



BRIDGEWATER TOWN COUNCIL

Tuesday, June 4, 2013

7:30 PM

BTV Studios, 80 Spring Street

AGENDA

- A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS
- B. ANNOUNCEMENTS FROM THE PRESIDENT
- C. PROCLAMATIONS
- D. CITIZEN OPEN FORUM
- E. APPOINTMENTS –
 - a) Mr. Frank Rizzotti – *Casino Task Force*
 - b) Councilor Peter Colombotos – *Plymouth County Advisory Board*
- F. HEARINGS –
 - a) 7:40 p.m., Order #2013-018: Funding for Bridgewater-Raynham Regional School District – Bridgewater Middle School Roof
- G. LICENSE TRANSACTIONS
- H. PRESENTATIONS
 - a) Casino Task Force Chair, Joseph Gillis, Jr.
 - b) Town Planner/Planning Board Activity
- I. TOWN MANAGER'S REPORT
- J. DISCUSSIONS
- K. SUBCOMMITTEE REPORTS
- L. LEGISLATION FOR ACTION
 - a) Order #O-2013-016: Special State Senator Election Warrant (*Council President and Vice President at the request of the Town Clerk*)
This measure was not referred to a committee. 14 days has elapsed per Section XVIII of the Council Rules and Procedures, therefore this measure may be finally considered.
 - b) Order #O-2013-021: USW Contract Ratification
This measure was referred to the Council Contracts Committee on 5/21/13. The Council Contracts Committee will meet on 6/3/13 and will provide their disposition to the full council at their meeting of 6/4/13. This measure may be finally considered pending a final disposition from the Council Contracts Committee.
 - c) Transfer# T-2013-013: Funding of USW Contract
This measure was referred to the Council Budget & Finance Committee and the Finance Committee. The Council Budget & Finance Committee will meet on 6/3/13 and will provide their disposition to the full council at their meeting of 6/4/13. This measure may be finally considered pending a final disposition from the Council Budget & Finance Committee.
 - d) Transfer #T-2013-008: CPC Funds Transfer Contract Preservation Planner/Grant Writer(*Town Manager at the request of the CPC*)

The Council Budget & Finance Committee voted to approve this measure 3-0 on 3/18/13. The Finance Committee voted 5-0 to approve this measure on 5/22/13. This measure may be finally considered.

- e) Transfer #T-2013-012: Reversion of Funds – McElwain School (*Town Manager at the request of the CPC*)

The Finance Committee voted 6-0 to approve this measure on 5/22/13. The Council Budget and Finance Committee will consider this measure at their meeting scheduled for 6/3/13 and will provide their disposition to the full council at their meeting of 6/4/13. This measure may be finally considered pending a final disposition from the Council Budget & Finance Committee

M. OLD BUSINESS

- a) Ordinance #O-2012-020: Amend Zoning Bylaw – Section 7, Signs

This measure was referred to the Planning Board and the Council Rules & Procedures committee. The Planning Board voted not to support the measure. On 5/28/13, the Council Rules & Procedures committee voted 2-0 to recommend the Town Council “table” the measure. Should this measure move forward, advertising and a public hearing is required.

- b) Ordinance #O-2012-023: Amend Subcommittees

On 5/28/13, the Council Rules & Procedures committee voted 2-0 to recommend the Town Council “table indefinitely” this measure. Should this measure move forward, advertising is required.

- c) Ordinance #O-2013-001: Establish Procedures for Filling Council Vacancies

On 5/28/13, the Council Rules and Procedures Committee voted 2-0 to recommend approval to the Town Council. This measure requires advertising and may not be finally considered at this evening’s meeting.

- d) Order #O-2013-019: Dissolve Town Manager Search Committee (*Councilor Fitzgibbons*)

On 5/28/13 the Council Rules & Procedures committee voted 2-0 to recommend approve of this measure. This measure may be finally considered at this evening’s meeting.

- e) Order #O-2013-020: Dissolve Council Partnership Committee (*Councilor Fitzgibbons*)

On 5/28/13 the Council Rules & Procedures committee voted 2-0 to recommend approval of this measure. This measure may be finally considered at this evening’s meeting.

