



BRIDGEWATER TOWN COUNCIL

Tuesday, September 3, 2013

7:30 PM

BTV Studios, 80 Spring Street

AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) July 19, 2013
- b) August 6, 2013

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Planning Board – Rebekah Caylor

F. HEARINGS

G. LICENSE TRANSACTIONS

- a) Petition #P-2013-029: (2) One Day Alcohol Licenses – Sodexo @ BSU

H. PRESENTATIONS

- a) Roselli & Clark Associates – FY12 Audit Report

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

- a) Town Manager Accomplishments Summary (*Councilor Whitaker*)

K. SUBCOMMITTEE REPORTS

L. LEGISLATION FOR ACTION -

M. OLD BUSINESS

- a) Ordinance #D-2013-003: Amend Zoning Bylaw: Article A. CBD Mixed Use Buildings
At a joint public hearing held July 19, 2013, the Planning Board voted to recommend the proposed ordinance and the Community and Economic Development Committee voted 3-0 to recommend approval. This measure has been duly advertised and may be finally considered this evening.
- b) Ordinance #D-2013-004: Amend Zoning Bylaw: Article B. CBD Mixed Use Buildings
At a joint public hearing held July 19, 2013, the Planning Board voted to recommend the proposed ordinance and the Community and Economic Development Committee voted 3-0 to recommend approval. This measure has been duly advertised and may be finally considered this evening.
- c) Ordinance #D-2013-005: Amend Zoning Bylaw: Article C. CBD Mixed Use Buildings
At a joint public hearing held July 19, 2013, the Planning Board voted to recommend the proposed ordinance and the Community and Economic Development Committee voted 3-0 to recommend approval. This measure has been duly advertised and may be finally considered this evening.
Ordinance #D-2013-006: Amend Zoning Bylaw: Article D. CBD Mixed Use Buildings
At a joint public hearing held July 19, 2013, the Planning Board voted to recommend the proposed ordinance and the Community and Economic Development Committee voted 3-0 to recommend approval. This measure has been duly advertised and may be finally considered this evening.
- d) Ordinance #D-2013-007: Amend Zoning Bylaw: Article E. CBD Mixed Use Conversion
At a joint public hearing held July 19, 2013, the Planning Board voted to recommend the proposed ordinance with one minor modification and the Community and Economic Development Committee voted 3-0 to recommend approval with the modification. This measure has been duly advertised and may be finally considered this evening.

- e) Ordinance #D-2013-008: Amend Zoning Bylaw: Article F. Bed and Breakfast
At a joint public hearing held July 19, 2013, the Planning Board voted to recommend the proposed ordinance and the Community and Economic Development Committee voted 3-0 to recommend approval. This measure has been duly advertised and may be finally considered this evening.
- f) Ordinance #D-2013-009: Amend Zoning Bylaw: Article G. Bed and Breakfast
At a joint public hearing held July 19, 2013, the Planning Board voted to recommend the proposed ordinance and the Community and Economic Development Committee voted 3-0 to recommend approval. This measure has been duly advertised and may be finally considered this evening.
- g) Ordinance #D-2013-010: Amend Zoning Bylaw: Article H. Bed and Breakfast
At a joint public hearing held July 19, 2013, the Planning Board voted to recommend the proposed ordinance and the Community and Economic Development Committee voted 3-0 to recommend approval. This measure has been duly advertised and may be finally considered this evening.
- h) Ordinance #D-2013-002: Repeal SFI Ordinance #D-2012-007
This measure was referred to the Council SFI Committee who met on 8/6/13 and recommend proposed amendments. This measure requires advertising and may not be finally considered at this evening's meeting.
- i) Ordinance #D-2013-012: Medical Marijuana Dispensaries
This measure was referred to the Planning Board and the Council Rules and Procedures Committee who held a joint public hearing on 8/19/13. Both Boards voted to recommend approval with one proposed amendment. This measure requires further advertising pending adoption of amendments and may not be finally considered at this evening's meeting.
- j) Transfer #T-2013-017: Relocation of Fiber Optic Cable Project
This measure was referred to the Finance Committee and the Council Budget & Finance Committee. The Council Budget & Finance Committee will meet 9/3/13 and will report their disposition to the full Council 9/3/13.
- k) Transfer #T-2013-018: Library Workers Transfer
This measure was referred to the Finance Committee and the Council Budget & Finance Committee. The Council Budget & Finance Committee will meet 9/3/13 and will report their disposition to the full Council 9/3/13.
- l) Transfer #T-2013-019: Unpaid Invoice for Police/Fire Medical Expense
This measure was referred to the Finance Committee and the Council Budget & Finance Committee. The Council Budget & Finance Committee will meet 9/3/13 and will report their disposition to the full Council 9/3/13.
- m) Olde Scotland Links Equipment Lease
This measure was referred to the Finance Committee and the Council Budget & Finance Committee. The Council Budget & Finance Committee will meet 9/3/13 and will report their disposition to the full Council 9/3/13.

