



Town of Bridgewater

Town Council

April 18, 2023

7:00 PM

66 Central Square

Academy Building

Council Chambers

*The Town Council meeting is also aired via Facebook Live:
<https://www.facebook.com/bridgewaterma.org>*

MEETING AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) April 4, 2023 Meeting Minutes

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

- a) First Responders Proclamation

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Bridgewater MA Republican Town Registrar: Debbie Campbell Johnson
- b) Conservation Commission: Marilyn MacDonald (2023 - 2026)
- c) Diversity, Equity, Inclusion, Belonging (DEIB): Sherley Phillips (2023 - 2026)

F. HEARINGS

G. LICENSE TRANSACTIONS

- a) Petition P-2023-028: Granting of the Transfer of a Wine and Malt Beverages License
Public Hearing: This Petition was duly advertised in the Enterprise on 4/10/23.
- b) Petition P-2023-029: The Granting of an Annual Entertainment License
Public Hearing and advertising are not required for Annual Entertainment Request. This Petition may be considered this evening.
- c) Petition P-2023-030: Change of Officers/Directors/LLC - 99 Restaurant & Pub, 233 Broad Street
Public Hearing and advertising are not required for Change of Officers/Directors/LLC Manager. This Petition may be considered this evening.

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

- a) Fire Station Update

- b) High Street Bridge Closure
- c) Bristol-Plymouth Debt Exclusion Vote

J. DISCUSSIONS

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Petition P-2023-028: A Resolution Honoring Juneteenth
This measure was not referred to any committee. 14 days has elapsed, therefore this measure may be finally considered this evening.
- b) Resolution R-FY23-005: Funds Review Resolution
Budget and Finance voted 3-0 to recommend at their 4/4/23 meeting. FinCom voted 7-0 to recommend at their 3/13/23 meeting. and

M. OLD BUSINESS

N. NEW BUSINESS

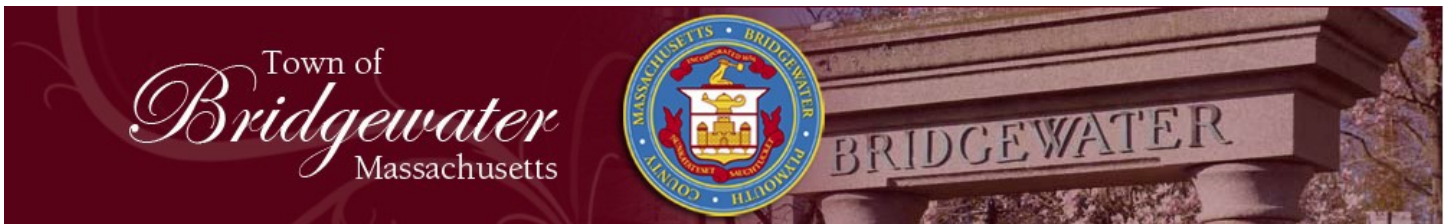
- a) Order O-FY23-054: AFSCME Contractual Ratification
- b) Ordinance D-FY23-010: Establish Stabilization Fund - Opioid Legal Settlements
- c) Ordinance D-FY23-011: Special Purpose Stabilization Fund - Opioid Settlement
- d) Ordinance D-FY23-012: General Ordinance - Section 10-D-(5) Flow Neutral Regulation - Sewer Regulations

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Town of Bridgewater

Town Council

April 4, 2023

7:00 PM

MEETING MINUTES

CALL TO ORDER

A quorum being duly present, Town Council President Fred Chase called the meeting of the Bridgewater Town Council to order at 7:00pm on Tuesday, April 4, 2023 in the Council Chambers.

PRESENT

Fred Chase, Dr. Kevin Perry, Mark Linde, Shawn George, Dennis Gallagher, Susan Robinson, Erik Moore, Bill Wood and Brad McKinnon. Also in attendance was Town Manager Michael Dutton and Town Attorney Jason Rawlins.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) March 21, 2023 Meeting Minutes

Councilor George made a motion to approve the March 21, 2023 meeting minutes, which was duly seconded.

A voice vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

ANNOUNCEMENTS FROM THE PRESIDENT

A moment of silence was held for Mr. Robert Smalley, United States Army who passed away on March 27, 2023 and Mr. David Asiaf, United States Army National Guard who passed away on March 25, 2023.

Council President Chase also noted that there is a Town Council Workshop scheduled for April 11th at BSU and that this workshop was for the Councilors to discuss downtown efforts. Councilor Chase noted that this is a public meeting but there will be no public comments or public participation at the workshop.

Bob Rulli, CED Director noted that the workshop will be live streamed on Facebook and public input will start right after the workshop.

PROCLAMATIONS

a) Arbor Day - April 28, 2023

Council President Chase read the proclamation into the record.

CITIZEN OPEN FORUM

Nicole Holmes, 80 Old Farm Road: Spoke on behalf of the Tree Committee and noted that the Arbor Day Proclamation is just one step in getting Bridgewater to be designated as a tree city. There are many benefits to being a tree city.

Rebecca Fleisch Cordeiro, 135 Deerfield Drive: Thanked the Council for the Arbor Day proclamation and asked that the word gay be removed from the Pride Flag resolution.

Laurene Powers, 41 Sunshine Drive: Noted that the BCCR would be having a standout in Central Square on Saturday, April 8th from 10am to 11am for gun violence. Invited all to attend.

Sam Baumgarten, 60 Short Street: Noted that Bridgewater has created a welcoming community and we need to continue by issuing more resolutions.

Carlton Hunt, Austin Street: Thanked the Council for the Arbor Day Proclamation and energy aggregation order.

APPOINTMENTS – None

HEARINGS – None

LICENSE TRANSACTIONS – None

PRESENTATIONS – None

TOWN MANAGER'S REPORT

a) Fire Station Update

Town Manager Dutton noted that the Fire Station planning was ongoing and there will be a September bid site package.

Councilor McKinnon asked that since the cost of materials has been going up can the materials be bought now and stored. Town Manager Dutton noted that this is what the contractor did with Mitchell School and the contractor will look into do this for the Fire Station.

b) High Street Bridge Closure

Town Manager Dutton reminded the Council and residents that High Street will be closed from June 15th to approximately October 15th. Notification, detour plans, releases and electric signs all being put into place.

Councilor Moore asked if the press release could be why and what the impact will be. Town Manager Dutton noted that the why has been pushed out and as the date gets closer the impact will be released.

c) Bristol-Plymouth Debt Exclusion Vote

Town Manager Dutton noted that the Town Election is coming up on April 22nd and the Debt Exclusion question is on the ballot. A yes vote would fund the \$1.2M per year with an approximate \$33 cost to each taxpayer and a No vote means the \$1.2M would have to be taken from the municipal budget which would mean cutting positions.

DISCUSSIONS – None

COMMITTEE REPORTS – None

LEGISLATION FOR ACTION

a) Petition P-2023-027: A Resolution in Recognition of Gay Pride Month

This Petition was not referred to any committee. 14 days have elapsed, therefore it may be finally considered this evening.

