



BRIDGEWATER TOWN COUNCIL

Tuesday, March 17, 2015

7:30 PM

BTV Studios

80 Spring Street, Bridgewater MA

MEETING AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) February 24, 2015
- b) March 3, 2015

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Ratification of Appointment of Community and Economic Development Director

F. HEARINGS - None

G. LICENSE TRANSACTIONS

- a) Petition #P-2015-005: One Day Entertainment/Alcohol License – 49ers Club

H. PRESENTATIONS

- a) **MBTA:** Wind Turbine (adjacent to the MBTA Middleborough Lakeville commuter rail line by Titicut Street in Bridgewater).

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

- a) Administrative Code – (*President Wood*)
- b) Compensation Classification Update – (*Councilor Whitaker*)
- c) Town Manager 360 Evaluation Questions (*Councilor Whitaker*)
- d) Status of Enforcement of Bylaws and Ordinances and Implications for Development (*Councilor Colombotos*)

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION -

- a) Order #O-2015-002: Authorize the Town of Bridgewater to Lease Certain Property
This measure received a first reading on 2/24/15. It was not referred to any committee. 14 days has elapsed per Section XVIII of the Council Rules & Procedures.
- b) Order #O-2015-003: Development of Snow & Ice Removal Policy
This measure received a first reading on 2/24/15. It was not referred to any committee. 14 days has elapsed per Section XVIII of the Council Rules & Procedures.
- c) Transfer #T-2015-004 -CPC Transfer – Housing Coordinator
At their meeting held 3/9/15, the Council's Budget & Finance Committee voted 2-0 to recommend approval. On 3/9/15, the Finance Committee voted 6-0 to approve this measure.
- d) Transfer #T-2015-005 - CPC Transfer – Murray Needs Conservation Restriction Funding
At their meeting held 3/9/15, the Council's Budget & Finance Committee voted 2-0 to recommend approval. On 3/9/15, the Finance Committee voted 6-0 to approve this measure.

M. OLD BUSINESS –

- a) Ordinance #D-2015-004: Local Options Lodging Tax
At their meeting held 3/9/15, the Finance Committee voted 6-0 to recommend approval. The Council's Community & Economic Development Committee meets 3/17/15 and will provide their disposition to the full council.

N. NEW BUSINESS

- a) Ordinance #D-2015-006: Amend & Codify A Floodplain Ordinance for the Town of Bridgewater (*Town Manager*)
- b) Ordinance #D-2015-007: General Bylaw Amendment – New Section: Plastic Bag Reduction (*Councilors Whitaker and Norris*)
- c) Order #O-2015-005: Annual Town Election Warrant (*President Wood & Vice President Whitaker*)
- d) Order #O-2015-006: Creation of Affordable Housing (*Councilor Colombotos*)
- e) Order #O-2015-007: Feasibility Exploration – Implementation of Downtown Community Development Master Plan Recommendations (*Councilor Colombotos*)
- f) Transfer #T-2015-006 – Appropriation for Animal Control Vehicle
- g) Transfer #T-2015-007 – Appropriation for Ambulance Purchase

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Petition: P-2015-005

Date Introduced/Public Hearing: March 17, 2015

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

THE GRANTING OF A ONE-DAY ALCOHOL & ONE-DAY ENTERTAINMENT PERMITS

WHEREAS, the Forty Niners Club, Inc. has petitioned for one (1) One-Day Alcohol and one (1) One-Day Entertainment Permit for the following club sponsored event:

	EVENT	DATE	TIME	APPROXIMATE ATTENDANCE	NOTES
1	Old Riviera Friends Reunion	September 12, 2015	1:00 p.m. - 6:00 p.m.	75	

; and

WHEREAS, the Forty Niners Club, 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 with approval 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 the Forty Niners Club, Inc. be granted one (1) One-Day Alcohol and one (1) One-Day Entertainment Permit for the aforementioned event to be held on the grounds of the club at 161 High Street.

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY
750 kW WIND TURBINE - NOTICE OF INTENT PLANS
BRIDGEWATER MASSACHUSETTS
REMOTE TRACK LOCATION



MBTA CONTRACT NO: Z92PS68

JANUARY 2015

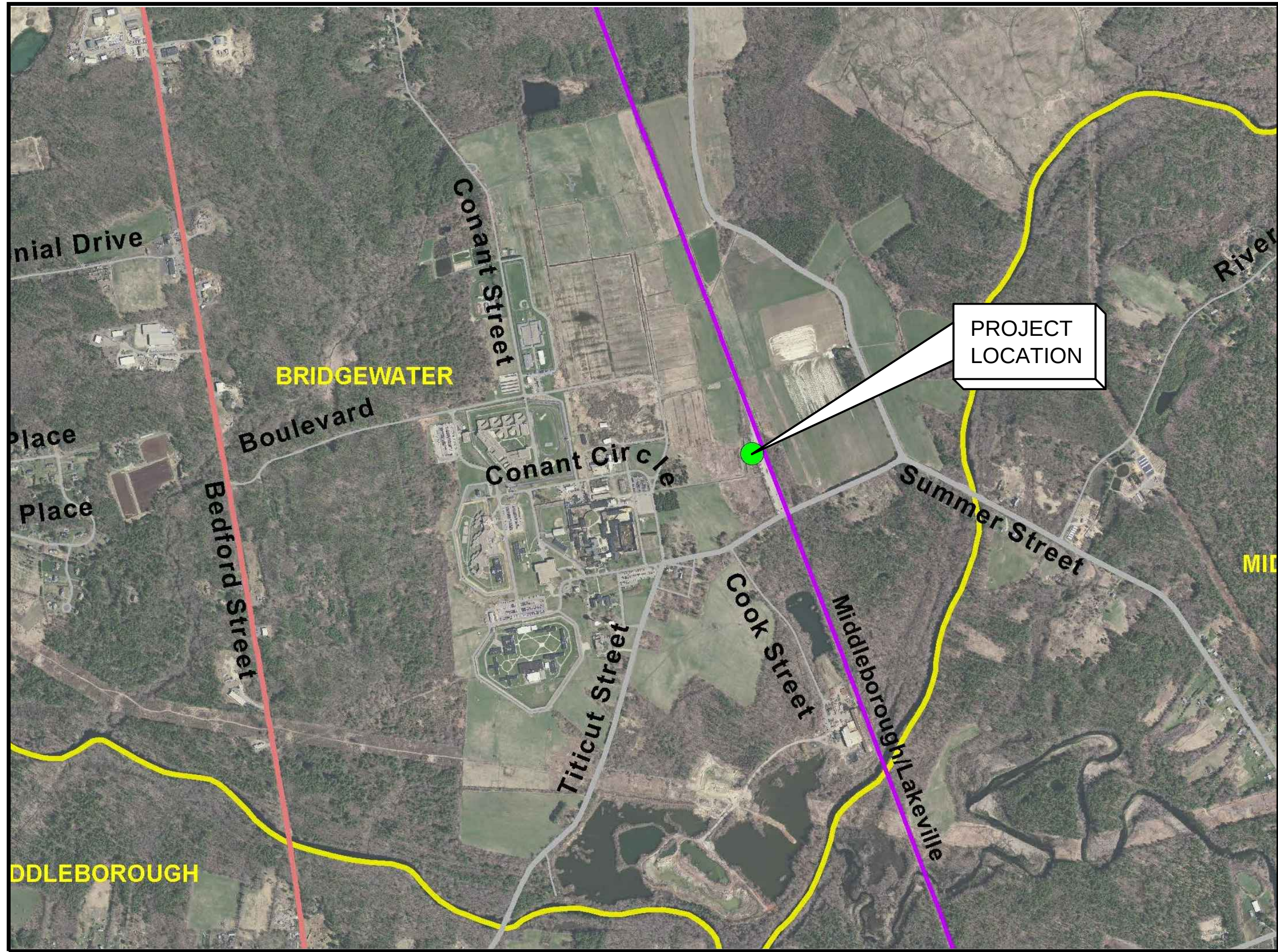
CONSULTING ENGINEERS:
VANASSE HANGEN BRUSTLIN, INC.
99 HIGH STREET, SUITE 1005
BOSTON, MA 02110



