



Town of Bridgewater

Town Council

September 5, 2023

7:00 PM

66 Central Square

Academy Building

Council Chamber, 2nd Floor

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) August 8, 2023 Meeting Minutes

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Disability Commission Appointment:
Gloria Lemieux (2023-2026)
- b) Elder Affairs Commission Associate Member:
Shari Sprong (2023-2026)

F. HEARINGS

G. LICENSE TRANSACTIONS

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

- a) High Street Bridge Closure Update
- b) Roadway Plan
- c) Stiles & Hart Update
- d) Flags at Town Buildings
- e) Truck Restrictions Update
- f) Downtown Revitalization Update
- g) Old Town Hall Roof

J. DISCUSSIONS

- a) Town Manager Review Document and Process

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Proposed Ordinance D-FY22-003: Bridgewater Town Charter Article IV, Town Manager "Temporary Absence"
- b) Proposed Ordinance D-FY22-007: Bridgewater Town Charter Article II, Legislative Branch, Election Eligibility
- c) Proposed Ordinance D-FY22-008: Bridgewater Town Charter Article II, Legislative Branch, Annual Stipend
- d) Proposed Ordinance D-FY22-009: Bridgewater Town Charter Article II, Legislative Branch, Recall Provision
- e) Proposed Ordinance D-FY22-010: Bridgewater Town Charter Article IV, City Manager Term of Office

M. OLD BUSINESS

N. NEW BUSINESS

- a) Ordinance D-FY24-001: Ordinance to Change the Elected Town Clerk Position to an Appointed Town Clerk Position in Bridgewater's Home Rule Charter

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Town of Bridgewater Town Council

August 8, 2023
7:00 PM

MEETING MINUTES

CALL TO ORDER

A quorum being duly present, Town Council President Erik Moore called the meeting of the Bridgewater Town Council to order at 7:00pm on Tuesday, August 8, 2023 in the Council Chambers.

PRESENT:

Fred Chase, Paul Murphy, Shawn George, Dennis Gallagher, Erik Moore, Kevin Perry and Mark Linde and Susan Robinson via Zoom. Also in attendance was Town Manager Michael Dutton and Town Attorney Jason Rawlins.

ABSENT:

Brad McKinnon

A moment of silence was held for United States Marine Corp Veteran Albert Meserve who passed away on July 2, 2023.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) July 11, 2023 Meeting Minutes

Councilor George made a motion to approve the July 11, 2023 meeting minutes, which was duly seconded.

A roll-call vote was taken with the results recorded as follows: Perry – Absent; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea.
Motion passed 7-0-0

ANNOUNCEMENTS FROM THE PRESIDENT

PROCLAMATIONS – None

CITIZEN OPEN FORUM

- Bill Wood, 388 Hayward Street: Spoke on term limits, stipend for the Councilors and Stiles and Hart property purchase.
- Carlton Hunt, Austin Street: Spoke on the charter changes on the agenda and the Broad Street property.

APPOINTMENTS – None

HEARINGS

a) Order O-FY23-059: Laying Out and Accepting a Private Way - Trinity Circle

Public Hearing 7:05pm: *This Order has been advertised in the Enterprise and Abutter Letters sent. Planning Board voted 4-1 to recommend acceptance with conditions at their 6/21/23 meeting.*

Town Council President Moore opened the Public Hearing at 7:10pm.

Town Manager Dutton noted that the Planning Board approved the request with conditions.

Council President Moore asked if there were any questions from the public: None

Council President Moore asked if anyone wished to speak in favor:

- Nick Flynn, 6 Trinity Circle: Part of the Trinity Circle Homeowners Association and the residents did their homework before bringing the request forward. Will meet Planning Board requirements.

Council President Moore asked if anyone with to speak in opposition: None

Council President Moore asked if any councilors had any questions:

- Councilor Chase noted that on the 6/27/23 letter from the Planning Board it noted a restriction and asked if that restriction was looked into. Town Manager Dutton noted that there is no record of any restriction being placed.
- Councilor Gallagher noted that this is the first time seeing a homeowners association requesting a private way. In line with reasoning.

Council President Moore closed the Public Hearing at 7:19pm.

Councilor George made a motion to approve Order O-FY23-059, which was duly seconded.

Councilor Perry made an amendment to the motion to include the conditions set by the Planning Board, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

A roll-call vote was taken on the motion to approve Order O-FY23-059 with amendments, with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

b) Petition P-2024-001: Granting of an All Alcohol General On-Premises License

Public Hearing 7:10pm: *This request has been advertised in the Enterprise and Abutter Letters sent and may be voted on this evening.*

Town Council President Moore opened the Public Hearing at 7:22pm.

Attorney Matthew Porter gave a brief update on the request. The Petitioner is building a 3,000 square foot indoor golf facility, the manager of record lives in Bridgewater, TIPS certified. There will be a small bar but the license will be more for people waiting for their slot. Hours will be Monday to Saturday 10:00am to 10:00pm and Sunday 10:00am to 7:00pm.

Council President Moore asked if there were any questions from the public: None

Council President Moore asked if anyone wished to speak in favor: None

Council President Moore asked if anyone with to speak in opposition: None

Council President Moore asked if any councilors had any questions:

- Councilor Chase noted that the Petition should say “Champions” and not “Champion”.

Councilor George made a motion to amend the Petition to reflect the name to read “Champions”, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

Councilor Robinson asked if there was a limitation on the number of licenses and Town Manager Dutton noted that there is but not on this type of license.

Council President Moore closed the Public Hearing at 7:27pm.