Councilor Moore made a motion to amend Petition P-2023-027 by removing the word “gay” where it appears two times in the Resolution. The amendment was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Amended passed 9-0-0

Councilor Moore made a motion to approve Petition P-2023-027, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

b) Resolution R-FY23-006: Annual July 4th Community Celebration

This Resolution was not referred to any committee. 14 days has elapsed, therefore it may be finally considered this evening.

Councilor Perry noted that this Resolution would allow the 4th of July Committee to place a wooden thermometer in front of the Academy Building for the purposes of fundraising for the July 4th events.

Councilor Perry made a motion to approve Resolution R-FY23-006, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

OLD BUSINESS- None

NEW BUSINESS

a) Order O-FY23-052: Municipal Electric Aggregation

Councilor Linde noted that this was a team effort which was brought on by the Presentation my Carlton Hunt. Would like the Town Manager to research.

Councilor Linde made a motion to refer Order O-FY23-052 to Rules and Procedures, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

b) Order O-FY23-053: Town Clerk's Salary

Councilor George noted that this is being presented to bring the salary of the Town Clerk in-line with her step and grade.

Councilor Robinson asked if a benchmark study was done and Councilor George noted yes but could not remember by whom. Councilor Linde noted that the benchmark should be other Town Clerks with similar town population.

Councilor George made a motion to refer Order O-FY23-053 to Budget & Finance and FinCom, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

c) Budget Order O-FY24-001: FY2024 Annual Town Budget

Town Manager Dutton noted that the FY2024 Annual Town Budget was balanced and there was a reduction in growth, local aid numbers are down. New growth is less, license and permits fees are flat and there is a slow down in building. Transportation costs and employee benefits have increased and no new hiring or dramatic changes.

Councilor Wood made a motion to refer Order O-FY24-001 to Budget & Finance and FinCom, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

d) Budget Order O-FY24-002: FY2024 Water Enterprise Fund

Town Manager Dutton noted that there are very few changes. Income covers expenses and slightly higher salary increases so the employees would be in line with others in their grade and step.

Councilor Moore would like a copy of the benchmark used for the salary increases.

Councilor George made a motion to refer Order O-FY24-002 to Budget & Finance and FinCom, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

e) Budget Order O-FY24-003: FY2024 Sewer Enterprise Fund

Town Manager Dutton noted that this budget was similar to the Water Enterprise Budget and that Finance is currently working on the new sewer rates.

Councilor George made a motion to refer Order O-FY24-003 to Budget & Finance and FinCom, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

f) Budget Order O-FY24-004: FY2024 Transfer Station Enterprise Fund

Town Manager Dutton noted that residents pay a fee to dispose of their waste. That fee pays for final disposal and the revenues meet the expenses.

Councilor Wood noted that there is a volunteer at the transfer station that works many hours and wondered if they could be paid. Town Manager Dutton noted that it was not put into this budget but it could be looked at.

Councilor George made a motion to refer Order O-FY24-004 to Budget & Finance and FinCom, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

g) Budget Order O-FY24-005: Authorization for Revolving Funds

Town Manager Dutton noted that this was a yearly order for the revolving funds. Income goes back into the fund.

Councilor George made a motion to refer Order O-FY24-005 to Budget & Finance and FinCom, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

h) Petition P-2023-028: A Resolution Honoring Juneteenth

Councilor Moore read the petition into the record.

Councilor Moore made a motion to retain Petition P-2023-028 at Town Council, which was duly seconded.

A roll-call vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

CITIZEN COMMENTS

Lou Stone, High Pond Estates: Noted that he went to the transfer station for the first time and the workers were very friendly and helpful. Thanked the council for bringing an energy order forward.

Rebecca Fleisch Cordeiro, 135 Deerfield Drive: Thanked the council for inquiring about the flag choice.

COUNCIL COMMENTS

Councilor McKinnon: Wished everyone a Happy Passover and Easter.

Councilor George: Excited about a packed house and all the events coming up. Encouraged people to explore Bridgewater and noted that he supported the debt exclusion and urged residents to get out and vote.

Councilor Perry: Good to see the Scouts here tonight. Reminded residents to vote on 4/22 and he supports the debt exclusion question. Extended his thoughts and prayers to the family of Madelyn Kubiak who passed away on March 31, 2023.

Councilor Moore: Noted that it is important to fund Bristol Plymouth and he is in full support of the debt exclusion. Also noted that he has received emails and from people how great the DPW, Council on Aging and Police Department are.

Councilor Robinson: Thanked everyone for coming to the meeting tonight.

Councilor Linde: Noted that citizen participation is important. Encouraged people to vote for the debt exclusion.

Councilor Gallagher: Noted that the Town election is 4/22 and encouraged residents to go out and vote. Fully supports the debt exclusion question. Also noted that the Town wide clean up is scheduled for 4/29.

Councilor Wood: Noted that the debt exclusion vote is critical, town support new school now we need to pay for it.

Councilor Chase: Productive meeting; important issues from citizen engagement.

EXECUTIVE SESSION - None

ADJOURNMENT

Councilor George made a motion adjourn, which was duly seconded.

A voice vote was taken with the results recorded as follows:

Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Yea; Wood – Yea; Robinson – Yea. Motion passed 9-0-0

Meeting adjourned at 8:30p.m.

Meeting minutes being submitted in draft form by Debbie Ward, Town Council Clerk.

Fred Chase
District 3
President

Erik Moore
District 1
Vice President

Mark Linde
District 2

Kevin Perry
Councilor-At-Large

Town of Bridgewater

OFFICE OF THE TOWN COUNCIL



Shawn George
Councilor-At-Large

Bradford McKinnon
Councilor-At-Large

William Wood
Councilor-At-Large

Susan Robinson
Councilor-At-Large

Dennis Gallagher
Councilor-At-Large

PROCLAMATION

WHEREAS First Responders include firefighters, police officers, nurses, doctors, military personnel, and anyone else that works in the healthcare field; and

WHEREAS First Responders are a vital part of the community and risk their own safety in the performance of their duties; and

WHEREAS First Responders undergo significant training, education and personal sacrifice in order to respond to every type of emergency; and

WHEREAS the Town of Bridgewater supports all First Responders for their willingness to protect the residents of Bridgewater and surrounding towns; and

WHEREAS, the families of First Responders also deserve appreciation and respect for the sacrifices they have made in order to support their loved ones' service.

NOW, THEREFORE, the Town Council of the Town of Bridgewater, Massachusetts, does hereby proclaim April 29, 2023, as FIRST RESPONDERS DAY in the Town of Bridgewater, and urge all citizens to recognize and honor the sacrifices that First Responders make.

Frederick Chase
President

Shawn George
Councilor-At-Large

Mark Linde
District 2

Erik Moore
Vice President

Dennis Gallagher
Councilor at Large

Bradford McKinnon
Councilor-At-Large

Susan Robinson
Councilor-At-Large

Kevin Perry
Councilor-At-Large

William Wood
Councilor-At-Large

SHEREY PHILLIPS

Summary

Senate District Coordinator:

'Knowledgeable in building connections among diverse constituents (inclusive of backgrounds, ethnicity, sexual orientation, ages, demographics, voices, etc.) and legislators to strengthen interactive engagements.

Professional and well rounded in developing educational programs that include diversity accountability measures.

