BRIDGEWATER TOWN COUNCIL

Tuesday, March 5, 2013
7:30 PM
BTV Studios, 80 Spring Street

AGENDA

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

a) Petition #P-2013-009: One-Day Alcohol License - Friends of the Bridgewater Library

b) Petition #P-2013-010: One-Day Alcohol License – Bridgewater Business Association

H. PRESENTATIONS

a) Old Colony Planning Commission - *Priority Development Area (PDA)/Priority Protection Areas (PPA)*

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

a) Town Manager Goals/5-Year Plan Samples (*Councilor Whitaker*)

b) FY 14 Budget (*Councilor Berolini*)

K. SUBCOMMITTEE REPORTS

L. LEGISLATION FOR ACTION

a) Ordinance #D-2012-019: Definition of Capital Items
At their meeting of 1/31/13, the Council Budget & Finance committee voted 3-0 to approve this measure. At their meeting of 10/10/12, the Finance Committee voted 7-0 to recommend. This measure has been duly advertised and may be finally considered at this evening's meeting.

M. OLD BUSINESS

N. NEW BUSINESS

a) Order #O-2013-003: Acceptance of a Public Way – Lakewood Lane

b) Order #O-2013-005: Annual Town Election Warrant

c) Transfer #T-2013-008: CPC Funds Transfer – Consultant Preservation Planner/Grant Writer

d) Transfer #T-2013-009: Town Accountant Funding

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT

Bridgewater Town Council

In Town Council, Tuesday, March 5, 2013

Council Petition: P-2013-009

Date Introduced/Public Hearing: March 5, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Petition: P-2013-009

Relative to:

THE GRANTING OF A ONE-DAY ALCOHOL LICENSE

WHEREAS, Friends of the Bridgewater Library has petitioned for one (1) One-Day Alcohol Permit for an event to be held on the premises of 15 South Street on Saturday, March 9, 2013; and

WHEREAS, Friends of the Bridgewater Library 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 of the Massachusetts General Law (MGL), in Town Council assembled approve the petition that the Friends of the Bridgewater Library be granted a (1) One-Day Alcohol Permit for its event on Saturday, March 9, 2013 to be held between the hours of 7:00 p.m. - 10:00 p.m.

Bridgewater Town Council

In Town Council, Tuesday, March 5, 2013

Council Petition: P-2013-010

Date Introduced/Public Hearing: March 5, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Petition: P-2013-010

Relative to:

THE GRANTING OF A ONE-DAY ALCOHOL LICENSE

WHEREAS, Bridgewater Business Association has petitioned for one (1) One-Day Alcohol Permit for an event to be held on the premises of Sullivan Tire, 300 Bedford Street on Wednesday, April 10, 2013; and

WHEREAS, Bridgewater Business Association 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 of the Massachusetts General Law (MGL), in Town Council assembled approve the petition that the Bridgewater Business Association be granted a (1) One-Day Alcohol Permit for its event on Wednesday, April 10, 2013 to be held between the hours of 6:00 p.m. - 9:00 p.m.

Bridgewater Town Council

In Town Council, Tuesday, March 5, 2013

Council Ordinance: D-2012-019

Introduced By:	Councilor Timothy Fitzgibbons
Date Introduced:	September 18, 2012
First Reading:	September 18, 2012
Second Reading:	February 5, 2013
Amendments Adopted:	None
Third Reading:	March 5, 2013
Date Adopted:	
Date Effective:	

Proposed Ordinance #D-2012-019

DEFINITION OF CAPITAL ITEMS

WHEREAS: The Bridgewater Home Rule Charter, Section 6-6 sets forth the requirements of a five year capital plan; and

WHEREAS: The Charter does not define items appropriate for inclusion in said plan

Now, therefore, in accordance with the authority so vested in it by the Bridgewater Home Rule Charter, the Town Council votes to take the following action:

ORDERED that the definition of a capital item for inclusion in the capital plan is as follows:

- Items requiring an expenditure of at least $10,00 and having a useful life of more than three years;
- Projects consisting of real property acquisitions, construction, capital asset improvements, long-life capital equipment, or major maintenance/repair of an existing capital item, as distinguished from a normal operating or maintenance expenditure;
- Items obtained under a long-term lease; and
- Bulk purchases of similar items, such as computers or copy machines, with an aggregate purchase value exceeding $10,000.

Explanation:
This definition will provide clear guidance on items to be included in the current and future capital plans.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Finance Committee	• 9/26/12: vote "Table" 7-0 10/10/12: vote "recommend" 7-0
• Referred to Council Budget & Finance Committee	• 11/8/12: vote approve 2-0
• Re-referred to Council Budget & Finance Committee 11/18/12	• 1/31/13: vote approve 3-0 (with minor correction)
• This measure was duly advertised on 2/19/13, therefore may be finally considered.	