N. NEW BUSINESS

- a) Order #O-2013-031: Acceptance of a Gift (Town Manager)
- b) Order #O-2013-032: Direct Deposit Payment To Employees (Town Manager)
- c) Order #O-2013-033: Oliver Place - Chapter 61B – Exercise Right to Purchase Land (Town Manager)
- d) Order #O-2013-034: Loan Order – Academy Building Preservation and Restoration Project (Town Manager)
- e) Transfer #T-2013-020: CPC Funds – Memorial Building Ceiling Restoration Project (Town Manager)
- f) Transfer #T-2013-021: USW Retroactive Increases Funding (Town Manager)

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, September 3, 2013

Council Petition: P-2013-029

Date Introduced/Public Hearing: September 3, 2013

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Petition: #P-2013-029

Relative to:

THE GRANTING OF ONE-DAY ALCOHOL PERMITS

WHEREAS, Sodexo, Inc. has petitioned for two (2) 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	School of social Work Alumni Dinner	September 17, 2013	5:00 p.m. - 8:00 p.m.	100	Dunn conference Room
2	Asian Studies Conference	October 11, 2013	5:00 p.m. - 7:00 p.m.	80	Bridgewater Dining Room, One Park Avenue

; 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 two (2) 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, September 3, 2013

Council Ordinance: D-2013-003

Introduced By:	Councilors Timothy Fitzgibbons and William Wood
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	August 6, 2013
Third Reading:	September 3, 2013
Amendments Adopted:	None
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-003

ZONING BYLAW AMENDMENT: Article A. CBD Mixed Use Buildings

ORDERED that pursuant to M.G.L., Chapter 40A, Section 5; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Zoning Bylaw, Article A as follows:

Replace existing language with the following:

Section 6.10 Except as provided by law or in this Ordinance in each district no building, structure or land shall be used or occupied except for the purposes permitted as set forth in the accompanying Table of Use Regulations, Section 6.30. Any use not listed shall be construed to be not allowed. The use of lands within an aquifer protection district, shall in addition, be subject to section 15.40 of this Ordinance.

***Explanation:** The purpose of this ordinance is to allow for mixed use development in the downtown area. The primary change is allowing residential usage in the downtown area as has been recommended since 2002 by Master Plan.*

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Planning Board • This measure was referred to the Community and Economic Development Committee • A joint public hearing was conducted on 7/15/13 • Public Hearing notices were published and posted as required by MGL • This measure was duly advertised in the Enterprise 8/21/13 therefore may be finally considered.	• 7/15/13: Vote unanimous to recommend • 7/15/13: Vote 3-0 to recommend approval



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-004

Introduced By:	Councilors Timothy Fitzgibbons and William Wood
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	August 6, 2013
Third Reading:	September 3, 2013
Amendments Adopted:	None
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-004

ZONING BYLAW AMENDMENT: Article B. CBD Mixed Use Buildings

ORDERED that pursuant to M.G.L., Chapter 40A, Section 5; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Zoning Bylaw, Article A as follows:

Create a new subsection below section 6.10

Section 6.11 Multiple uses Mixed use building or multiple uses on a property in the Central Business District may be allowed through the special permit process. The special permit granting authority may allow for more than one principal and/or accessory use if the property meets the requirements of Section 19.4 of the Mixed Use Ordinance. The parking requirements for each use shall apply to the portion of the building or land so used.

Explanation: The purpose of this ordinance is to allow for mixed use development in the downtown area. The primary change is allowing residential usage in the downtown area as has been recommended since 2002 by Master Plan.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Planning Board • This measure was referred to the Community and Economic Development Committee • A joint public hearing was conducted on 7/15/13 • Public Hearing notices were published and posted as required by MGL • This measure was duly advertised in the Enterprise 8/21/13 therefore may be finally considered.	• 7/15/13: Vote unanimous to recommend • 7/15/13: Vote 3-0 to recommend approval

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



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-005

Introduced By:	Councilors Timothy Fitzgibbons and William Wood
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	August 6, 2013
Third Reading:	September 3, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-005

ZONING BYLAW AMENDMENT: Article C. CBD Mixed Use Buildings

ORDERED that pursuant to M.G.L., Chapter 40A, Section 5; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Zoning Bylaw, Article A as follows:

Additional definitions to Section 2 Definitions

Use, Principal: The main or primary purpose for which a structure or lot is designed, arranged, or intended, or for which it may be used, occupied or maintained under this Ordinance. Only one principal use shall be allowed by-right for each lot.

Use, Accessory: A use incidental and subordinate to the principal use of a structure or lot, as identified in 6.30 Table of Use Regulations, i. Accessory Uses and Off-Street Parking. An accessory use by area shall not exceed 40 percent of the total area of the structure (s) and/or lot in which such use is located. Only one accessory use shall be allowed by-right for each lot.

Explanation: The purpose of this ordinance is to allow for mixed use development in the downtown area. The primary change is allowing residential usage in the downtown area as has been recommended since 2002 by Master Plan.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Planning Board • This measure was referred to the Community and Economic Development Committee • A joint public hearing was conducted on 7/15/13 • Public Hearing notices were published and posted as required by MGL • This measure was duly advertised in the Enterprise 8/22/13 therefore may be finally considered.	• 7/15/13: Vote unanimous to recommend • 7/15/13: Vote 3-0 to recommend approval

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



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-006

Introduced By:	Councilors Timothy Fitzgibbons and William Wood
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	August 6, 2013
Third Reading:	September 3, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-006

ZONING BYLAW AMENDMENT: Article D. CBD Mixed Use Buildings

ORDERED that pursuant to M.G.L., Chapter 40A, Section 5; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Zoning Bylaw, Article A as follows:

To create a new Mixed Use (CBD) Section

Section 19 Mixed Use (CBD)

19.1 Purpose:

The purpose of this section is to allow for the redevelopment of the Central Business District to expand small retail and restaurant uses while providing flexibility to respond to changing household sizes and needs.

19.2 Powers and Administrative Procedures:

The Planning Board is hereby designated the Special Permit Granting Authority (SPGA) for Mixed Use Development. The SPGA shall adopt rules relative to the issuance of special permits **for** Mixed Use Development and file a copy with the Town Clerk. The SPGA shall follow the procedural requirements for special permits as set forth in Section 9 of M.G.L. Chapter 40A. After notice and public hearing and after due consideration of the reports and recommendations of other town boards, commissions and or departments, the SPGA may grant such a permit. The SPGA shall also impose, in addition to any applicable conditions specified in this section, such applicable conditions as the SPGA finds reasonably appropriate to improve the site design, housing, traffic flow, safety and or otherwise serve the purpose of this section. Such conditions shall be imposed in writing and the applicant may be required to post a bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

19.3 Applicability:

No Mixed Use Development special permit shall be granted unless the application and site plan meet the requirements contained in Section 19.4 and the SPGAs Rules and Regulations for Mixed Use Development applications.