Councilor George made a motion to approve Petition P-2024-001, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

LICENSE TRANSACTIONS – None

PRESENTATIONS

a) Charter Change Presentation - Ed Ivaldi and Council President Moore

Councilor Moore noted that charter changes came before the Town Council in 2021 and 2022 and were put on hold until now because of the time period it was taking for the governor to approve changes. Bringing in front of new council now.

Ed Ivaldi gave an update on the Charter changes and what they recommended which included: adding a table of contents; new/updated definitions; general neutral language; “Town” to “City” references; MGL Usage consistency; standardized computation of time; grammatical updates and hyper-links that direct readers to supporting document/reference materials.

Councilor Moore further explained that the Charter is the constitution for the town. Recommendations do not have to be accepted. If approved by the Town Council the requests get sent to the governors office for approval and then when returned goes to the voters. State advised submitting smaller packets. Encourage councilors to watch the 2/18/22 Town Council workshop.

TOWN MANAGER'S REPORT

a) Mobil Station Update

Town Manager Dutton noted that a landscape architect was hired and an ad hoc committee was formed.

Councilor George asked who was on the ad hoc committee and about the short term clean-up. Town Manager Dutton noted that a BSU Rep, Bob Rulli, Jim Small, Parks and Rec Board Representative and the Town Clerk. The brush was removed in the Spring and DPW will keep going back.

b) High Street Bridge Closure Update

Town Manager Dutton noted that the work was on schedule and on budget.

Councilor Perry asked if any historical items were found. Town Manager Dutton noted that he was not aware of any but would check.

c) Flags at the Memorial Building

Town Manager Dutton noted that there is a flag up and additional work is required for pole. Library needs a new pole.

d) Energy Aggregation Update

Town Manager Dutton noted that a request for qualification went out and 2 were received. Will be reviewed, could take up to one year.

e) Town Hall Charging Station Policy

Town Manager Dutton noted that a general policy has been in place, Town vehicles have preference, public can use outside of work hours. First come, first serve basis. Looking at grant funding for charging stations at the Library.

DISCUSSIONS

a) Town Council Resident Communication and Engagement Strategy - Council President Moore

Councilor Moore noted that the council has two meetings per year with residents with specific topics. Would Community and Economic Development take on the task of creating agenda.

Councilor Gallagher noted that he thinks it is a good idea to follow the two meetings a year but hard to sick to agenda items with residents.

Attorney Rawlins noted that if items that are not on the agenda are discussed it would be an open meeting violation. Recommended an ordinance be drafted and referred to Community and Economic Development Committee for the scheduling of the two meetings per year.

COMMITTEE REPORTS

Councilor George noted that the Review Committee met on August 3rd and discussed formulating and review of the Town Manager. Will send form out to all councilors.

Councilor Chase noted that the Rules and Procedures Committee met on July 27th and discussed the Rat Ordinance. They voted that more guidance is needed and keeping the ordinance at committee at this time.

LEGISLATION FOR ACTION

- a) Proposed Ordinance D-FY23-013: Zoning Ordinance - Amend Article III, Section 23 (a) Planning Board
This ordinance has been advertised in the Enterprise. Planning Board voted 5-0 to recommend at their 6/21/23 meeting.

Town Manager Dutton noted that fairly minor change, defines alternate member to sit on all items.

Councilor Chase made a motion to approve Ordinance D-FY23-013, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

- b) Resolution R-FY24-001: A Resolution to Apply for, Accept, and Expend a Grant from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, Division of Conservation services' Local Acquisitions for Natural Diversity (Land) Grant Program
Budget & Finance meeting 8/8/23 prior to Town Council meeting. Finance Committee voted 6-0 to recommend at their 7/31/23 meeting.

Town Manager Dutton noted that this Resolution is required by the Land Grant Program.

Councilor Perry made a motion to approve Resolution R-FY24-001, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

- c) Order O-FY23-065: Acceptance of Gift - BSU \$55,000
Budget & Finance meeting 8/8/23 prior to Town Council meeting. Finance Committee voted 6-0 to recommend at their 7/31/23 meeting.

Town Manager Dutton noted that this is the second gift in the calendar year from BSU.

Councilor Perry made a motion to approve Order O-FY23-065, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

- d) Order O-FY24-008 Transfer Order: Broad Street Two Lot Property Purchase
Budget & Finance meeting 8/8/23 prior to Town Council meeting. Finance Committee voted 6-0 to recommend at their 7/31/23 meeting.

Town Manager Dutton noted that the appropriation of CPC funds is for the purchase of two Broad Street lots for the Stiles & Hart project. Updated appraisal as of today is \$375k but owners willing to sell for \$300k.

Councilor George made a motion to approve Order O-FY24-008, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

OLD BUSINESS

Council President Moore asked that these 5 items be voted together to stay at council.

Councilor George made a motion to retain items a) to e) below at Council, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

- a) Proposed Ordinance D-FY22-003: Bridgewater Town Charter Article IV, Town Manager "Temporary Absence"
Rules & Procedures voted 2-0 to recommend with amendments at their 12/22/21 meeting.
- b) Proposed Ordinance D-FY22-007: Bridgewater Town Charter Article II, Legislative Branch, Election Eligibility
Rules & Procedures voted 2-0 to recommend with amendments at their 12/22/21 meeting.
- c) Proposed Ordinance D-FY22-008: Bridgewater Town Charter Article II, Legislative Branch, Annual Stipend
Rules & Procedures voted 3-0 to recommend with amendments at their 1/5/22 meeting.
- d) Proposed Ordinance D-FY22-009: Bridgewater Town Charter Article II, Legislative Branch, Recall Provision
Rules & Procedures voted 2-0 to recommend with amendments at their 12/22/21 meeting.
- e) Proposed Ordinance D-FY22-010: Bridgewater Town Charter Article IV, City Manager Term of Office
Rules & Procedures voted 2-0 to recommend with amendments at their 12/22/21 meeting.

