



BRIDGEWATER TOWN COUNCIL

Tuesday, April 10, 2012

7:30 PM

Memorial Building, 25 South Street

AGENDA

SPECIAL MEETING

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS - None

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS - None

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

a) Planning Board – Dennis Keough

F. HEARINGS

a) 7:35 P.M. PUBLIC HEARING: Order# O-2012-008: Title V Loan Order - Water Abatement Pollution Treatment

-- The sum of \$400,000.00 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).

b) 7:40 P.M. PUBLIC HEARING: 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).

G. LICENSE TRANSACTIONS - None

H. PRESENTATIONS

a) FY2013 Budget Submission – Town Manager

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS - None

K. SUBCOMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) 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). The legislation was not referred to the Budget & Finance committee.

M. OLD BUSINESS

- a) Order# O-2012-005: Remedy to Whispering Woods
** This legislation 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.

N. NEW BUSINESS

- a) Ordinance #D-2012-009: Legislative Director
(Sponsor: Councilor Colón and Councilor Demos)
- b) Order# O-2012-023: 2012 Tax Agreement between Enfinity American Corporation and Landcraft Corporation with the Town of Bridgewater
- c) Transfer #T-2012-004: Funding of Collective Bargaining Agreements
-- Transfer and appropriate funds to various departmental appointed officials accounts from the Stabilization Fund account #800-145-00-8051-596100
- d) Transfer # T-2012-005: Supplemental Appropriation – Ambulance Receipts Reserve
-- Transfer and appropriate \$125,000.00 to the Public Safety budget to the line items and varied accounts enumerated (in the order) from the Ambulance Receipts Reserve
- e) Transfer # T-2012-007: Supplemental Appropriation – Sewer Enterprise
-- Transfer and appropriate \$50,000.00 to account #601-440-05-1021-586001 (Lease/Purchase Vehicles) from the Sewer Enterprise retained earnings account #601-000-00-0000-359000
- f) Order# O-2012-016: Loan Order - Sewer Equipment
-- Appropriation of the sum of \$164,107.00 to purchase new dump truck, including costs incidental or related thereto; and subsequently borrowed by the Town Treasurer 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.
- g) Supplemental Appropriation # T-2012-006: Olde Scotland Links Golf Course Transfer
-- Transfer and appropriate \$273.60 to OSLGC Enterprise budget account #603-655-04-1021-570000 from the FY12 Treasurer/Collector budget account #001-145-01-0102-542000 (Office Supplies)

- h) Order# O-2012-017: Loan Order – Water Fencing & Equipment
-- The sum of \$147,530.00 be appropriated to purchase new equipment (Fencing, Dump truck and Service truck), including costs incidental or related thereto; and subsequently borrowed by the Town Treasurer 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.
- i) Order# O-2012-018: Loan Order – Hurricane Irene Storm Response
-- The sum of \$100,000.00 be appropriated to pay for costs related to Irene Storm Response, 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 \$100,000.00 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.
- j) Order# O-2012-019: Town Manager's Minimum Requirements
(Co-Sponsors: Councilor Fitzgibbons & Councilor Wood)
- k) Order# O-2012-020: Town Manager's Selection
(Sponsor: Councilor Pitta)

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.)*

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, April 10, 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 20, 2012
Third Reading/Public Hearing: April 10, 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 was on the 3/6/12 agenda, for potential amendments and publication approval, but not taken up. • This measure requires advertising and a Public Hearing pending any Council amendments voted on 3/20/12. • This measure has been duly advertised in print and on the Town's website.	• 2/22/12: Vote 6-0 Recommend



Bridgewater Town Council

In Town Council, Tuesday, April 10, 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 20, 2012
Third Reading/Public Hearing: April 10, 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 was on the 3/6/12 agenda, for potential amendments and publication approval, but not taken up. • This measure requires advertising and Public Hearing pending any Council amendments voted on 3/20/12. • This measure has been duly advertised in print and on the Town's website.	• 2/22/12: Vote 5-1 Recommend



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Transfer Order: # T-2012-003

Introduced By: Town Manager
Date Introduced/First Reading: February 15, 2012
Second Reading: April 3, 2012
Third Reading: April 10, 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	• 2/22/12: Vote 6-0 Approve • This measure was on the 3/6/12, 3/20/12, and 3/29/12 agendas for consideration, but not taken up. On 4/3/12 this measure was subject to a Charter Objection.



