



BRIDGEWATER TOWN COUNCIL

Tuesday, March 6, 2012

7:30 PM

Memorial Building, 25 South Street

AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) January 17, 2012
- b) January 30, 2012

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS - None

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Conservation Commission – Richard Kranes (*reappointment*)
- b) Zoning Board of Appeals – Andy Bissonette (*reappointment*)

F. HEARINGS - None

G. LICENSE TRANSACTIONS

- a) Petition# P-2012-009: One-Day Alcohol Licenses (6) and One-Day Entertainment Licenses (4) for Forty-Niners Club, Inc. – *Michael Delfino, Events Manager*

H. PRESENTATIONS - None

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

- a) Associate Town Attorney Appointment
- b) Whispering Woods (*Councilor Colombotos*)

K. SUBCOMMITTEE REPORTS

L. LEGISLATION FOR ACTION - None

M. OLD BUSINESS

- a) Ordinance #2011-008: Dealers in Junk, Antiques, Second Hand Articles (*as amended*)
*** 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.*
NOTE: This legislation may not be finally approved at this evening's meeting unless further amendments are not adopted. Otherwise, pursuant to Section 2-9 of the Home Rule Charter, the measure must be re-advertised in its final form prior to passage.

- b) 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)
** The Finance Committee voted to approve this item: 6-0 (meeting held 2/22/2012).
- 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)
** The Finance Committee voted to approve this item: 6-0 (meeting held 2/22/2012).
- d) Order# O-2012-008: Title V Loan Order - Water Abatement Pollution Treatment
** The sum of \$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; and 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
** The Finance Committee voted to recommend this item: 6-0 (meeting held 2/22/2012).
NOTE: This legislation may not be finally approved at this evening's meeting as it requires advertisement pending any amendments proffered by the Town Council.
- e) Order# O-2012-009: Loan Order – Fire Apparatus
** The sum of \$804,000.00 be appropriated and subsequently borrowed by the Town Treasurer pursuant to Chapter 44 or any other enabling authority; and 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. The purpose of this order is to purchase new fire apparatus. Principal and interest is expected to be paid from ambulance receipts.
** The Finance Committee voted to recommend this item: 5-1 (meeting held 2/22/2012).
NOTE: This legislation may not be finally approved at this evening's meeting as it requires advertisement pending any amendments proffered by the Town Council.
- f) 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.
- g) Ordinance # D-2012-004: Administration and Fiduciary Oversight of the Budget - Appropriation of Operating Expenses from Ambulance Receipts and/or Ambulance Reserve Account
** The Finance Committee voted to table this item: 5-1 (meeting held 2/22/2012).
NOTE: This legislation may not be finally approved at this evening's meeting as it requires advertisement pending any amendments proffered by the Town Council.

h) Ordinance #D-2012-001: Council Meeting Times

*** The Rules & Procedures Committee recommended to return the measure to the full Town Council for action: 2-0 (meeting held 1/17/2012). The Committee did not provide a recommendation on this matter.*

NOTE: This legislation may not be finally approved at this evening's meeting as it requires advertisement pending any amendments proffered by the Town Council.

i) Order #O-2012-012: Expenditure of Gift – Shea Foundation \$2,000.00
Grant to Bridgewater Public Library

*** The Finance Committee voted to recommend this item: 6-0 (meeting held 2/16/2012).*

N. NEW BUSINESS

a) Order# O-2012-011: Loan Order – Levy Multipurpose

***The sum of \$162,470.00 be appropriated and subsequently borrowed by the Town Treasurer pursuant to Chapter 44 or any other enabling authority; and 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. The purpose of this order is purchase new equipment for several town departments and the Bridgewater-Raynham School District. Principal and interest is expected to be paid from the tax levy. This will replace retiring levy debt.*

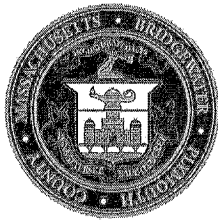
O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

- Massachusetts General Laws - Chapter 30A sec. 21, subsection 1 (*To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open.*)
- 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, March 6, 2012

Council Petition: P-2012-009

Introduced By: Council President

Date Introduced/Public Hearing: March 6, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE GRANTING OF A ONE-DAY ALCOHOL & ONE-DAY ENTERTAINMENT PERMITS

WHEREAS, the Forty Niners Club, Inc. has petitioned for six (6) One-Day Alcohol and four (4) One-Day Entertainment Permits for the following club sponsored events:

	EVENT	DATE	TIME	APPROXIMATE ATTENDANCE	NOTES
1	Dick Burrill Memorial Bocce Tournament	May 12, 2012	9:00 a.m. - 5:00 p.m.	65	- Request for Alcohol License Only
2	Robby's Rib Day	June 16, 2012	1:00 p.m. - 5:00 p.m.	80	
3	Old Riviera Friends Reunion	July 21, 2012	1:00 p.m. - 6:00 p.m.	85	
4	Chicken Barbeque	July 28, 2012	1:00 p.m. - 6:00 p.m.	80	
5	Annual Outing	August 18, 2012	1:00 p.m. - 6:00 p.m.	85	
6	Bocce Invitational Tournament	September 22, 2012	9:00 a.m. - 6:00 p.m.	65	- Request for Alcohol License Only

; and

WHEREAS, the Forty Niners Club, 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 licensing authority and with approval Police Department and Fire Department who has oversight authority, it appears that the public good so requires such license be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 138 - section 14 and Chapter 140 - section 183A of the Massachusetts General Law (MGL), in Town Council assembled approve the petition that the Forty Niners Club, Inc. be granted six (6) One-Day Alcohol and four (4) One-Day Entertainment Permits for the aforementioned events to be held on the grounds of the club at 161 High Street.