NEW BUSINESS

- a) Order O-FY24-009: Transfer Order - Contractual Buyouts
Town Manager Dutton noted that these are for sick buy back.

Councilor George made a motion to refer Order O-FY24-009 to Budget & Finance and Finance Committee, which was duly seconded.

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea. Motion passed 8-0-0

CITIZEN COMMENTS

- Bill Wood, 388 Hayward Street: Thanked BSU for the gift; mentioned charter amendments and noted that the Charter should be read.
- Carlton Hunt, Austin Street: Thanked the Town Manager for the policy on charging stations and noted that there is an on-line survey tool that can be used.

COUNCIL COMMENTS

- Councilor Chase: Noted that status of water storage issue and encouraged residents to continue to not use outside water.
- Councilor Murphy: No comments
- Councilor George: No comments
- Councilor Gallagher: No comments
- Councilor Robinson: Thanks Councilor Moore for the community engagement piece.
- Councilor Perry: Thanked Mr. Ivaldi for his presentation and time.
- Councilor Linde: Glad to see engagement piece and likes the survey idea.
- Councilor Moore: Know there is a problem with community engagement but does not know the answer. Encourages ideas.

EXECUTIVE SESSION – None

ADJOURNMENT

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

A roll-call vote was taken on the motion to amend with the results recorded as follows: Perry – Yea; Linde – Yea; George – Yea; Moore – Yea; Chase – Yea; Gallagher – Yea; McKinnon – Absent; Murphy – Yea; Robinson – Yea.

Meeting adjourned at 9:15pm.

Town Manager Performance Evaluation

Town of Bridgewater

Evaluation period: January 1, 20 - December 31, 20

Governing Body Member's Name

Each member of the governing body should complete this evaluation form, sign it in the space below, and return it to the Town Council Clerk. The deadline for submitting this performance evaluation is **November 9, 2020**. Evaluations will be summarized and discussed with the Review Committee Chair or Council President.

Governing Body Member's Signature

Date Submitted

INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the Town Manager's performance.

5 = Excellent (almost always exceeds the performance standard)

4 = Above average (generally exceeds the performance standard)

3 = Average (generally meets the performance standard)

2 = Below average (usually does not meet the performance standard)

1 = Poor (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please write legibly.

Leave all pages of this evaluation form attached. Initial each page. Sign and date the cover page. On the date space of the cover page, enter the date the evaluation form was submitted. All evaluations presented prior to the deadline identified on the cover page will be summarized into a performance evaluation to be presented by the governing body to the Town Manager as part of the agenda for the meeting indicated on the cover page.

PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS

- ☐ Diligent and thorough in the discharge of duties, "self-starter"
- ☐ Exercises good judgment
- ☐ Displays enthusiasm, cooperation, and will to adapt
- ☐ Mental and physical stamina appropriate for the position
- ☐ Exhibits composure, appearance and attitude appropriate for executive position

Add the values from above and enter the subtotal $\times 5 =$ score for this category

2. PROFESSIONAL SKILLS AND STATUS

- _____ Maintains knowledge of current developments affecting the practice of local government management
- _____ Demonstrates a capacity for innovation and creativity
- _____ Anticipates and analyzes problems to develop effective approaches for solving them
- _____ Willing to try new ideas proposed by governing body members and/or staff
- _____ Sets a professional example by handling affairs of the public office in a fair and impartial manner

Add the values from above and enter the subtotal _____ $\div 5 =$ _____ score for this category

1. RELATIONS WITH ELECTED MEMBERS OF THE TOWN COUNCIL

- _____ Carries out directives of the body as a whole as opposed to those of any one member or minority group
- _____ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions
- _____ Disseminates complete and accurate information equally to all members in a timely manner
- _____ Assists by facilitating decision making without usurping authority
- _____ Responds well to requests, advice, and constructive criticism

Add the values from above and enter the subtotal _____ $\div 6 =$ _____ score for this category

2. POLICY EXECUTION

- _____ Implements governing body actions in accordance with the intent of council
- _____ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization
- _____ Understands, supports, and enforces local government's laws, policies, and ordinances
- _____ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- _____ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

Add the values from above and enter the subtotal _____ $+ 5 =$ _____ score for this category

5. REPORTING

- ___ Provides regular information and reports to the governing body concerning matters of importance to the local government, using the Town Charter as guide
- ___ Responds in a timely manner to requests from the governing body for special reports
- ___ Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature
- ___ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience
- ___ Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny

Add the values from above and enter the subtotal ___ + 5 = ___ score for this category

1. CITIZEN RELATIONS

- ___ Responsive to requests from citizens
- ___ Demonstrates a dedication to service to the community and its citizens
 - ___ Maintains a nonpartisan approach in dealing with the news media
- ___ Meets with and listens to members of the community to discuss their concerns and strives to understand their interests
- ___ Gives an appropriate effort to maintain citizen satisfaction with Town services

Add the values from above and enter the subtotal ___ + 5 = ___ score for this category