19.4 Requirements:

A Mixed Use Development shall be allowed by special permit, subject of the following requirements:

1. The proposal shall meet all the land space requirements table (Section 8.40);
2. The location, size and proposed uses of the development are properly located on the site;
3. Adjacent properties are protected from nuisance caused by noise, fumes, drainage, shading, traffic and/or glare of lights;
4. Significant natural features are preserved as much as possible;
5. Preservation of historic features or buildings;
6. Properties located within the Historic District shall comply with the rules and regulations of the Historic District Commission.
7. Commercial uses shall be required on the street frontage of the first floor;
8. Architectural details of new buildings and additions, textures of wall and roof materials, should be harmonious with the building's overall architectural style and should preserve and enhance the character of the surrounding area.
9. The mass, proportion and scale of the building, proportions and relationships between doors and windows should be harmonious among themselves and with those of the surrounding area.
10. The building's location shall be parallel or perpendicular to the street. The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roof line, roof pitch, arrangement of openings, color, exterior materials, proportion and scale of existing buildings in the vicinity.
11. Buildings should be placed close to the road and sidewalk to encourage pedestrian traffic; parking areas should be placed to the side or rear of buildings; long horizontal facades should be avoided by incorporating recesses and projections, of a minimum of two feet in depth; entrance ways should be emphasized by use of rooflines, changes in materials, landscape treatments or other architectural elements; franchise architecture with highly contrasting color scheme, non-traditional forms, reflective siding and roof materials should be avoided; drive-through elements should be architecturally incorporated into the building; drive-through elements generally should not face the street; the material used for additions should complement the materials of the original structure.
12. Rooflines: the use of flat roofs should be avoided, A-frame roofs are preferred; roof colors should be earth tones or a color that is darker than the facade and garish roof colors should not be used; visible roofing materials should complement the color and texture of the building's facade; roof mounted mechanical equipment should be screened from public view or grouped at the rear of the structure where visibility is limited.
13. Building Signs: sign colors should complement the colors on the building; carved wooded signs are encouraged; internally illuminated signs are not allowed; lighting fixtures illuminating signs should be located so light is directed only onto the sign facade.

- 14.** A minimum of 60% of the building's street side facade shall contain windows. The windows should be divided by muntins and framed with a casing trim; awnings should be designed as an integral part of the building facade; metal awnings are discouraged.
- 15.** The maximum number of residential units shall be five (5) units per acre, provided, however, that the SPGA, as a part of the special permit, may allow up to eight (8) units per acre if 25% of the total units are affordable (ownership or rental) as established by the Commonwealth's Division of Housing and Community Development or as revised by the Town.
- a) Affordable housing units shall be integrated with the rest of the development and shall be compatible in exterior design, exterior appearance, construction and use the same quality of materials with as the other units.
 - b) The SPGA shall require the applicant to comply with local preference requirements, if any, as established by the Town Council
 - c) Applicants under this Ordinance shall submit a marketing plan or other method approved by the SPGA, which describes how the affordable units will be marketed to potential homebuyers. This plan shall include a description of the lottery or other process to be used for selecting buyers.
 - d) Each affordable unit created in accordance with this Ordinance shall have the following limitations governing its resale. The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability for affordable income households. The resale/rent controls shall be established through a deed restriction on the property, recorded at the Plymouth County Registry of Deeds or the Land Court, and shall be in force for as long a period as is lawful.
 - e) The purchaser of an affordable housing unit developed as a result of this Ordinance shall agree to execute a deed rider prepared by the Town, granting, among other things, the Town's (or assignee) right of first refusal for a period not less than one hundred and eighty (180) days to purchase the property of assignment thereof, in the event that, despite diligent efforts to sell the property, a subsequent qualified purchaser cannot be located.
 - f) The SPGA shall require, as a condition for special permit approval under this Ordinance, that the deeds to the affordable housing units contain a restriction against renting, leasing or sub-leasing said affordable unit so that the rent does not exceed the maximum level as established by the Commonwealth's Division of Housing and Community Development (as may be revised) during the period for which the housing unit contains a restriction on affordability.
 - g) The SPGA shall require, as a condition for special permit approval under this Ordinance, that the applicant comply with the mandatory set-asides and accompanying restrictions on affordability, including the execution of the deed rider. The Zoning Enforcement Officer shall not issue an occupancy permit for any affordable unit until the deed restriction is recorded at the Plymouth County Registry of Deeds or the Land Court.
- 16.** Two parking spaces per unit plus one visitor parking space for every three units shall be provided.
- 17.** A properly screened dumpster shall be located that meet the following requirements; buffer adjacent residential uses, provides easy access for removal service, doesn't conflict with parking or interior vehicle access, plastic tops to reduce noise.
- 18.** A suitable snow storage area shall be provided without loss of any of the required parking spaces or displacement of drainage basin, swales, etc. The snow storage area shall accommodate a six (6) inch

storm event for the driveways and access ways, parking, loading and sidewalk areas contained within the development.

19. Drives and parking areas shall not be illuminated by lighting fixtures higher than twenty (20) feet. Sidewalks shall not be illuminated by lighting fixtures higher than fifteen (15) feet. All lighting fixtures shall be shielded to have a total cutoff of all light at less than ninety (90) degrees. The total cutoff of all light shall occur within the property lines of the parcel to be developed.
20. A Traffic Impact Assessment, Traffic Impact Statement and Regional Traffic Analysis shall be submitted as required by the Traffic Impact Study By-law.

