



BRIDGEWATER TOWN COUNCIL

Tuesday, March 18, 2014

7:30 PM

BTV Studios

80 Spring Street, Bridgewater MA

AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) February 25, 2014

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS –

a) Charter Review Committee

F. HEARINGS - NONE

G. LICENSE TRANSACTIONS – None

H. PRESENTATIONS –

a) Police Department Updates (Police Chief Delmonte)

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

a) FY2015 Budget

K. SUBCOMMITTEE REPORTS

L. LEGISLATION FOR ACTION - NONE

M. OLD BUSINESS

a) Order #O-2014-003: OSLGC Golf Carts Lease (Formerly Transfer #T-2014-002)

This measure was approved by the Finance Committee on 2/12/14 (5-0). The Council Budget & Finance Committee will consider the matter at their meeting 3/17/14 and will provide their disposition to the full Council on 3/18/14. This measure may be finally considered pending a disposition from Budget & Finance Committee.

b) Order #O-2014-004: Chapter 61B – Intent Not to Exercise Right to Purchase Land

This measure received recommendations from the Planning Board and Conservation Commission not to exercise right to purchase land. This matter may be finally considered at this evening's meeting.

c) Order #O-2014-005: Delegation of Licensing authority – One Day Alcohol Licenses

The Rules & Procedures Committee voted 2-0 to return this measure to the Council with proposed amendments. This measure may be finally considered at this evening's meeting.

d) Transfer #T-2014-005: Payment of Insurance Prior year Invoice

This measure was approved by the Finance Committee on 3/3/14 (6-0). The Council Budget & Finance Committee will consider the matter at their meeting 3/17/14 and will provide their disposition to the full Council on 3/18/14. This measure may be finally considered pending a disposition from Budget & Finance Committee.

e) Transfer #T-2014-006: Transfer Appropriation- Well #4 (Rescind and Revote)

This measure was approved by the Finance Committee on 3/3/14 (6-0). The Council Budget & Finance Committee will consider the matter at their meeting 3/17/14 and will provide their disposition to the full Council on 3/18/14. This measure may be finally considered pending a disposition from Budget & Finance Committee.

f) Transfer #T-2014-007: CPA Transfer – First Parish Church Siding

This measure will be considered by the Finance Committee on 3/17/14. The Council Budget & Finance Committee will consider the matter at their meeting 3/17/14 and will provide their disposition to the full Council on 3/18/14. This measure may be finally considered pending dispositions from the Finance Committee and Budget & Finance Committee.

N. NEW BUSINESS

- a) Ordinance #D-2014-001: Zoning Bylaw Amendment – Add Definitions for Solar Photovoltaic Facilities
(*Councilor Colombotos*)
- b) Order #O-2014-006: Annual Town Election Warrant
- c) Transfer #T-2014-009: Transfer Appropriation – Police Department Primary Radio Repeater (*Town
Manager at the request of the Police Chief*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, March 18, 2014

Council ~~Transfer: #T~~Order #O-2014-0023

**Town Manager Proposed
Amendments**

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Introduced By:	Town Manager
Date Introduced:	January 28, 2014
First Reading:	January 28, 2014
Second Reading:	February 25, 2014
Third Reading:	March 18, 2014
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed ~~Transfer: #T~~Order #O-2014-0023

GOLF CARTS PURCHASE FOR OLDE SCOTLAND LINKS

WHEREAS, Country Club Enterprises has proposed a cost effective purchase arrangement according to the useful life of the golf carts to be purchased. With the Council's agreement, the Town Manager will enter into a three-year finance arrangement to procure said property, subject to approval as to form by the Town's legal counsel.

ORDERED, ~~in accordance with Section 6-4 (d) of the Bridgewater Home Rule Charter, t~~That the Town Council ~~vote~~votes to ratify the agreement between the Town and Country Club Enterprises relative to the purchase arrangement for golf carts over the next three years.

FURTHER, The Council's affirmative vote permits the Town Manager and other officers, jointly and severally, to take any and all actions and to execute and deliver any and all agreements, documents and certificates which we may deem necessary or advisable in order to carry out, give effect to and comply with the terms the Agreement.

Explanation: The Golf Course, as part of their operational budget, plans for the purchase of golf carts to replace failing equipment. This is a budgeted expense and requires no additional funding for the first year of the agreement. The terms of the agreement are for three (3) years and thus the financing requires the approval of the legislative body. The documents are attached.

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

Committee Referrals and Dispositions:

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.	• Meet 2/24/14 – will provide disposition to full Council on 2/25/14. 2/25/14: vote postpone to 3/18/14. • 2/12/14 – vote approved with proposed amendments (5-0).