Experienced in developing and evaluating objectives that reflect the voices/interest of all constituents.

Skills

- Mediating and advocating
- Listening to varied points of views
- Reporting and documenting results
- Flexibility and adaptability as leader
- Promoting a positive and participatory atmosphere
- Training of trainees for Quabbin Mediation Center

Experience

Town Of East Bridgewater | East
Bridgewater, MA

Special Education Teacher

07/1976 - 06/2009

- Taught academic courses to a diverse small group of 10 students.

Massachusetts Teachers Association |
Quincy, MA

Senate District Coordinator

07/2011 - Current

Coordinated and led team meetings with appropriate personnel to design appropriate educational programs for diverse students needing special designed education instruction

- Assessed and interpreted data to establish eligibility for services based on MA Special Ed. guidelines
- Developed criteria and monitoring measures for progress and meeting goals.
- Served as link by handling questions, and helping resolve issues.
- Interacted with all appropriate staff to ensure continuous dialog

Education and Training

Alabama State University | Montgomery, AL

Bachelor of Science in Political Science /ENGLISH

05/1965

Bridgewater State University | Bridgewater, MA

Master of Science in Special Education

05/1976

Bridgewater State University | Bridgewater, MA

Master of Science in Counseling

05/1978

Accomplishments

- Led Ethnic and Minority Committee to inclusion as full participants in state organization
- Worked with Dept. of Elementary and Secondary Ed. in monitoring and evaluating diversity in educational programs and facilities.
- Evaluated and Assessed Massachusetts Teacher Licensure Tests (MTEL) for biases/inclusivity in tests items.
- Developed relationships that led to election as leader of local, county and education associations.
- Advocated for and represented the voices of residents and families in nursing home facilities..
- Mediated conflict resolution for education and religious organizations.
- Organized and implemented educational sensitivity training programs focused on human rights in educational settings
- Organized and negotiated contract for new paraprofessionals unit

From: jasphils682@aol.com
To: [McGraw, Joshua](#)
Subject: Fwd: Online Form Submittal: Board/Committee/Commission Application
Date: Tuesday, April 4, 2023 1:09:20 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Board/Committee/Commission Application

Board/Committee/Commission (B/C/C) Application

Select the Board,
Commission, or
Committee applying for

Other

If Other, Which B/C/C
are you applying?

Diversity

Personal Information

First Name

Sherley

Middle Name

Field not completed.

Last Name

A PHILLIPS

Address1

City

State

Zip

Primary Number

Alternate Phone

Email Address

Are you presently, or have you ever served on a Board, Committees, or Commission in Town of Bridgewater?

Yes

If yes, please provide dates of service and Identify B/C/C:

Citizens Advisory Committee

Are you Applying for reappointment?

No

How did you hear about this vacancy?

Existing B/C/C member

Please Attach Resume

Field not completed.

In addition to providing a resume, please detail below experience and skills relevant to the B/C/C to which you are applying. List work/volunteer experience, technical skills or other abilities which will make a positive contribution to the B/C/C.

I served on the Diversity, Equity and Inclusion Ad Hoc Committee who conducted the research

membership on the Department of Education Racial Commission

11 years -present Bias Review Committee: MA Teacher Education Licensure Tests (MTEL)

Please be advised that the applicants being considered for appointment to a B/C/C in the Town of Bridgewater, MA may be subject to background investigations and financial disclosure.

I understand that participation in a board or committee is strictly voluntary and is not subject to compensation. I further understand that the Town of Bridgewater does not discriminate its selection process for committee members based on race, color, religion, national origin, disability, gender, age, military status, sexual orientation, or genetic history.

Signing below indicates my understanding of the above disclosures and certifies that the information provided above to me is true and accurate to the best of my ability.

Electronic Signature
Agreement

I agree.

Electronic Signature

Sherley A Phillips

Date

4/4/2023



Bridgewater Town Council

Introduced By:

Date Introduced: 4/18/2023

First Reading: 4/18/2023

Second Reading:

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Petition P-2023-028: Granting of the Transfer of a Wine and Malt Beverages License

WHEREAS, Kotak, LLC dba Pages III has submitted all applicable documentation as required for the transfer of a Wine and Malt Beverages license currently held by 20 Broad Street, dba Pages III; and

WHEREAS, the petitioner has described the service premises at 233 Broad Street:

Retail store located at 233 Broad Street within Roche Bros. Supermarket. Consists of approximately 2,001 square feet of floor retail space and 197 square feet of storage area. 2 entrances/exits.

WHEREAS, approval of request to sell wine and malt beverages is required by Massachusetts General Law – Chapter 138, section 12 prior to the final submission to the Commonwealth’s Alcohol Beverages Control Commission (ABCC) who must ratify the action; and

WHEREAS, the hours of operation for the sale of wine and malt beverages will be:

- Monday to Saturday: 8:00am to 11:00pm
- Sunday: 10:00am to 11:00pm

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority, with the affirmative recommendations of the Building Inspector, Fire, Police, and Health Departments who have oversight authority, it appears that the public good so requires such license be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 138, section 12 and Chapter 140 - section 2 and section 6 respectively of the Massachusetts General Law (MGL), in Town Council assembled approve the petition of Kotak, LLC dba Pages III to sell wine and malt beverages on the premises of 233 Broad Street, Bridgewater, Massachusetts as requested.

Committee Referrals and Dispositions:

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Attachments:

1. Kotak dba Pages III Transfer of License Required Documents

**PETITION: ALCOHOL ESTABLISHMENT – TRANSFER OF BEER & WINE
LICENSE**

**Applicant Name: Kotak, LLC dba Pages III
233 Broad Street (Inside Roche Bros.)**

Town Council Meeting Date: 4/18/23

State Documents:

	LLA Certification (Form 43) (To Be Issued by Town)
☒	\$200 Fee via ePay
☒	Monetary Transmittal Form
☒	Advertisement (To be done by the Town of Bridgewater with an invoice being sent to the petitioner for payment).
☒	DOR Certificate of Good Standing (Must be obtained by the Seller)
☒	DUA Certificate of Compliance (Must be obtained by the Seller)
☒	New/Transfer Retail Application
☒	Business Structure Documents
☒	CORI Authorization Form
☒	Manager Application
☒	Proof of Citizenship
☒	Vote of the Corporate Board
☒	Purchase & Sale Agreement
☒	Supporting Financial Documents, for all financing and or loans, including pledge documents, if applicable
☒	Legal Right to Occupy
☒	Floor Plan

Town Documents:

☒	\$150 Town Application Fee (non-refundable)
☒	Town of Bridgewater Application
☒	Delinquent Tax Certification
☒	State Tax Affidavit
☒	Workman's Compensation Insurance Affidavit

Recommendations:

☒	Tax Office
☒	Fire Department
☒	Police Department
☒	Building Department

Notes:

1. Kotak, LLC dba Pages III is requesting a transfer of the Beer & Wine license at 233 Broad Street (inside Roche Bros) that is currently held by 20 Broad Street Inc. dba Pages III. All ABCC Paperwork is in order.
2. The Fire Department, Police Department and Building Department have no issues with the transferring of this beer and wine license.
3. There are no outstanding tax issues.