19.5 Compliance:

An as -built, certified by a registered professional land surveyor or engineer shall be submitted to the SPGA and Building Inspector before the issuance of a permanent occupancy permit. The as-built plan shall attest to a development's conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

Any changes in the approved special permit shall be submitted to the SPGA for review and approval prior to issuance of permanent occupancy permit.

The special permit is granted for a period of two years and shall lapse if substantial use or construction has not been commenced by such date, except for good cause shown and provided that said construction once begun shall be actively and continuously pursued to completion within a reasonable time. Good cause and reasonable time shall be determined by a vote of the SPGA.

19.6 Appeals:

Any person aggrieved by a decision of the SPGA under this section may appeal to the Superior Court, the Land Court or the District Court pursuant to Chapter 40A of the Massachusetts General Laws.

Explanation: The purpose of this ordinance is to allow for mixed use development in the downtown area. The primary change is allowing residential usage in the downtown area as has been recommended since 2002 by Master Plan.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Planning Board • This measure was referred to the Community and Economic Development Committee • A joint public hearing was conducted on 7/15/13 • Public Hearing notices were published and posted as required by MGL • This measure was duly advertised in the Enterprise 8/22/13 therefore may be finally considered.	• 7/15/13: Vote unanimous to recommend • 7/15/13: Vote 3-0 to recommend approval



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-007

Introduced By:	Councilors Timothy Fitzgibbons and William Wood
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	August 6, 2013
Third Reading:	September 3, 2013
Amendments Adopted:	August 6, 2013
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-007

ZONING BYLAW AMENDMENT: Article E. CBD Mixed Use Buildings

ORDERED that pursuant to M.G.L., Chapter 40A, Section 5; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Zoning Bylaw, Article A as follows:

Add new line in Section 6.30

Section 6.30, Table of Use Regulations, I, Accessory Uses, 11, to allow the conversion of existing buildings into mixed use :

I	Accessory Uses	Res A/B	Res C	Res D	CBD	SBD	Bus B	Ind A	IND B	PD	MHEC	GBD
11.	Conversion of existing structure into a mixed use with a maximum of one commercial use on the first floor and two residential units * The conversion shall maintain the appearance of the existing structure.	N	N	N	Y	N	N	N	N	N	N	N

Explanation: The purpose of this ordinance is to allow for mixed use development in the downtown area. The primary change is allowing residential usage in the downtown area as has been recommended since 2002 by Master Plan.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Planning Board • This measure was referred to the Community and Economic Development Committee • A joint public hearing was conducted on 7/15/13 • Public Hearing notices were published and posted as required by MGL • This measure was duly advertised in the Enterprise 8/22/13 therefore may be finally considered.	• 7/15/13: Vote unanimous to recommend with amendment above. • 7/15/13: Vote 3-0 to recommend approval as amended.



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-008

Introduced By:	Councilors Timothy Fitzgibbons and William Wood
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	August 6, 2013
Third Reading:	September 3, 2013
Amendments Adopted:	None
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-008

ZONING BYLAW AMENDMENT: Article F. CBD Bed and Breakfast

ORDERED that pursuant to M.G.L., Chapter 40A, Section 5; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Zoning Bylaw, Article A as follows:

Add new line in Section 6.30

Section 6.30, Table Of Use Regulations, A, Residential Uses, 10A, Licensed Bed and Breakfast.

A	Residential Uses	Res A/B	Res C	Res D	CBD	SBD	Bus B	Ind A	IND B	PD	MHEC	GBD
10A.	Licensed Bed and Breakfast (see section 20)	SP	SP	SP	SP	SP	SP	N	N	N	N	SP

Explanation: The purpose of this ordinance is to allow for Bed and Breakfast operations in certain districts within Town. This Ordinance changes the current bylaw from "by right" to a Special Permit process with specific criteria in certain districts.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Planning Board • This measure was referred to the Community and Economic Development Committee • A joint public hearing was conducted on 7/15/13 • Public Hearing notices were published and posted as required by MGL • This measure was duly advertised in the Enterprise 8/23/13 therefore may be finally considered.	• 7/15/13: Vote unanimous to recommend • 7/15/13: Vote 3-0 to recommend approval



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-009

Introduced By:	Councilors Timothy Fitzgibbons and William Wood
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	August 6, 2013
Third Reading:	September 3, 2013
Amendments Adopted:	None
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-009

ZONING BYLAW AMENDMENT: Article G. Bed and Breakfast

ORDERED that pursuant to M.G.L., Chapter 40A, Section 5; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Zoning Bylaw, Article A as follows:

Add a Bed and Breakfast definition

Bed and Breakfast: a private owner occupied residence with one to five guestrooms. The bed and breakfast is subordinate and incidental to the main residential use of the building. Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than fourteen (14) days in any one-year period.

Explanation: The purpose of this ordinance is to allow for Bed and Breakfast operations in certain districts within Town. This Ordinance changes the current bylaw from "by right" to a Special Permit process with specific criteria in certain districts.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Planning Board • This measure was referred to the Community and Economic Development Committee • A joint public hearing was conducted on 7/15/13 • Public Hearing notices were published and posted as required by MGL • This measure was duly advertised in the Enterprise 8/23/13 therefore may be finally considered.	• 7/15/13: Vote unanimous to recommend • 7/15/13: Vote 3-0 to recommend approval



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-010

Introduced By:	Councilors Timothy Fitzgibbons and William Wood
Date Introduced:	May 21, 2013
First Reading:	May 21, 2013
Second Reading:	August 6, 2013
Third Reading:	September 3, 2013
Amendments Adopted:	None
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-010

ZONING BYLAW AMENDMENT: Article H. Bed and Breakfast

ORDERED that pursuant to M.G.L., Chapter 40A, Section 5; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Zoning Bylaw, Article A as follows:

Add a new Section 20. Bed and Breakfast.

