BRIDGEWATER TOWN COUNCIL

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

AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) April 23, 2013

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

a) Michael Berolini

b) Paul E. Sullivan

D. CITIZEN OPEN FORUM

E. APPOINTMENTS - None

F. HEARINGS - None

G. LICENSE TRANSACTIONS

a) Petition #P-2013-019: Annual Entertainment License – JMC, Inc. dba Pattaya Restaurant

b) Petition #P-2013-020: New Common Victualler License – Prisco's

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

a) FY 14 Budget (*Councilor Berolini*)

b) Draft Calendar of Presenters (*Councilor Whitaker*)

K. SUBCOMMITTEE REPORTS

L. LEGISLATION FOR ACTION

<u>FY2014 Budget Orders</u>

a) O-2013-008: FY14 Annual Town Budget

b) O-2013-009: FY14 Sewer Enterprise Fund Budget

c) O-2013-010: FY14 Water Enterprise Fund Budget

d) O-2013-011: FY14 OSLGC Enterprise Fund Budget

e) O-2013-012: FY14 Transfer Station Enterprise Fund Budget

f) Order #O-2013-014: Authorization to Execute Preservation Restriction – Keith Home

g) Order #O-2013-015: Approve Preservation Restriction – Keith Home

M. OLD BUSINESS

N. NEW BUSINESS

a) Transfer #T-2013-011: Water Department Transfer to Repair Well #4

b) Transfer #T-2013-012: CPC Reversion of Funds – McElwain School

c) Order #O-2013-017: Library Contract Ratification

d) Order #O-2013-018: Funding for Bridgewater-Raynham Regional School District – Bridgewater Middle School Roof

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION
Pursuant to M.G.L., Section 21A (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, May 7, 2013

Council Petition: P-2013-019

Date Introduced/Public Hearing: May 7, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Petition: P-2013-019

Relative to:

THE GRANTING OF AN ANNUAL ENTERTAINMENT LICENSE

WHEREAS, JMC, Inc. dba Pattaya Restaurant has submitted all applicable documentation as required for new annual Entertainment License; and

WHEREAS, JMC, Inc. dba Pattaya Restaurant has complied with the policies and requirements of the Town of Bridgewater; and

WHEREAS, the license will allow use of the TV and recorded music/jukebox on the licensed premises.

WHEREAS, the hours of operation for the events will be: *Monday - Sunday 11:00 a.m. – 10:30 p.m.*

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 140 of the Massachusetts General Law (MGL), in Town Council assembled approve the petition that the JMC, Inc. dba Pattaya Restaurant, 70 Broad Street, Bridgewater, Massachusetts be granted an Annual Entertainment License as requested.

Hearing Date: May 7, 2013

PETITION: NEW ANNUAL ENTERTAINMENT LICENSE

APPLICANT: ***JMC, Inc, dba Pattaya Restaurant, 70 Broad Street***

State Documents

1 √ Application Form

2 √ Floor Plans

3 √ $ 300.00 - License Fee

Recommendations

4 √ Tax Office

5 √ Fire Department

6 √ Police Department

7 **N/A** Building Department

8 **N/A** Health Department *(If applicable - For transfer of Common Victualler Licenses only)*

NOTES:

1) Hours of operation for the entertainment license will be: Monday - Sunday 11:00 a.m. – 10:30 p.m.

N/A - Not Applicable or Not Required

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Petition: P-2013-020

Date Introduced/Public Hearing: May 7, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

Petition: P-2013-020

Relative to:

THE GRANTING OF A COMMON VICTUALLER LICENSE

WHEREAS, Steve's Lawn Care, Inc. dba Priscos's Country Creamery has submitted all applicable documentation as required for a new license to operate a new food establishment at 8 Romney Road, Bridgewater, Massachusetts; and

WHEREAS, Stephen and Nancy Prisco will serve as the managers of record and proposes to operate the business during the following hours:

Monday - Sunday	11:00 a.m. - 11:00 p.m.

and;

WHEREAS, Steve's Lawn Care, Inc. dba Priscos's Country Creamery has complied with the requirements of the Town of Bridgewater and applicable state laws inclusive of the Building Code, Fire Codes and Health Department's Food Service Specifications governing the serving of food to the public; 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 Bridgewater Building Inspector, Fire, Police, and Health 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 2 and section 6 respectively of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition of Steve's Lawn Care, Inc. doing business as Priscos's Country Creamery be granted a license to operate a food establishment within the Town of Bridgewater.