Bridgewater Town Council

Introduced By:

Date Introduced: 4/18/2023

First Reading: 4/18/2023

Second Reading:

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Petition P-2023-029: The Granting of an Annual Entertainment License

WHEREAS, Black Hat Brew Works has requested an annual entertainment license for live music for their location at 25 Scotland Boulevard; and

WHEREAS, the hours of operation for the live music entertainment will be:

- Monday to Saturday: 10:00am to 10:00pm
- Sunday: 10:am to 9:00pm

WHEREAS, Black Hat Brew Works has complied with the 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 the affirmative recommendation of the Bridgewater Building Inspector, Fire and Police Departments who have oversight authority, it appears that the public good so requires such license be granted;

WHEREAS, this license is being issued under the most current state guidelines which could be revoked or changed such that the applicant will have to abide by any new state or local requirements;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 138 - section 14 and Chapter 140- Section 183A respectively of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition of Black Hat Brew Works to be granted an annual entertainment license for live music at 25 Scotland Boulevard Bridgewater, MA 0224.

Committee Referrals and Dispositions:

- Attachments:
1. Black Hat Brew Works Annual Entertainment Request
 2. Black Hat Brew Works Application

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Town Council Meeting Date: 4/18/23

NEW ENTERTAINMENT LICENSE

Applicant Name: Black Hat Brew Works
Address: 25 Scotland Boulevard
Telephone: (508) 807-5172
Email: refco27@gmail.com

Town Documents:

X Application Form
X Floor Plans
X Delinquent Tax Certification
X State Tax Affidavit
X Workman's Compensation Insurance Affidavit
X Town Fees: \$75 Application Free

Recommendations:

X Fire Department
X Police Department
X Building Department

Notes:

- 1) Black Hat Brew Works is requesting an annual entertainment for live music for their location at 25 Scotland Blvd.
- 2) There are no tax issues.
- 3) The police, fire and building department have no problem with the issuance of this license.



Fee: _____

Date: _____

License Number _____

**TOWN OF BRIDGEWATER
OFFICE OF THE TOWN MANAGER
APPLICATION FOR ANNUAL ENTERTAINMENT LICENSE**

OUTDOOR ☒

INDOOR ☒

WEEKDAYS ☒

SUNDAYS ☒

NAME OF ESTABLISHMENT Black Hat Brew Works

MANAGER Paul Mulcahy

ADDRESS 25 Scotland Blvd Unit 1

HOURS: Weekdays: 10-10

Sundays: 10-9

TYPE OF ENTERTAINMENT:

☒ LIVE MUSIC

☐ DISC JOCKEY

☐ OTHERS: Please Specify _____

(Please see Page 2 attached)

APPROVED BY: _____

Signature of Licensing Authority

DATE OF APPROVAL: _____

Page 2 – APPLICATION FOR ANNUAL ENTERTAINMENT LICENSE

Please answer all questions

1. Specify precisely the type of concert, dance, exhibition, cabaret or public show sought to be licensed.

Live music

2. Will such show include:

A. Dancing by patrons?	Yes ☐	No ☒
B. Dancing by performers or entertainers?	Yes ☐	No ☒
C. Recorded or live music?	Yes ☒	No ☐

Specify live music

D. The use of amplification system?	Yes ☒	No ☐
E. A theatrical exhibition, play or moving picture show?	Yes ☐	No ☒

Specify _____

F. A floor show of any description?	Yes ☐	No ☒
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Specify _____

G. A light show of any description?	Yes ☐	No ☒
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Specify _____

H. Any other dynamic audio or visual show, Whether live or recorded?	Yes ☐	No ☒
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3. State whether or not as part of the concert, dance, Exhibition, cabaret or public show anyone will be Allowed to appear nude or semi-nude.

Yes ☐	No ☒
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Bridgewater Town Council

Introduced By:

Date Introduced: 4/18/2023

First Reading: 4/18/2023

Second Reading:

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Petition P-2023-030: Change of Officers/Directors/LLC - 99 Restaurant & Pub, 233 Broad Street

WHEREAS, 99 Restaurants of Boston, LLC has petitioned the local licensing authority to affirm the petition for Change of Officers/Directors/LLC Managers; and

WHEREAS, 99 Restaurants of Boston, LLC has submitted all application materials and requisite fees to the Town of Bridgewater for submittal to the ABCC; and

WHEREAS, 99 Restaurants of Boston, LLC has complied with the policies and requirements of the Town of Bridgewater and Commonwealth of Massachusetts in making this request; and

WHEREAS, the licensing authority has duly advertised a hearing on this matter to solicit comments from the public on this matter; and

WHEREAS, approval of such petition by the Town of Bridgewater is permitted by Massachusetts General Law – Chapter 138, section 15A; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority, and with the affirmative recommendation of the Tax Collector's Office, it appears that the public good so requires such approvals be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 138 of the Massachusetts General Law (MGL), in Town Council assembled approve the petition of 99 Restaurants of Boston, LLC for Change of Officers/Directors/LLC Managers as requested.

Committee Referrals and Dispositions:

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Attachments:

1. 99 Restaurant Change of Officers Application-Letter
2. 99 Restaurant Change of Officers Checklet

REC'D
4/7/23
dhw

Upton Connell & Devlin, LLP

Contact for Joseph H. Devlin, Esq.
171 High Street
Newburyport, MA 01950
617-514-2837
617-514-2825

Main Office:
112 Water Street, Suite 201
Boston, Massachusetts 02109
617-227-3277 (Tel)
617-227-3222 (Fax)

Town of Bridgewater
Municipal Office Building
66 Central Square
Bridgewater, MA 02324

Re: Change of Officer for the 99 Restaurant & Pub – Two Entities: 99 Restaurants of Boston, LLC (39 locations) and 99 West, LLC (22 locations)

Dear License Administrator:

I am writing on behalf of the 99 Restaurants of Boston, LLC or 99 West, LLC, d/b/a The Ninety-Nine Restaurant (collectively the “Licensee”), one or both of which are licensed entities in your community owned by the same corporate structure.

Per the letter you received from the Massachusetts Alcoholic Beverage Control Commission (the “ABCC”), a copy of which is also enclosed, the “Licensee” has been granted preliminary approval for a Change of Officer relative to all 61 of their Massachusetts locations using the “inverted approval process”.

The Officer Change involves the appointment of Clinton Lautenschlegar, Marjorie Nemzura, Phillip Purcell, Mark Spurgin, and Kara Jacobs as LLC Managers, and the removal of Wendy Harkness as LLC Manager and Secretary, removal of Charles Noyes as LLC Manager and President, and removal of Kurt Schnaubelt as LLC Manager and CFO.

Due to the size of the transactions, the ABCC has reviewed and investigated the applications and found that the transaction is in compliance with M.G.L. Chapter 138. In addition to the LLA Form, please send the Application package and all other relative forms and documents back to the ABCC. **If you have any questions, you can call Investigator Brad Doyle at 617-727-3065, ext. 713.**

Enclosed please find the following documents relative to the transaction for your records:

1. Letter from Ralph Sacramone, Executive Director of the Alcohol Beverage Control Commission (the “ABCC”).
2. DOR and DUA Certificates.