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



Bridgewater Town Council

In Town Council, Tuesday, March 18, 2014

Council Order: O-2014-004

Introduced By: Town Manager
Date Introduced: February 25, 2014
First Reading: February 25, 2014
Second Reading: March 18, 2014
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order O-2014-004

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 66” on “Map 88” consisting of approximately 5.30 acres of land).

Explanation:

Pending sound recommendations by appropriate Boards and Committees, the Town does not seek to exercise its right under MGL 61B, Chapter 9 to purchase the land.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 8/21/12. • No referral needed. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	• Recommendations received from Planning board and Conservation Commission recommending the Town does not exercise its right to purchase land.

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



Bridgewater Town Council

In Town Council, Tuesday, March 18, 2014

Council Order: O-2014-005

Rules & Procedures
Proposed Amendments

Introduced By: Councilor Fitzgibbons
Date Introduced: February 25, 2014
First Reading: February 25, 2014
Second Reading: March 18, 2014
Third Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order #O-2014-005

DELEGATION OF LICENSING AUTHORITY – ONE DAY ALCOHOL LICENSES

ORDERED that pursuant to the Bridgewater Home Rule Charter section 2-10, the Town Council of the Town of Bridgewater, Massachusetts, votes to delegate to the Town Manager the authority to grant one-day alcohol permits/licenses in accordance with Massachusetts General Laws, the Alcoholic Beverages Control Commission regulations and local Ordinance.

Upon approval of the One-Day License, the Town Managers Office will email the License Checklist to the clerk of the Town Council, and the Council. The License checklist includes the name of the applicant, the details of the event, and a summary of department approvals, fees, and notes."

Explanation:

This legislation delegates licensing authority to the Town Manager for one-day alcohol licenses, which are straight forward, regular occurrences. This action should reduce the number of late files submitted to the Council and aides in granting these licenses more expeditiously to applicants. All other licenses remain subject to Council approval.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Rules & Procedures committee. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	• 3/11/14: vote 2-0 to recommend approval with proposed amendments.

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



Bridgewater Town Council

In Town Council, Tuesday, March 18, 2014

Transfer: #T-2014-005

Introduced By: Town Manager
Date Introduced: February 25, 2014
First Reading: February 25, 2014
Second Reading: March 18, 2014
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer: T-2014-005

PAYMENT OF INSURANCE INVOICE

ORDERED, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer from the Sewer Retaining Earning # 601-000-00-0000-359000 to budget account the department budget account # 601-440-01-0102-574002 (*Sewer Insurance/Blanket*) the sum of \$5,000.00 to pay for a prior fiscal year invoice or take any other action relative thereto.

Explanation: This payment pays the insurance deductible for repairs at the Sewer Treatment Plant resulting from final settlement of an insurance claim.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Council's Budget & Finance Committee • Requires consideration by Finance Committee • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	• Budget & Finance Committee meet 3/17/14 and will provide disposition to full Council on 3/18/14 • 3/3/14: vote 6-0 approve.

ROLL CALL VOTE: PASSAGE REQUIRES 2/3 VOTE OF THOSE PRESENT AND VOTING



Bridgewater Town Council

In Town Council, Tuesday, March 18, 2014

Transfer: #T-2014-006

Introduced By: Town Manager
Date Introduced: February 25, 2014
First Reading: February 25, 2014
Second Reading: March 18, 2014
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer: T-2014-006

RESCIND AND REVOTE – TRANSFER APPROPRIATION – REPLACE WELL #4

ORDERED that Transfer #T-2013-011 (Transfer Appropriation Water Department – Replace Well #4) (attached) in the amount of \$150,000 to replace Well #4 is hereby rescinded.

FURTHER ORDERED that, Pursuant to Section 6-4 (d) of the Town of Bridgewater Home Rule Charter, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to transfer and appropriate \$150,000.00 from the Water Retained Earnings Account (*account # 605-000-00-0000-359000*) to account # 602-450-10-1027-585000 (*Replacement of Well #4*) or take any other action relative thereto.

Explanation:

Appropriations cannot be voted from retained earnings/free cash after 6/30. The original transfer was voted and became effective on 7/2/13, rendering it null and void.

Relative to the replacement of Well #4, the original gravel packed well was installed in year 1971. After years of redevelopment, the wells' plugging has increased and the yield has diminished causing more frequent cleaning. Also, the most recent investigation has uncovered structural damage within the well shaft. Our engineers have reviewed all reports and recommended a new well be installed.