Town Council Meeting Date: May 7, 2013

COMMON VICTUALLER LICENSE - New License

BUSINESS NAME: ***Steve's Lawn Care, Inc. dba Priscos's Country Creamery, 8 Romney Road***

Proposed Hours: Monday & Sunday: 11:00 a.m. - 11:00 p.m.

Required Documents

1	√	Application
2	√	Articles of Incorporation
3	√	Vote of the Corporate Board appointing Manager
4		Copy of one of the following: Lease Agreement, Purchase & Sales Agreement, or Deed *(if property owner)*
5	**ON FILE**	Floor Plan
6	√	Delinquent Tax Certification
7	√	State Tax Affidavit
8	√	Workmans' Compensation Insurance Affidavit
9	√	Town Fees
	√	$100.00 - Application Fee
	√	$100.00 - License Fee

Recommendations

10	√	Tax Collector's Office
11	√	Fire Department
12	√	Police Department
13	√	Building Department
14	√	Health Department

NOTES:

1) Recommendations have been received by the Tax Office, Fire, Building and Health Departments.

N/A - Not Applicable or Not Required

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Order: O-2013-008

Introduced By:	Town Manager
Date Introduced:	April 2, 2013
First Reading:	April 2, 2013
Second Reading/Public Hearing:	April 23, 2013
Third Reading:	May 7, 2013
Fourth Reading:	
Amendments Adopted:	April 23, 2013
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-008

FY14 ANNUAL TOWN BUDGET

ORDERED that to provide for the payment of certain current year expenses of the Town for the fiscal year ending June 30, 2014, the Town raise and appropriate and vote into a tax to be assessed according to law and/or appropriate and transfer from funds already appropriated for other purposes and/or borrow pursuant to law or otherwise a sum of money for the operation and current expenses of the Town for the ensuing year and further that such appropriation in the sum of $45,990,941.04 be for personal services, general expenses, principal and interest on maturing debt, and all other charges for various departments, for the ensuing fiscal year, all of the foregoing to apportioned and segregated for several specific purposes, designated and that the same be expended for such purposes, each function being considered a separate appropriation as shown below:

Account		Other Amounts	
		State and County Charges	
111	101	Town Council	27,405
	102	Town Council	20,000
		Total	**47,405**
123	101	Town Manager	230,866
	Total 102 & 103	Town Manager	31,804
		Total	**262,670**
131	101	Finance Committee	2,000
	102	Finance Committee	1,500
		Total	**3,500**
132		Reserve Fund	88,000

135	101	Town Accountant	134,595
	Total 102 & 103	Town Accountant	69,350
		Total	**203,945**
141	101	Assessors	97,927
	Total 102 & 103	Assessors	75,450
		Total	**173,377**
145	101	Treasurer / Collector	190,393
	Total 102 & 103	Treasurer / Collector	51,465
		Total	**241,858**
151	101	Law	63,510
	Total 102	Law	10,000
		Total	**73,510**
155	101	MIS Computer	82,640
	Total 102 & 103	MIS Computer	96,000
		Total	**178,640**
161	101	Town Clerk	135,846.69
	Total 102 & 103	Town Clerk	24,190
		Total	**160,036.69**
166	101	Parking Officer	15,000
	102	Parking Officer	750
		Total	**15,750**
171	101	Conservation	62,180
	102	Conservation	1,000
		Total	**63,180**
175	101	Planning Community Development	95,526.08
	102	Planning Community Development	4,650
		Total	**100,176.08**
176	101	Zoning Appeals	5,882
	102	Zoning Appeals	200
		Total	**6,082**
192	101	Town Buildings	0
	102	Town Buildings	160,000
		Total	**160,000**