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Order: O-2012-005

Introduced By: Councilor Peter Colombotos
Date Introduced/First Reading: March 20, 2012
Second Reading: April 10, 2012
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order #O-2012-005 (as amended)

REMEDY TO WHISPERING WOODS

ORDERED: That the Town Council of Bridgewater, Massachusetts in Town Council assembled vote on the following remedy to the Whispering Woods Issue:

Per Section 2-6, C, (2) of the Bridgewater Home Rule Charter:

"The town council shall be responsible for ensuring that the charter, the laws, the ordinances and other plans, policies and orders for the government of the town are properly implemented and enforced."

Whereas: Evidence suggests that the permitting process for Whispering Woods was not followed in accordance with the statutes and regulations of the Commonwealth and associated local bylaws, and

Deleted: There is clear evidence t

Whereas: Evidence suggests the Whispering Woods project may have caused significant material damage to abutters of the project,

Deleted: T

It is ordered that the Town shall engage the services of a peer review consultant, a specialist in hydrology, as consulting engineer to provide the following:

Deleted: Mr. Patrick Garner (patrickgarner.com)

- An assessment of existing conditions on and off the project site
- The provision of remedies to resolve the storm-water run-off and recharge issues at, and caused by, the Whispering Woods project

Deleted: <#>A description of pre-construction conditions¶
<#>The completion of a forensic review of both the permitting process and changes made to the land (shall refer to existing Board of Health, Attorney Murphy, and National Grid reports)¶

An amount not to exceed \$10,000 shall be appropriated to implement this order.

Explanation:

By all accounts, the Whispering Woods project permitting process was imperfect and the project was not built according to regulations. In order to ameliorate the negative impact the project has (and continues to have) upon neighboring properties it is imperative to ascertain the conditions related to the project and determine how to improve them. This would be best accomplished by hiring an engineering consultant with a specialty in peer review.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure not referred to any committee. • Amendments adopted 3/20/12 • 14 days has elapsed per Council Rules & Procedures Section XVIII • This measure was on the 4/3/12 agenda but not taken up.	•



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Ordinance: D-2012-009

Introduced By: Councilors Michael Demos and Kristy Colon

Date Introduced: April 10, 2012

Second Reading:

Third Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Ordinance #D-2012-009

LEGISLATIVE DIRECTOR

AN ORDINANCE PROVIDING FOR AN ANNUAL APPROPRIATION SO THAT TOWN COUNCIL MAY EMPLOY SUCH RESOURCES, STAFF AND EXPERTS AS ARE NECESSARY TO CONDUCT THE BUSINESS OF THE TOWN COUNCIL.

Whereas, the Bridgewater Home Rule Charter requires that the Town Council shall begin a review of all town by-laws, to analyze and amend as necessary, as a result of charter implementation;

Whereas, the Town Council is responsible for reviewing all proposed measures to assure that measures passed by the Town Council do not violate federal or state constitutional requirements, and to assure that measures do not conflict with and are not inconsistent with any general or special laws, as the Attorney General no longer provides this review for the Town since it has adopted a city form of government;

Whereas, The Town Council must have appropriate resources available to accomplish its duties as describe above;

Whereas, the Town Council must establish and maintain a codification of the town ordinances, orders, and measures, so that members of the public may have adequate notice of the town's laws;

Whereas the Town Council is required to establish by ordinance and maintain, administrative code of all town agencies and to append the administrative code to the Charter;

Whereas, drafting and interpreting ordinances require expert knowledge and experience not normally possessed by persons elected to the Town Council;