3. Monetary Transmittal Form.
4. Retail alcoholic beverages application – change of officers.
5. CORI Request Forms for the new officers.
6. Proof of US Citizenship for the new officers.
7. Exhibits.
8. Certificate of Authorization.
9. Certificate of Organization.

We would appreciate you putting this on your next available meeting schedule. We will call shortly hereafter to follow up to confirm you've received our application and see if you need us to attend the meeting, though we are anticipating from past experiences that many communities will not require it.

We look forward to speaking and working with you again. If you should have any questions with regard to this Application, please feel free to call my associate, Elizabeth Pisano, at (860) 712-2799, or email her at episano@ucdlaw.com.

Very truly yours,

Joseph H. Devlin

Joseph H. Devlin



*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
95 Fourth Street
Chelsea, Massachusetts 02150*

March 29, 2023

LOCAL Boards

Andover, Auburn, Billerica, Braintree, Bridgewater, Barnstable, Boston, Chicopee, Dartmouth, Easton, Fairhaven, Falmouthj, Framingham, Franklin, Greenfield, Haverhill, Hingham, Holyoke, Lowell, Lynnfield, Marlborough, No. Andover, Pembroke, Pittsfield, Plymouth, Quincy, Rockland, Somerville, Springfield, Stoneham, Tewksbury, Westfield, Westford, W. Springfield, Wilmington, Woburn, Worcester

The Alcoholic Beverages control Commission ("Commission") has received a request from 99 Restaurants of Boston, LLC for a change of Officers / Directors in the above noted cities and towns.

Due to the magnitude of these transactions, the Commission has received the information and documents provided by the licensee. The review was to determine whether the contemplated transaction is consistent with the provisions of M.G.L. c. 138. Based upon our review, we are satisfied that the transaction is consistent with the purposes of the law and would not result in the individual corporate licenses being deemed to be out of compliance with the applicable statute. Accordingly, this letter sets forth our recommended procedure for the processing of these applications.

Arrangements have been made for the Corporation to pay all of the \$200 application fees directly to the Commission. Therefore, no fee needs to be collected by the Local Licensing Authority.

The Commission has reviewed and accepted copies of the following documents and instruments:

1. Application for amendment
2. DOR Certificate of Good Standing
3. DUA Certificate of Good Standing
4. CORI Authorization
5. Vote authorizing the license amendment
6. List of exhibit's
7. Secretary of The Commonwealth Corporate Articles.

The applicant will contact you directly for processing the application. We will be processing this group filing differently than we have in the past due to the fact that these applications will be scanned into the e-licencing system.

The local Licensing Authority should send in the whole packet of the application and not just the local licensing review record that was done in the past. Should you or your town/city solicitor have any questions or require information or assistance , please contact Special Investigator Brad Doyle at (617) 908-8575.

Sincerely,



Ralph Sacramone
Executive Director

Cc: Fredrick Mahony, Chief Investigator
Ryan Melville, Licensing Coordinator
Joe Devlin, Esq.

**PETITION: ALCOHOL ESTABLISHMENT – CHANGE OF
OFFICERS/DIRECTORS/LLC MANAGER**

Applicant Name: 99 Restaurant & Pub

Town Council Meeting Date: 4/18/23

State Documents:

_____	LLA Certification (Form 43) – To be completed by Town of Bridgewater
<u> X </u>	\$200 Fee via ePay
<u> X </u>	Monetary Transmittal Form
<u> X </u>	DOR Certificate of Good Standing
<u> X </u>	DUA Certificate of Compliance
<u> X </u>	Change of Officers/Directors Application
<u> X </u>	Vote of the Entity
<u> X </u>	CORI Authorization(s)
<u> X </u>	Business Structure Documents (<i>Business Certificate, Partnership Agreement, or Articles of Organization</i>)

Town Documents:

<u> X </u>	\$150 Town Application Fee (non-refundable)
<u> X </u>	Delinquent Tax Certification
<u> X </u>	State Tax Affidavit
<u> X </u>	Workman's Compensation Insurance Affidavit

Notes:

- 1) 99 Restaurants wishes to change the Officers. The Officer Change involves the appointment of Clinton Lautenschlegar, Marjorie Nemzura, Phillip Purcell, Mark Spurgin, and Kara Jacobs as LLC Managers and the removal of Wendy Harkness as LLC Manager and Secretary, removal of Charles Noyes as LLC Manager and President, and removal of Kurt Schnaubelt as LLC Manager and CFO.
- 2) All ABCC Paperwork is in order.
- 3) There are no outstanding tax issues.



Bridgewater Town Council

Introduced By: Erik Moore, Councilor
Susan Robinson, Councilor
Date Introduced: 4/4/2023
First Reading: 4/4/2023
Second Reading: 4/18/2023
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Petition P-2023-028: A Resolution Honoring Juneteenth

Whereas, In 2021 and 2022, Bridgewater Communities for Civil Rights (BCCR) and First Parish Unitarian Universalist Church Bridgewater (FPUUB) hosted two successful Juneteenth events in Bridgewater with the support of the Town of Bridgewater, the Bridgewater Public Library, Bridgewater State University, and many other members of the community; and

Whereas, the Juneteenth committee, in cooperation with those mentioned above and the Bridgewater-Raynham Regional School District, is currently planning a 3rd annual Juneteenth celebration; and

Whereas, In May 2021, the Town of Bridgewater designated June 19th (Juneteenth) a Town holiday. And, in June 2022, the Town Council unanimously supported the raising of the Juneteenth flag from June 15 through June 30; and

Whereas, the Council, as leaders of our Town, can have significant impact in supporting the celebration of liberty and justice for all with its support of Juneteenth 2023; and

Whereas, Symbols and seemingly small actions can have great meaning, through these actions, all who pass through Bridgewater will see that we honor the history of African Americans and recognize their contribution to American history.

Now therefore, the Bridgewater Town Council declares June 19, 2023, a day of commemoration and celebration and once again fully supports the Juneteenth Flag to be flown with the United States Flag in front of the Academy Building in the Town of Bridgewater from June 15 - 30, 2023.

Committee Referrals and Dispositions:

<i>Referral(s)</i>

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

This measure was not referred to any committee. 14 days has elapsed, therefore this measure may be finally considered this evening.

Attachments:

1. Juneteenth Flag
2. Juneteenth-Flag-Letter-to-TC_2023





BCCR
BRIDGEWATER
COMMUNITIES FOR
CIVIL RIGHTS

<https://www.bccrcivilrights.org>

<https://www.facebook.com/BridgewaterCommForCivilRights>

March 10, 2023

Members of the Town Council
Bridgewater, MA 02324

Subject: Request to the Town Council of the Town of Bridgewater, MA
Regarding the Elevation of the Juneteenth Flag, June 15–June 30, 2023, according to
Ordinance D-FY21-007, and Requesting a Resolution in Honor of Juneteenth 2023

In 2021 and 2022, Bridgewater Communities for Civil Rights (BCCR) and First Parish Unitarian Universalist Church Bridgewater (FPUUB) hosted two successful Juneteenth events in Bridgewater with the support of the Town of Bridgewater, the Bridgewater Public Library, Bridgewater State University, and many other members of the community. The Juneteenth committee, in cooperation with those mentioned above and the Bridgewater-Raynham Regional School District, is currently planning a 3rd annual Juneteenth celebration.