2. STAFFING

- ___ Recruits and retains competent personnel for staff positions
- ___ Applies an appropriate level of supervision to improve any areas of substandard performance
- ___ Stays accurately informed and appropriately concerned about employee relations
- ___ Professionally manages the compensation and benefits plan
- ___ Promotes training and development opportunities for employees at all levels of the organization

Add the values from above and enter the subtotal ___ ÷ 5 = ___ score for this category

8. SUPERVISION

Encourages heads of departments to make decisions within their jurisdictions with minimal Town Manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff

- ☐ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
- ☐ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the Town Manager's office
- ☐ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
- ☐ Encourages teamwork, innovation, and effective problem-solving among the staff members

Add the values from above and enter the subtotal _____ + 5 = _____ score for this category

1. FISCAL MANAGEMENT

- ☐ Prepares a balanced budget to provide services at a level directed by council
- ☐ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- ☐ Prepares a budget and budgetary recommendations in an intelligent and accessible format
- ☐ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability
- ☐ Appropriately monitors and manages fiscal activities of the organization

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

10. COMMUNITY

- ☐ Shares responsibility for addressing the difficult issues facing the Town
- ☐ Avoids unnecessary controversy
 - ☐ Cooperates with neighboring communities and the county
- ☐ Helps the council address future needs and develop adequate plans to address long term trends
- ☐ Cooperates with other regional, state and federal government agencies

Add the values from above and enter the subtotal ____ + 5 = ____ score for this category

NARRATIVE EVALUATION

What would you identify as the manager's strength(s), expressed in terms of the principle results achieved during the rating period? _____

What performance area(s) would you identify as most critical for improvement? _____

What constructive suggestions or assistance can you offer the manager to enhance performance? _____

What other comments do you have for the manager; e.g., priorities, expectations, goals or objectives for the new rating period? _____



Bridgewater Town Council

Introduced By: Dennis Gallagher, Councilor
Shawn George, Councilor
Date Introduced: 9/7/2021
First Reading: 9/7/2021
Second Reading: 8/8/2023
Amendments Adopted:
Third Reading: 9/5/2023
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-003: Bridgewater Town Charter Article IV, Town Manager "Temporary Absence"

ORDERED that Article IV Town Manager Sec 4-7 Temporary Absence shall be amended such that the Assistant Town Manager shall act in the absence of the Town Manager. If there is no Assistant Town Manager and the Town Manager is unable to act, then the Council President shall appoint an interim Town Manager until the Town Manager is able to perform his/her duties. Such amendment shall be effective only after approval by the Town Council and the State Legislature.

Explanation:

The current recommendations by the charter review committee suggests that "a department head" be appointed interim in the Town Manager absence. This order will clearly indicate that the ATM shall act in his/her absence.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Rules & Procedures Subcommittee	12/22/21: Voted 2-0 to recommend as amended

Attachments: 1. Ordinance D-FY22-003 Bridgewater Town Charter Article IV Town Manager Temporary Absence

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING



Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-003

Introduced By: Councilor Dennis Gallagher and Councilor Shawn George
Date Introduced: September 7, 2021
First Reading: September 7, 2021
Second Reading:
Third Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-003

Bridgewater Town Charter Article IV, Town Manager "Temporary Absence"

~~ORDERED~~ that Article IV Town Manger Sec 4-7 Temporary Absence shall be amended such that the Assistant Town Manager shall act in the absence of the Town Manager. If there is no Assistant Town Manager and the Town Manager is unable to act, then the Council President shall appoint an interim Town Manager until the Town Manager is able to perform his/her duties. Such amendment shall be effective only after approval by the Town Council and the State Legislature.

WHEREAS, Article 89, Section 8 of the Massachusetts Constitution allows the legislative body of the Town of Bridgewater to vote to submit a Special Act to the State Legislature to Amend the current Charter of the Town;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Home Rule Charter, Article IV, Section 4-7 and to send said amendment to the State Legislature as a Special Act as follows:

Section 4-7 shall be deleted in its entirety and replaced with the following:

"SECTION 4-7. TEMPORARY ABSENCE

In the event of a temporary absence by the Town Manager of not more than twenty-one consecutive days, the Assistant Town Manager shall perform the duties of that office.

If the Assistant Town Manager is for any reason unable to serve, the Town Manager shall appoint a department head of the Town to perform the duties of that office during that period, by a letter filed with the Town Clerk and the Town Council.

In the event of failure of the Town Manager to make such designation or if the person so designated is for any reason unable to serve, or is deemed not qualified by the Town Council, the Town Council may appoint some other qualified person to perform the duties of the Town Manager until the Town Manager returns.

No member of the Town Council shall serve as acting Town Manager."

Said Amendment shall only become effective and is contingent upon approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

NOT FOR ACTION – FIRST READING ONLY

Explanation:

The current recommendations by the charter review committee suggests that “a department head” be appointed interim in the TM absence. This order will clearly indicate that the ATM shall act in his/her absence.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Rules & Procedures Subcommittee	Vote 2-0 to Recommend Approval as Amended



Bridgewater Town Council

Introduced By: Dennis Gallagher, Councilor
Shawn George, Councilor

Date Introduced: 9/7/2021

First Reading: 9/7/2021

Second Reading: 8/8/2023

Amendments Adopted:

Third Reading: 9/5/2023

Date Adopted:

Date Effective:

Proposed Ordinance D-FY22-007: Bridgewater Town Charter Article II, Legislative Branch, Election Eligibility

ORDERED that the Town Charter, Article II, Legislative Branch, shall be amended to reflect that a Councilor shall not exceed four elections to the Town Council, however, prior service in either at-large or district Councilor position does not limit eligibility. Such amendment shall be effective only after approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Rules & Procedures	12/21/21: Voted to recommend as amended