193	102	Town Buildings Senior Center	**19,340**
210	101	Police	3,529,496.39
	Total 102 & 103	Police	164,080
		Total	**3,693,576.39**
220	101	Fire	3,805,997
	Total 102 & 103	Fire	221,125
		Total	**4,027,122**
240	101	Inspectional Services	243,678
	102	Inspectional Services	15,125
		Total	**258,803**
292	101	Animal Control	24,000
	102	Animal Control	1,000
		Total	**25,000**
297	101	Shade Tree Management	57,745
	102		32,500
		Total	**90,245**
306	301	BRISTOL AGRICULT TUITION	36,701
	302	BR REG DIST TUITION	23,628,275
	302	B/R EXCLUDED DEBT SERVICE	2,269,299
	303	BRISTOL PLYMOUTH TUITION	933/579
	304	NORFOLK COUNTY AGR TUITION	180,752
		Total	**27,048,606**
420	101	Highway	473,968
	Total 102 & 103	Highway	340,300
		Total	**814,268**
421	101	Snow and Ice	25,000
	102	Snow and Ice	37,100
		Total	**62,100**
510	101	Board of Health	105,965.57
	102	Board of Health	20,357
		Total	**126,322.57**
541	101	Council on Aging	96,599
	102	Council on Aging	4,075
		Total	**100,674**

543	101	Veterans Services	19,583
	102	Veterans Services	149,450
		Total	**169,033**
610	101	Library	389,202
	102	Library	130,398
		Total	**519,600**
630	101	Recreation	67,115
	102	Recreation	
		Total	**67,115**
701	102	ST and LT Debt	**2,100,404**
910	102	Blanket Insurance	**247,586,87**
911	102	Retirement	**2,308,467**
914	102	Health Life FICA	**2,484,548.44**
915	102	Police Fire Medical	**5,000**
950	102	Gas and Oil	**145,000**
		Total	**45,990,941.04**
		Transfer to Stabilization	**151,240**
		Transfer to Golf Course	**0.00**

Committee Referrals and Dispositions:

Referral(s)	**Disposition(s)**
• Referred to Budget & Finance Committee • Requires consideration by Finance Committee	• 4/22/13: Amendments submitted by Budget & Finance Committee and Finance Committee

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Order: O-2013-009

Introduced By:	Town Manager
Date Introduced:	April 2, 2013
First Reading:	April 2, 2013
Second Reading/Public Hearing:	April 23, 2013
Third Reading:	May 7, 2013
Fourth Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-009

FY14 SEWER ENTERPRISE FUND BUDGET

ORDERED to see if the Town will vote to appropriate $1,579,777.61 from Sewer Enterprise receipts to defray Sewer direct costs and that $85,492 as appropriated under Order #O-2013-008 be used for Sewer indirect costs, all to fund the totals costs of operations of the Sewer Enterprise as follows:

Personal Services	$	455,113
Other Expenses	$	719,978.61
Debt Service	$	404,686
Appropriated for Direct Costs	**$**	**1,579,777.61**
Indirect Costs - Charged to Enterprise Fund from General Fund	$	85,492
Total Cost - Sewer Fund	$	1,665,269.61

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Budget & Finance Committee • Requires consideration by Finance Committee	• No amendments offered by Budget & Finance and Finance Committee.

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

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Order: O-2013-010

Introduced By:	Town Manager
Date Introduced:	April 2, 2013
First Reading:	April 2, 2013
Second Reading/Public Hearing:	April 23, 2013
Third Reading:	May 7, 2013
Fourth Reading:	
Amendments Adopted:	April 23, 2013
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-010

FY14 WATER ENTERPRISE FUND BUDGET

ORDERED to see if the Town will vote to appropriate $2,674,679.34 from Water Enterprise receipts to defray Water direct costs and that $116,617 as appropriated under Order #O-2013-008 be used for water indirect costs, all to fund the totals costs of operations of the Water Enterprise as follows:

Personal Services	$ 586,844
Other Expenses	$1,169,134.34
Debt Service	$ 918,701
Appropriated for Direct Costs	**$2,674,670.34**
Indirect Costs - Charged to Enterprise Fund from General Fund	$ 116,617
Total Cost - Water	$2,791,296.34

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Budget & Finance Committee • Requires consideration by Finance Committee	• 4/22/13: Recommendations for amendments by Budget & Finance Committee and Finance Committee.

