control purposes.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure referred to Finance Committee • This measure was included on the 1/17/12 agenda, but not taken up.	• 1/11/12 Finance Committee voted Approve (7-0)



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Ordinance: D-2012-001

Introduced By: Councilor Fitzgibbons

Date Introduced: January 3, 2012

Second Reading: February 7, 2012

Third Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Ordinance #D-2012-001

TOWN COUNCIL MEETING TIMES

ORDERED that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled, vote to establish the following meeting conclusion procedures and times pursuant to the Bridgewater Home Rule Charter section 2-6 (c).

Whereas the business of good government is severely diminished at very late hours of the night, and

Whereas the Town Council of the Town of Bridgewater is desirous of promoting good government and allowing citizens who may wish to watch or attend Council meetings to do so to the fullest extent possible,

Now therefore, be it Ordained, by the Bridgewater Town Council in Town Council assembled, that no meeting of the Bridgewater Town Council may extend past midnight.

It is further Ordained that at any open meeting of the Bridgewater Town Council, the Council President shall at 11:45PM immediately cease debate and recognize a period of public comment after which no motion other than a motion to adjourn or recess to a time certain shall be in order.

It is further ordained that if the Bridgewater Town Council is meeting in executive session, that the Council President at 11:55PM advise the Council that the meeting will end in five minutes and to conclude its business or recess to a time certain.

Explanation:

This is meant to help foster transparency and good government.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Rules & Procedures Committee 1/3/12 • This measure was included on the agenda of 1/17/12, but not taken up.	• 1/17/12: Recommend, 2-0, to return to full council without a committee recommendation.



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Order: 2011-013

Introduced By:	Councilor Michael Berolini
Date Introduced/First Reading:	October 18, 2011
Second Reading:	December 6, 2011
Third Reading:	February 7, 2012
Amendments Adopted:	None
Date Adopted:	
Date Effective:	

Proposed Order #2011-013

ADMINISTRATION AND FIDUCIARY OVERSIGHT OF BUDGET **APPROVAL REQUIREMENTS**

Due to the ongoing need to ensure that Bridgewater continues to hold spending to the budgeted appropriations approved and set by the Council and because the hiring of staff has long term budget implications beyond the current fiscal year, and because the Town Council needs to be able to provide policy oversight on the long term spending requirement of the budget.

ORDERED: Pursuant to Section 6-5 of the Bridgewater Home Rule Charter, which allows the Town Council to provide ordinances on procedures for the administration and fiduciary oversight of the budget, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to require the Town Manager to:

- Get approval from the Town Council by majority vote prior to taking any steps to backfill or hire any new personnel in any town department;
- Get approval from the Town Council by majority vote prior to taking any steps to reallocate, reclassify, upgrade or downgrade any position in any town department;
- Prior to bring forward any request to do any of the above, the town manager will provide documentation to the Town Council at least one week in advance of the Council meeting to support any request by the Town Manager to hire, backfill, reallocate, reclassify, upgrade, or downgrade any position. This information will include the impact on salary amounts, fringe benefits, sick leave buyout and any other expenditure relating to this action.

Explanation:

Due to the ongoing need to ensure that Bridgewater continues to hold spending to the budgeted appropriations approved and set by the Council and because the hiring of staff has long term budget implications beyond the current fiscal year, and because the Town Council needs to be able to provide policy oversight on the long term spending requirement of the budget.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Rules & Procedures Committee (10/18/11) • Measure referred to Finance Committee • This measure has been duly advertised • This measure was included on the 1/17/12 agenda, but not taken up.	• 11/22/11: Reported deadlocked. Measure relieved from further consideration by Rules & Procedures. Bring back before Council 12/6/11. • 12/28/11: Finance Committee voted Not Recommended (6-0)



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Order: O-2012-002

Introduced By: Councilor Michael Demos

Date Introduced/First Reading: January 17, 2012

Second Reading: February 7, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-002

ESTABLISHMENT OF BRIDGEWATER LOCAL GAMING POLICY [AND MITIGATION]¹ ADVISORY TASK FORCE

ORDERED: That the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to require that a Bridgewater Local Gaming Policy [and Mitigation] Advisory Task Force be established.

Order No O-2012-002, relative to the establishment of a task force to provide information to the residents of the Town of Bridgewater and to make policy recommendations to the Town Council, concerning the potential impacts and opportunities to the town as a potential host for, or as an otherwise affected community proximally located to a Region C, Category 1 or 2 gaming establishment, pursuant to the newly enacted Massachusetts Law establishing expanded gaming in the Commonwealth (enacted November 14, 2011).