N. NEW BUSINESS

- a) Resolution #R-2013-003: A Resolution on the Recall Investigation Report (*Councilor Wood*)

- b) Order #O-2013-022: Approve Preservation Restriction – First Parish Church – Unitarian Universalist (*Town Manager at the Request of the CPC*)

- c) Order #O-2013-023: Authorization of Revolving Funds (*Town Manager*)

- d) Order #O-2013-024: Amend Council Rules & Procedures Section III: Council Meetings (*Councilor Fitzgibbons*)

- e) Order #O-2013-025: Dissolve Contracts Review Committee (*Councilor Fitzgibbons*)

- f) Transfer #T-2013-014: Financial Systems Improvements (*Town Manager*)

- g) Transfer #T-2013-015: Accounting Departmental Transfer (*Town Manager*)

- h) Order# O-2013-026: Acceptance of a Gift (*Town Manager*)

- i) Transfer #T-2013-016: Departmental Fund Transfer (*Town Manager*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Order: O-2013-018

Introduced By:	Town Manager
Date Introduced:	May 7, 2013
First Reading:	May 7, 2013
Second Reading/Public Hearing:	June 4, 2013
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.

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 5/7/13. • Referred to Council Budget & Finance Committee. • Requires Consideration by Finance Committee • This measure was duly advertised for a public hearing in the Enterprise on 5/21/13 • Public Hearing was posted with Town Clerk's office and measure is on file for public viewing • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed, therefore this measure may be considered.	• Budget & Finance Committee will meet 6/3/13 and will provide disposition to full council on 6/4/13 • 5/22/13: Vote 6-0 to approve measure

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



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Order: O-2013-016

Introduced By:	President Timothy Fitzgibbons and Vice President William Wood (At the request of the Town Clerk)
Date Introduced	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	June 4, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order O-2013-016

2013 SPECIAL STATE ELECTION WARRANT – SENATOR IN CONGRESS

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

Explanation:

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 5/21/13 • No referral needed. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed, therefore this measure may be finally considered.	

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

Plymouth, 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 Election to vote at

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

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

on **TUESDAY, THE TWENTY-FIFTH OF JUNE, 2013**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Election for the candidates for the following office:

SENATOR IN CONGRESS. . . . FOR THIS 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 June 25, 2013.)



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Order: #O-2013-021

Introduced By:	Town Manager
Date Introduced	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	June 4, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-021

CONTRACT APPROVAL: UNITED STEELWORKERS UNION

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 United Steelworkers Union, Local 16031.

Explanation:

The Town Manager negotiated a three-year agreement with the United Steelworkers Union, Local 16031. An affirmative vote of the Council will approve the contract as presented. A subsequent transfer request will fund the appropriation thereof.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 5/21/13. • Referred to Council Contracts Committee. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed, therefore this measure may be finally considered.	• Contracts Committee meets 6/3/13 and will provide disposition to full Council 6/4/13

ROLL CALL VOTE: PASASGE REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Transfer: T-2013-013

Introduced By:	Town Manager
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	June 4, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Transfer - #T-2013-013

CONTRACT FUNDING: UNITED STEEL WORKERS

ORDERED, in accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council vote to appropriate and transfer the sum of \$ 71,555.00 from Fund Undesignated Fund Balance (*account #001-000-00-0000-359000*), to varied departmental line accounts within the General Government budget, for the purposes of funding collective bargaining agreement with the United Steel Workers for the remainder of FY13, or take any other action relative thereto.

And;

ORDERED, pursuant to Section 4-2 (15) of the Town of Bridgewater Charter that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate \$2,683.20 to the Sewer Enterprise Fund budget to be represented in the accounts listed below and to meet said appropriation transfer \$2,683.20 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 4-2 (15) of the Town of Bridgewater Charter that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate 2,683.20 to the Water Enterprise Fund budget to be represented in the accounts listed below and to meet said appropriation transfer \$2,683.20 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 settled a collective bargaining agreement with the United Steel Workers, professional union. The amounts of transfer requested fulfill the town's obligations for FY2013.

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 5/21/13. • Referred to Council Budget & Finance Committee • Requires consideration by Finance Committee. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	• Budget & Finance committee meet 6/3/13 and will provide disposition to full council on 6/4/13 • Finance Committee meets 6/4/13 and will provide disposition to full Council 6/4/13

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



Bridgewater Town Council

In Town Council, Tuesday, June 4, 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: June 4, 2013

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.

