



BRIDGEWATER TOWN COUNCIL

Tuesday, March 19, 2013

7:30 PM

Senior Center, 10 Wally Krueger Way

AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a. February 26, 2013
- b. March 5, 2013

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS - None

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Ratification of Appointment for Town Accountant – Marilyn Spahr

F. HEARINGS

- a) Public Hearing - 7:40 p.m., Petition #P-2013-012: Class I Auto Dealers License – Automotive Innovations, Inc.
- b) Public Hearing - 7:45 p.m., Loan Order #O-2013-002: Great Hill Water Tower – Paint and Repair
- c) Petition #P-2013-001: National Grid – Pole Relocation (*Continued from 2/26/13 meeting*)

G. LICENSE TRANSACTIONS

- a) Petition #P-2013-011: Four One-Day Alcohol Licenses – Sodexo at BSU

H. PRESENTATIONS - None

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

- a) FY 14 Budget (*Councilor Berolini*)
- b) Town Manager Goals/5 Year Plan – Follow Up (*Councilor Whitaker*)

K. SUBCOMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Loan Order #O-2013-002: Great Hill Water Tower – Paint and Repair
- b) Order #O-2013-005: Annual Town Election Warrant

M. OLD BUSINESS

- a) Transfer #T-2013-007: Return Funds to FEMA
- b) Transfer #T-2013-009: Town Accountant Funding

N. NEW BUSINESS

- a) Order #O-2013-006: Special State Primary Warrant
- b) Order #O-2013-007: Capital Purchases
- c) Transfer #T-2013-010: Supplemental Appropriation Olde Scotland Links Golf Course – Replenish Supplies

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

- Q. EXECUTIVE SESSION – M.G.L., Chapter 30A, Section 21(a), (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 19, 2013

Council Petition: P-2012-012

Date Introduced/Public Hearing: March 19, 2013

Date Adopted:

Date Effective:

Relative to:

THE GRANTING OF A CLASS I NEW AUTO DEALERS LICENSE

WHEREAS, Automotive Innovations, Inc. has submitted all applicable documentation as required for a license to operate an auto dealers establishment at 1000 Main Street, Bridgewater, Massachusetts; and

WHEREAS, James Sanders will serve as the establishment's manager of record; and

WHEREAS, Automotive Innovations, Inc. proposes to operate the business during the following hours:

Monday - Saturday	8:00 a.m. - 7:00 p.m.
Sunday	Closed

WHEREAS, Automotive Innovations, Inc. has complied with the requirements of the Town of Bridgewater and applicable state laws inclusive of the zoning requirements, Building and Fire Codes governing the operation of such licenses; and

WHEREAS, Automotive Innovations, Inc. appeared before the Planning Board and will operate with the following stipulations:

- a) The site shall clearly identify; customer, ADA and residential parking spaces;
- b) The site plan shall be modified to include a 12 foot wide in between the display spaces and the nine (9) customer parking in front of the building. This fire lane shall be clearly marked with paint and or signs.
- c) All parking and storage of autos and any other vehicles contain gas or oil products shall be contained within properly paved and drained areas.
- d) No outside storage of junk cars, parts, tires, or any salvage materials shall be allowed outside the building.
- e) No off loading of vehicles will be allowed on Main Street; all vehicles shall be off loaded within the site. Deliveries shall be limited to Monday - Saturdays 7:00 AM to 7:00 PM.
- f) A maximum of forty three (43) sale spaces shall be allowed.
- g) No waivers of applicable rules and regulations shall be authorized unless formally voted for and approved in writing by the Planning Board.
- h) The development shall be constructed in strict compliance with the provisions of the American's with Disabilities Act and 521 CMR.
- i) A properly screen dumpster with a plastic top shall be located on the property.
- j) No illicit discharge (including sanitary wastewater, oil, grease, etc.) shall be introduced into the drainage system. The owner/operator of the facility shall maintain an active log for the maintenance of the drainage system. The log shall be subject to random review by the Town of Bridgewater for compliance verification. Non-compliance with these minimum operation and maintenance schedules and monitoring may engender the imposition of administrative fines and/or penalties by the approving authorities.