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Council Ordinance: #2011-008

Introduced By:	Councilor Pitta
Date Introduced/Public Hearing:	September 6, 2011
Second Reading:	January 17, 2012
Third Reading:	February 15, 2012
Fourth Reading:	March 6, 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 including serial number(s) if present, 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.

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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. Video Game Systems and related games for those systems are exempt from the photograph requirement as long as the complete purchase is held together as a unit for seven (7) days and the sellers information has been properly recorded.

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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. Games for Video Game Systems may be released for resale after seven (7) days. 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.

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Purchase From Persons Under Eighteen Years of Age Prohibited

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

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.

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 all 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. • Further amendments to be considered on 3/6/12.	• No action taken

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

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



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Transfer: T-2012-001

Introduced By: Town Manager *at the Request of Town Accountant*
Date Introduced: February 15, 2012
Second Reading: March 6, 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)
• Referred to Finance Committee 2/16/12	• 2/22/12: Vote 6-0 Approve



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Council Transfer Order: # T-2012-003

Introduced By: Town Manager
Date Introduced/First Reading: February 15, 2012
Second Reading: March 6, 2012
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer 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.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure referred to Finance Committee 2/16/12 • This measure does not require publication	• Vote 6-0 Approve



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Council Order: O-2012-008

Introduced By: Town Manager (at the request of the Board of Health)
Date Introduced/First Reading: February 15, 2012
Second Reading: March 6, 2012
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.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure referred to Finance Committee 2/16/12 • This measure requires advertising and a Public Hearing pending any Council amendments voted on 3/6/12.	• 2/22/12: Vote 6-0 Recommend



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Council Order: O-2012-009

Introduced By: Town Manager (at the request of the Treasurer/Collector)
Date Introduced/First Reading: February 15, 2012
Second Reading: March 6, 2012
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order #O-2012-009

LOAN ORDER: FIRE APPARATUS

ORDERED that the sum of \$804,000.00 be appropriated to purchase new fire apparatus, including costs incidental or related thereto; 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 or any other enabling authority; 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 is expected to be paid from ambulance receipts.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure referred to Finance Committee 2/16/12 • This measure requires advertising and Public Hearing pending any Council amendments voted on 3/6/12.	• 2/22/12: Vote 5-1 Recommend



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Council Ordinance: 2011-013

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

Proposed Ordinance #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 and 2/15/12 and 2/28/12 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, March 6, 2012

Council Ordinance: D-2012-004

Introduced By: Councilor Michael Demos

Date Introduced: February 15, 2012

Second Reading: March 6, 2012

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.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure referred to Finance Committee 2/16/12 • This measure requires publication pending any Council amendments voted at 3/6/12 meeting.	• Vote 5-1 Tabled



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Council Ordinance: D-2012-001

Introduced By: Councilor Fitzgibbons

Date Introduced: January 3, 2012

Second Reading: March 6, 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 requires advertisement.	• 1/17/12: Vote 2-0 return to full Council without recommendation.



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Council Order: O-2012-012

Introduced By: Town Manager
Date Introduced/First Reading: February 15, 2012
Second Reading: March 6, 2012
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order O-2012-012

EXPENDITURE OF GIFT

WHEREAS: Massachusetts General Laws, Chapter 44, §53A, 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...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 Public Library has received a gift of \$2,000 (two-thousand dollars) to be used for the purchase of materials for the Children’s 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 expend the gift of \$2,000 from the Mel and Paula Shea Children Endowment and Charitable Trust in accordance with stated purpose of gift.

Explanation:

Working with the Bridgewater Public Library, the Mel and Paula Shea Children’s Endowment and Charitable Trust have donated said money to enhance the Library’s childhood literacy programs.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure referred to Finance Committee 2/16/12 • This measure does not require publication	• 2/22/12: Vote 6-0 Recommend



Bridgewater Town Council

In Town Council, Tuesday, March 6, 2012

Council Order: O-2012-011

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

Date Introduced/First Reading: March 6, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-011

LOAN ORDER: LEVY MULTIPURPOSE

ORDERED that the sum of \$162,470.00 be appropriated to purchase new equipment listed below, including costs incidental or related thereto; that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$162,470.00 pursuant to Chapter 44 or any other enabling authority; 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.

	item	yrs
57,976	Intercom (BR School District)	10
45,771	Dump Truck (Highway)	10
35,329	Lawn Mower (Recreation)	10
23,394	Tasers (Police)	5
162,470	TOTAL	

Explanation:

- This is to purchase new equipment for several town departments and the Bridgewater-Raynham School District. Principal and interest is expected to be paid from the tax levy. Please note that maintaining some borrowing capacity within levy limit is recommended by our financial advisor. This will replace retiring levy debt.