KENNEDY/JENKS CONSULTANTS
1 HIGHWOOD DRIVE, SUITE 301
TEWKSBURY, MA 01876

Kennedy/Jenks Consultants
Engineers & Scientists

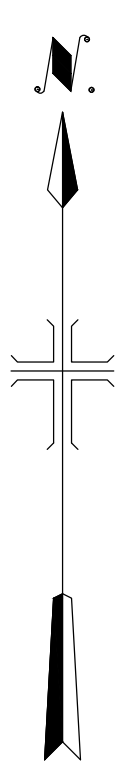
PLANS FOR PERMITTING ONLY
NOT FOR CONSTRUCTION



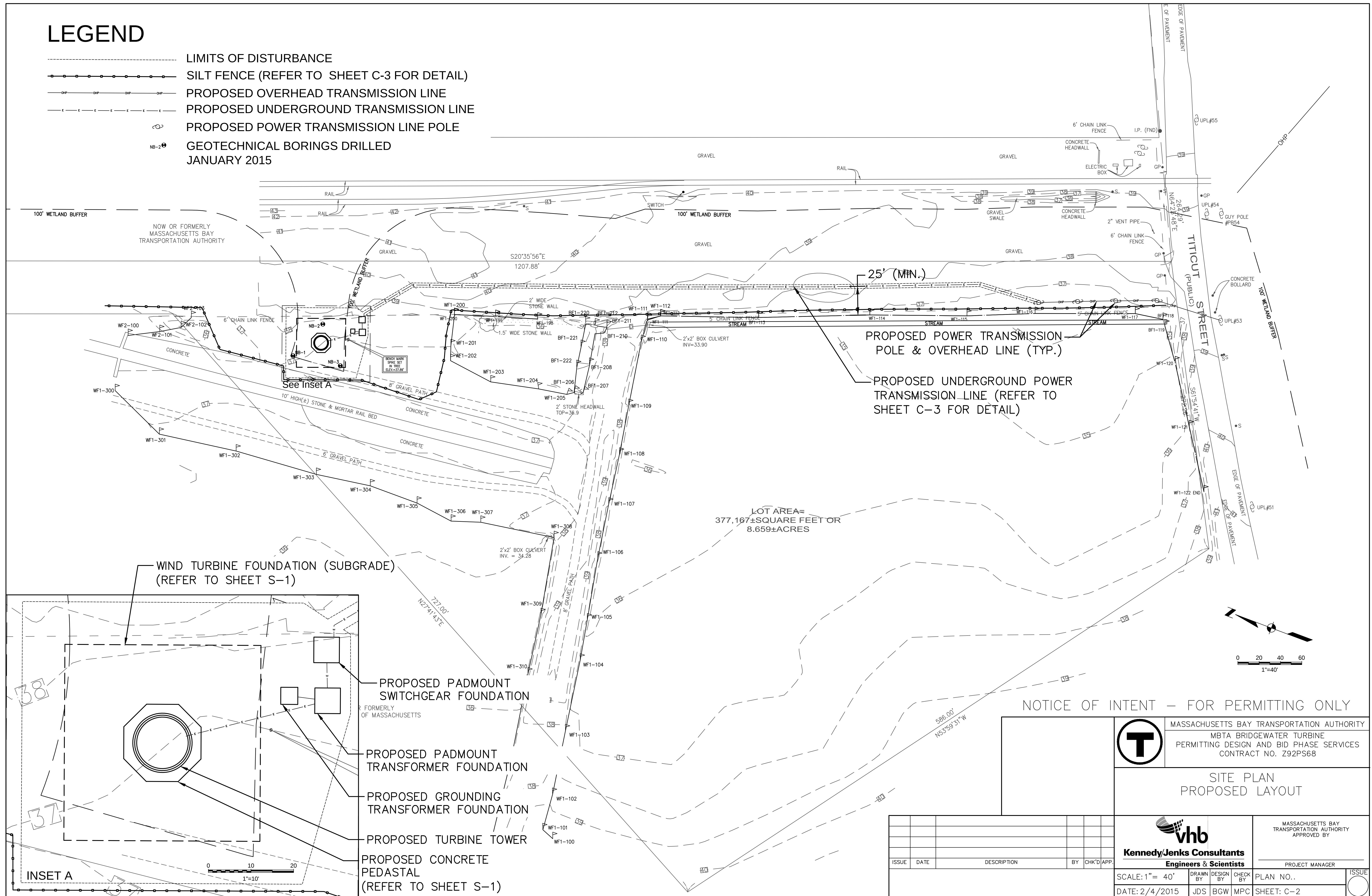
LOCATION PLAN
NTS

DRAWING LIST:

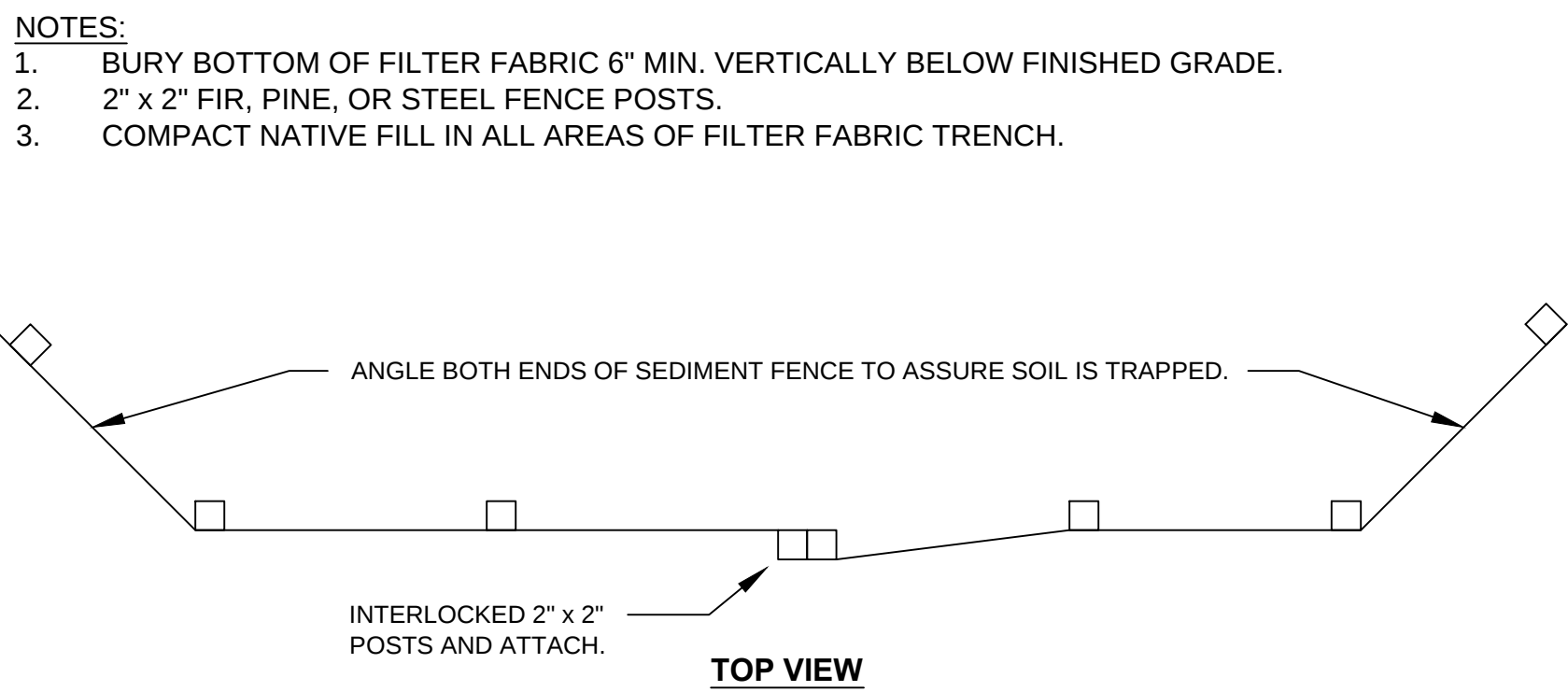
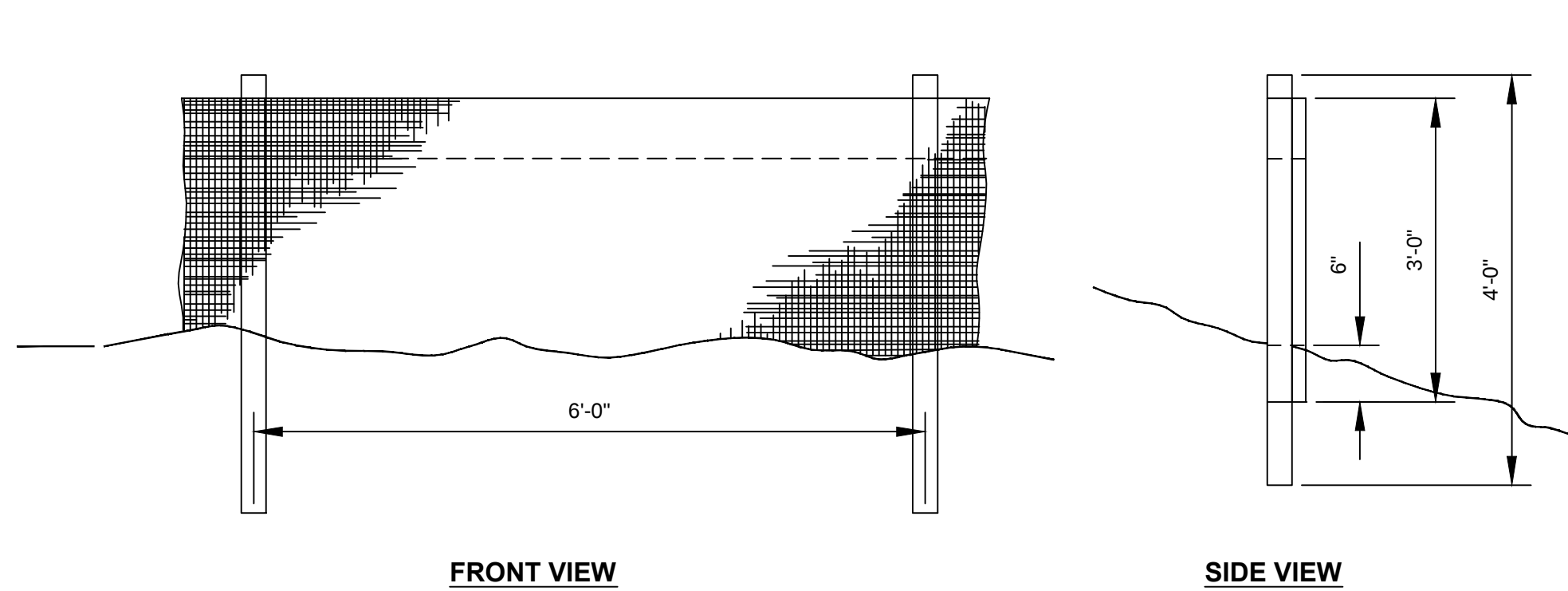
- C-1: Plan of Existing Conditions
- C-2: Site Plan Proposed Layout
- C-3: Civil Details
- S-1: Foundation Plan