ROLL CALL VOTE: PASSAGE REQUIRES MAJORITY OF FULL COUNCIL (5).

Bridgewater Town Council

In Town Council, Tuesday, March 5, 2013

Council Order: # O-2013-003

Introduced By:	At the request of the property owner.
Date Introduced	March 5, 2013
First Reading:	March 5, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Order #O-2013-003

ACCEPTANCE OF A PUBLIC WAY – LAKEWOOD LANE

WHEREAS, the owners of the subdivision known as Lakewood Estates, Nippenicket LLC, by and through its agent, Can Four Corp., have requested the Town of Bridgewater lay out and accept Lakewood Lane as a public way; It is therefore;

ORDERED: That the common necessity and convenience of the inhabitants of the Town of Bridgewater require the laying out of Lakewood Lane, from Lakeside Drive, northeasterly, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said Town of Bridgewater, said easement passing by or over lands of those persons shown on "EXHIBIT A", attached hereto, and parties unknown.

Said layout of said street is bounded as described as follows:

A certain piece of land located in the Town of Bridgewater, County of Plymouth, Commonwealth of Massachusetts:

BEGINNING at a point on the easterly side of Lakeside drive; Thence:

S 18°-57'-45" E, a distance of 88.46 to a point; thence

Thence along a curve to the right with a radius of 20.00', a distance of 22.69' to a point; thence

N 46°-02'-15" E, a distance of 29.96 to a point; thence

Thence along a curve to the left with a radius of 220.00', a distance of 37.25 to a point; thence

N 36°-20'-14" E, a distance. of 531.77 to a point; thence

Thence along a curve to the left with a radius of 438.00', a distance of 181.05 to a point; thence

N 12°-39'-13" E, a distance of 88.21 to a point; thence

Thence along a curve to the right with a radius of 20.00', a distance of 21.62' to a point; thence

Thence along a curve to the left with a radius of 65.00', a distance of 344.71 to a point; thence

Thence along a curve to the right with a radius of 20.00', a distance of 21.62' to a point; thence

S 12°-39'-13" W, a distance of 88.21 to a point; thence

Thence along a curve to the right with a radius of 398.00', a distance of 164.52 to a point; thence

S 36°-20'-14" W, a distance of 531.77 to a point; thence

Thence along a curve to the right with a radius of 180.00', a distance of 22.12' to a potent; thence

Thence along a curve to the right with a radius of 20.00', a distance of 41.07' to the point of beginning.

Containing 48,430 square feet more or less.

The land and easements taken are more fully described as follows:

LAKEWOOD LANE

All the land within the limits of a private way known as Lakewood Lane, supposed to belong to Nippenicket LLC, and others, or parties unknown, being a strip of land extending from Lakeside Drive, northeasterly, containing about 48,430 square feet, more or less;

and the following drainage parcels necessary for the proper functioning of the designed drainage system:

DRAINAGE PARCEL 1

Drainage Parcel 1 bounded and described as follows:

A certain piece of land located in the Town of Bridgewater, County of Plymouth, Commonwealth of Massachusetts:

BEGINNING at a point on the easterly side of Lakeside drive; Thence:

N 18°-57'-45" W, a distance of 36.47' to a point; thence

Thence along a curve to the right with a radius of 20,00', a distance of 22.69' to a point; thence

N 46°-02'-15" E, a distance of 29.96 to a point; thence

Thence along a curve to the left with a radius of 220.00', a distance of 37.25' to a point; thence

N 36°-20'-14" E, a distance of 38.79' to a point; thence

S 46°-42'-18" E, a distance of 47.58' to a point; thence

S 43°-17'- 42" W, a distance of 141.25' to the point of beginning.

Containing 5,576 square feet more or less.

DRAINAGE PARCEL 2

A certain piece of land located in the Town of Bridgewater, County of Plymouth, Commonwealth of Massachusetts:

BEGINNING at a point on the easterly side of Lakewood Lane; Thence:

Thence along a curve to the right with a radius of 65.00', a distance of 22.22' to a point; thence

N49°-32'-43" E, a distance of 213.25' to a point; thence

N 67°-45'-54" E, a distance of 277.33' to a point; thence

Westerly by the edge of a swamp 389' to a point; thence

S 22°-11'-20" E, a distance of 177.46' to a point; thence

S 49°-32'-43" W, a distance of 203.81' to the point of beginning.

Containing 44,451 square feet more or less.

DRAINAGE and ACCESS EASEMENTS

Any and all drainage and access easements provided for the proper functioning of the designed drainage system of Lakewood Lane.