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority and with the affirmative recommendation of the Bridgewater Building Inspector with consensus from the Fire and Police Departments who have 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 140 - section 58 specifically; and also sections 57 and 59 generally, of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition of Automotive Innovations, Inc. be granted a license to operate as a Class I - New Auto Dealer within the Town of Bridgewater.



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2013

Council Order: #O-2013-002

Introduced By:	Town Manager (At the request of the Water/Sewer Superintendant)
Date Introduced	January 22, 2013
First Reading:	January 22, 2013
Second Reading:	February 26, 2013
Third Reading/Public Hearing	March 19, 2013
Amendments Adopted:	January 22, 2013
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-002 (as amended)

LOAN ORDER – WATER GREAT HILL TOWER REPAIR AND PAINT

ORDERED that the sum of \$873,554.00 be appropriated to paint and repair structural damage to the Great Hill Water Tower, 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 \$873,554.00 pursuant to Chapter 44, Section 8(7c) or any other enabling authority; and that the Town Manager is authorized to contract for and expend any grants, aid or gifts in available for the project; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.

Explanation:

This loan order will fund repair and paint costs to the Great Hill Water Tower.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 1/22/13. • Referred to Council Budget & Finance Committee. • Requires consideration by Finance Committee • This measure has been duly advertised for a Public Hearing in the Enterprise 3/4/13. • This measure may be finally voted at this evening's meeting.	• 1/31/13: Vote 3-0 approve pending Finance Committee approval. • 2/13/13: Vote 7-0 approve



Bridgewater Town Council

In Town Council, Tuesday, March 19, 2013

Council Petition: P-2013-001

Date Introduced/Public Hearing: February 5, 2013

Public Hearing Continuation Date: February 26, 2013

Public Hearing continuation Date: March 19, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

Petition: P-2013-001

Relative to:

PETITION FOR POLE LOCATIONS

Whereas, Massachusetts Electric Company requests permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said company may deem necessary, in the following public way or ways; and

South Street

**NGRID is petitioning to install a 35C3 Solely owned pole and anchor
approx 30' ± from Pole 77**

Wherefore, it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain pole and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked:

MASSACHUSETTS ELECTRIC COMPANY

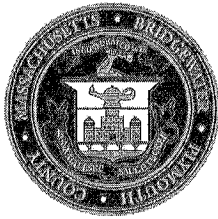
Plan No. **12527896** Dated: **11/13/2012**

Whereas, the petitioner agrees to reserve space for one crossarm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used exclusively for municipal purposes.

Whereas, the petitioner has complied with the requirements of the Town of Bridgewater and applicable state laws; and

Whereas, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority and with the affirmative recommendation of the Highway Department which has oversight authority, it appears that the public good so requires such license be granted;

The Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled approve the petition be granted as requested.



Bridgewater Town Council

In Town Council, Tuesday, March 19, 2013

Council Petition: P-2013-011

Date Introduced/Public Hearing: March 19, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Petition: #P-2013-011

Relative to:

THE GRANTING OF ONE-DAY ALCOHOL PERMITS

WHEREAS, Sodexo, Inc. has petitioned for four (4) One-Day Wine and Malt Beverages Permits for the following events to be held on the campus of Bridgewater State University (B.S.U.):

	EVENT	DATE	TIME	APPROXIMATE ATTENDANCE	LOCATION
1	Math and Science Workshop	Thursday, April 11, 2013	6:30 p.m. - 8:00 p.m.	100	Dunn Conference Room
2	CARS May Celebration	Tuesday, May 14, 2013	3:30 p.m. - 5:30 p.m.	100	Moakley Center
3	MPA Public Service Recognition	Tuesday, May 14, 2013	5:30 p.m. - 8:30 p.m.	60	Dunn Conference Room
4	CARS May Celebration	Wednesday, May 15, 2013	3:30 p.m. - 5:30 p.m.	100	Moakley Center

; and

WHEREAS, Gary Boothby – Director of Sodexo Food Service for B.S.U. will serve as the manager of record for the events; and

WHEREAS, Sodexo, 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 in accordance with the affirmative recommendations of the Police and Fire Departments who have 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 Sodexo, Inc. be granted four (4) One-Day Wine and Malt Beverages Permits for the aforementioned events to be held on the campus of Bridgewater State University.