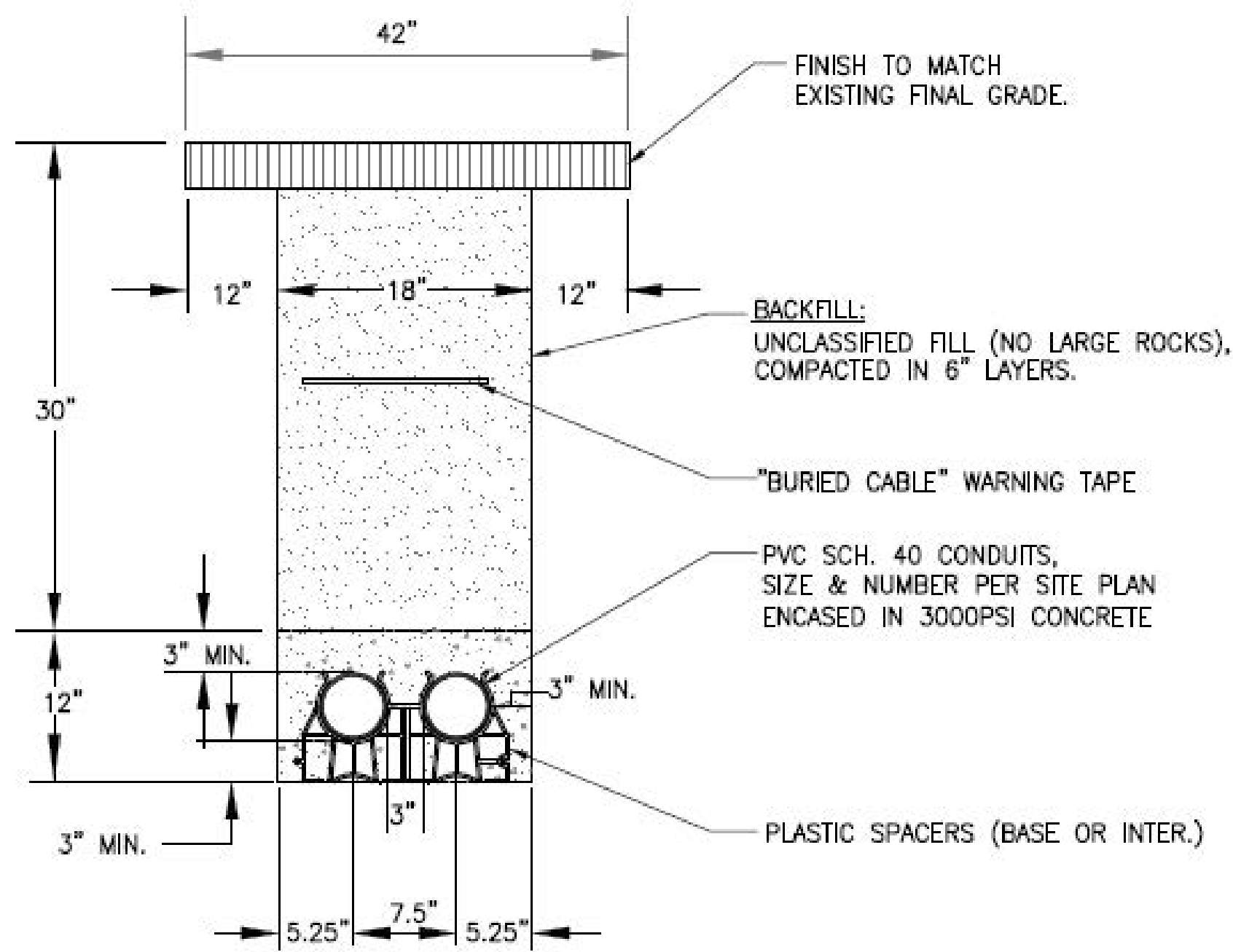
LIMITS OF DISTURBANCE
 SILT FENCE (REFER TO SHEET C-3 FOR DETAIL)
 PROPOSED OVERHEAD TRANSMISSION LINE
 PROPOSED UNDERGROUND TRANSMISSION LINE
 PROPOSED POWER TRANSMISSION LINE POLE
 GEOTECHNICAL BORINGS DRILLED
 JANUARY 2015



P:\2014\vhb\1442025 - Bridgewater Turbine\CAD\1-Sheets\1442025-003.dwg Plotted: 1/26/2015 3:11 PM