Attachments: 1. Ordinance D-FY22 007 Bridgewater Town Charter Article II Legislative Branch Election Eligibility



Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-007

Introduced By: Councilor Dennis Gallagher and Councilor Shawn George

Date Introduced: September 7, 2021

First Reading: September 7, 2021

Second Reading:

Third Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Ordinance D-FY22-007

Bridgewater Town Charter Article II, Legislative Branch, Election Eligibility Term Limits

ORDERED that the Town Charter, Article II, Legislative Branch, shall be amended to reflect that a Councilor shall not exceed four elections to the Town Council, however, prior service in either at-large or district Councilor position does not limit eligibility. Such amendment shall be effective only after approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

WHEREAS, Article 89, Section 8 of the Massachusetts Constitution allows the legislative body of the Town of Bridgewater to vote to submit a Special Act to the State Legislature to Amend the current Charter of the Town of Bridgewater;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Home Rule Charter, Article II, Section 2-12 and to send said amendment to the State Legislature as a Special Act as follows:

Section 2-12(b) shall be deleted in its entirety and replaced with the following:

(b) Term Limits –

(1) No person shall be eligible to be elected or appointed as a District Council member of the Town Council if, at any point during the term of office for which the person may be elected or appointed, the service of the eligible person would exceed four District Councilor elections terms or appointments to the Town Council.

(2) No person shall be eligible to be elected or appointed as an At-large Council member of the Town Council if, at any point during the term of office for which the person may be elected or appointed, the service of the eligible person would exceed four elections terms or appointments to the Town Council.

(3) For the purpose of this section, prior service as an At-Large Councilor shall not prevent seeking election as a District Councilor. Prior service as a District Councilor shall not prevent seeking election as an At-Large Councilor.

(4) A term lasting less than 24 months as a result of reprecincting or appointment shall not be included in calculating the total number of terms served by a member of the Town Council.

Said Amendment shall only become effective and is contingent upon approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Rules & Procedures Subcommittee	• Vote 2-0 to Recommend as Amended



Bridgewater Town Council

Introduced By: Dennis Gallagher, Councilor
Shawn George, Councilor

Date Introduced: 9/7/2021

First Reading: 9/7/2021

Second Reading: 8/8/2023

Amendments Adopted:

Third Reading: 9/5/2023

Date Adopted:

Date Effective:

Proposed Ordinance D-FY22-008: Bridgewater Town Charter Article II, Legislative Branch, Annual Stipend

ORDERED that The Town Charter, Article II, Legislative Branch shall be amended to reflect that each Councilor shall receive an annual stipend of \$3,000 but shall not be eligible for any other city provided benefits or pension, and further that such stipend amount shall only be amended by a two-thirds vote of the Council. Such amendment shall be effective only after approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Rules & Procedures	1/5/22: Voted to recommend with amendments

Attachments: 1. Ordinance D-FY22-008 Bridgewater Town Charter Article II Legislative Branch Annual Stipend



Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-008

Introduced By: Councilor Dennis Gallagher and Councilor Shawn George
Date Introduced: September 7, 2021
First Reading: September 7, 2021
Second Reading:
Third Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-008

Bridgewater Town Charter Article II, Legislative Branch, Annual Stipend

ORDERED that The Town Charter, Article II, Legislative Branch shall be amended to reflect that each Councilor shall receive an annual stipend of \$3,000 but shall not be eligible for any other city provided benefits or pension, and further that such stipend amount shall only be amended by a two-thirds vote of the Council. Such amendment shall be effective only after approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

WHEREAS, Article 89, Section 8 of the Massachusetts Constitution allows the legislative body of the Town of Bridgewater to vote to submit a Special Act to the State Legislature to Amend the current Charter of the Town;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Home Rule Charter, Article II, Section 2-13 and to send said amendment to the State Legislature as a Special Act as follows:

Section 2-13(a) shall be deleted in its entirety and replaced with the following:

(a) Salary –

1. The members of the Town Council shall receive such salary for their services as may from time to time be set by ordinance and approved by a majority of the qualified voters of the Town of Bridgewater.
2. Any ordinance setting or modifying the salary of Town Councilors shall first, require a two-thirds majority vote of the Town Council and second, a majority vote of the voters as a ballot measure at a next regular town election following the two-thirds approval vote of the Town Council.
3. Any ordinance setting or modifying the salaries of Town Councilors shall take effect one calendar year after voter approval as set forth herein.

Said Amendment shall only become effective and is contingent upon approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

Introduced By:	Dennis Gallagher, Councilor Shawn George, Councilor
Date Introduced:	9/7/2021
First Reading:	9/7/2021
Second Reading:	8/8/2023
Amendments Adopted:	
Third Reading:	9/5/2023
Date Adopted:	
Date Effective:	

Proposed Ordinance D-FY22-009: Bridgewater Town Charter Article II, Legislative Branch, Recall Provision

ORDERED that the Town Charter, Article II, Legislative Branch shall be amended to include a recall provision as below:

“(a) Any holder of an elective office in the City of Bridgewater may be recalled and removed there from by the qualified voters of said City as herein provided.