Whereas, under the Bridgewater Town Charter, Bridgewater now has a city form of government, the legislative responsibilities of the Town must be assured by the Town Council; and

Whereas, all persons elected to the Town Council, while serving on a part-time uncompensated basis, must nonetheless assure that legislative functions of the Town are performed in accordance with the law;

NOW, THEREFORE, pursuant to Sections 2-8 of the Bridgewater Home Rule Charter, the Town Council does ordain as follows:

Section 1. The Town Council shall determine what expertise is required for the proper and professional direction of all legislative activities of the Town Council. The Town Council shall determine how many hours per week are required to perform these responsibilities. The Town Council shall determine the compensation to be paid and all other terms and conditions of employment. The Town Council may enter into an employment contract if believe it necessary and beneficial.

Section 2. The legislative director employed by the Town Council shall recommend to the Town Council, the resources and research tools required within the cost guidelines established by the Town Council. The Town Council shall, if it deems appropriate, make an annual appropriation for the resources so approved.

Section 3. The legislative director shall be available to draft, or assist with drafting, any proposed legislation at the request of any Council member. The legislative director shall review all legislation and amendments thereto, to ascertain whether the proposed legislation and the legislative process in not inconsistent with any constitutional, statutory, or Charter requirement. The legislative director shall review all prior bylaws, ordinances and other prior measures prior to final passage of the proposed legislation to determine whether the proposed legislation conflicts with any prior town laws. If such a conflict is suspected, the legislative director shall recommend legislative amendments to eliminate the conflict. The legislative director shall assure that each proposed measure includes a legislative file that includes all documents introduced in support or opposition of the proposed measure to assure that the proposed measure, if passed, will sustain a challenge that the measure is arbitrary or capricious and therefore unlawful. The legislative director shall propose a legislative process to the Town Council. The legislative director shall obtain or prepare, informational materials that will assist any members of the public who desire to submit a citizen initiated measure as provided in the Town Charter.

Explanation:

To provide for an annual appropriation, subject to the sufficiency of revenues, to enable the Town Council to effectively fulfill its legislative obligations and duties as required by the Charter, general law, and the Constitution of the Commonwealth.



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Order: O-2012-023

Introduced By: Town Manager

Date Introduced/First Reading: April 10, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-023

TAX AGREEMENT

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 approve or ratify the tax agreement between Enfinity American Corporation ("Enfinity") and Landcraft Corporation ("Landcraft") with the Town of Bridgewater.

Explanation: The Town Manager, with the guidance of the Assessing Department and a Massachusetts Certified General Real Estate Appraiser reached a tax agreement with a proposed solar facility. After an agreement has been negotiated by the authorized official, it must be approved or ratified by the legislative body to be binding.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Measure on 4/3/12 agenda - not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Transfer: T-2012-004

Introduced By: Town Manager

Date Introduced: April 10, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #2011-004 – FUNDING OF COLLECTIVE BARGAINING AGREEMENTS

ORDERED, pursuant to Section 6-4(a) of the Town of Bridgewater Charter that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate \$23,640.99 to the General Government budget, \$22,421.95 to the Finance budget, \$17,517.42 to the License and Permit budget, \$9,052.69 to the Public Works budget, \$21,739.98 to the Culture and Recreation budget, \$316,107.55 to the Public Safety budget and \$13,732.61 to the OSLGC budget to be represented in the accounts listed below and to meet said appropriation transfer \$424,213.19 from the stabilization fund, account #800-145-00-8051-596100 for the purposes of funding collective bargaining agreements, or take any other action relative thereto.

And;

ORDERED, pursuant to Section 6-4(a) of the Town of Bridgewater Charter that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate \$7,531.87 to the Sewer Enterprise Fund budget to be represented in the accounts listed below and to meet said appropriation transfer \$7,531.87 from Sewer Enterprise retained earnings, account #601-000-00-0000-359000 for the purposes of funding collective bargaining agreements, or take any other action relative thereto.