Whereas, on November 14, 2011, the Governor of the Commonwealth of Massachusetts signed into law, Bill H.3807, An Act establishing expanded gaming in the Commonwealth (the "Gaming Law");

Whereas, the Gaming Law provides for the development and operation of a Category 1, destination resort casino in the so-called Region C of the Commonwealth;

Whereas, the presumptive licensee for the Region C destination resort casino license has identified the Town of Bridgewater or one of its adjoining communities as a desirable location to develop and operate a gaming establishment;

Whereas the residents of the Town and the Town Council may be asked to vote as to whether the town would be amenable to hosting a Category 1 or Category 2 gaming establishment;

Whereas, in order for the people of the town and its local government to make prudent, informed decisions relating to these matters;

NOW, THEREFORE, pursuant to Sections 2-2 and 5, on the Bridgewater Town Charter, M.G.L. c. 43B, s. 20, the Gaming Law, and notwithstanding any laws to the contrary, the Town Council, as governing body of the town of Bridgewater, does ordain as follows:

There shall be a task force (the "Task Force"), established by this Order, which will be charged with studying and identifying the anticipated impacts and opportunities to the Town of Bridgewater and its surrounding communities should it or one of its surrounding communities agree to become the host community for a Category 1 or Category 2 gaming establishment. [The Town Council shall appoint all members to the Task Force.]ⁱⁱ

[The Task Force shall have 7 members and 2 alternates.]ⁱⁱⁱ

The Town Council shall seek to appoint to the Task Force first from the citizenry of the Town of Bridgewater [who possess skills in the following areas: planning, knowledge of the community, research oriented, and written/verbal communication skills.]^{iv} ~~[and second from the region,]~~^v ~~[at least two members of the general public, along with individuals possessing~~ Preferably seeking individuals with]^{vi} knowledge and or expertise in the areas of law, contracting and negotiations, finance, engineering, mitigation, gaming, business, commerce, public health, public safety, law enforcement, education, zoning, site assignments, Native American affairs, media and public relations, education, [housing, environmental sciences]^{vii} and others, at the discretion of the Town Council. ~~[The Town Council shall determine the number of members of the Task Force and the Town Council may add to or subtract from the Task Force as it deems necessary.]~~^{viii}

[No person, or family member of a person, who is a town employee, town officer (elected or appointed), regional school committee member, or regional school employee shall be appointed to the task force. The task force may request that certain town and school employees participate, on an ad hoc basis, in providing information or opinions concerning their department (i.e., the task force will likely request the police chief to provide information, data, and his opinion relating to matters of public safety). However in such circumstances, town and school employees shall not be a member of the task force, but rather as a consultant or expert for the limited purpose and time period related to their expertise. Town and school employees, just as members of the general public, are entitled to attend any task force meeting for the purposes of observation.

*For the purposes of this legislative order, the term "ad hoc" shall mean for a particular purpose as necessary.

*For the purposes of this legislative order, the term "family member" shall mean:

(A) a spouse, child, grandchild, parent, grandparent, sibling, uncle, aunt, nephew, or niece, of a town and school employee, whether related by blood, marriage, or adoption;

(B) A person who lives, or has previously lived, in a spousal relationship with a town and school employee;

(C) A person who lives in the same household as a town and school employee.

] ^{ix}

The Town Council, or the Town Manager at the direction of the Town Council, shall provide the Task Force with a meeting place and other resources that it determines to be necessary and reasonable for the Task Force to conduct its work.

The Task Force meetings shall be open to the public and all meetings shall be recorded and televised by local access television. [Each meeting shall include a period of public comment.]^x

[The members of the Task Force shall be volunteers and shall not be considered to be employees or officials of the town.]^{xi}

The Task Force may invite as guest speakers, at its discretion, experts or any other persons, including public officials from surrounding communities that the Task Force believes may be helpful or necessary to facilitate its work.

The Task Force shall appoint from its members, a Chairperson, a Vice Chairperson, and a Recording Secretary.

The Task Force may meet with license applicants, potential license applicants, or other similarly interested individuals or their agents or representatives for the purposes of obtaining information or making inquiries relevant to the specific duties of the task force.