(b) One hundred or more of a district’s registered voters, or in the case of an at large official four hundred or more registered voters, may file with the City Clerk an affidavit containing the name of the officer and the office held whose recall is sought and a statement of the grounds upon which the petition is based. Said City Clerk and the Board of Registrars shall, within five business days, certify thereon the number of signatures which are names of registered voters of the City. The City Clerk shall upon certification deliver to said voters making the affidavit copies of petition blanks demanding such recall, copies of which shall be kept available. The blanks shall be issued by the City Clerk with said Clerk’s signature and official seal attached thereto. They shall be dated, shall be addressed to the City Council, and shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the office held by the person named, the grounds of recall as stated in the affidavit and shall demand the election of a successor to said office. A copy of the petition shall be entered in a record book to be kept in the office of the City Clerk. The recall petition shall be returned and filed with the City Clerk within 21 calendar days after the certification of the affidavit and shall have been signed by no less than at least ten percent (10%) of the registered voters of the district or the City, as the case may be, based on the last City election, who shall add to their signatures the street and number if any, of their residences. The City Clerk shall within twenty-four hours of receipt of the petition, submit the petition to the Board of Registrars of voters in the City, and the Registrars shall within 14 calendar days certify thereon the number of signatures which are names of registered voters of the City.

(c) If the petition shall be certified by the City Clerk and the Board of Registrars, and found to be sufficient, the City Clerk shall submit the same with the City Clerk’s certification to the City Council without delay and

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

said Council shall within five business days give written notice of the receipt of the certificate to the officer sought to be recalled. If the officer does not resign within five business days thereafter, the City Council shall order an election to be held on a date fixed by them not less than 60 nor more than 90 calendar days after the date of the City Clerk's certification that a sufficient petition has been filed; provided, however, if any other City election is to occur within 100 calendar days after certification, the City Council shall postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as specified in the section provided.

(d) An officer sought to be removed by recall may be a candidate for re-election and, unless the officer requests otherwise in writing, the City Clerk shall place the officer's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act.

(e) The incumbent shall continue to perform the duties of office until the recall election. If then re-elected, the officer shall continue in office for the remainder of the unexpired term, subject to recall as before, except as provided in this section. If the majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If not re-elected in the recall election, the officer shall be deemed removed upon the qualification of the successor, who shall hold office during the unexpired term. If the successor fails to qualify within five calendar days after receiving notification of the election, the incumbent shall be deemed removed and the office vacant.

(f) Ballots used in a recall election shall submit the following proposition in the order indicated: FOR the recall of (name of officer) (office held) or AGAINST the recall of (name of officer) (office held). Immediately at the right of each proposition there shall be an oval in which the voter, by filling in the oval, may vote for either of said propositions. Under the proposition shall appear the word "Candidates", the direction "Vote for One", and beneath this the names of candidates nominated as hereinbefore provided. In the case of machine voting or punch card balloting, or other forms of balloting provision shall be made to allow the same intent of the voter. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of votes on the question is in the negative, the ballots for candidates need not be counted.

(g) No recall petition shall be filed against an officer within six months after taking office, or in the case of an officer subjected to a recall election and not removed thereby, until at least six months after that election.

(h) No person who has been recalled from an office or who has resigned from office while recall proceedings were pending against that person, shall be appointed to any City office within two years after such removal by recall or resignation."

Such amendment shall be effective only after approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Rules & Procedures	12/21/21: Voted to recommend with amendments

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Attachments:

1. Ordinance D-FY22-009 Bridgewater Town Council Article II Legislative Branch Recall Provision



Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-009

Introduced By: Councilor Dennis Gallagher and Councilor Shawn George
Date Introduced: September 7, 2021
First Reading: September 7, 2021
Second Reading:
Third Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-009

Bridgewater Town Charter Article II, Legislative Branch, III, Elected Officials Recall Provision

WHEREAS, Article 89, Section 8 of the Massachusetts Constitution allows the legislative body of the Town of Bridgewater to vote to submit a Special Act to the State Legislature to Amend the current Charter of the Town;

ORDERED that the Town Charter, Article II, Legislative Branch **Article III, Elected Officials** shall be amended to include a recall provision as below:

"Section 3-3. Elected Official Recall Provision

(a) Any holder of an elective office in the Town of Bridgewater may be recalled and removed therefrom by the qualified voters of said Town as herein provided.

(b) One hundred or more of a district's registered voters, in the case of an elected district official, or in the case of an elected at large official or, an official elected by all voters of the Town, four hundred or more registered voters, may file with the Town Clerk an affidavit containing the name of the elected official whose recall is sought and a statement of the grounds upon which the petition is based. Said Town Clerk and the Board of Registrars shall, within five business days, certify thereon the number of signatures which are names of registered voters of the Town. The Town Clerk shall upon certification deliver to said voters making the affidavit copies of petition blanks demanding such recall, copies of which shall be kept available. The blanks shall be issued by the Town Clerk with said Town's signature and official seal attached thereto. They shall be dated, shall be addressed to the Town Council, and shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the office held by the person named, the grounds of recall as stated in the affidavit and shall demand the election of a successor to said office. A copy of the petition shall be entered in a record book to be kept in the office of the Town Clerk. The recall petition shall be returned and filed with the Town Clerk within 21 calendar days after the certification of the affidavit and shall have been signed by no less than at least ten percent (10%) of the registered voters of the applicable district or the entire Town, as the case may be, based on the last Town election, who shall add to their signatures the street and number if any, of their residences. The Town Clerk shall within twenty-four hours of receipt of the petition, submit the petition to the Board of Registrars of voters in the Town, and the Registrars shall within 14 calendar days certify thereon the number of signatures which are names of registered voters of the Town.

