



Town of Bridgewater

Town Council

November 21, 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) November 7, 2023 Meeting Minutes

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

F. HEARINGS

- a) Proposed Ordinance D-FY22-008: Bridgewater Town Charter Article II, Legislative Branch Section 2-13(a) Annual Stipend
Advertised in the 11/7/23 Enterprise.

G. LICENSE TRANSACTIONS

- a) Petition P-2024-004: Granting of a New Class II Used auto Dealers License - Northeast Motor Sales, 365 Elm Street
Abutter letters were sent certified mail on November 7, 2023 and notice was in the Enterprise on November 8, 2023.

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

- a) High Street Bridge Closure Update
- b) Fire Station Update

J. DISCUSSIONS

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Order O-FY24-015: Sewer Enterprise Fund
Budget & Finance meeting 11/21/23 prior to Town Council meeting. Finance Committee meeting 11/20/23.
- b) Order O-FY24-016: Transfer Order - Sewer Waste Water Treatment Facility Phase I
Budget & Finance meeting 11/21/23 prior to Town Council meeting. Finance Committee meeting 11/20/23.
- c) Proposed Ordinance D-FY22-009: Bridgewater Town Charter Article III, Elected Officials Recall Provision
To be referred to Advertising.

M. OLD BUSINESS

N. NEW BUSINESS

- a) Order O-FY24-017: FY2024 Classification Tax Allocation - Adoption of Residential Factor
- b) Proposed Zoning Ordinance D-FY24-003: Chapter 7.7 - Specialized Energy Code
- c) Resolution R-FY24-003: Town Council Meeting Dates - 2024
- d) Resolution R-FY24-004: FY2025 Budget Resolution

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Town of Bridgewater

Town Council

November 7, 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, October 24, 2023 in the Council Chambers.

PRESENT: Fred Chase, Paul Murphy, Shawn George, Dennis Gallagher, Erik Moore, Kevin Perry, Mark Linde and Susan Robinson (via Zoom). Also in attendance was Assistant Town Manager Kimberly Williams and Town Attorney Jason Rawlins.

ABSENT: Brad McKinnon

Council President Moore asked for a moment of silence for veterans who have recently passed:

Joseph J. Bianchini, Jr. October 31, 2023, United States Army.

Frederick P. White October 22, 2023, United States Army.

Joseph Picchione October 30, 2023, United States Marine Corp Reserves.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

a) October 24, 2023

Councilor George made a motion to approve the October 24, 2023 meeting minutes, which was duly seconded by Councilor Perry.

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

ANNOUNCEMENTS FROM THE PRESIDENT

Council President Moore extended his condolences to the family of Ronald Ladue who was a retired Roadway Superintendent who passed away on October 26, 2023.

PROCLAMATIONS – None

CITIZEN OPEN FORUM – None

APPOINTMENTS – None

HEARINGS – None

LICENSE TRANSACTIONS

- a) Petition P-2024-003: The Granting of the Transfer of a Common Victualler License - Cafe Madeleine

Councilor Moore opened the public hearing at 7:05pm.

Petitioner Andrea Savidis noted to the council that Café Madeleine will be a little café that will sell juice, smoothies, grab and go sandwiches

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

Councilor Moore asked if anyone from the public wished to speak in favor: None

Councilor Moore asked if anyone from the public wished to speak in opposition: None

Councilor Moore asked if there were any questions from the Councilors: None

Councilor Moore closed the public hearing at 7:07pm.

Councilor George made a motion to approve Petition P-2024-003, which was duly seconded by Councilor Perry.

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

PRESENTATIONS

- a) National Grid Tree Maintenance Presentation

Joseph King, an Arborist with National Grid gave an update on tree maintenance in the town.

Councilor George asked if a resident calls with a concern and the tree is on private property what would happen? Mr. King noted that National Grid would assess and if needed would obtain approval to remove the tree. National Grid does not have a right to remove a tree without approval.

Councilor Linde asked who a resident should call to report a tree issue. Mr. King noted that the resident should call customer service so it generates a work order.

TOWN MANAGER'S REPORT

- a) High Street Bridge Closure Update

Assistant Town Manager Kimberly Williams noted that High Street would be open by the end of next week and the top coat would be completed in the Spring.

b) Energy Committee Update

Councilor Moore noted that since Town Manager Dutton is not in attendance tonight that this update should be continued until the next meeting.

Councilor George made a motion to continue the Energy Committee update, which was duly seconded by Councilor Perry.

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

DISCUSSIONS

a) Guidelines to Citizen Participation Mechanisms

Councilor Moore gave an update about residents wanting to submit a petition to the Town. There were a few questions that were asked by a group.