SEDIMENT FENCE
SCALE: NTS

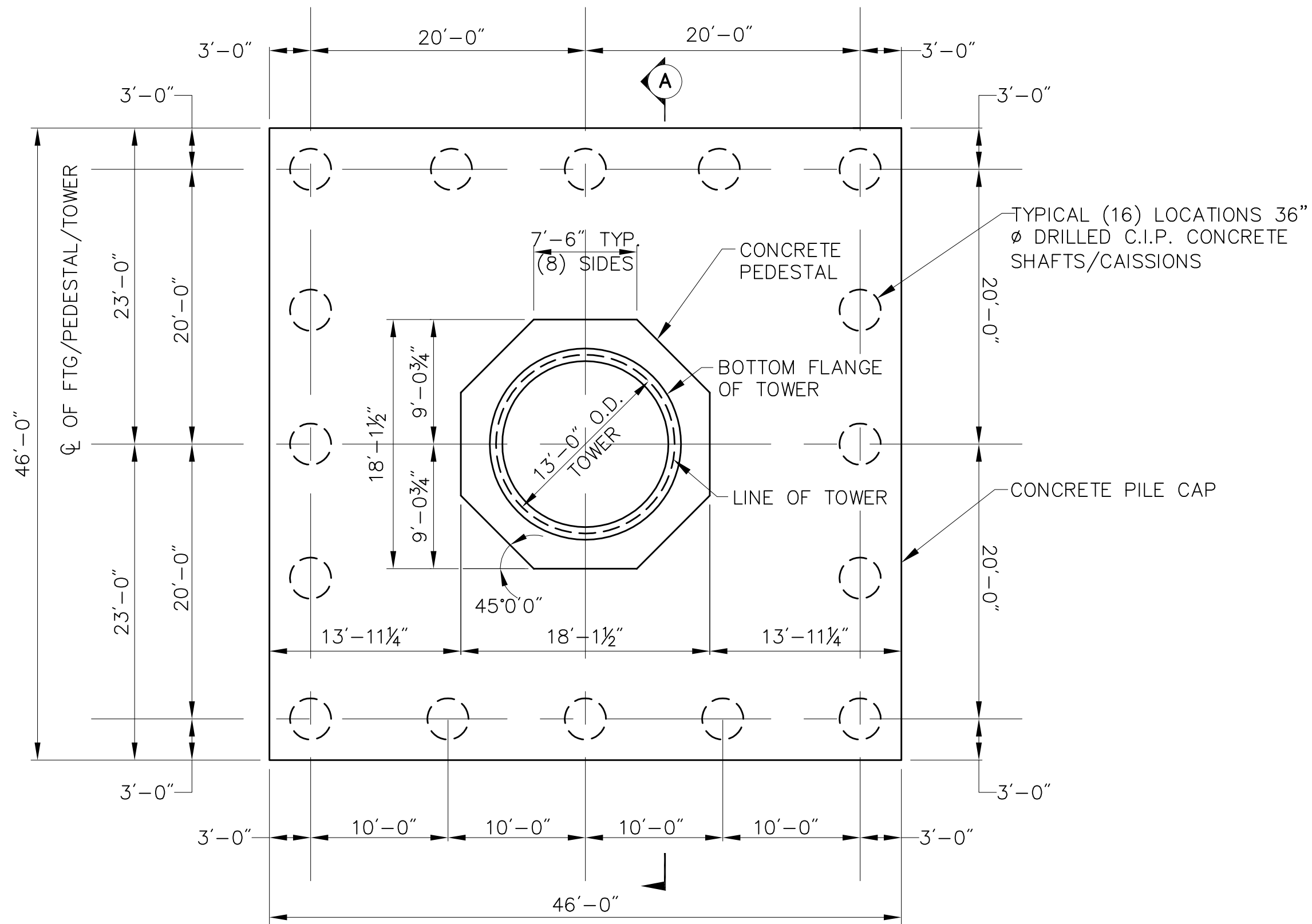


TYPICAL TRENCH BACKFILL DETAIL
SCALE: NTS

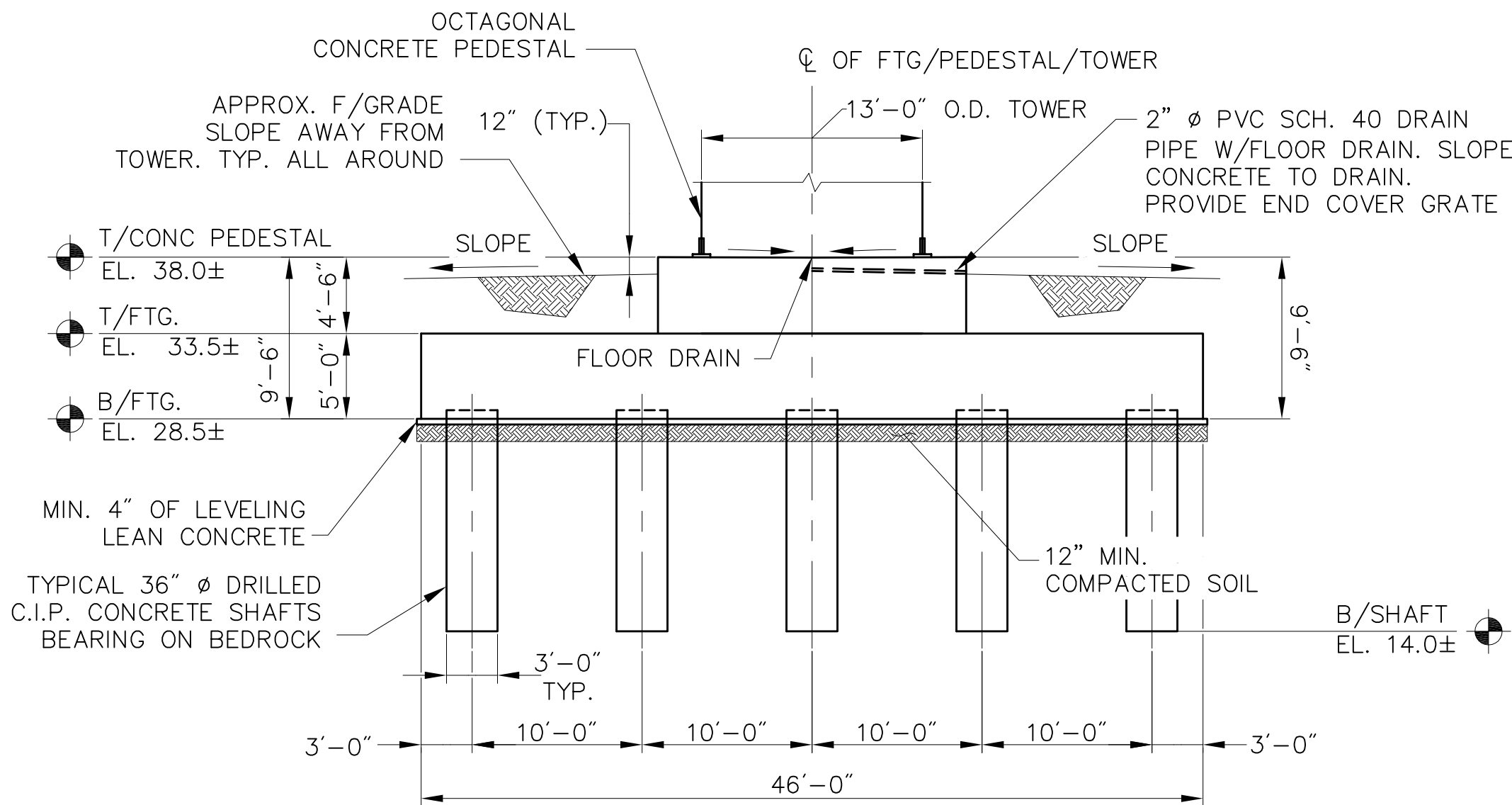
NOTICE OF INTENT – FOR PERMITTING ONLY

		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY MBTA BRIDGEWATER TURBINE PERMITTING DESIGN AND BID PHASE SERVICES CONTRACT NO. Z92PS68									
		CIVIL DETAILS									
		 Kennedy/Jenks Consultants Engineers & Scientists	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY APPROVED BY PROJECT MANAGER								
ISSUE	DATE	DESCRIPTION	BY	CHK'D	APP.	SCALE: AS NOTED	DRAWN BY	DESIGN BY	CHECK BY	PLAN NO.	ISSUE
						DATE: 01/21/2015	BGW	BGW	MPC	SHEET: C-3	

\\vhb\pro\Boston\12657.03 TO3-Wind Turbine\cad\sa\plan\set\12657.03_TO3-Wind Turbine_Foundation Plan_1-21-15.dwg Plotted: 1/22/2015 10:15 AM

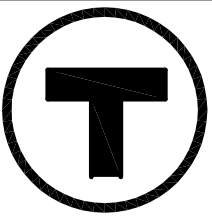


FOUNDATION PLAN
SCALE: 1/8" = 1'-0"



SECTION A
SCALE: 1/8" = 1'-0"

DRAFT



MASSACHUSETTS BAY TRANSPORTATION AUTHORITY
MBTA BRIDGEWATER TURBINE
PERMITTING DESIGN AND BID PHASE SERVICES
CONTRACT NO.