Section 20 Bed and Breakfast

20.1 Purpose:

The purpose of this section is to preserve the existing housing stock and neighborhood character while providing efficient use of larger homes and providing flexibility to respond to changing household sizes and needs.

20.2 Powers and Administrative Procedures:

The Planning Board is hereby designated the Special Permit Granting Authority (SPGA) for Bed and Breakfast. The SPGA shall adopt rules relative to the issuance of special permits for Bed and Breakfast and file a copy with the Town Clerk. The SPGA shall follow the procedural requirements for special permits as set forth in Section 9 of M.G.L. Chapter 40A. After notice and public hearing and after due consideration of the reports and recommendations of other town boards, commissions and or departments, the SPGA may grant such a permit. The SPGA shall also impose, in addition to any applicable conditions specified in this section, such applicable as the SPGA finds reasonably appropriate to improve the site design, traffic flow, safety and or otherwise serve the purpose of this section. Such conditions shall be imposed in writing and the applicant may be required to post a bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

20.3 Applicability:

No bed and breakfast special permit shall be granted unless the application and site plan meet the requirements contained in Section 20.4 and the SPGAs Rules and Regulations for Bed and Breakfast applications.

20.4 Requirements:

A bed and breakfast operation shall be allowed by special permit be subject of the following requirements:

- a. The Residential building hosting a bed and breakfast must be in existence prior to the approval of this by-law.
- b. In the R-A/B, SBD and GBD districts a bed and breakfast shall have a minimum lot size of 87,120 square feet and a minimum lot frontage of 300 feet
- c. In the CBD and Bus-B districts a bed and breakfast shall have a minimum lot size of 20,000 square feet and a minimum lot frontage of 120 feet.
- d. In the RC and RD districts a bed and breakfast shall have a minimum lot size of 37,000 square feet and a minimum lot frontage of 180 feet.
- e. The only meal to be provided guests shall be breakfast, and it shall only be served to guest taking lodging in the facility.
- f. Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
- g. Exterior alterations other than sign (see i below) shall be in keeping with the character of the structure.
- h. The operation shall not use more than sixty (60%) percent of the floor area of the principal residence. Common areas such as the kitchens are not included in this calculation.
- i. For each bed and breakfast, one small-unlighted announcement sign not exceeding three square feet in area may be attached to and parallel with the front porch or wall of the building.
- j. One parking space (gravel) per guestroom plus two parking spaces for residence shall be provided.
- k. Guest spaces shall be setback a minimum of twenty feet from any property line and located to the side and rear of the building and shall be screened from adjacent properties by a four-foot high wood or masonry fence or by sight- obscuring vegetation of the same height.
- l. No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than twenty (20) feet. Sidewalks shall not be illuminated by lighting fixtures higher than fifteen (15) feet. All lighting fixtures shall be shielded to have a total cutoff of all light at less than ninety (90) degrees. The total cutoff of all light shall occur within the property lines of the parcel to be developed.

20.5 Compliance:

- a. An as built, certified by a registered professional land surveyor or engineer shall be submitted to the SPGA and Building Inspector before the issuance of a permanent occupancy permit. The as-built plan shall attest to a developments conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.
- b. Any changes in the approved special permit shall be submitted to the SPGA for review and approval prior to issuance of permanent occupancy permit.
- c. The special permit is granted for a period of two years and shall lapse if substantial use or construction has not been commenced by such date, except for good cause shown and provided that said construction once begun shall be actively and continuously pursued to completion within a reasonable time. Good cause and reasonable time shall be determined by a vote of the SPGA.

20.6 Appeals:

Any person aggrieved by a decision of the SPGA under this section may appeal to the Superior Court, the Land Court or the District Court pursuant to Chapter 40A of the Massachusetts General Laws.

Explanation: The purpose of this ordinance is to allow for Bed and Breakfast operations in certain districts within Town. This Ordinance changes the current bylaw from "by right" to a Special Permit process with specific criteria in certain districts.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Planning Board • This measure was referred to the Community and Economic Development Committee • A joint public hearing was conducted on 7/15/13 • Public Hearing notices were published and posted as required by MGL • This measure was duly advertised in the Enterprise 8/23/13 therefore may be finally considered.	• 7/15/13: Vote unanimous to recommend • 7/15/13: Vote 3-0 to recommend approval



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-002

Proposed Amendments

Introduced By: Councilor Sandra Wright
Date Introduced: May 21, 2013
First Reading: May 21, 2013
Second Reading: September 3, 2013
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-2013-002

REPEAL-AMEND SFI ORDINANCE #D-2012-007

ORDERED that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote that Ordinance #D-2012-007: Town of Bridgewater Code of Conduct and Ethics Statement of Financial Interest and Financial Disclosure Form (SFI) is hereby repealed-amended Pursuant to Section 2-7(a) of the Bridgewater Home Rule Charter and the newly revised associated form be implemented. until such time as a new Ordinance is properly introduced and adopted by the Town Council and that any further distribution of the SFI form associated with Ordinance D-2012-007 be immediately suspended.

Explanation: The purpose of this ordinance is to repeal-amend and replace the original Ordinance voted in 2012, thus halting the distribution and required collection of citizen information.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 5/21/13. • This measure was referred to the Council's SFI Committee • This measure requires advertising pending acceptance of any amendments offered/accepted, therefore may not be finally considered.	• Committee met on 7/9/13 and 8/6/13 to put forward proposed amendments and a new draft form.