(c) If the petition shall be certified by the Town Clerk and the Board of Registrars, and found to be sufficient, the Town Clerk shall submit the same with the Town Clerk's certification to the Town Council without delay and said Council shall within five business days give written notice of the receipt of the certificate to the officer sought to be recalled. If the officer does not resign within five business days

thereafter, the Town Council shall order an election to be held on a date fixed by them not less than 60 nor more than 90 calendar days after the date of the Town Clerk's certification that a sufficient petition has been filed; provided, however, if any other Town election is to occur within 100 calendar days after certification, the Town Council shall postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as specified in the section provided. An elected public official sought to be removed by recall may be a candidate for re-election and, unless the official requests otherwise in writing, the Town Clerk shall place the official's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act.

(e) The incumbent shall continue to perform the duties of office until the recall election. If then re-elected, the officer shall continue in office for the remainder of the unexpired term, subject to recall as before, except as provided in this section. If the majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If not re-elected in the recall election, the officer shall be deemed removed upon the qualification of the successor, who shall hold office during the unexpired term. If the successor fails to qualify within five calendar days after receiving notification of the election, the incumbent shall be deemed removed and the office vacant.

(f) Ballots used in a recall election shall submit the following proposition in the order indicated:

FOR the recall of (name of officer) (office held) or
AGAINST the recall of (name of officer) (office held)

Immediately at the right of each proposition there shall be an oval in which the voter, by filling in the oval, may vote for either of said propositions. Under the proposition shall appear the word "Candidates", the direction "Vote for One", and beneath this the names of candidates nominated as hereinbefore provided. In the case of machine voting or punch card balloting, or other forms of balloting provision shall be made to allow the same intent of the voter. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of votes on the question is in the negative, the ballots for candidates need not be counted.

(g) No recall petition shall be filed against an official within six months after taking office, or in the case of an official subjected to a recall election and not removed thereby, until at least six months after that election.

(h) No person who has been recalled from an office or who has resigned from office while recall proceedings were pending against that person, shall be appointed or elected to any Town office within two years after such removal by recall or resignation."

Said Amendment shall only become effective and is contingent upon approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Rules & Procedures Subcommittee	• Vote 2-0 to Recommend as Amended



Bridgewater Town Council

Introduced By: Dennis Gallagher, Councilor
Shawn George, Councilor
Date Introduced: 9/7/2021
First Reading: 9/7/2021
Second Reading: 8/8/2023
Amendments Adopted:
Third Reading: 9/5/2023
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-010: Bridgewater Town Charter Article IV, City Manager Term of Office

ORDERED that The Town Charter, Article IV, Section 4-1 shall be amended to reflect a that the Council shall appoint a City Manager to a maximum 5-year renewable term. Such amendment shall be effective only after approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Committee Referrals and Dispositions:

• Rules & Procedures	• 12/21/21: Voted to recommend with amendments
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Attachments: 1. Ordinance D-FY22-010 Bridgewater Town Council Article IV Town Manager Term of Office



Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-010

Introduced By: Councilor Dennis Gallagher and Councilor Shawn George
Date Introduced: September 7, 2021
First Reading: September 7, 2021
Second Reading:
Third Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-010

Bridgewater Town Charter Article IV, Town Manager Term of Office

WHEREAS, Article 89, Section 8 of the Massachusetts Constitution allows the legislative body of the Town of Bridgewater to vote to submit a Special Act to the State Legislature to Amend the current Charter of the Town;

ORDERED that The Town assembled votes to amend the Bridgewater Home Rule Charter, Article IV, Section 4-1 and to send said amendment to the State Legislature as a Special Act as follows: ~~to reflect a that the Council shall appoint a City Manager to a maximum 5-year renewable term:~~

Section 4-1 shall be deleted in its entirety and replaced with the following:

"SECTION 4-1. APPOINTMENT, QUALIFICATIONS, TERM OF OFFICE

The Town Council shall appoint by a majority vote of the full Town Council, a Town Manager and fix the Town Manager's compensation. The Town Manager must serve at the will of the Council. The Town Manager shall be a person of proven administrative ability, especially qualified by education and training with prior experience as a Municipal manager or an assistant Municipal manager or the equivalent public or private sector level experience. The Town Council may from time to time establish additional qualifications as deemed necessary and appropriate. The Town Manager shall devote full-time to the duties of the office and shall not hold any other elective or appointive office in the Town, nor shall the Town Manager engage in other business unless such business is approved in advance by a majority vote in public session of the Town Council. The Town Manager need not be a resident of the City, but must be a United States citizen."

Said Amendment shall only become effective and is contingent upon approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Such amendment shall be effective only after approval by the Town Council, the State Legislature and the voters of the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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• Rules & Procedures Subcommittee	• Vote 2-0 to Recommend as Amended
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Bridgewater Town Council

Introduced By: Kevin Perry, Councilor
Date Introduced: 7/11/2023
First Reading: 7/11/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Ordinance D-FY24-001: Ordinance to Change the Elected Town Clerk Position to an Appointed Town Clerk Position in Bridgewater's Home Rule Charter

Whereas, the Bridgewater Town Council desires to make a Charter change to convert the elected Town Clerk position to an appointed Town Clerk position;

Whereas, such a change requires approval by the voters of the Town of Bridgewater;

Be it Ordered, that pursuant to the provisions of Massachusetts General Law Chapter 41, section 1B that a question be placed on the next Special or Regular Town Election Ballot with a Yes or No response available in this form:

"Shall the town vote to have its elected Town Clerk become an appointed Town Clerk of the town?
Yes ___ No ___".