In May 2021, the Town of Bridgewater designated June 19th (Juneteenth) a Town holiday. And, in June 2022, the Town Council unanimously supported the raising of the Juneteenth flag from June 15 through June 30, issuing Resolution FY22-08: A Resolution Honoring Juneteenth.

We respectfully request that the Juneteenth Flag be raised again this year in front of the Academy Building on Thursday, June 15 and remain through June 30, celebrated with a Resolution by the Town Council, expressing support and demonstrating the Town's continued commitment to civil rights for all in our daily interactions.

In addition, we respectfully request permission to hold a brief ceremony in front of the Academy Building marking the raising of the Juneteenth Flag on June 15 at 3:30 PM. We invite you to read the Town Council's Resolution at that time and celebrate Juneteenth with us.

As mandated by the Town's General Ordinance D-FY21-007, a photograph of the Juneteenth Flag is included with this request.

The Council, as leaders of our Town, can have significant impact in supporting the celebration of liberty and justice for all with its support of Juneteenth 2023. Symbols and seemingly small actions can have great meaning. Through your actions, you are telling all who pass through Bridgewater that we honor the history of African Americans and recognize their contribution to American history.

We look forward to your positive response and we hope that you, our Town Leaders, through your supportive messages, will continue to promote Bridgewater as a model of diversity, equity, and inclusion.

Sincerely,

Bridgewater Communities for Civil Rights, Juneteenth Flag Committee

Cristina Ajemian

Lois Aldrich

Sam Baumgarten

Jenise Campbell- Means

Rebecca Fleisch Cordeiro

Vernon Domingo

David Michael

Sherley Phillips

Laurene Powers

Sandra Smiley



Bridgewater Town Council

Introduced By: Dennis Gallagher, Councilor
Date Introduced: 2/21/2023
First Reading: 2/21/2023
Second Reading: 4/18/2023
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Resolution R-FY23-005: Funds Review Resolution

Whereas, the Town of Bridgewater has multiple special purpose stabilization funds and capital funds which have been utilized for many years, and

Whereas, the Town Charter grants to the Town Council the ability to “establish reasonable standards related to the management of financial systems and practices,” and

Whereas, the Town Council desires to review the functionality and purpose behind each capital fund and stabilization fund to ensure that each meets the long term financial health of the Town;

Now, therefore, the Town Council requests its Budget and Finance Committee and the Bridgewater Financial Committee to review the Town’s capital and stabilization funds and make any recommendations for changes to the Town Council by October 1, 2023.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Budget and Finance	4/4/23: Voted 3-0 to recommend
FinCom	3/13/23: Voted 7-0 to recommend

Attachments: None



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 4/18/2023
First Reading: 4/18/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY23-054: AFSCME Contractual Ratification

ORDERED, In accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated agreement(s) covering July 1, 2022 through June 30, 2025 with the American Federation of State, County, and Municipal Employees (AFSCME), Council 93 - Local 1700.

Explanation:

The Town Manager negotiated Memorandum of Agreements (s) as attached with AFSCME Council 93 - Local 1700.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•
•	•

Attachments: 1. AFSCME MOA Compensation 04.06.23

MEMORANDUM OF AGREEMENT
between
TOWN OF BRIDGEWATER and
AMERICAN FEDERATION OF STATE, COUNTY, and MUNICIPAL EMPLOYEES (AFSCME),
Council 93 - Local 1700

This Memorandum of Agreement (MOA) is made and entered into between Town of Bridgewater, hereinafter referred to as the "TOWN," and the American Federation of State, County, and Municipal Employees, Council 93, hereinafter referred to as the "AFSCME". This Memorandum amends the Collective Bargaining Agreement between the TOWN and AFSCME effective through June 30, 2022. Except as may be modified by the MOA, the terms of said agreement, as amended, shall continue in full force and effect through June 30, 2025, effective upon the signing.

The following are the changes to the Agreement:

Article 1 – Effective Date

By mutual agreement and for ease of reference, the agreement's articles are simply numbered rather than using its roman numeral equivalent (*ie – ARTICLE XXXIII AGENCY FEE – now reads ARTICLE 33 – AGENCY FEE*)

By mutual agreement, grammatical and typographical errors and obsolete language will be updated or deleted.

The terms and conditions set forth in this Agreement are effective July 1, 2022 through June 30, 2025 (Three Year Agreement).

Article 4 – Union Dues

The following language replaces the existing language in Article 4 – Dues and Indemnification (now titled Article 4 – Union Dues):

Pursuant to General Laws, Chapter 150E, Section 12, to assure that employees covered by this Agreement shall be adequately represented by the Union in bargaining collectively on questions of wages, hours, and other conditions of employment. The Employer shall be required to provide the Union with the following information:

1. The Union - shall furnish a signed copy of the Union dues/agency fees deduction card that contains a waiver authorizing the use of his/her Social Security Number for the purposes of conducting business between the Union and the Town. The Union and the Town agree that employee Social Security Numbers will not be released to any third party outside of the business relationship existing between the Union and the Town, unless directed in writing, by the employee.
2. Concurrent with the issuance of weekly/ bi-weekly wages to workers in the bargaining unit represented by the Union, the Employer will electronically forward a data file to the Union for all employees for whom dues or agency fees have been deducted. These deductions and roster-information will be transmitted to the AFSCME Council 93 business office with the issuance of its last payroll of every month – and such transmission shall be accomplished either by electronic mail or some other secure method as agreed to by the parties.
3. Upon the issuance of weekly/bi-weekly wages to workers in the bargaining units represented by the Union, the Employer will electronically forward a data file to the Union for all employees whose

MEMORANDUM OF AGREEMENT
between
TOWN OF BRIDGEWATER and
AMERICAN FEDERATION OF STATE, COUNTY, and MUNICIPAL EMPLOYEES (AFSCME),
Council 93 - Local 1700

job title is represented by the Union. This file shall include the employees legal name employee ID, worksite code and the deduction amount.

Article 5 – Civil Rights

The following language replaces the existing language in Article 5 – Discrimination and Coercion (now titled Article 5 – Civil Rights):

There shall be no discrimination by the Town or the Union against any employee covered by this agreement because of race, creed, color, national origin, sex, age, union affiliation, political affiliation, religion, sexual orientation, genetic information, gender identity, marital status, military status, parental status, or disability.

Article 14 – Clean-Up Time: Number of Employees on a Truck

The following language replaces the existing language in Article 14 – Clean-Up Time: Number of Men on a Truck (now titled Article 14 - Clean-Up Time: Number of Employees on a Truck)

NUMBER OF EMPLOYEES ON A TRUCK

The number of employees assigned to a truck shall be determined in the sole discretion of the Department Head, meaning for the purposes of this Contract, the Public Works Director, Roadways Superintendent, the Water Pollution Control and Water Supply Superintendent.