The task force, nor any town officials, town employees, or other persons acting individually or in representative capacity for the town may negotiate or enter into any agreements of any nature whatsoever related to a gaming establishment, a location for a gaming establishment, or any other matter contained in or related to the Gaming Law, on behalf of the town with any potential licensees, licensee applicants, or any other interested parties without express authorization from the Town Council, said authorization resulting from a specific vote by a majority of the Town Council. Any such agreements made or entered into without the express authorization by the Town Council shall be considered null and void.

The term governing body shall mean the Bridgewater Town Council for the purposes of this Order and for the purposes of M.G.L. c. 23K, s. 2.

The primary duties of the Task Force is to identify and quantify the impact and opportunities that will be attendant to the development or operation of Category 1 or Category 2, gaming establishment in Bridgewater or in a surrounding community, as defined in the Gaming Law. Impact and opportunities may include, but not be limited to, an examination of the proposed gaming establishment's: (i) economic benefits to the town and surrounding communities; (ii) local and regional social, environmental, traffic and infrastructure impacts; (iii) impact on the local and regional economy, including the impact on cultural institutions and on small businesses in the host community and surrounding communities; (iv) cost to the host community and surrounding communities and the for the proposed gaming establishment to be located at the proposed location; and (v) the estimated municipal revenue to be generated by the gaming establishment; including an examination or evaluation of a cost, benefit or other impact analysis.

The Task Force shall prepare a study or report of its findings and recommendations to the voters of the Town of Bridgewater and to the Town Council. Additionally, the Task Force shall prepare and provide policy recommendations to the Town Council.

[The Task Force shall provide an initial report consisting of objectives, timeframes, and plans within 45 days of passage of this order.]^{xii}

~~[The town council may by ordinance, reorganize, consolidate, create, merge, divide or abolish the Task Force, in whole or in part, as it deems necessary or advisable. The Town Council may appoint up to two members of the Town Council, or any other officer of the Town to the Task Force to serve only in an ex-officio or liaison role to the Task Force.]^{xiii}~~

[Appointments expire at the end of 12 months.]^{xiv}

Explanation:
There have been several recent inquiries related to development and operation of a Category 1 or Category 2 gaming establishment identifying the Town of Bridgewater Massachusetts as a potential host community or impacted neighboring community. In such an event, the inhabitants of Bridgewater would be required to vote and the Town Council would be required to take specific statutory actions imminently. This legislation proposes to establish an advisory task force that will provide information to the voters of Bridgewater and the Town Council. If enactment of this legislation is delayed, it will impact the ability of the Town to obtain and disseminate for itself and its inhabitants, information that is necessary and prudent to make such decisions.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Rules & Procedures 1/17/12 • Amendments submitted by Sponsor (attached)	•

-
- ⁱ Strike text - Moved by WDW, seconded by PR, unanimous.
 - ⁱⁱ Move to strike by WDW. No second.
 - ⁱⁱⁱ Insert text – Moved by WDW, seconded by PR, unanimous.
 - ^{iv} Insert text – Moved by PR, seconded by WDW, unanimous.
 - ^v Strike text – Moved by WDW, seconded by PR, unanimous.
 - ^{vi} Replace Text – Moved by WDW, seconded by PR, unanimous.
 - ^{vii} Insert text – Moved by PR, seconded by WDW, unanimous.
 - ^{viii} Strike text – Moved by WDW, seconded by PR, unanimous.
 - ^{ix} Insert text – Moved by PR, seconded by WDW with reservation, unanimous.
 - ^x Insert text – Moved by WDW, seconded by PR, unanimous.
 - ^{xi} Moved to strike by WDW. No second.
 - ^{xii} Insert text – Moved by WDW, seconded by PR, unanimous.
 - ^{xiii} Strike text – Moved by WDW, seconded by PR, unanimous.
 - ^{xiv} Insert text – Moved by WDW, seconded by PR, unanimous.



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Transfer: T-2012-001

Introduced By: Town Manager *at the Request of Town Accountant*

Date Introduced: February 7, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #T-2012-001

TRANSFER OF APPROPRIATIONS – INSURANCE PROCEEDS – SALT SHED

ORDERED that, pursuant to Section 6-4 (d) of the Town of Bridgewater Charter, and M.G.L. Ch. 44 Section 53, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate \$4,500 to account 001-420-04-1021-530000 from the Insurance Proceeds in excess of \$20k account 206-420-00-2013-596100 or take any other action relative thereto.

Explanation:

The fire that occurred at the former Highway barn site at 80 Spring Street and destroyed the salt shed resulted in the Town receiving insurance proceeds in excess of \$20,000. The proceeds get deposited with the Town Treasurer and accounted for in a receipt reserved account on the general ledger. When the funds exceed \$20,000, they cannot be spent without appropriation.