PLAN OF PROPOSED
TURBINE LAYOUT

									99 High Street 10th Floor Boston, MA 02110-2354			MASSACHUSETTS BAY TRANSPORTATION AUTHORITY APPROVED BY					
ISSUE			DATE			DESCRIPTION			BY			CHK'D APP.					
						PROJECT MANAGER						PROJECT MANAGER					
						SCALE: 1/8"=1'-0"		DRAWN BY	DESIGN BY	CHECK BY	PLAN NO.1442025.00			ISSUE			
						DATE: 1/21/15		SAM			SHEET: S1						



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Order: O-2015-002

Introduced By:	Town Manager
Date Introduced	February 24, 2015
First Reading:	February 24, 2015
Second Reading:	March 17, 2015
Amendments Adopted:	
Date Adopted:	

Order #O-2015-002

Lease Of Real Property By The Town Of Bridgewater (Prattown School, 40 Orange Street)

In Town Council, , 2015

ORDERED:

The Town Council of the Town of Bridgewater petitions the Great and General Court under the provisions of Section 8 of Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts for an Act as follows:

AUTHORIZING THE TOWN OF BRIDGEWATER TO LEASE CERTAIN PROPERTY.

SECTION 1. Notwithstanding section 3 of chapter 40 of the General Laws, the town of Bridgewater, acting by and through its Town Council, may lease the town-owned property at 40 Orange Street, which is the site of the former Prattown School, to the Bridgewater Veterans of Foreign Wars Post 2125. The term of the lease shall be for not more than 20 years and any other terms and conditions of such lease shall be approved by a vote of Town Council provided, however that such terms and conditions shall be subject to section 2.

SECTION 2. Paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General laws shall apply to the lease authorized by section 1. The parcel described in section 1 shall not be assigned to other, or sublet by any lessee without the prior written approval of the Town Council. Any further disposition of the parcel, other than that authorized by this act, shall be subject to chapter 30B of the General Laws and section 3 of chapter 40 of the general laws and any other applicable general law.

SECTION 3. This act shall take effect upon its passage.

The Town Manager is hereby authorized to agree to minor language changes that may be requested by the Senate or House Counsel.

Councilor

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 2/24/15. • No referral needed. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed, therefore this measure may be finally considered.	



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Order: O-2015-003

Introduced By:	Councilor Pitta & Councilor Perry
Date Introduced	February 24, 2015
First Reading:	February 24, 2015
Second Reading:	March 17, 2015
Amendments Adopted:	
Date Adopted:	

Order #O-2015-003

Development of Snow & Ice Removal Policies

Whereas, maintaining roadways during winter weather events is crucial to the safety of the people of Bridgewater.

Whereas, there are no documented standard policies and procedures for snow and ice plowing and removal in the Town of Bridgewater.

Therefore, it is Ordered that pursuant to Bridgewater Town Charter Section 2-6, the Town Manager shall develop and maintain Standard Operating Procedures (SOP) for snow and ice removal procedures. The Town Manager may, at his discretion, delegate all or some of this responsibility to appropriate department heads. The SOP shall include (but not limited to) equipment required (town & contract), staffing, procedures for evaluating and supervising active snow removal operations, and public safety considerations.

The SOP shall be completed no later than September 1st, 2015.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure received a first reading 2/24/15. • No referral needed. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Transfer: T-2015-004

Introduced By: Town Manager *at the request of the Community Preservation Committee*
Date Introduced: March 3, 2015
First Reading: March 3, 2015
Second Reading: March 17, 2015
Amendments Adopted:
Date Adopted:
Date Effective:

Transfer: #T-2015-004

COMMUNITY PRESERVATION TRANSFER: HOUSING COORDINATOR

WHEREAS: The Community Preservation Committee, with a quorum of members present, rendered its unanimous recommendation to the Town Council to fund the proposal for a Housing Coordinator. The request and the recommendation are for \$26,000.00.

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 as required by Massachusetts General Laws, chapter 44B, and to meet this appropriation, the sum of \$26,000.00 be taken from *Community Preservation Housing Reserve*; or take any other action relative thereto.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Council Budget & Finance Committee • Required consideration by Finance Committee. • 14 day requirement (per Council Rules & Procedures XVIII - Readings) has elapsed.	• 3/9/15: Vote 2-0 recommend approval. • 3/9/15: Vote approve 6-0.

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



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Transfer: T-2015-005

Introduced By: Town Manager *at the request of the Community Preservation Committee*
Date Introduced: March 3, 2015
First Reading: March 3, 2015
Second Reading: March 17, 2015
Amendments Adopted:
Date Adopted:
Date Effective:

Transfer: #T-2015-005

COMMUNITY PRESERVATION TRANSFER: MURRAY/NEEDS CONSERVATION RESTRICTION FUNDING

WHEREAS, \$1,300,000 was previously appropriated for the purpose of paying costs of purchasing conservation restrictions over the Murray Farm, located at 0 North Street, and the Needs Farm, located at 90 North Street, and for the payment of all costs incidental and related thereto (the "Project"),

WHEREAS, to meet this appropriation, up to \$1,300,000 (One million three hundred thousand dollars) was appropriated from available amounts in the Community Preservation Fund; now, therefore it is hereby

ORDERED, that the Town Manager is authorized to expend up to \$200,000 from the Community Preservation Funds Open Space Reserve and up to \$200,000 from Community Preservation Funds Budgeted Reserve Balance for the purpose of paying costs incidental and related to the Project.

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.	• 3/9/15: Vote 2-0 recommend approval. • 3/9/15: Vote approve 6-0.

ROLL CALL VOTE – REQUIRES MAJORITY FO THOSE PRESENT AND VOTING.



Bridgewater Town Council

In Town Council, Tuesday March 17, 2015

Council Ordinance: D-2015-004

Introduced By: Town Manager
Date Introduced: February 24, 2015
First Reading: February 24, 2015
Second Reading: March 17, 2015
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Proposed Ordinance D-2015-004

Local Options Lodging Tax

Ordered that, that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to accept G.L. c. 64G, § 3A to impose a local room occupancy excise at the rate of 6 percent.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Referred to Community & Economic Development Committee • Referred to Finance Committee	• Community & Economic Development Committee meets 3/17/15 and will provide disposition to full council. • Vote 6-0 recommend approval.



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Ordinance: D-2015-006

Introduced By:	Town Manager
Date Introduced:	March 17, 2015
First Reading:	March 17, 2015
Second Reading:	
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-2015-006

In Town Council, , 2015

AN ORDINANCE AMENDING AND CODIFYING A FLOOD PLAIN ORDINANCE FOR THE TOWN OF BRIDGEWATER

WHEREAS, Sections 14.10 through 14.50 of the Town of Bridgewater Zoning By-Laws defines flood plain districts and regulates such districts and uses thereunder;

WHEREAS, Section 10-1 of the Town Charter relative to "Continuation of Existing Laws" provides that all by-laws which were in force at the time the Charter was adopted, not inconsistent with the provisions of the Town Charter, shall continue in full force until amended or repealed.