Committee Referrals and Dispositions:

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.	• Meet 3/17/14. Will provide disposition to full Council on 3/18/14. • 3/3/14: vote 6-0 approve

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



Bridgewater Town Council

In Town Council, Tuesday, March 18, 2014

Transfer: T-2014-007

Introduced By: Town Manager *at the request of the Community Preservation Committee*
Date Introduced: March 4, 2014
First Reading: March 4, 2014
Second Reading: March 18, 2014
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Transfer: #T-2014-007

COMMUNITY PRESERVATION TRANSFER: FIRST PARISH CHURCH SIDING and CHIMNEY

WHEREAS: The Community Preservation Committee, with a quorum of members present, rendered its unanimous recommendation to the Town Council to fund the proposal from the First Parish Church, Unitarian Universalist at 50 School Street for the restoration of the church's siding and chimney. The request and the recommendation are for \$42,738.00 with the terms to be set forth in a grant agreement with the Town of Bridgewater to transfer the requested funds from the Community Preservation Account.

Now, therefore, it is hereby:

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 to the First Parish Church, Universalist Unitarian, located at 50 School Street, for historic preservation purposes, in compliance with the Secretary of the Interior Standards for Historic Rehabilitation as required by Massachusetts General Laws, chapter 44B, and which work shall be overseen by a Historic Preservationist, the restoration of three sides of the building and the chimney; and to meet this appropriation, the sum of \$38,465.00 be taken from account #201-000-00-0000-324200 *Community Preservation Historic Reserve* and the sum of \$4,273.00 be held in reserve from the *Budgeted Reserve Account* #201-000-00-0000-324400 by the Town until all invoices and the approval of the historic preservationist are received at which time the \$4,273.00 will be released to the First Parish Church, Universalist Unitarian if the invoices support those expenses or take any other action relative thereto.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Council's Budget & Finance Committee • Requires consideration by Finance Committee • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	• Meeting 3/17/14. Will provide disposition to full Council on 3/18/14. • Meeting 3/17/14.

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



Bridgewater Town Council

In Town Council, Tuesday, March 18, 2014

Council Order: O-2014-006

Introduced By:	President Timothy Fitzgibbons and Vice President William Wood (At the request of the Town Clerk)
Date Introduced	March 18, 2014
First Reading:	March 18, 2014
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order O-2014-006

2014 ANNUAL TOWN ELECTION WARRANT

ORDERED: that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the attached Warrant for the 2014 Annual Town Election with proposed changes to polling hours as recommended by the Town Clerk.

Explanation:

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



COMMONWEALTH OF MASSACHUSETTS

TOWN OF BRIDGEWATER
ANNUAL TOWN ELECTION WARRANT

Plymouth, SS.

To the Constables of the Town of Bridgewater:

GREETINGS:

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

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

On **TUESDAY, THE 26th DAY OF APRIL, 2014 from 10:00 A.M. to 2:00 P.M.** for the following purposes:

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

COUNCILOR DISTRICT THREE.....for Three Years
COUNCILOR DISTRICT FIVE..... for Three Years
COUNCILOR DISTRICT SIX.....for Three Years
BRIDGEWATER-RAYNHAM REGIONAL DISTRICT SCHOOL COMMITTEE(Bridgewater)..... for Three Years
BRIDGEWATER-RAYNHAM REGIONAL DISTRICT SCHOOL COMMITTEE(Raynham)..... for Three Years
TRUSTEES OF PUBLIC LIBRARYfor Three Years
TRUSTEES OF PUBLIC LIBRARYfor Three Years
TRUSTEES OF PUBLIC LIBRARYfor Three Years

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands, the Bridgewater Town Council this ____ day of _____, 2014.

Constable

Date of Service of Warrant



Bridgewater Town Council

In Town Council, Tuesday, March 18, 2014

Council Transfer: T-2014-009

Introduced By:	Town Manager
Date Introduced:	March 18, 2014
First Reading:	March 18, 2014
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Transfer - #T-2014-009

APPROPRIATION FOR POLICE PRIMARY RADIO REPEATER

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 \$ 20,058.80 from Prison Mitigation (account #204-123-00-2051-596100) to Police Department line item Computer Maintenance (account # 001-210-01-0102-524015) for the purposes of replacing failed equipment; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.

Explanation: The primary repeater for the department radio system has failed and is no longer serviceable. The primary radio repeater is an electronic module that all individual officer portable radios, cruiser radios, and the station dispatch radio transmit to, which then "repeats" or re-broadcasts the voice to all other receivers. Without this system, individual radios could only be heard by other officers within their local area. The transfer requested will allow the Town to procure equipment and services necessary to replace the system.