The Highway Superintendent has solicited and received quotes for the cleanup of the site to be done. The amount includes equipment and manpower needed to remove and dispose of the debris from the fire and the subsequent demolition of the salt shed.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
This measure was included on the 1/17/12 agenda, but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Transfer: T-2012-002

Introduced By: Town Manager *at the Request of Town Accountant*

Date Introduced: February 7, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #T-2012-002

SUPPLEMENTAL APPROPRIATION – SEWER PRIOR YEAR INVOICE

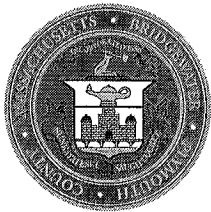
ORDERED that, pursuant to Section 6-4 (d) of the Town of Bridgewater Charter and M.G.L. Chapter 44 Section 64, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate \$969.37 to account 601-440-05-1021-521002 from the FY12 Sewer Enterprise budget account 601-440-01-0102-521002 or take any other action relative thereto.

Explanation:

The Sewer Department has presented for payment amounts owed to South Shore Fuel for deliveries received in fiscal year 2011. These obligations were not reported to the Accounting office during the yearend encumbrance process and therefore are considered bills of a prior year.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
This measure was included on the 1/17/12 agenda, but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Transfer: T-2012-002

Introduced By: Town Manager *at the Request of Town Accountant*

Date Introduced: February 7, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #T-2012-002

SUPPLEMENTAL APPROPRIATION – SEWER PRIOR YEAR INVOICE

ORDERED that, pursuant to Section 6-4 (d) of the Town of Bridgewater Charter and M.G.L. Chapter 44 Section 64, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate \$969.37 to account 601-440-05-1021-521002 from the FY12 Sewer Enterprise budget account 601-440-01-0102-521002 or take any other action relative thereto.

Explanation:

The Sewer Department has presented for payment amounts owed to South Shore Fuel for deliveries received in fiscal year 2011. These obligations were not reported to the Accounting office during the yearend encumbrance process and therefore are considered bills of a prior year.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
This measure was included on the 1/17/12 agenda, but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, January 3, 2012

Council Order: # T-2012-003

Introduced By: Town Manager
Date Introduced/First Reading: February 7, 2012
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order #T-2012-003

Transfer of Water & Sewer Retained Earnings to Equip New Office Space

Whereas: The administrative offices of the Water & Sewer Departments are being moved to the Highway Building on High Street, creating administrative synergy with the Water, Sewer, and Highway Departments; and

Whereas: The retained earnings balances of the Water & Sewer enterprise funds are at \$1,033,815 and \$871,065, respectively; and

Whereas: Equipping the office space at the Highway office on High Street includes installing telephone, data infrastructure, furnishings and computer hardware; and

Whereas: The Water/Sewer Superintendent and the IT Director have been working on a plan for this relocation.

Now, Therefore, it is hereby:

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer the sum of \$35,000 from Sewer Retained Earnings Account (#601-000-00-0000-359000) to Office Relocation Account (#601-440-05-1021-570000) and \$35,000 from Water Retained Earnings, Account (#602-000-00-0000-359000) to Office Relocation Account (#602-450-09-1021-570000), for the purposes of furnishings and equipment at the High Street Highway Building.

Explanation: As part of the Academy Building renovations and consolidation, the Water/Sewer administrative offices are moving to be co-located with the Highway office on High Street. This transfer will fund the IT and furnishings to support this move.



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Order: O-2012-004

Introduced By: Town Manager (at the request of the Town Accountant)

Date Introduced/First Reading: February 7, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-004

ESTABLISHMENT OF A REVOLVING FUND CABLE SERVICES

ORDERED: That the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to establish revolving fund for Cable Services under the provisions of G.L. c.44, §53E ½ for the fiscal year beginning July 1, 2011, with specific receipts credited to the fund, the purposes for which the fund may be spent, and the maximum amount that may be spent from the fund for FY2012 as follows:

Spending Authority	Fund	Receipts	Expenditures	FY12 Spending Limit
IT Director	Cable Services	PEG Access and license/franchise fees	Cable related technology	\$360,000

The PEG (Public, Educational and Governmental) Access fee is to be used for, among other things, salary, operating, equipment and other related expenses connected to PEG Access programming and operations. The Town receives this amount from Comcast and disburses the same amount to BTW. This amount for FY11 was \$340,567. The license fee is considered revenue of the Town and determined by the number of subscribers.