TOWN OF BRIDGEWATER

For Official Use Only

STATEMENT OF FINANCIAL INTERESTS FOR THE CALENDAR YEAR

This form is prepared pursuant to Article IX, Section 9-1
of the Bridgewater Town Charter

When properly stamped by the Bridgewater Town
Clerk, this will constitute receipt of the filing.

Filing period
January 1, 20__ -December 31, 20__

Name: _____

Address: _____

Title: _____

Phone: _____ E-Mail: _____

Instructions:

- All questions must be completed. Attach additional pages if more space is needed.
- If a question does not apply, check the "not applicable" box on the bottom line of the question box. If any questions are left blank, the form will be sent back to you.
- Sign the last page.
- Return your form to:
Bridgewater Town Clerk
64 Central Square
Bridgewater, MA 02324
- If you have any questions, please call 508-659-1220 or email RAdams@BridgewaterMA.org

Due Dates:

Municipal Employees: Your form must be returned to the Town Clerk by **June 1, 2013**.

All Other Reporting Officials: If an elected official, your form must be returned **on or before the date your nomination papers are due**. Write-in candidates are required to file no later than 15 days prior to the date of the election. If you are an appointed official, your form is due **upon appointment**.

1. State the name and address of each business (defined as any legal entity organized for profit, non-profit or charitable purposes) from which income in excess of one thousand dollars (\$1,000.00) is received and the nature of your or your family's association with each business.

This information need not be provided unless the business has matters pending before, does any business with, or is subject to regulation, supervision or oversight by the agency, department, board, election commission or other city office which employs you, or over which you have administrative or legislative control.

Payer	Address	Association
[] not applicable		

2. State the name and address for each business transacting business in Bridgewater for which more than one percent (1%) of the beneficial ownership is held directly or indirectly by a family member.

[] not applicable

3. State the name and address of each creditor located within or doing business with the Town of Bridgewater to which more than one thousand dollars (\$1,000.00) was owed on December 31 of the reporting year, the original amount owing, the amount outstanding, the general nature of the security pledged for each obligation, and the terms of repayment (the annual interest rate and either the year final repayment is due).

The following need not be reported: mortgages on the primary residence, obligations on retail installment transactions, educational loans, medical and dental expenses, debt incurred in the ordinary course of an active ongoing business, alimony or support obligations, and any obligation in which the creditor is related within the third degree of consanguinity or affinity.

Creditor	Address	Original amount	Amount owing	Terms Rate/time	Security
[] not applicable					

4. If you are a member of a municipal body (defined to include any agency, committee, council, board, department or other legal entity within Town government), state the name and address of any person who reimbursed you for any expense aggregating more than one hundred dollars (\$100.00) during the reporting period and the cash value of such reimbursement.

This information need not be reported unless the reimbursor has an interest that is distinguishable from the public generally in legislation, legislative action, administrative action, or a matter before that municipal body.

Reimbursor	Address	Amount
[] not applicable		

5. If you are a member of a municipal body, state the name and address of any donor of gifts aggregating more than one hundred dollars (\$100.00) during the reporting period and the fair market value of such gifts as best determinable.

This information need not be reported unless the donor is a person with direct interest in legislation, legislative action, or a matter before that municipal body.

Donor	Address	Value
☐ not applicable		

6. Describe (using the description on the most recent tax bill), including address, all real property in which direct or indirect financial interest was held which has an assessed value greater than one thousand dollars (\$1,000.00). If the real property was transferred during the reporting period, state the name and address of the person furnishing consideration to, or receiving it from, you.

Realty	Transferor/transferee (if during reporting period)
☐ not applicable	

7. If a legislative agent (a person who is compensated for acting to promote, oppose or influence local legislation) is the source of honoraria aggregating more than one hundred dollars (\$100.00), state the agent's name and address and fair market value of the honoraria.

If you are a member of a municipal body, such honoraria shall only be reported if the source is a person having a direct interest in legislation, legislative action, or a matter before that municipal body.

Agent paying honoraria	Address	Value
[] not applicable		

8. State the name and address of any creditor who voluntarily forgave a debt of over one thousand dollars (\$1,000.00) and the amount forgiven.

This information need not be provided if the creditor is your relative within the third degree of consanguinity or affinity, or your spouse.

Creditor	Address	Amount forgiven
[] not applicable		

9. State the name and address of any business from which you are taking a leave of absence.

[] not applicable

- 10.** Identify the equity (defined as any stock, interests in capital or profits and losses, or similar ownership interest) in any business with which you are associated that has been transferred to a member of your family. A family member who transfers equity to you need not report such an intra-family transfer.

Equity transferred	Recipient family member
[] not applicable	

- 11.** State the nature, amount, and date of any commercial or business transaction worth two hundred and fifty dollars (\$250.00) or more between any municipal official and you.

Transaction	Amount	Name of official	Date
[] not applicable			

I swear under the pains and penalties of perjury that the information in this Statement of Interests, and on any attached pages, is true to the best of my knowledge. I understand that filing a deficient or false Statement of Interests may result in disciplinary or legal action being taken against me.

Signature

Date



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Ordinance: D-2013-012

Proposed Amendment

Introduced By:	Councilor Timothy Fitzgibbons
Date Introduced:	July 2, 2013
First Reading:	July 2, 2013
Second Reading:	September 3, 2013
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2013-012

MEDICAL MARIJUANA MORATORIUM ORDINANCE

To Amend the Town's Zoning Ordinance by adding a new Section ___, TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS, that would provide as follows:

Section 21.1: PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date.

Currently under the Zoning Ordinance, a Medical Marijuana Treatment Center is not a permitted use in the Town pursuant to Section 6 Use Regulation and any regulations promulgated by the State. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Ordinance regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana.

The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact Ordinances in a manner consistent with sound land use planning goals and objectives.