Councilor Gallagher noted that it is good that a mechanism is in place for residents but wondered why residents wouldn't reach out to a councilor to sponsor.

COMMITTEE REPORTS – None

LEGISLATION FOR ACTION

a) Order O-FY24-013: Prior Fiscal Year Bill

Budget & Finance meeting voted 3-0 to recommend at their 11/7/23 meeting. Finance Committee voted 6-0 to recommend at their 10/30/23 meeting.

Councilor George made a motion to approve Order O-FY24-013, which was duly seconded by Councilor Perry.

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

b) Order O-FY24-014: Acceptance of Department of Energy Resources Green Communities Competitive Grant

Budget & Finance meeting 11/7/23 prior to the Town Council meeting. Finance Committee voted 6-0 to recommend at their 10/30/23 meeting.

Councilor George made a motion to approve Order O-FY24-014, which was duly seconded by Councilor Perry.

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

OLD BUSINESS – None

NEW BUSINESS

a) Order O-FY24-015: Sewer Enterprise Fund

Councilor Linde made a motion to refer Order O-FY24-015 to Budget & Finance and Finance Committee, which was duly seconded by Councilor Perry.

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

b) Order O-FY24-016: Transfer Order - Sewer Waste Water Treatment Facility Phase I

Councilor Linde made a motion to refer Order O-FY24-016 to Budget & Finance and Finance Committee, which was duly seconded by Councilor Perry.

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

CITIZEN COMMENTS

- Peter Linhares, 45 Maura Drive: wanted to understand why residents could not engage the town attorney.
- Carlton Hunt, Austin Street: noted that a listing of transmission lines could be found on the National Grid website.

COUNCIL COMMENTS

- Councilor Linde: reminded all that the deadline for Winter Wonderland donations was 11/11. The money is used for the lights in the common.
- Councilor Robinson: no comments
- Councilor Chase: noted that he attended the Veterans ceremony at the Senior Center and it was well received and well attended. Kudos to Emily and her staff.
- Councilor Perry: extended his condolences to the family of Ron Ladue. Noted that the Veterans Parade was on Saturday, 11/11 in East Bridgewater.
- Councilor Murphy: no comments.
- Councilor Gallagher: noted that he also attended the Veterans ceremony at the Senior Center and it was a nice event.
- Councilor George: noted that the parade is a great showing and encouraged everyone to attend.
- Councilor Moore: thanked the Town Clerk for her event on 11/4.

EXECUTIVE SESSION – None

ADJOURNMENT

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

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

Meeting adjourned at 7:57pm.



Bridgewater Town Council

Introduced By: Dennis Gallagher, 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 Section 2-13(a) Annual Stipend

ORDERED that The Town Charter, Article II, Legislative Branch Section 2-13(a) Annual Stipend shall be amended to reflect that each member of the Town Council shall receive an annual stipend, payable in arrears, in the amount of five thousand dollars (\$5,000) and the Town Council President shall receive an annual stipend, payable in arrears, in the amount of seven thousand five hundred dollars (\$7,500). Incumbent Councilors shall receive a stipend as above set forth as of each annual Town Election Day. A Councilor who vacates their office will be entitled to receive a pro-rated stipend as of the last date of their service. Regardless of compensation, members of the Town Council shall not be eligible for benefits from the Town. Any modification of the stipend amounts set-forth herein may be adopted by ordinance duly adopted by the Town Council, provided however that no increase or reduction in such stipends shall take effect during the year in which such increase or reduction is voted, and no change in such ordinance shall be made between the election of a new council and the qualification of the new council. Such ordinance shall be subject to the provisions of MGL Chapter 39, Section 6A.

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:

Referrals and Dispositions
• 9/7/21: Town Council First Reading - Referred to Rules & Procedures • 1/5/22: Rules & Procedures Voted to recommend with amendments. • 8/8/23: Town Council Second Reading • 9/5/23: Town Council Third Reading - Referred back to Rules & Procedures • 10/3/23: Rules & Procedures Voted 3-0 to recommend changes

VOICE VOTE - REQUIRES A MAJORITY OF THOSE PRESENT AND VOTING

- 10/10/23: Town Council Fourth Reading; voted to continue to next meeting with further information from Town Counsel.
- 10/24/23: Voted with amendments to refer to Advertising.