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2013

Council Order: #O-2013-002

Introduced By:	Town Manager (At the request of the Water/Sewer Superintendant)
Date Introduced	January 22, 2013
First Reading:	January 22, 2013
Second Reading:	February 26, 2013
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Date Adopted:	
Date Effective:	

Proposed Order #O-2013-002 (as amended)

LOAN ORDER – WATER GREAT HILL TOWER REPAIR AND PAINT

ORDERED that the sum of \$873,554.00 be appropriated to paint and repair structural damage to the Great Hill Water Tower, 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 \$873,554.00 pursuant to Chapter 44, Section 8(7c) or any other enabling authority; and that the Town Manager is authorized to contract for and expend any grants, aid or gifts in available for the project; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.

Explanation:

This loan order will fund repair and paint costs to the Great Hill Water Tower.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 1/22/13. • Referred to Council Budget & Finance Committee. • Requires consideration by Finance Committee • This measure has been duly advertised for a Public Hearing in the Enterprise 3/4/13. • This measure may be finally voted at this evening's meeting.	• 1/31/13: Vote 3-0 approve pending Finance Committee approval. • 2/13/13: Vote 7-0 approve



Bridgewater Town Council

In Town Council, Tuesday, March 19, 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:	March 19, 2013
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.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 3/5/13. • No referral needed. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	

**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 AUTHORITYfor FourYears
TRUSTEES OF PUBLIC LIBRARYfor Three Years
TRUSTEES OF PUBLIC LIBRARYfor Three Years
TRUSTEES OF PUBLIC LIBRARYfor 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

ROLL CALL VOTE: PASSAGE REQUIRES MAJORITY VOTE OF THOSE PRESENT AND VOTING



Bridgewater Town Council

In Town Council, Tuesday, March 19, 2013

Council Transfer: #T-2013-007

Introduced By: Town Manager
Date Introduced: February 26, 2013
First Reading: February 26, 2013
Second Reading: March 19, 2013
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer: #T-2013-007

RETURN FUNDS - FEMA

ORDERED, pursuant to M.G.L. Chapter 44 § 64 and Section 6-4 (d) of the Home Rule Charter, the Town Council of Bridgewater, Massachusetts vote to appropriate and transfer the sum of \$1,546.87 for the purpose of returning funds to MEMA from the account(s) listed below, or to take any other action relative thereto.

Accounting Information:			
From Account:	Number	Name	Amount
	001-420-01-0101-511400	General Salaries	\$ 1,546.87
To Account:	Number	Name:	Amount
	001-291-05-1022-570000	Unpaid bill – FEMA return funds	\$ 1,546.87
			\$ 1,546.87

Explanation:

The Town was reimbursed for work as a result of two projects (Titicut Street and Sumer Street) by FEMA in December 2010. Although these are town accepted streets, FEMA has determined that the work was on a federally supported road. These roads are not eligible for project funds therefore the money needs to be refunded.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- This measure received a first reading 2/26/13. - Referred to Council Budget & Finance Committee - Requires consideration by Finance Committee. 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	3/11/13: Vote 3-0 approve 3/13/13: Vote approved

ROLL CALL VOTE: PASSAGE REQUIRES 2/3 VOTE OF FULL COUNCIL (6)



Bridgewater Town Council

In Town Council, Tuesday, March 19, 2013

Council Transfer: #T-2013-009

Introduced By: Town Manager
Date Introduced: March 5, 2013
First Reading: March 5, 2013
Second Reading: March 19, 2013
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
	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
	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.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 3/5/13. • Referred to Council Budget & Finance Committee • Requires consideration by Finance Committee. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	



Bridgewater Town Council

In Town Council, Tuesday, March 19, 2013

Council Order: O-2013-006

Introduced By:	President Timothy Fitzgibbons and Vice President William Wood (At the request of the Town Clerk)
Date Introduced	March 19, 2013
First Reading:	March 19, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order O-2013-006