WHEREAS, the Federal Flood Plain maps have recently been updated some changes made to relevant regulations necessitating an amendment and update to the existing Town of Bridgewater flood plain by-law in order to remain a participating National Flood Insurance Program community; now, therefore,

Be it ordained by the Town Council of the Town of Bridgewater as follows:

Flood Plain District

14.10 Purposes

- The purpose of the Flood Plain District is: To provide that lands in the Town of Bridgewater subject to seasonal or periodic flooding as described hereinafter shall not be used for residence or other purposes in such a manner as to endanger the health or safety, of the occupants thereof or of the public generally, or as to burden the public with costs resulting from unwise individual choices of land use.
- To protect, preserve and maintain the water table and water recharge areas within the Town so as to preserve present and potential water supplies for the public health and safety.
- To assure the continuation of the natural flow pattern of the water courses within the Town in order to provide adequate and safe floodwater storage capacity to protect persons and property against the hazards of flood inundation.

14.20 District Boundaries

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Bridgewater designated as Zone A and AE on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Bridgewater are panel numbers 25023C0188J, 25023C0189J, 25023C0193J, 25023C0281J, 25023C0282J, 25023C0283J, 25023C0284J, 25023C0292J, and 25023C0301J, dated July 17, 2012; and panel numbers 25023C0302K, 25023C0303K, 25023C0304K, 25023C0306K, 25023C0307K, 25023C0308K, 25023C0311K and 25023C0312K, dated July 16, 2015. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 16, 2015. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 16, 2015. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

14.30 Use Regulations

- a. The Flood Plain shall be superimposed on existing Zoning By-law Districts.
- b. In Flood Plain applicable use and provisions of the Zoning By-Law continue in force. All uses permitted in the underlying district are allowed, except mobile homes and trailers.

14.33 BASE FLOOD ELEVATION AND FLOODWAY DATA:

- a. Floodway Data - in Zone A and AE, alone watercourses that have not had a regulatory floodway designated the best available Federal, State, Local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- b. Base Flood Elevation Data - in a Zone A, applicants may be required under the Wetland Protection Act, to determine base flood elevation information on engineering calculations. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres; whichever is the lesser, within unnumbered A. Zones.
- c. In floodway, the following provisions apply: All encroachments (fill, construction, etc.) are prohibited unless engineer's certification is provided that such encroachment does not increase flood levels.
- d. In Flood Plain District, NO mobile homes, trailers,

14.34 In Flood Plains no new building shall be erected, altered, enlarged, unless special permit is received from the Board of Appeals.

14.35 Board of Appeals shall issue a permit stating the conditions under which a building may be erected in the Flood Plain.

14.36 All subdivision proposals must be designed to assure that:

- a) such proposals minimize flood damage;
- b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
- c) adequate drainage is provided to reduce exposure to flood hazards.

14.40 Permit Procedure

- a. Any person undertaking action described in Subsection 14,33B above, within the Flood Plain shall submit six (6) copies of application for permit to the Building Inspector, who transmits to the Board of Appeals, Board of Health, Department of Public Works, Conservation Commission and Planning Board. Application accompanied by plans that conform to existing Rules and Regulations of Subdivision Control.
- b. No permit to be issued by the Board of Appeals until receipt of recommendations from the Planning Board and Conservation Commission.
- c. Board of Appeals to issue permit under this Section if it does not endanger health, safety, welfare of occupants, and Board shall be satisfied:
 1. That floor level elevation is proper.
 2. That other land is protected against detriments.
 3. That safe vehicular and pedestrian passage be provided.
 4. That methods of drainage are adequate.
 5. That methods of filling will assure that the health and safety of occupants is protected.
 6. That the land is not subject to periodic flooding.
 7. That the portion of any lot used to meet the yard and area requirements, does not exceed 50% of the minimum lot area, except in the Residential A/B District, wherein the portion of any lot used to meet the yard and area requirements shall not exceed 50% of the minimum lot requirements.
- d. Nothing in this section limits the authority of the Board of Health in respect to premises in the Flood Plain or the applicability of the Town's Building Code.
- e. Nothing in this section shall limit the applicability of Section 40 of Chapter 131, Massachusetts General Laws.
- f. A permit issued by the Board of Appeals, or a building permit issued by the Building Inspector, shall be deemed to be a permit hereunder provided work is started within six (6) months, or take any other action relative thereto.

14.50 Compliance With Other Regulations

All development in the Flood Plain District including structural and non-structural activities whether permitted by right or special permit must be in compliance with Chapter 131 Section 40, of the Massachusetts General Laws and the following. (where applicable):

- 780 CMR Massachusetts State Building Code,
- 310 CMR 10.00, Wetlands Protection Regulations, Department of Environmental Protection (DEP)
- 310 CMR 13.00 Inland Wetlands Restriction
- 310 CMR 15, Title V, Minimum Requirements for Subsurface Disposal of Sanitary Sewage (DEP) Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedure of these state regulations.
-

14.51 Prior to the alteration and/or relocation of any river or watercourse in a riverine situation, notice shall be given to the following:

Adjacent Communities

NFIP State Coordinator,
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104

NFIP Program Specialist
Federal Emergency Management Agency
Region I,
99 High Street 6th Floor
Boston, MA 02110

Councilor _____

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Ordinance: D-2015-007

Introduced By: Councilor Sheila Whitaker and Councilor John Norris
Date Introduced: March 17, 2015
First Reading: March 17, 2015
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-2015-007

GENERAL BYLAW AMENDMENT: NEW SECTION PLASTIC BAG REDUCTION

ORDERED that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater General Ordinances by adding a new section XLVI, Plastic Bag Reduction.

ARTICLE XLVI:

SECTION 1: Purpose and Intent

The production and use of thin-film single-use plastic checkout bags have significant impacts on the environment, including, but not limited to: contributing to the potential death of marine animals through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their manufacture.

The purpose of this Ordinance is to eliminate the usage of thin-film single-use plastic bags by all retail establishments in the Town of Bridgewater.

SECTION 2: Definitions

- 2.1 "Thin-film single-use plastic bags", typically with plastic handles, are bags with a thickness of 2.5 mils or less and are intended for single-use transport of purchased products.
- 2.2 "ASTM standard" a testing standard developed by the American Society for Testing and Materials.
- 2.3 "Biodegradable bag" means a bag that: 1) contains no polymers derived from fossil fuels; and 2) is intended for single use and will decompose in a natural setting at a rate comparable to other biodegradable materials such as paper, leaves, and food waste.
- 2.4 "Reusable bag" means a bag, with handles, that is specifically designed for multiple use and is made of thick plastic, cloth, fabric or other durable materials.