Further, be it Ordered that if a majority of votes cast in answer to said question is in the affirmative, said office shall become appointed under the Town's Charter and under the Town's Administrative Code.

Explanation:

In Massachusetts municipal government, the town clerk is among the earliest positions created during the colonial era. Over the centuries, and particularly in recent years, town clerks have been tasked with more legal and technical responsibilities as well as the demands of new technology. The role of town clerk now requires more expertise, technical skill, and professional training.

The Town of Bridgewater's current town clerk has generously served the Town with a high level of attentiveness to various aspects of Town affairs that extend beyond the role. She has served with a strong sense of purpose, and an affable nature which shines through every interaction, genuinely showing interest in people and making everyone feel valued and heard. She has announced that she will not seek re-election after her term ends in April 2024.

NOT FOR ACTION - FIRST READING

The town clerk position has evolved. Bridgewater voters recognized the increasing complexity of duties in all other formerly elected department leaders' roles and changed these roles from elected to appointed over thirteen years ago. These included the Collector and Treasurer positions which carried with them substantive fiduciary responsibilities and require technical expertise.

As it stands now, future elected Town Clerks cannot be required to hold specific qualifications or obtain training nor operate within any professional standards of conduct imposed on all other department leaders in the Town.

The town clerk's position is statutory and administrative, the specific duties and responsibilities defined by MGL Chapter 41, section 15. With the impending retirement from office, the Town of Bridgewater cannot be assured that the Town Clerk position with a potential overall compensation package of nearly \$110,000 would be filled by another professional with all the necessary expertise and experience.

Transitioning from an elected Town Clerk position to an appointed Town Clerk position can ensure that any new Town Clerk possesses the necessary qualifications, expertise, training, and experience required for the effective performance of the position.

As Bridgewater aims to enhance its downtown area through a comprehensive revitalization strategy, it is instructive to draw comparisons with several communities within the Commonwealth renowned for their robust economic foundations and reputations. These include Amherst, Arlington, Belmont, Brookline, Lexington, Milton, Needham, Newton, Wellesley, and Winchester. All of these communities have an appointed Town Clerk and have successfully established themselves as models of progress and prosperity. Of the nearly 117 municipalities that have an appointed Town Clerk, no city/town in the Commonwealth has changed the town clerk's position from appointed to elected.

The Town Council of Bridgewater recognizes the importance of promoting diversity, equity, inclusion, and belonging (DEIB) within the Town government; and the current Town Clerk has long championed DEIB initiatives and worked towards creating an inclusive and accessible environment for all residents.

Transitioning from an elected Town Clerk position to an appointed Town Clerk position can provide an opportunity to further promote DEIB principles and ensure that the Town Clerk's office reflects the diverse needs and interests of the community, and that candidates are chosen in line with all other appointed professional office holders. An appointed Town Clerk would be chosen based on merit, qualifications and with performance expectations, through a selection process that is equitable, and compliant with relevant laws and regulations, including those related to equal employment opportunity and non-discrimination.

Now more than ever, the Town of Bridgewater's voters should have supreme confidence in the professionalism of our town clerk's office, especially when safeguarding our election processes. Amending the Town Charter to reflect the transition to an appointed Town Clerk position will promote equity initiatives, continuity, and continued professionalism in the operation of the Town Clerk's office.

The Town Clerk, as per the Massachusetts General Laws (MGL), is responsible for the following duties:

- Record Keeping (MGL Chapter 41, Section 14) : The Town Clerk shall maintain accurate records of all meetings, actions, and proceedings of the Town Council, including the keeping of official meeting minutes.*
- Elections (MGL Chapter 41, Sections 34, 34A): The Town Clerk shall oversee and administer all local elections, ensuring compliance with state laws and regulations regarding voter registration, absentee ballots, and other related matters.*
- Vital Records (MGL Chapter 46, Sections 1-30): The Town Clerk shall be responsible for the maintenance, preservation, and issuance of vital records, including birth, death, and marriage certificates, in accordance*

with the MGL.

- *Licenses and Permits (MGL Chapter 140): The Town Clerk shall issue various licenses and permits as required by the MGL and local ordinances, such as marriage licenses, dog licenses, and business permits.*
- *Public Records (MGL Chapter 66, Section 10): The Town Clerk shall be the custodian of all town records, ensuring compliance with public records laws, responding to public records requests, and facilitating access to public information in accordance with the MGL.*

The transition from an elected Town Clerk position to an appointed Town Clerk position offers several benefits to the Town of Bridgewater, Massachusetts, including, but not limited to:

- *Enhanced Professionalism: By appointing the Town Clerk, the Town Council can ensure that the individual selected possesses the necessary qualifications, experience, and expertise required for the position. This will align with the long-established governmental reporting structure of the Town of Bridgewater's professional organization.*
- *Efficiency and Continuity: An appointed Town Clerk provides continuity and stability in the administration of the Town Clerk's office. This will minimize disruptions caused by changes in personnel resulting from electoral cycles, leading to improved efficiency in the provision of services to the residents of Bridgewater.*
- *Accountability: The appointment process allows for a thorough selection process, ensuring that the appointed Town Clerk is accountable to the Town Manager as all other professional Department Leaders are and, by extension, to the Town Council and the residents of Bridgewater.*
- *Professional Development: An appointed Town Clerk will benefit from ongoing professional development opportunities, including training programs and workshops, to enhance their skills and stay updated with changes in laws, regulations, and best practices.*

It is for these reasons that the position should be one appointed by the Town Manager and ratified by the Town Council, similar to all other department leaders.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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•	•

Attachments: None