2013 SPECIAL STATE PRIMARY WARRANT

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

Explanation:

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

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

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 the Special State Primaries to vote at

Precincts 1, 2, 3, 4, 5, 6 & 7
(precinct numbers)

Bridgewater Middle School, 166 Mount Prospect Street
(polling location)

on **TUESDAY, THE THIRTIETH OF APRIL, 2013**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Primaries for the candidates of political parties for the following office:

SENATOR IN CONGRESS. . . . FOR THE COMMONWEALTH

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 _____, 2013.
(month)

Town Council of Bridgewater

(Indicate method of service of warrant.)

_____, 2013.
Constable (month and day)

(Warrant must be posted at least *seven days prior* to April 30, 2013.)



Bridgewater Town Council

In Town Council, Tuesday, March 19, 2013

Order: O-2013-007

Introduced By: Town Manager

Date Introduced: March 19, 2013

First Reading: March 19, 2013

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Order #O-2013-007

FY13 CAPITAL PURCHASES

ORDERED that, pursuant to Section 6-4 (a) of the Town of Bridgewater Charter, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate the sum of Three Hundred-Eighty Eight Thousand Dollars (\$388,000.00) from the General Fund Undesignated Fund Balance (*account #001-000-00-0000-359000*) to pay costs of the following FY13 capital purchases:

	Project	Department	Free Cash	Other Funding	University Funding	Project Total
1	Pickup Truck	Fire			\$ 45,000	\$ 45,000
2	Utility Vehicle	Inspectional Services	\$ 30,000			\$ 30,000
3	Police Copy Machine	IT			\$ 8,000	\$ 8,000
4	Upgrade CCTV	Police			\$ 40,000	\$ 40,000
5	Pickup Truck	Highway	\$ 46,000			\$ 46,000
6	Repair Door Access	Police	\$ 40,000			\$ 40,000
7	Upgrade IMC server	IT	\$ 7,000			\$ 7,000
8	Police Phone Center	IT	\$ 27,000			\$ 27,000
9	Cruiser Replacements	Police	\$ 144,000	\$ 28,000		\$ 172,000
10	Brush Chipper	Highway	\$ 40,000			\$ 40,000
11	Water Tank Lettering				\$ 15,000	\$ 15,000
12	Dump/Pickup Truck	Recreation	\$ 54,000			\$ 54,000
	TOTAL TOWN PROJECTS FOR FY13		\$ 388,000	\$ 28,000	\$ 108,000	\$ 524,000

And for the payment of all other costs incidental and related thereto; that the amounts indicated above for each project are estimates and that the Town Manager may allocate more funds to any one or more of such projects, and less to others, so long as, in the judgment of the Town Manager, each of the projects described above can be completed within the total appropriation made by this Order;

And that the Town Manager is authorized to contract for and expend any grants, aid or gifts in available for the project; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.

Explanation:

The Town Manager recommends that the Town Council approve a total of \$524,000 in capital project expenditures for FY2013. Funding for these expenditures will come from varied sources including \$28,000 in appropriations from revolving funds; \$108,000 from funding provided by Bridgewater State University; and \$388,000 from free cash.



Bridgewater Town Council

In Town Council, Tuesday, March 19, 2013

Transfer: T-2013-010

Introduced By: Town Manager

Date Introduced: March 19, 2013

First Reading: March 19, 2013

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #T-2013-010

SUPPLEMENTAL APPROPRIATION – OLDE SCOTLAND LINKS GOLF COURSE TRANSFER

ORDERED that, Pursuant to M.G.L. Chapter 41 § 56 and Section 6-4 (a) of the Town of Bridgewater Home Rule Charter, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate \$100,000.00 from the General Fund Undesignated Fund Balance (*account #001-000-00-0000-359000*) to account #603-655-01-0102-558025 (*Golf Course Supplies*) or take any other action relative thereto.

Explanation:

The Olde Scotland Links golf course needs the above supplemental appropriation in order to replenish the golf course supply account.