Explanation:

The Town of Bridgewater is currently in the third year of a ten year (5/12/08-5/11/18) cable television license renewal agreement with Comcast of Massachusetts/New Hampshire, LLC. The terms of this agreement require the licensee to provide an annual payment to the Town for PEG Access purposes and a license fee.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
This measure was included on the 1/17/12 agenda, but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Order: O-2012-008

Introduced By: Town Manager (at the request of the Board of Health)

Date Introduced/First Reading: February 7, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-008

WATER POLLUTION ABATEMENT FACILITY TREATMENT (LOAN ORDER)

Ordered: that Order #2011-036 appropriating \$300,000 to pay for the costs of repairing, replacing and/or upgrading residential septic systems and authorizing a borrowing to meet the appropriation is hereby rescinded.

Further Ordered: that \$400,000 is appropriated for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements between the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Town Manager is authorized to borrow \$400,000 and issue bonds or notes therefore under G.L. c.111, §127B½ and/or Chapter 29C of the General Laws; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Town Manager is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; that the Town Manager or the Treasurer is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager or any other appropriate Town officials are authorized to expend all funds available for the projects and to take any other action necessary or convenient to carry out the projects.



Bridgewater Town Council

In Town Council, Monday, February 7, 2012

Council Order: O-2012-009

Introduced By: Town Manager (at the request of the Treasurer/Collector)

Date Introduced/First Reading: February 7, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-009

LOAN ORDER: FIRE APPARATUS

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote that the sum of \$804,000.00 be appropriated to purchase new fire apparatus; that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$804,000.00 pursuant to Chapter 44; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

Explanation:

- This is to purchase a new fire truck and an ambulance from the borrowing proceeds. Principal and interest to be paid from ambulance receipts.



Bridgewater Town Council

In Town Council, Monday, February 7, 2012

Council Order: O-2012-010

Introduced By: Councilor Peter Colombotos

Date Introduced/First Reading: February 7, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-010

To Authorize the Town Manager to Grant a Conservation Restriction for the Calthrop Trust Land

ORDERED:

That the Town Manager be authorized to grant perpetual conservation restrictions pursuant to G. L. c. 184 Sections 31-33 on property to be acquired by the Town located on Cherry Street described in deeds recorded with Plymouth County Registry of Deeds in Book 3865, Page 17 and Book 3531, Page 91 and identified as Lot 3 on Assessors Map 67.

Explanation: This order is necessary to facilitate the granting of a conservation restriction which will preserve the land as open space in perpetuity.



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Ordinance: D-2012-004

Introduced By: Councilor Michael Demos

Date Introduced: February 7, 2012

Second Reading:

Third Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Ordinance #D-2012-004

ADMINISTRATION AND FIDUCIARY OVERSIGHT OF THE BUDGET: **AMBULANCE RECEIPTS/AMBULANCE RESERVE ACCOUNT**

PREAMBLE:

Ordinance #2011-010 was presented in Town Council for action on December 20, 2011. A roll call vote was taken and the measure failed by a vote of 4-3 with Councilors Colombotos, Pitta and Wood in the minority and Councilors Fitzgibbons and Callahan absent. At the conclusion of the roll call, the President incorrectly declared the measure passed.

Pursuant to Section XIX – “Resubmission” of the Town Council Rules and Procedures

“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 (5) of the full Council. ”

ORDERED: That the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled, vote to establish a procedure for the Administration and Fiduciary Oversight of the Budget.

Whereas, the Bridgewater Home Rule Charter, Section 6-5 states, “The Town Council shall provide by ordinance the procedures for administration and fiduciary oversight of the budget.”

Be It Ordained by the Town Council of the City known as the Town of Bridgewater that:

An aggregate appropriation in any given fiscal year to be applied for operating expenses (e.g. salaries and general expenses) from ambulance receipts and/or ambulance reserve account shall not exceed \$1 million dollars. However, the Town Council with a 2/3 vote of the entire Town Council may exceed \$1 million dollar limit in any given fiscal year. (Note: an appropriation in any given fiscal year from ambulance receipts and/or ambulance reserve account for fire apparatus (e.g. procurement of ambulances, fire truck) is exempt from this \$1 million dollar ceiling.)

Explanation: The remaining balance of the prison mitigation fund continues to dwindle. This measure going forward will better assist the town to adequately plan for expected upgrades for fire apparatus.