And;

ORDERED, pursuant to Section 6-4(a) of the Town of Bridgewater Charter that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate \$9,359.27 to the Water Enterprise Fund budget to be represented in the accounts listed below and to meet said appropriation transfer \$9,359.27 from Water Enterprise retained earnings, account #602-000-00-0000-359000 for the purposes of funding collective bargaining agreements, or take any other action relative thereto.

Explanation: The Town Manager, working with the town's unions, has settled collective bargaining agreements with the Police, Fire, and Steelworkers unions. The amounts of transfers to fulfill the town's obligations for Fiscal Year 2012 are currently being calculated.

▪ **REQUIRES MAJORITY VOTE OF FULL COUNCIL**

Yeas Colombotos Riordan Demos Colon Berolini Pitta Wood Callahan Fitzgibbons

Nays Colombotos Riordan Demos Colon Berolini Pitta Wood Callahan Fitzgibbons

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure included on 4/3/12 agenda, but not taken up.	•

▪ **REQUIRES MAJORITY VOTE OF FULL COUNCIL**

Yeas Colombotos Riordan Demos Colon Berolini Pitta Wood Callahan Fitzgibbons

Nays Colombotos Riordan Demos Colon Berolini Pitta Wood Callahan Fitzgibbons



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Transfer: T-2012-005

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

Date Introduced: April 10, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #T-2012-005

SUPPLEMENTAL APPROPRIATION – AMBULANCE RECEIPTS RESERVE

ORDERED Pursuant to Section 6-4 (a) of the Town of Bridgewater Charter and M.G.L. Ch. 40 Section 5F, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate \$125,000.00 to the Public Safety budget to be represented in the accounts listed below from the Ambulance Receipts Reserve or take any other action relative thereto.

Hazardous Waste Removal	001-220-01-0102-520005	\$ 500.00
Stretcher Maintenance	001-220-01-0102-524008	\$ 500.00
Network Expense/Software	001-220-01-0102-524026	\$ 5,455.00
Telephone	001-220-01-0102-534001	\$ 5,000.00
Medical Supplies	001-220-01-0102-550000	\$ 24,000.00
Oxygen	001-220-01-0102-550010	\$ 750.00
EMS License Renewal	001-220-01-0102-573003	\$ 2,000.00
Ambulance Billing	001-220-01-0103-530027	\$ 52,000.00
Repairs & Maintenance	001-220-01-0102-524000	\$ 23,000.00
Shift Coverage	001-220-01-0101-513200	\$ 11,795.00
		\$ 125,000.00

Explanation:

Fire Chief Rogers has estimated the following needs related to FY12 operation of the ambulance services provided by the Bridgewater Fire Department.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Measure included on 4/3/12 agenda, but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Transfer: T-2012-007

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

Date Introduced: April 10, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #T-2012-007

SUPPLEMENTAL APPROPRIATION – SEWER ENTERPRISE

ORDERED Pursuant to Section 6-4 (d) of the Town of Bridgewater Charter, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate \$50,000.00 to account 601-440-05-1021-586001 (Lease/Purchase Vehicles) from the Sewer Enterprise retained earnings account 601-000-00-0000-359000 or take any other action relative thereto.

Explanation:

The Sewer Department has identified the need to replace an existing utility vehicle. The original vehicle is a 1998 and has reached its useful life. It has become unreliable.

The Sewer Enterprise fund retained earnings was certified as of 6/30/11 with a balance of \$871,065. Of that amount, \$150,000 has been previously voted in Order #2011-073 related to Rotating Biological Contractor (RBC).