SECTION 3: Use Regulations

- 3.1 Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail establishment within the Town of Bridgewater.
- 3.2 Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail establishments may provide reusable or recyclable thick plastic, paper, fabric or other types of

bags at no charge, or charge a fee for paper or other bags, as they so desire. Retail establishments are strongly encouraged to make reusable bags available for sale to customers at a reasonable price.

- 3.3 Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are still permissible.

SECTION 4: Administration and Enforcement

- 4.1 The Town Manager shall establish a review process to make determinations as to the classification of new single-use bag products, as they come on the market, to determine if they are compostable or biodegradable and meet, or exceed, ASTM D6400 for compostable plastic.
- 4.2 The Inspectional Services Department shall be responsible for enforcing this Ordinance through the issuance of a non-criminal citation notice. A non-criminal citation notice may be reissued for each day that the activity persists until the violation is corrected.
- 4.3 Non-Criminal Dispositions. Fines assessed under Sections 4.2 of this ordinance may be assessed through non-criminal process in accordance with Massachusetts General Laws Chapter 40, Section 21 D. The availability of non-criminal process under this article shall not preclude the use of criminal process or other means of enforcement allowable under law.
- 4.3 Each day on which any such violation continues shall be considered a separate violation of this section. Violations under this Article shall be punishable as follows:
- 1) First offense by a fine of \$50;
 - 2) Second offense by a fine of \$100;
 - 3) Third offense by a fine of \$200;
 - 4) Fourth and each subsequent offense by a fine of \$300.

SECTION 5: Effective Date

This Ordinance shall become effective 30 days after adoption.

Explanation:

It is the intent of the Town of Bridgewater to be environmentally responsible wherever possible. Adoption of this Ordinance will aide in reducing the overall negative environmental impacts posed by the use of thin-film, single-use plastic checkout bags.



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Order: O-2015-005

Introduced By:	President William Wood and Vice President Sheila Whitaker (At the request of the Town Clerk)
Date Introduced	March 17, 2015
First Reading:	March 17, 2015
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Order O-2015-005

2015 ANNUAL TOWN ELECTION WARRANT

ORDERED: that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the attached Warrant for the 2015 Annual Town Election 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.



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Order: O-2015-006

Introduced By:	Councilor Colombotos
Date Introduced	March 17, 2015
First Reading:	March 17, 2015
Second Reading:	
Amendments Adopted:	
Date Adopted:	

Order #O-2015-006

Creation of Affordable Housing

Whereas roughly 6.3% of the Town's housing stock is listed as affordable under the Commonwealth's Subsidized Housing Inventory; and that M.G.L. 40B mandates that 10% of a town's housing stock be affordable under state guidelines;

Whereas the Town accepted a Housing Production Plan in 2012 that includes specific goals and outlines strategies for reaching the 10% state requirement in a way that is consistent with the Town's wants and needs;

Whereas there is currently over \$500,000 available exclusively for affordable housing in the Town's Community Preservation Fund, with other discretionary funds also available;

Whereas the hiring of an Housing Coordinator will provide professional staff to manage housing initiatives;

Whereas the Town Council has endorsed the Bridgewater Downtown Community Development Master Plan of 2014, which recommends the development of affordable housing as outlined in the Housing Production Plan;

Ordered that the Town Manager shall initiate, encourage, facilitate or otherwise bring to pass the creation of affordable housing consistent with the Town's 2012 Housing Production Plan.



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Order: O-2015-007

Introduced By:	Councilor Colombotos
Date Introduced	March 17, 2015
First Reading:	March 17, 2015
Second Reading:	
Amendments Adopted:	
Date Adopted:	

Order #O-2015-007

Downtown Community Development Master Plan—

Feasibility of Implementing Traffic Circulation and Parking Improvements

Whereas, there have been several fatal or near-fatal pedestrian injuries sustained in the downtown area in the past few years; and the area is generally unsafe, inefficient, and unappealing for pedestrians of all ages;

Whereas, businesses in the downtown area have not thrived as they could;

Whereas, parking needs are not adequately served in the downtown area;

Whereas, the Town will soon be vulnerable to 40B affordable housing development that is unsuited to its location and is otherwise inconsistent with the Town's wants and needs;

Whereas, the [Town Council](#) has endorsed the [Bridgewater Downtown Community Development Master Plan](#) of 2014 (*The Downtown Plan*), that addresses all of the aforementioned challenges;

Whereas, addressing improving traffic circulation and parking is central to the overall success of the Downtown Plan; and that implementation of the other elements of the plan seems to be progressing;

Whereas, implementation of the circulation and parking improvements recommended by the Downtown Plan would require an appreciable investment by the Town, and therefore should be first evaluated for feasibility;

Whereas, the last ~~significant-comprehensive~~ traffic study performed in the town center was in ~~2002~~.

Whereas, ~~in the last ten years the town's population has grown ___% in the last ___ years; and Bridgewater State University's student population has grown ___% in the last ___ years; there has been significant growth both Town-wide and at the University in the past several years.~~

Ordered, that the [Town Manager](#) shall explore the feasibility of implementing the recommendations within the Bridgewater Downtown Community Development Master Plan that relate to traffic circulation and parking. Such an investigation shall include--but not be limited to--a rigorous traffic

NOT FOR ACTION – FIRST READING ONLY

study that considers the impact of implementing the recommendations upon the town as a whole. The Town Manager shall report findings of the feasibility report to the Council.

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Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Transfer: T-2015-006

Introduced By: Town Manager

Date Introduced: March 17, 2015

First Reading: March 17, 2015

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer - #T-2015-006

APPROPRIATION FOR ANIMAL CONTROL VEHICLE

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 \$ 30,000.00 from Prison Mitigation for the purpose of purchase of a vehicle for the Animal Control officer; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project. The vehicle will be paid out of fund 1000, the General Fund Capital Fund.

Explanation: The Animal Control vehicle has failed. Continuing repairs is cost prohibitive. The transfer requested will allow the Town to procure a vehicle and outfit it for this purpose.



Bridgewater Town Council

In Town Council, Tuesday, March 17, 2015

Council Transfer: T-2015-007

Introduced By: Town Manager

Date Introduced: March 17, 2015

First Reading: March 17, 2015

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Transfer - #T-2015-007

APPROPRIATION FOR AMBULANCE

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 \$ 300,000.00 from Prison Mitigation fund for the purchase of an ambulance; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project. The vehicle will be paid out of fund 1000, the General Fund Capital Fund.

Explanation: Ambulance 1 was put out of service in December, 2014. The vehicle was past its anticipated useful life and had been in need of frequent repairs. At the time of being taken out of service, the estimates for additional repairs were cost prohibitive. The transfer requested will allow the Town to procure a new ambulance.