Article 23 - Classification Plan and Pay Rates

By mutual agreement, the language of Article 23 Classification Plan and Pay Rates is amended as follows:

Wage Matrix Adjustment:

- 1) Increase the existing step schedule by four (4) steps and delete the bottom four (4) steps.
 - a. *Members will remain at their current pay but placed on the new (lower) step for accounting purposes (ie – current step 6 becomes new step 2; thus, member receives same rate of pay but is now at step 2 on the salary matrix table)*
- 2) Each additional step is 2.5%, *in line with the existing step schedule.*

Wages Adjustments:

- a. Effective July 1, 2022 (FY2023): no change in compensation.
- b. Effective July 1, 2023 (FY2024): Each existing member would receive two (2) step increase.
- c. Effective July 1, 2024 (FY2025): Each existing member would receive two (2) step increase.

MEMORANDUM OF AGREEMENT
between
TOWN OF BRIDGEWATER and
AMERICAN FEDERATION OF STATE, COUNTY, and MUNICIPAL EMPLOYEES (AFSCME),
Council 93 - Local 1700

LICENSE COMPENSATION

ROADWAYS DEPARTMENT

- | | |
|--|------------|
| ➤ Master hoisting license (2B) | \$800 |
| ○ 2A endorsement | \$150 |
| ○ Mower 4G | \$150 |
| ○ Catch basin 4E | \$150 |
| ○ Forklift 1C | \$150 |
| ○ Gantry crane 1A | \$150 |
| ○ Class A CDL | \$500 |
| ○ Welding /gas burning safety certificates | \$100 |
| ○ ASE certifications: T1 thru T8 | \$100 each |
| ○ ASE certifications: A1 thru A9 | \$100 each |

WATER SUPPLY DEPARTMENT

- | | |
|---|-------|
| ➤ Back Flow License | \$750 |
| ➤ Cross Connection License | \$500 |
| ➤ OSHA class 2 asbestos-cement pipe certification | \$250 |

The Superintendent shall determine how many licenses shall be issued and to who said license shall be issued.

- | | |
|--|---------|
| ➤ Water Supply - Distribution License Stipends | |
| ○ Grade D1 | \$200 |
| ○ Grade D2 | \$900 |
| ○ Grade D3 | \$1,400 |
| ○ Grade D4 | \$1,800 |
| ➤ Water Supply - Treatment License Stipends | |
| ○ Grade T1 | \$600 |
| ○ Grade T2 | \$1,000 |
| ○ Grade T3 | \$1,500 |
| ○ Grade T4 | \$1,800 |

WATER POLLUTION CONTROL DEPARTMENT

- | | |
|---|---------|
| ➤ Water Pollution Control - Wastewater Treatment Stipends | |
| ○ Grade 2 | \$300 |
| ○ Grade 3 | \$500 |
| ○ Grade 4 | \$800 |
| ○ Grade 5 | \$1,000 |

MEMORANDUM OF AGREEMENT
between
TOWN OF BRIDGEWATER and
AMERICAN FEDERATION OF STATE, COUNTY, and MUNICIPAL EMPLOYEES (AFSCME),
Council 93 - Local 1700

- | | |
|--|---------|
| ○ Grade 6 | \$1,400 |
| ○ Grade 7 | \$1,700 |
| ➤ Water Pollution Control - Collection System Stipends | |
| ○ Grade 1 | \$250 |
| ○ Grade 2 | \$350 |
| ○ Grade 3 | \$500 |
| ○ Grade 4 | \$700 |

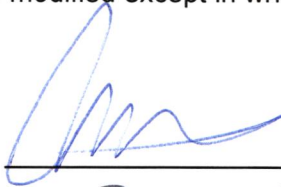
Article 33 – Agency Fee

By mutual agreement, Article 33 – Agency Fee is deleted.

This Memorandum of Agreement represents the entire understanding between the parties and supersedes any and all prior agreements, understandings, and negotiations between the parties. This Memorandum of Agreement may not be amended or modified except in writing signed by both parties.

Signed:

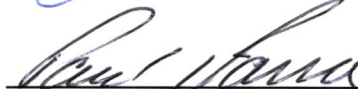
Michael M. Dutton, Town Manager:



Date:

4/6/23

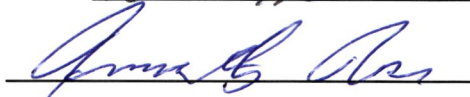
Paul Faria, AFSCME Council 93:



Date:

4/6/23

Tim Rose, Union Steward:



Date:

4/6/23



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 4/18/2023
First Reading: 4/18/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Ordinance D-FY23-010: Establish Stabilization Fund - Opioid Legal Settlements

WHEREAS, The Town of Bridgewater desires to create a special purpose stabilization fund to segregate monies owed to the Town from opioid legal settlements, and

WHEREAS, The Town is required to accept the fourth paragraph of c. 40, Section 5B in order to create such a stabilization funds, and

WHEREAS, the Town Council has the authority under section 2-2 of the Town Charter to accept provisions of Massachusetts General Law,

NOW, THEREFORE, The Town Council assembled votes to accept the fourth paragraph of Massachusetts General Laws Chapter 40, Section 5B, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2023.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Attachments: None



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 4/18/2023
First Reading: 4/18/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Ordinance D-FY23-011: Special Purpose Stabilization Fund - Opioid Settlement

WHEREAS, The Town Council finds it is necessary to segregate funds received as revenue from legal settlements associated with opioid litigation, and

WHEREAS, The Town of Bridgewater has accepted the fourth paragraph of c. 40, section 5B, which allows the creation of a special stabilization fund, and

WHEREAS, The Town Council has the authority under section 2-2 of the Bridgewater Town Charter to create a special purpose stabilization fund,

NOW, THEREFORE, The Town Council dedicates 100 percent of the monies received from opioid settlements or litigation to the Opioid Settlement Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for the fiscal year beginning on July 1, 2023.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•
•	•
•	•

Attachments: None



Bridgewater Town Council

Introduced By: Kevin Perry, Councilor
Date Introduced: 4/18/2023
First Reading: 4/18/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Ordinance D-FY23-012: General Ordinance - Section 10-D-(5) Flow Neutral Regulation - Sewer Regulations

ORDERED, that the Town Council assembled votes to amend the sewer regulations as noted on the attached:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•
•	•

Attachments: 1. 2023-4-11 Flow Neutral Reg DRAFT v.3

Section 10-D-(5) - Flow Neutral Regulation for Present and Future Wastewater Treatment Systems/ Sewer Service Areas.

§5-1 Purpose

In order to manage present and future wastewater flows for the purposes of compliance with present and future groundwater quality standards, preserving the environmental qualities of the Town, and supporting broader community wastewater treatment and disposal planning objectives, the Town adopts this Flow Neutral Regulation for Present and Future Wastewater Treatment Systems and Sewer Service Areas. This regulation shall be supplemental to any and all other applicable statutes, regulations, bylaws, rules, and regulations, including, without limitation, the requirements of 310 CMR 15.000: Septic Systems (Title 5), as such may be amended from time to time, or any orders or directives issued pursuant thereto, and nothing herein shall exempt the owner of any property in the Town therefrom.

§ 5-2 Applicability.