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Measure included on 4/3/12 agenda, but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Order: O-2012-016

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

Date Introduced/First Reading: April 10, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-016

LOAN ORDER: SEWER EQUIPMENT

ORDERED that the sum of \$164,107.00 be appropriated to purchase new dump truck, 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 \$164,107.00 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:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure included on 4/3/12 agenda, but not taken up.	•



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Transfer: T-2012-006

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

Date Introduced: April 10, 2012

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #T-2012-006

SUPPLEMENTAL APPROPRIATION – OLDE SCOTLAND LINKS GOLF COURSE TRANSFER

ORDERED that, Pursuant to M.G.L. Chapter 44 Section 64, Ch. 41 Section 56 and Section 6-4 (d) of the Town of Bridgewater Charter, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate \$273.60 to account 603-655-04-1021-570000 from the FY12 Treasurer/Collector budget account 001-145-01-0102-542000 Office Supplies or take any other action relative thereto.

Explanation:

The Olde Scotland Links golf course had presented for payment an invoice related to gift cards purchased through ETS with an order date of 5/17/11. The invoice noted that the amount owed would be electronically drafted from the Town's bank account via an ACH debit. The accounting office contacted the Treasurer/Collector to determine when the funds left the Town bank account. The date of this transaction was 6/27/11. This obligation was not reported to the Accounting office during the yearend encumbrance process and therefore is considered a bill of a prior year and cannot be charged against the FY12 budget.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Measure included on 3/29/12 and 4/3/12 agendas but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Order: O-2012-017

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

Date Introduced/First Reading: April 10, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-017

LOAN ORDER: WATER FENCING AND EQUIPMENT

ORDERED that the sum of \$147,530.00 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 \$147,530.00 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	
15,262	Fencing
86,483	Dump truck
45,785	Service truck
147,530	TOTAL

Explanation:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Measure included on 4/3/12 agenda, but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Order: O-2012-018

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

Date Introduced/First Reading: April 10, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2012-018

LOAN ORDER: IRENE STORM RESPONSE

ORDERED that the sum of \$100,000.00 be appropriated to pay for costs related to Irene Storm Response, 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 \$100,000.00 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:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Measure included on 4/3/12 agenda, but not taken up.	



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Order: O-2012-019

Introduced By: Councilors Timothy Fitzgibbons and William Wood

Date Introduced/First Reading: April 10, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order O-2012-019

MINIMUM CRITERIA FOR HIRING OF TOWN MANAGER FOR THE TOWN OF BRIDGEWATER

ORDERED: That under Section 2-2 and 2-6 (c) (1) of the Bridgewater Home Rule Charter, providing all powers of the town shall be vested in the Town Council and that any council member may submit to the Town Council proposed town policies, goals, and other objectives to the Town Council for its consideration.

And further under Section 4-1 of the Bridgewater Home Rule Charter which states, "The town council may from time to time establish additional qualifications as deemed necessary and appropriate."

Effective 30 days after final adoption of this measure per the Bridgewater Home Rule Charter, the criteria for hiring a permanent Town Manager shall include at a minimum the following:

- Town Manager may not be located in or live in the Town of Bridgewater.
- Any candidate for Town Manager must make certification of no conflict of interest relating to any business or to any resident in the Town of Bridgewater.
- Town Manager must have a minimum of five years of prior experience as a city or town manager or an assistant city or town manager or the equivalent public or private sector level experience.
- The Town Manager shall have an MPA

No person appointed as interim Town Manager shall be considered for the position of permanent Town Manager.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Measure included on 4/3/12 agenda, but not taken up.	•



Bridgewater Town Council

In Town Council, Tuesday, April 10, 2012

Council Order: O-2012-020

Introduced By: Councilor Pitta

Date Introduced/First Reading: April 10, 2012

Second Reading:

Amendments Adopted:

Date Adopted:

Proposed Order # O-2012-020

Town Manager Selection

Ordered; that pursuant to Bridgewater Town Charter Section XX, the Town Council shall select and appoint a qualified individual to the office of Town Manager. Initial screening of applicants shall be conducted by (outside firm TBD). (TBD) Shall provide the Town Council with the names and qualifications of the top three applicants in alphabetical order. Final Selection shall be performed by the Town Council.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Measure included on 4/3/12 agenda. Not taken up as proponent not present.	