Section 21.2 DEFINITION:

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

Section 21.3 TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning Ordinance to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through ~~June 30, 2014~~January 1, 2014.

During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Ordinances to address the impact and operation of Medical Marijuana treatment centers and related uses.

Committee Referrals and Dispositions:

<i>Referral(s)</i>	<i>Disposition(s)</i>
• This measure received a first reading 7/2/13. • This measure was referred to the Planning Board • This measure was referred to the Council Rules & Procedures Committee • A joint public hearing was conducted on 8/19/13 • Public Hearing notices were published and posted as required by MGL • This measure requires further advertising pending any amendments, therefore may not be finally considered.	• 8/19/13 – vote approve with one recommended amendment. • 8/19/13 – vote 2-0 to recommend approval with amendment.



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Transfer: #T-2013-017

Introduced By: Town Manager
Date Introduced: August 6, 2013
First Reading: August 6, 2013
Second Reading: September 3, 2013
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer: #T-2013-017

RELOCATION OF FIBER OPTIC CABLE PROJECT

ORDERED, in accordance with Section 6-4 (d) of the Bridgewater Home Rule Charter, that the Town Council vote to appropriate and transfer the sum of \$13,000.00 the following account(s):

FROM Account:	Number	Name	Amount
MIS/Computer Network	001-155-01-0101-511600	P/T Clerical Salaries	\$ 13,000.00
TO Account:	Number	Name	Amount
MIS/Computer Network	001-155-01-0103-585018	Fiber Relocation Project	\$ 13,000.00

This transfer is for the purpose of funding a project relative to relocation of the Town's fiber optic cables from the Academy Building and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.

Explanation: *Given the rapidly deteriorating conditions in the Academy Building, it necessitates that the Town's fiber optic system be relocated to ensure there would be no damage to or interruptions in the town's network infrastructure. The transfer requested will allow the Town to procure services necessary to implement the solution.*

Referral(s)	Disposition(s)
• 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 finally considered.	• Meeting 9/3/13 and will provide disposition to full council. •

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



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Transfer: T-2013-018

Introduced By: Town Manager
Date Introduced: August 6, 2013
First Reading: August 6, 2013
Second Reading: September 3, 2013
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer #T-2013-018

LIBRARY WORKERS TRANSFER

ORDERED, pursuant to M.G.L. Chapter 44 §68, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer the sum of \$6,141.59 from the following accounts and to be distributed to the following budget accounts to pay for settlement of a final settlement contractual issues or take any other action relative thereto.

FROM Account:	Name	Amount
001-610-01-0101-511453	LIBRARY AIDES	\$ 2,186.91
001-610-01-0101-511454	CIRCULATION LIBRARIAN	1,171.37
001-610-01-0101-511456	REFERENCE LIBRARIAN	1,033.56
001-610-01-0101-511457	TECHNICAL SVC LIBRARIAN	826.85
001-610-01-0101-511458	SR. LIBRARY ASSISTANT	922.90
TO Account:	Name	Amount
001-000-00-0000-211001	ENCUMBERED PAYROLL PAYABLE	\$ 6,141.59

Explanation: The Town Manager reached a collective bargaining agreement with the Bridgewater Library Staff Association covering the period July 1, 2011 to June 30, 2014. The amount of requested transfer fulfills the town's obligations for FY2012 under this agreement. There were sufficient funds indentified is the Library's FY13 operating budget to fulfill the commitment. This settlement was anticipated and funds were encumbered for this purpose. However, because the obligation stems from a previous fiscal year, approval of such payment must be approved by the Town Council, pursuant to M.G.L. Chapter 44§68. Approval of this request settles all matters with the library workers relative to this agreement.

Referral(s)	Disposition(s)
• 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 finally considered.	• Meeting 9/3/13 and will provide disposition to full council. •



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Transfer: #T-2013-019

Introduced By: Town Manager
Date Introduced: August 6, 2013
First Reading: August 6, 2013
Second Reading: September 3, 2013
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer: T-2013-019

PAYMENT OF A POLICE/FIRE MEDICAL EXPENSES INVOICE

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 from the Insurance budget account # 001-910-01-0102-574002 *Insurance/Blanket* to budget account #001-915-01-0102-530024 *Fire/Police Medical Expenses (Prior Year)* the sum of \$2,254.00 to pay for police/fire medical expenses not covered by the town insurance policy or take any other action relative thereto.

Explanation: A vendor has billed for expenses that were incurred in a prior fiscal year. This was an unanticipated cost; and therefore funds were not encumbered for this purpose. This expense is not covered by the town insurance policy as the service pre-dated the coverage agreement.

Referral(s)	Disposition(s)
• 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 finally considered.	• Meeting 9/3/13 and will provide disposition to full council. •



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Order: O-2013-031

Introduced By: Town Manager
Date Introduced: September 3, 2013
First Reading: September 3, 2013
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order O-2013-031

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

WHEREAS: The Town of Bridgewater has received the gift of a \$40.00 from Gail M. Cooper.

Now, therefore, in accordance with Chapter 44, §53A ½ of the Massachusetts General Laws, the Town Council votes to take the following action:

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the gift of \$40.00 from Gail M. Cooper and to expend the gift of in accordance with stated purpose thereof.

Explanation:

Ms. Cooper wishes to donate funds for the restoration of the Rainbow’s end playground.