This Chapter shall apply to all property located in the Town which is, or shall in the future be, serviced by an on-site wastewater treatment system (OWTS) pursuant to Title 5 or connected to a private or public wastewater treatment system. The present and future wastewater flows to any such OWTS or sewer system shall, pursuant to this regulation, be limited to the flows permitted from such properties as of the effective date of the Bridgewater Comprehensive Wastewater Management Plan (CWMP) May 2020.

§5-3 Mandatory Sewer Connection; Elimination of Septic Systems in Sewer Service Areas.

- A. The requirements for mandatory connection of parcels of property located in Town designated sewer service areas to the public sewer system shall be defined in regulations adopted by the Bridgewater Town Council.
- B. Within thirty (30) days of a property's connection to the public sewer, any septic system or other waste disposal system located on the property shall be decommissioned in accordance with Health Department regulations.

§ 5-4 Determination of Wastewater Flow.

For purposes of this Chapter, wastewater flow to onsite sewage disposal systems and to private/public wastewater treatment systems shall be determined in accordance with either: 1) the provisions set forth in 310 CMR 15 (Title 5); or 2) water meter data provided by the Bridgewater, as adjusted for seasonal occupancy; or 3) any other method acceptable to the Department of Environmental Protection and the Town of Bridgewater. Any structure, legally in existence as of May 2020, regardless of its flow, may by right maintain that flow or number of bedrooms. "Bedroom" is defined in 310 CMR 15.002 (Title 5: Standard requirements specified in 310 CMR 15.000, and the number of bedrooms in the Assessor's records as of May 2020, are presumed to be accurate.

The flow allocations for present and future sewer service areas for treatment at the Morris Avenue Wastewater Treatment Plant are as listed in *Appendix S-Wastewater Flow Summary* in Bridgewater's Comprehensive Wastewater Management Plan date May 2020.

(1) Existing Permitted Flow: 1.000 MGD, which is the sum of:

- Areas sewered prior to the Town's 2020 Comprehensive Wastewater Management Plan: 0.851 MGD unspecified flow, and
- 0.150 MGD from Bridgewater State University

(2) Existing Sewer future flow from Infill 0.091MGD

(3) Future Flow from Needs Areas 0.074 MGD

(4) Future Flow from Development/Re-development 0.281 MGD

These flow allocations will be adjusted if additional flow or modifications to sewer service areas are made through (1) approved comprehensive wastewater management plans, (2) approved notice of project change to a comprehensive wastewater management plan, and (3) approval from MA Department of Environmental Protection.

§ 5-5 Modifications to Existing Parcels or Changes in Use in Sewer Service Areas.

A. Single-family residences.

1. Existing development. Modifications of an existing single-family dwelling on a parcel of 40,000 square feet or less may increase the total number of bedrooms to four (4) by right. Modifications of existing single-family residences on parcels over 40,000 square feet may increase the number of bedrooms to one (1) bedroom per 10,000 square feet of lot area by right.
2. New development. A single-family residence may have four (4) bedrooms by right on parcels of 40,000 square feet or less. On parcels greater than 40,000 square feet, a single-family residence may have one (1) bedroom per 10,000 square feet of lot area by right.
3. Addition of bedrooms beyond those permitted in Subsection A.1. and 2. above shall require a variance from the Health Department (for on-site disposal systems) or Water Pollution Control Department (for sewer systems) in accordance with §5-6.

B. Multifamily residences.

1. Existing development. Modifications of an existing multifamily residence may increase the number of bedrooms to one (1) bedroom per 10,000 square feet of lot area by right.
2. New development. A new multifamily dwelling is allowed one bedroom per 10,000 square feet of lot area by right.
3. Addition of bedrooms in multifamily dwellings, beyond which is allowed by right, shall require a variance from the Health Department (for on-site disposal systems) or Water Pollution Control Department (for sewer systems) in accordance with §5-6.

C. Nonresidential development.

1. Existing development.
 - (a) Modifications or changes of use, including residential to nonresidential, that increase flow to a level that is no more than ten (10) percent above that permitted as of July 1, 2015, by 310 CMR 15 (Title 5) are allowed by right.
 - (b) Modifications or changes of use that increase flow more than that allowed by right in Subsection C.1.(a) require a variance from the Health Department (for on-site disposal systems) or Water Pollution Control Department (for sewer systems) in accordance with §5-6.
2. New development.
 - (a) New nonresidential development on a vacant parcel with a wastewater flow up to 110 gallons per day per 10,000 square feet of lot area is allowed by right.
 - (b) New nonresidential development on a vacant parcel with a proposed wastewater flow greater than 110 gallons per day per 10,000 square feet shall require a variance from the Health Department (for on-site disposal systems) or Water Pollution Control Department (for sewer systems) in accordance with §5-6.

§ 5-6 Variances.

A. The Health Department (for on-site disposal systems) or Sewer Department (for sewer systems), after a public hearing of which notice has been given by publication 1) in a newspaper of general circulation and 2) posting with the Town Clerk and on the Town website for a period of no less than fourteen (14) days prior to the date of hearing, may grant a variance from the requirements of this regulation, provided both Subsection A.1 and 2. below are satisfied.

1. Sufficient capacity exists in the treatment facility, as determined by the Health Agent or Water Pollution Control Department, its agent/ designee, as appropriate. If sufficient capacity does not exist, then no variance shall issue.

2. With respect to an on-site Title 5 disposal system, should the Health Department determine sufficient capacity exists the applicant must then demonstrate that a septic system for the total number of bedrooms or nonresidential flow requested meeting the provisions of 310 CMR 15.000 (Title 5), without significant variances, can be sited on the parcel.

B. The Health Department may, at its sole and absolute discretion, issue a variance that, in its judgement, could be granted without substantially derogating from the intent or purpose of this regulation should the applicant fail to satisfy criteria in § 5-6A.2 above.

§ 5-7 Rebuilding a Structure Due to Casualty Loss.

A property owner may rebuild a structure destroyed by fire, flood, storm or other acts of nature as a matter of right, provided that the new structure does not exceed the permitted wastewater flow and number of bedrooms of the structure being replaced.

§ 5-8 Transferability of Flow Capacity.

The number of bedrooms or permitted flow on any particular parcel of land cannot be sold, exchanged, transferred, or otherwise used to benefit the determination of number of bedrooms or flow on another parcel or another's right to a sewer connection, unless any such sale, transfer or exchange is authorized by a Health Department or Water Pollution Control Department regulation.

§ 5-9 Severability.

If any provision of this regulation is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

§ 5-10 Violations and Penalties; Enforcement.

- A. Any person found to be violating any provision of this Chapter shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof.
- B. Any person who shall continue any violation beyond the period permitted in Subsection A. shall be subject to a fine in an amount not exceeding fifty dollars (\$50) for each violation. Each day in which such a violation shall continue shall be deemed a separate offense.

The Health Department and Water Pollution Control Department, and their duly authorized agents, shall have the power and authority to enforce the provisions hereof. This section shall in no way limit the Town's power and authority to invoke other remedies at law to enforce and compel compliance with the provisions of this Chapter. Any person violating any of the provisions set forth herein shall be liable to the Town for any expense, loss, or damage incurred by the Town as a result of such violation.

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