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, therefore this measure may be considered.	• 3/18/13: vote 3-0 approve • 5/22/13: vote 5-0 approve

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



Bridgewater Town Council

In Town Council, Tuesday, June 4, 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: June 4, 2013
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.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 5/7/13. • Referred to Council Budget & Finance Committee • Requires consideration by Finance Committee. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed, therefore this measure may be considered.	• Budget & Finance Committee meets 6/3/13 and will provide disposition to full council 6/4/13 • 5/22/13: vote approve 6-0



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2012

Council Ordinance: D-2012-020

Introduced By: Councilor Scott Pitta
Date Introduced: October 2, 2012
First Reading: October 2, 2012
Second Reading: June 4, 2013
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Proposed Ordinance #D-2012-020

AMEND ZONING BYLAW SECTION 7, "SIGNS"

Whereas, Bridgewater's zoning bylaws make no mention of Billboards;

Whereas, Billboards exist and are in use within the borders of the Town of Bridgewater;

Whereas, there exists a need to clearly define and regulate the use of Billboards within the Town's zoning bylaws;

Therefore, in accordance with Charter Section 2-6(C), The Town Council of the Town of Bridgewater hereby votes to amend the Town's Zoning By Laws as follows;

Add new section

7.80 "Billboards may be permitted by special permit granted by the Zoning Board of Appeals in the following zoning districts: Planned Development District."

Amend Table 6.3, Section H, Line 1 to reflect the above referenced amendments.

Explanation: Despite the existence of Billboards within the Town of Bridgewater, there are no clearly defined zoning bylaws or limitations on their design, use, or content.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 10/2/12 • Referred to Planning Board • Referred to Council Rules & Procedures committee. • This measure requires advertisement	• 12/17/12: vote 5-0 to oppose bylaw change. • 5/28/13: vote 2-0 to recommend council "table" measure.

NOT FOR ACTION – REQUIRES ADVERTISING PENDING ANY AMENDMENTS OFFERED BY COUNCIL



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2012

Council Ordinance: D-2012-023

Introduced By:	Councilor Kristy Colón
Date Introduced:	December 18, 2012
First Reading:	December 18, 2012
Second Reading:	June 4, 2013
Third Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance #D-2012-023

AMEND COUNCIL COMMITTEES

ORDERED that pursuant to The Bridgewater Home Rule Charter section 2-6 (c) and the Council Rules and Procedures Section XXXVII the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled; vote to amend the Council Rules and Procedures Section XXVI "COMMITTEES" to read as follows:

Committees of Council members shall be authorized by majority vote of the Council. The following standing Committees are hereby established by rule: A Budget and Finance Committee, a Rules and Procedures Committee, A Public Safety Committee, a Community and Economic Development/Strategic Planning Committee, and a Contracts Committee. Appointments to committees of the Council are made by the President. Appointed individuals shall receive notification of their appointment from the President prior to the public announcement of the makeup of the committee. Notice of all committee meetings must adhere to the Massachusetts Open Meeting Law, and approved meeting minutes must be posted on the Town Website within a reasonable period of time.

Explanation:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 12/18/12. • Referred to Council Rules & Procedures committee • This measure would require advertising	• 5/28/13: vote 2-0 recommend Council "table indefinitely"

NOT FOR ACTION – REQUIRES ADVERTISING PENDING AMENDMENTS



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Ordinance: D-2013-001

Introduced By:	Councilor Timothy Fitzgibbons
Date Introduced:	February 26, 2013
First Reading:	February 26, 2013
Second Reading:	June 4, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-001

ESTABLISH PROCEDURES RELATIVE TO IMPLEMENTING SECTION 2-5 OF THE TOWN CHARTER

ORDERED: Whenever a vacancy on the Council occurs requiring it be filled pursuant to section 2-5(c) of the Charter, the Council shall use the following procedure in order to fill such vacancy:

- 1) The Council shall make known the position is open and ask for volunteers to fill it through as many outlets as seem feasible to them at the time, including, but not limited to:
 - a) Announcement at council meetings
 - b) Posting on Town bulletin boards
 - c) Communication through the town website
 - d) Information broadcast over public access cable
- 2) The Council shall set the date to fill at least 21 days after the initial vacancy is announced, applications to fill the vacancy shall close at least one week before the Council meets to fill the vacancy
- 3) When the Council meets to fill the vacancy, the agenda shall allow for a reasonable period of commentary from the public about the candidate(s) prior to a vote being taken to appoint someone to the vacancy
- 4) If no one shall have applied to fill the vacancy in the requisite time, the Council will follow the same process in steps 1-3 above until getting a qualified candidate to fill the vacancy

Explanation: The purpose of this rule is to clarify the process the Council will use to fill future vacancies under section 2-5(c) of the Charter. The intent of section 1 is to ensure the vacancy is widely advertised so as many people as possible who could fill the seat know about it. The intent of section 2 is to allow adequate time for people to consider whether or not to apply and then for the public to have adequate notice of the people who have applied. The purpose of section 3 is to allow the public, especially those from a district affected to have a chance to voice their opinion of one candidate over another. The purpose of section 4 is to ensure that if no one comes forward in the first round, there is another open and transparent time frame to solicit candidates again.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 2/26/13. • Referred to Council Rules & Procedures Committee. • This measure requires advertising.	• 5/28/13: vote 2-0 recommend approval to full council.