ROLL CALL VOTE – PASSAGE REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Order: O-2013-011

Introduced By:	Town Manager
Date Introduced:	April 2, 2013
First Reading:	April 2, 2013
Second Reading/Public Hearing:	April 23, 2013
Third Reading:	May 7, 2013
Fourth Reading:	
Amendments Adopted:	April 23, 2013
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-011

FY14 OSLGC ENTERPRISE FUND BUDGET

ORDERED to see if the Town will vote to appropriate $1,419,385.30 from OSLGC Enterprise receipts and a $100,000 General Fund subsidy to defray OSLGC direct costs and that $93,817 as appropriated under Order #O-2013-008 be used for OSLGC indirect costs, all to fund the totals costs of operations of the OSLGC Enterprise as follows:

Personal Services	$	397,666
Other Expenses	$	434,802.30
Debt Service	$	586,917
Appropriated for Direct Costs	**$**	**1,419,385.30**
Indirect Costs - Charged to Enterprise Fund from General Fund	$	93,817
Total Cost - OSLGC	$	1,513,202.30

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Budget & Finance Committee 4/2/13 • Requires consideration by Finance Committee	• 4/22/13: Amendments reviewed by Budget & Finance and Finance Committees.

ROLL CALL VOTE – PASSAGE REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Order: O-2013-012

Introduced By:	Town Manager
Date Introduced:	April 2, 2013
First Reading:	April 2, 2013
Second Reading/Public Hearing:	April 23, 2013
Third Reading:	May 7, 2013
Fourth Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-012

FY14 TRANSFER STATION ENTERPRISE FUND BUDGET

ORDERED to see if the Town will vote to appropriate $264,286.80 from Transfer Station Enterprise receipts to defray Transfer Station direct costs and that $40,252 as appropriated under Order #O-2013-008 be used for Transfer Station indirect costs, all to fund the totals costs of operations of the Transfer Station
Enterprise as follows:

Personal Services	$	41,760
Other Expenses	$	222,526.80
Debt Service	$	-
Appropriated for Direct Costs	**$**	**264,286.80**
Indirect Costs - Charged to Enterprise Fund from General Fund	$	40,252
Total Cost - Transfer Station	$	304,538.80

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Budget & Finance Committee • Requires consideration by Finance Committee	• 4/22/13: Recommended amendments reviewed by Budget & Finance and Finance Committee.

ROLL CALL VOTE – PASSAGE REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Order: O-2013-014

Introduced By:	Town Manager
Date Introduced:	April 23, 2013
First Reading:	April 23, 2013
Second Reading:	May 7, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order O-2013-014

AUTHORIZTION TO EXECUTE PRESERVATION RESTRICTION – KEITH HOUSE

ORDERED; That the town, pursuant to a Council vote on 9/18/12 (effective 10/19/12) to designate Historic New England as holder of the Preservation Restriction on the Robert Keith House, that the town specifically authorizes Michael Dutton, Town Manager, to execute the Preservation Restriction Agreement and Stewardship Contribution Agreement for the amount of $56,000 with Historic New England in compliance with the requirements of the Community Preservation Act regarding disposition of interests in real property purchased under this Act.

ROLL CALL VOTE – PASSAGE REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Order: O-2013-015

Introduced By:	Town Manager
Date Introduced:	April 23, 2013
First Reading:	April 23, 2013
Second Reading:	May 7, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order O-2013-015

PRESERVATION RESTRICTION APPROVAL – KEITH HOUSE

ORDERED; That the town, as required under Mass. Code 184, section 32, formally approve the Preservation Restriction Agreement on the Robert Keith House, 515 Lakeside Drive, Bridgewater, Mass. in order to allow for its perpetual protection as provided by state statute.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 4/23/13. • No referral needed. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	

ROLL CALL VOTE – PASSAGE REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Transfer: T-2013-011

Introduced By:	Town Manager
Date Introduced:	May 7, 2013
First Reading:	May 7, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Transfer #T-2013-011

TRANSFER APPROPRIATION – WATER DEPARTMENT (REPLACE WELL #4)

ORDERED that, Pursuant to Section 6-4 (d) of the Town of Bridgewater Home Rule Charter, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate $150,000.00 from the Water Retained Earnings Account *(account # 605-000-00-0000-359000)* to account #XXXX *(Replacement of Well #4)* or take any other action relative thereto.