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Order: # O-2013-032

Introduced By: Town Manager
Date Introduced: September 3, 2013
First Reading: September 3, 2013
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order #O-2013-032

DIRECT DEPOSIT PAYMENT TO EMPLOYEES

WHEREAS, Massachusetts General Law Chapter 41 Section 41B states: *"The treasurer of any city, town or district which accepts this section may pay salaries, wages, or other compensation to any person in the service of such city, town or district by means of deposits to a deposit account or accounts of such person in any one or more savings or cooperative banks, trust companies, or credit unions incorporated in or chartered by the commonwealth; in any one or more national banking associations, federal savings or loan associations or federal credit unions located in the commonwealth; in any one or more banking companies or Morris Plan companies subject to chapter one hundred and seventy-two A; or any one or more savings or loan associations under the supervision of the commissioner of banks; provided, that such person has specifically authorized such deposits, and provided further, that if such deposits are made initially to accounts established for such persons in any one such bank, trust company, credit union, or association, the depository shall have agreed with the treasurer on terms satisfactory to the treasurer for the immediate direct transfer of such deposit to any other such bank, trust company, credit union, or association designated by each such person."*

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept Massachusetts General Laws Chapter 41 Section 41b "payment of public employees by direct bank credits", or act in relation thereto.

Explanation: This law must be accepted prior to implementing direct deposit payment program for all municipal employees. The Town expects to implement a program to move from paper check payments to direct deposit only payments by early January 2014. This move is expected to improve departmental efficiencies and save the taxpayer money.



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Order: O-2013-033

Introduced By: Town Manager
Date Introduced: September 3, 2013
First Reading: September 3, 2013
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order O-2013-033

OLIVER PLACE – CHAPTER 61B – INTENT NOT TO EXERCISE RIGHT TO PURCHASE LAND

ORDERED: That pursuant to MGL Chapter 61B, Section 9 the Town Council of Bridgewater, Massachusetts in Town Council assembled vote not to exercise the right to purchase the parcel of land on Oliver Place, owned by Bedford Street Realty Trust (shown as “Parcel 5” on “Map 101” consisting of approximately 25.74 acres of land).

Explanation:

Based on sound recommendations by both the Planning Board and Board of Assessors (attached), the Town does not seek to exercise its right under MGL 61B, Chapter 9 to purchase the land.



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Order: #O-2013-034

Introduced By:	Town Manager
Date Introduced	September 3, 2013
First Reading:	September 3, 2013
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order #O-2013-034

LOAN ORDER: ACADEMY BUILDING PRESERVATION & RESTORATION PROJECT

Ordered: That \$5,150,000 is appropriated to pay costs of renovating the Academy Building, so-called, located at 66 Central Square, Bridgewater, MA, for historic preservation purposes within the meaning of Chapter 44B of the General Laws (the "Community Preservation Act"); that the Town Manager is authorized to contract with an Owner's Project Management firm, an Architectural firm and a General Contractor, and to expend for any reason, including bonding costs, all funds necessary to complete this project; that to meet this appropriation, \$750,000 shall be transferred from the Undesignated Reserve Account established under the Community Preservation Act (Account #201-324400), \$137,000 shall be transferred from the Historical Reserve Account established under the Community Preservation Act (Account #201-324200), and the Treasurer, with the approval of the Town Manager, is authorized to borrow \$4,263,000 pursuant to the Community Preservation Act, Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore, and that the Town Manager is authorized to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from The Commonwealth of Massachusetts, or the United States of America, under any private, state or federal programs including those in aid of Historic Preservation, any such grants or gifts received by the Town on account of the project shall be deposited in the Undesignated Community Preservation Fund balance.



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Transfer: T-2013-020

Introduced By: Town Manager
Date Introduced: September 3, 2013
First Reading: September 3, 2013
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer - # T-2013-020

Memorial Building Ceiling Restoration Project

ORDERED that, the Town Council appropriate and transfer from the account #201-000-00-0000-324200 Reserve for Historic Resources to the account #201-172-25-1023-582003 (*Bldg Improv – Restoration*) the sum of \$ 40,265.00 as unanimously recommended by the Community Preservation Committee. The purpose of which is to contract with a firm to complete the interior renovations in a manner and within a budget consistent with the contract approved by the Town Manager or take any other action relative thereto.

Explanation: The purpose of this project is to restore the plaster ceiling in the Town-owned Memorial Building. Specifically, the scope of work will include project management by an architectural historian with specialty in traditional mortars and plasters and a plasterer trained in the preparation and installation of traditional lime mortars. The scope of work includes repair using original materials and will be in full compliance with the Secretary of the Interior's Standards for Rehabilitation.

Several months ago funds were approved for the repair of the original plaster ceiling. However, before the work could begin a large portion of the main room's ceiling collapsed and it has become necessary to request these additional funds before launching the project.

NOT FOR ACTION – FIRST READING ONLY



Bridgewater Town Council

In Town Council, Tuesday, September 3, 2013

Council Transfer: T-2013-021

Introduced By: Town Manager
Date Introduced: September 3, 2013
First Reading: September 3, 2013
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer - #T-2013-021

USW RETROACTIVE INCREASE FUNDING

ORDERED, in accordance with MGL, Chapter 44, Section 68, that the Town Council votes to appropriate and transfer the sum of \$72,606.06 from the following accounts and to be distributed to the following budget accounts to pay for settlement of a collective bargaining agreement, or take any other action relative thereto.

FROM Account	Name	Amount
001-990-00-0000-497006	Stabilization	\$54,776.36
206-990-00-0000-497006	Stabilization	\$1,897.47
601-990-00-0000-497006	Stabilization	\$2,466.48
602-990-00-0000-497006	Stabilization	\$2,466.48
603-990-00-0000-497006	Stabilization	\$10,999.27
TOTAL:		\$72,606.06
TO Account	Name	Amount
800-145-00-8051-596100	General Fund	\$54,776.36
800-145-00-8051-596200	Special Revenue	\$1,897.47
800-145-00-8051-596500	Enterprise Funds	\$15,932.23
TOTAL:		\$72,606.06

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 retroactive pay.