NOT FOR ACTION – REQUIRES ADVERTISING



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Order: #O-2013-019

Introduced By:	Councilor Fitzgibbons
Date Introduced	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	June 4, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-019

DISSOLVE TOWN MANAGER SEARCH COMMITTEE

WHEREAS; Order #2012-020: Town Manager Selection establishes a Town Manager Search Committee to meet and bring forward candidates to fill the Town Manager vacancy

WHEREAS; A Town Manager has been successfully sourced and hired and the vacancy no longer exists,

It is therefore

ORDERED, that the Town Manager Search Committee be dissolved.

Explanation:

The Town Manager Search committee is no longer necessary as the vacancy has been successfully filled.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 5/21/13. • Referred to Council Rules & Procedures committee. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed, therefore this measure may be considered.	• 5/28/13: vote 2-0 recommend approval to full council.

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



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Order: #O-2013-020

Introduced By:	Councilor Fitzgibbons
Date Introduced	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	June 4, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-020

DISSOLVE COUNCIL PARTNERSHIP COMMITTEE

WHEREAS; Order #2011-006: Mitigation Subcommittee (later changed to Partnership Committee) establishes a Council Partnership Committee to “consider issues relating to the financial impact of state institutions within the Town”

WHEREAS; the Town Manager should be the primary point of contact with the state institutions in Town;

WHEREAS; the council expects the Town manager to keep it informed on all aspects of the relationships with the various state institutions in the Town;

WHEREAS; due to these considerations, a singular committee to perform this function is no longer necessary,

It is therefore

ORDERED, that the Council Partnership Committee be dissolved.

Explanation:

The Partnership committee is no longer necessary as the Town Manager should be the primary point of contact partnership efforts.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 5/21/13. • Referred to Council Rules & Procedures committee. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed, therefore this measure may be considered.	• 5/28/13: vote 2-0 recommend approval to full council.

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



Bridgewater Town Council

In Town Council, Tuesday, Tuesday, June 4, 2013

Council Resolution: R-2013-003

Introduced By: Councilor William Wood
Date Introduced: June 4, 2013
First Reading: June 4, 2013
Second Reading:
Amendments Adopted:
Date Adopted:
Effective Date:

Proposed Resolution #R-2013-003

A RESOLUTION ON THE RECALL INVESTIGATION REPORT

WHEREAS, Article 2-11 of the Bridgewater Home Rule Charter sets out the ability to investigate; and,

WHEREAS, The Town Council passed Order #2011-060 defining the rules of an investigation; and,

WHEREAS, Order #2011-060 step 8 requires an investigation report to be generated; and,

WHEREAS, The Town Council performed an investigation in November 2011 into the validity of the 1990 Recall Special Act and related issues; and,

WHEREAS, The Superior Court has ruled on the Recall Act and related matters;

NOW THEREFORE BE IT RESOLVED: That the Town Council of the Town of Bridgewater determines that the Superior Court ruling shall satisfy the requirement of the final report of the Council's investigation into the recall effort and that the Council committee created with the express purpose to produce the investigation report has been dissolved.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Order: O-2013-022

Introduced By: Town Manager

Date Introduced: June 4, 2013

First Reading: June 4, 2013

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order O-2013-022

PRESERVATION RESTRICTION APPROVAL – FIRST PARISH CHURCH, UNITARIAN UNIVERSALIST

ORDERED; That the town, as required under Mass. Code 184, section 32, formally approve the Preservation Restriction Agreement on the First Congregational Society, Unitarian, (First Parish Church, Unitarian Universalist), 50 School Street, Bridgewater, MA 02324. in order to allow for its perpetual protection as provided by state statute.



