



BRIDGEWATER TOWN COUNCIL

Tuesday, April 17, 2012

7:00 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 - None
- F. HEARINGS - None
- G. LICENSE TRANSACTIONS - None
- H. PRESENTATIONS
 - a) FY2013 Budget Submission – Town Manager
- I. TOWN MANAGER'S REPORT
- J. DISCUSSIONS - None
- K. SUBCOMMITTEE REPORTS - None
- L. LEGISLATION FOR ACTION - None
- M. OLD BUSINESS - None
- N. NEW BUSINESS
 - a) 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
 - b) Ordinance #D-2012-010: Town Council Approval of Employment
Contracts (Councilor Wood)
- O. CITIZEN COMMENTS
- P. COUNCIL COMMENTS
- Q. EXECUTIVE SESSION - None
- R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, April 17, 2012

Transfer: T-2012-004

Introduced By: Town Manager

Date Introduced: April 17, 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 17, 2012

Council Ordinance: D-2012-010

Introduced By: Councilor William Wood

Date Introduced: April 17, 2012

Second Reading:

Third Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Ordinance #D-2012-010

TOWN COUNCIL APPROVAL OF EMPLOYMENT CONTRACTS

WHEREAS, Charter Section 6-5 - Administration and Fiduciary Oversight of the Budget - grants the right to the Town Council to provide by ordinance the procedures for administration and fiduciary oversight of the budget;

WHEREAS, Charter Section 4-2(13) tasks the Town Manager to administer all collective bargaining agreements entered into by the town;

WHEREAS, Charter Section 4-2(15) grants the right to negotiate all contracts with town employees over wages, and other terms and conditions of employment, to the Town Manager;

WHEREAS, Charter Section 4-2(15) grants the right to approve employment contracts when they require appropriation to the Town Council;

WHEREAS, Charter Section 6-4(a) –Supplemental Appropriations - recognizes that the budget is an appropriation;

WHEREAS, Charter Section 6-4(d) – Transfer of Appropriations – recognizes that any transfer is an appropriation;

WHEREAS, Charter Section 4-2(22) allows the Town Council to define, by Ordinance, additional duties of the Town Manager;

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 relative to employment contracts, such that,

1. Any employment contract for an individual shall be presented to the Town Council for approval;
2. Any collective employment contract shall be presented to the Town Council for approval if a reserve has not been provided by another budget action;
3. In keeping with Charter Section 4-2(15), no employment contract may be negotiated or modified by the Town Council except for a contract for Town Manager, Assistant Town Manager, and any staff hired under Charter Section 2-8 (Council Staff).

Explanation: The Town of Barnstable shifted to the Town Manager/Town Council form of government in 1989 and the Town of Watertown has been a Town Manager/Town Council form for about a decade. The language found in charter section 4-2(15) is identical to a similar passage in the Barnstable Charter except that the Barnstable Charter adds exclusions for the School and Airport contracts. In practice, both the Barnstable and Watertown Town Council approve employment contracts.