For a more particular description of Lakewood Lane, the Drainage Parcels, and any easements, reference is hereby made to a plan entitled "ROADWAY AS-BUILT FOR LAKEWOOD LAND IN BRIDGEWATER MASSACHUSETTS", prepared by Outback Engineering Incorporated, and dated November 9, 2011, to be recorded herewith.

And we have considered and estimated that the damages sustained by all persons who have not waived damages in their several estates as follows:

NO AWARDS**.**

Explanation:
Approval of this Order would formally affect the layout and acceptance of Lakewood Lane by the Town for future maintenance and ownership.

Bridgewater Town Council

In Town Council, Tuesday, March 5, 2012

Council Order: O-2013-005

Introduced By:	President Timothy Fitzgibbons and Vice President William Wood (At the request of the Town Clerk)
Date Introduced	March 5, 2013
First Reading:	March 5, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order O-2013-005

2013 ANNUAL TOWN ELECTION WARRANT

ORDERED: that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the attached Warrant for the 2013 Annual Town Election.

Explanation:

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

COMMONWEALTH OF MASSACHUSETTS
TOWN OF BRIDGEWATER
ANNUAL TOWN ELECTION WARRANT

Plymouth, ***SS.***

To the Constables of the Town of Bridgewater:

GREETINGS:

In the name of the Commonwealth of Massachusetts and the Town of Bridgewater, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the Annual Town Election to vote at:

Precincts 1,2,3,4,5,6 & 7
Bridgewater Middle School
166 Mount Prospect Street, Bridgewater, MA 02324

On **TUESDAY, THE 30th DAY OF APRIL, 2013 from 7:00 A.M. to 8:00 P.M.** for the following purposes:

To cast their votes in the Annual Town Election for the candidates for the following Offices:

COUNCILOR DISTRICT FOUR……for Three Years
COUNCILOR DISTRICT SEVEN..... for Three Years
COUNCILOR AT LARGE……for Three Years
BRIDGEWATER-RAYNHAM REGIONAL DISTRICT SCHOOL COMMITTEE(Bridgewater)…….. for Three Years
BRIDGEWATER-RAYNHAM REGIONAL DISTRICT SCHOOL COMMITTEE(Raynham)…….. for Three Years
HOUSING AUTHORITY ……for FourYears
TRUSTEES OF PUBLIC LIBRARY ……for Three Years
TRUSTEES OF PUBLIC LIBRARY ……for Three Years
TRUSTEES OF PUBLIC LIBRARY ……for Three Years

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, the Bridgewater Town Council this _____ day of _____, 2013.

_____ _____
_____ _____
_____ _____
_____ _____
_____

_____ _____
Constable Date of Service of Warrant

FIRST READING ONLY. NOT FOR ACTION

Bridgewater Town Council

In Town Council, Tuesday, March 5, 2013

Council Transfer: #T-2013-008

Introduced By:	Town Manager (at the request of the CPC)
Date Introduced:	March 5, 2013
First Reading:	March 5, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Transfer: #T-2013-008

PRESERVATION PLANNER/GRANT WRITER

ORDERED, the Town Council appropriate and transfer the sum of $60,000 from the accounts listed below, as unanimously recommended by the Community Preservation Committee to contract with a Preservation Planner/Grant Writer in a manner and within a budget consistent with the contract approved by the Town Manager or take any other action relative thereto.

Accounting Information:

From Account:	Number	Name	Amount
	201-000-00-0000-324400	*Community Preservation Budgeted Reserve Account*	$ 60,000.00
To Account:	**Number**	**Name:**	**Amount**
	201-172-29-1022-530035	*Preservation Planner/Grant Writer Account*	$ 60,000.00

Explanation:
This action will fund a Preservation Planner/Grant Writer.

Bridgewater Town Council

In Town Council, Tuesday, March 5, 2013

Council Transfer: #T-2013-009

Introduced By:	Town Manager
Date Introduced:	March 5, 2013
First Reading:	March 5, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Transfer: #T-2013-009

TOWN ACCOUNTANT FUNDING

ORDERED, the Town Council appropriate and transfer the sum of $22,000.00 from the accounts listed below to fund the salary line item of the new Town Accountant for the remainder of FY13.

Accounting Information:			
From Account:	**Number**	**Name**	**Amount**
[redacted]	001-914-01-0102-574004	*Insurance/Group Medical*	$ 11,000.00
	001-135-01-0103-530009	*Accounting/Auditing*	$ 11,000.00
To Account:	**Number**	**Name:**	**Amount**
[redacted]	001-135-01-0101-511100	*Department Head*	$ 22,000.00

Explanation:

This action will fund the new Town Accountant salary line item to the end of FY13.