Explanation:

The original gravel packed well was installed in year 1971. After years of redevelopment, the wells' plugging has increased and the yield has diminished causing and more frequent cleaning. Also, the most recent investigation has uncovered structural damage within the well shaft. Our engineers have reviewed all reports and recommended a new well be installed.

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Transfer: T-2013-012

Introduced By:	Town Manager (at the request of the CPC)
Date Introduced:	May 7, 2013
First Reading:	May 7, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Transfer - # T-2013-012

REVERSION OF CPA FUNDS MCELWAIN PROJECT COMPLETION

ORDERED that Pursuant to Section 6-4 (d) of the Town of Bridgewater Charter, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer $5915.42 from account 201-172-10-2073-530032, (McElwain Historic Registry Project) to the Historic Preservation Reserve account 201-000-00-0000-324200 or take any other action relative thereto.

Explanation: The project has been completed as of March 01 2013.Per Project completion letter from J.W Goldson.

NOT FOR ACTION – FIRST READING ONLY

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Council Order: #O-2013-017

Introduced By:	Town Manager
Date Introduced	May 7, 2013
First Reading:	May 7, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-017

LIBRARY CONTRACT RATIFICATION

ORDERED, in accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated agreement with the Library Staff.

Explanation:
The Town Manager negotiated an agreement with the Library Staff. An affirmative vote of the Council will approve the contract as presented.

Bridgewater Town Council

In Town Council, Tuesday, May 7, 2013

Order: O-2013-018

Introduced By:	Town Manager
Date Introduced:	May 7, 2013
First Reading:	May 7, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Order #O-2013-018

BRIDGEWATER-RAYNHAM REGIONAL SCHOOL DISTRICT –

BRIDGEWATER MIDDLE SCHOOL ROOF ACCELERATED REPAIR PROJECT

WHEREAS, the Town must vote to approve the indebtedness authorized by the Regional District School Committee of the Bridgewater-Raynham Regional School District for the purpose of paying costs of replacing the roof at the Bridgewater Middle School, located at 166 Mt. Prospect Street, in Bridgewater, and for the payment of all other costs incidental and related thereto *(the "Project")*, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority *("MSBA")*.

ORDERED, that the Town Council of Bridgewater, Massachusetts in Town Council assembled approves the indebtedness authorized by the Regional District School Committee of the Bridgewater-Raynham Regional School District for the purpose of paying costs of replacing the roof at the Bridgewater Middle School, located at 166 Mt. Prospect Street, in Bridgewater, and for the payment of all other costs incidental and related thereto *(the "Project")*, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority *("MSBA")*.

Further, Ordered that this approval is conditioned upon an affirmative vote of the Town to exclude the amounts needed to repay the Town's allocable share of this borrowing from the limitations on local property taxes contained in Chapter 59, Section 21 C of the General laws *(also known as Proposition 2 1/2)*.

Explanation:

This legislation is the next step in the process to continue with the Bridgewater Middle School Roof Accelerated Repair Project, the Bridgewater-Raynham Regional School Committee voted unanimously the following vote at its March 13, 2013 Public Hearing/Business Meeting. This was at the request of the Mass. School Building Authority. On April 3, 2013, the Board of the Massachusetts School Building Authority voted to approve the Proposed Accelerated Repair Projects for the Bridgewater-Raynham Regional School District to replace the roof at the Bridgewater Middle School.

Approval of this measure would place a debt exclusion question on the ballot with respect to its allocable share of debt service on the debt of the District authorized for the Bridgewater Middle School roof replacement project.