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Order: O-2013-024

Introduced By: Councilor Timothy Fitzgibbons

Date Introduced: June 4, 2013

First Reading: June 4, 2013

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order O-2013-024

AMEND COUNCIL RULES & PROCEDURES SECTION III: COUNCIL MEETINGS

ORDERED; that effective the first meeting following the approval of this order, the Town Council of Bridgewater, Massachusetts, votes to amend Section III of the Council Rules and Procedures as follows:

“Regular meetings of the Council shall be held in the Council Chamber (Memorial Building or another suitable location as needed and as determined by a majority group of the Council or by the Council President) on the first and third Tuesday of each month, or as otherwise voted by the Council, commencing at 7:00 PM.”

Explanation:

Currently, Town Council meetings have an established start time of 7:30 p.m. Approval of this order would affect an earlier start time of 7:00 p.m.



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Order: #O-2013-025

Introduced By: Councilor Fitzgibbons

Date Introduced: June 4, 2013

First Reading: June 4, 2013

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order #O-2013-025

DISSOLVE COUNCIL CONTRACTS REVIEW COMMITTEE

WHEREAS; At the meeting held on May 15, 2012, the Town Council unanimously voted to create an "Ad Hoc" committee for the purposes of Contract Review.

WHEREAS; Per the Town Charter section 4-1 (15) the Town Council is required to approve contracts "insofar as they require appropriations".

WHEREAS; the Council Budget & Finance committee conducts review of financial appropriations;

WHEREAS; due to these considerations, a separate, ad-hoc committee to perform this review function is no longer necessary,

It is therefore

ORDERED, that the Council Contracts Review Committee be dissolved.

Explanation:

The contracts review committee is no longer necessary as the Budget & Finance committee will review as part of their considerations of appropriations.



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Transfer: T-2013-014

Introduced By: Town Manager

Date Introduced: June 4, 2013

First Reading: June 4, 2013

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer - #T-2013-014

APPROPRIATION FOR FINANCIAL SYSTEM IMPROVEMENTS

ORDERED, in accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council vote to appropriate and transfer the sum of \$ 37,012.00 from Fund Undesignated Fund Balance (*account #001-000-00-0000-359000*), to Software expense (*account # 001-135-01-0103-524026*) the amount of \$25,000.00 and to Software Maintenance (*account #001-145-01-0103-524026*) the amount of \$12,012.00 for the purposes of funding and purchases; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.

Explanation: The payroll and cash management systems in the town's financial departments are antiquated and failing. Due to recent circumstances, it necessitated that the Town Manager employ a solution to ensure there would be no interruptions in payroll processing and improves the efficiencies of all departments. The transfer requested will allow the Town to procure services necessary to implement these solutions.



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Transfer: T-2013-015

Introduced By: Town Manager

Date Introduced: June 4, 2013

First Reading: June 4, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer #T-2013-015

ACCOUNTING DEPARTMENT TRANSFER

ORDERED, pursuant to Section 6-4 (d) of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer \$4,425.85 for FY13 and \$46,028.95 for FY14 to the Accounting Department budget account #001-135-01-0101-511500 (*Clerical Salaries*) from the Treasurer's budget account # 001-145-01-0101-511300 (*Appointed Officials*).

Explanation: The FY14 budget, as voted, appropriates \$46,028.95 in the Appointed Officials salaries line item within the Treasurer's budget. The department staff member has recently been transferred to the Accounting Office. Accordingly, the additional \$4,425.85 is requested to pay salaries for the duration of FY13.



Bridgewater Town Council

In Town Council, Tuesday, June 4, 2013

Council Order: O-2013-026

Introduced By: Town Manager

Date Introduced: June 4, 2013

First Reading: June 4, 2013

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Order O-2013-026

ACCEPTANCE OF GIFT

WHEREAS: Massachusetts General Laws, Chapter 44, §53A 1/2, states as follows:

"A city council, with the mayor's approval if the charter so provides, or a board of selectmen or town council may, in its sole discretion and authority, accept gifts of tangible personal property on behalf of the city or town from the federal government, a charitable foundation, private corporation, individual, or from the commonwealth or any political subdivision thereof, and may, in its sole discretion and authority, use said gifts, without specific appropriation thereof, for the purpose of such a gift or, if no restrictions are attached to the gift, for such other purposes as it deems advisable;" and

ORDERED, That pursuant to the provisions of M.G.L. ch. 44, sec. 53A1/2, the Town Council hereby accepts a gift from the Oliari Charitable Foundation of personal property consisting of a completed and installed playground to be located on land behind the police station on Crescent Street, such gift being conditioned upon the consent of Joseph Starr as to the use of his previous gift to the Town *(for a park on land off of Starr Road)* in conjunction with the completion of the playground gift.