Attachments: None

VOICE VOTE - REQUIRES A MAJORITY OF THOSE PRESENT AND VOTING



Bridgewater Town Council

Introduced By:

Date Introduced: 11/21/2023

First Reading: 11/21/2023

Second Reading:

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Petition P-2024-004: Granting of a New Class II Used auto Dealers License - Northeast Motor Sales, 365 Elm Street

WHEREAS, Northeast Motor Sales LLC has submitted all applicable documentation as required for a New Class II license to operate an auto dealer establishment at 365 Elm Street, Bridgewater, Massachusetts; and

WHEREAS, Freddy Arriola will serve as the establishment's manager of record; and

WHEREAS, Northeast Motor Sales LLC proposes to operate the business during the following hours:

Monday - Saturday: 9:00am to 5:00pm

Sunday: Closed

and;

WHEREAS, Northeast Motor Sales LLC has complied with the requirements of the Town of Bridgewater and applicable state laws inclusive of the zoning requirements, Building and Fire Codes governing the operation of such licenses; 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 with consensus from the Fire and Police 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 140 - section 58 specifically; and also sections 57 and 59 generally, of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition of Northeast Motor Sales LLC to be granted a New Class license to operation as a Class II - Used Car Dealer within the Town of Bridgewater.

Committee Referrals and Dispositions:

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Abutter letters were sent certified mail on November 7, 2023 and notice was in the Enterprise on November 8, 2023.

Attachments: 1. Northeast Motors 365 Elm Street

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

11/21/23
MTG

Town Council Meeting Date: November 21, 2023

Applicant Name: Northeast Motor Sales
Address: 365 Elm Street
Telephone: (774) 274-4083
Email: Freddyarriola1@gmail.com

NEW AUTO DEALER'S LICENSE
CLASS I, II, III

<u>X</u>	Form 53 (State Application)
<u>X</u>	Application – Town of Bridgewater
<u>X</u>	Copy of one of the following: Purchase & Sale Agreement, Pledge Agreement, Lease Agreement or Deed (if property owner)
<u>X</u>	Business (DBA) Certificate
<u>X</u>	SS # of Business Owner
<u> </u>	Plot Plans showing location of building(s), parking, display of vehicles, etc.
<u>X</u>	
<u>X</u>	Certified Abutter's list
<u>X</u>	Advertisement
<u>X</u>	Check payable to Town of Bridgewater for \$25 for Abutter Listing
<u> </u>	Check payable to Town of Bridgewater for \$100 for Application Fee (non-refundable)
<u>X</u>	
<u>X</u>	Check payable to Town of Bridgewater of \$200 (License fee)
<u>X</u>	Completed Worker's Compensation Insurance Form and copy of certificate of insurance
<u>X</u>	Completed Non-Delinquent Tax Affidavit Form
<u>X</u>	Completed State Tax Affidavit Form
<u>X</u>	CLASS II APPLICANTS ONLY - \$25,000 Bond

Recommendations:

<u>X</u>	Fire Department
<u>X</u>	Police Department
<u>X</u>	Building Department

Notes:

- 1) Northeast Motors is requesting a new Class II license at 365 Elm Street. College Motors currently has a Class II license at this location but as of December 1, 2023 they will no longer be in business.
- 2) College Motors was approved by the Town for 11 Vehicles to be displayed. Northeast Motors is requesting the same.
- 3) The Fire, Police and Building Departments have no issue with the issuance of this new Class II license.
- 4) Abutter Letters were sent on November 7, 2023. Notice was in the November 8, 2023 Enterprise.



BUSINESS LICENSING OFFICE
Academy Building, 66 Central Square
Bridgewater, MA 02324
Debra Ward, Town Council Clerk
508.659.1254(Office)
Email: dward@bridgewaterma.org

DATE: _____
LICENSE NO. _____
TOTAL FEES: \$ 200.00

APPLICATION FOR CLASS I, II OR III LICENSE

YEAR 2024 NEW ☒ RENEWAL _____ DATE: 10/28/2023

Business Name: Northeast Motor Sales LLC.

Business Address: 365 Elm St. Bridgewater MA 02324 Tel. No. (774) 274-4083

Class of License: II Number of Vehicles to be Displayed for Sale 11

Proposed Hours of Operation: Weekdays 9-5 Sundays Closed

DESCRIPTION OF PREMISES:

Number of Buildings: 2

Size of Buildings: Length-50, Width-21, Height-14

Structure of Buildings: Pre engineered metal

Exact Area of Land Occupied by License: 15000 Total Area of Premises 27,120

Has a surveyed plot plan been filed with the Town? ☒ YES _____ NO

* DATE FILED: 12/21/22

* If not, please submit a plot plan to the Town including locus location, designed parking areas and access/egress.

APPROVED: Date: _____

Freddy Arriola
Name of Applicant (Please Print)

[Signature]
Signature of Applicant

365 Elm St. Bridgewater MA, 02324
Home Address

(774) 274-4083
Telephone

freddy.arriola1@gmail.com
Email

Fax

LICENSING AUTHORITY

RECEIVED
11/11/23

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a
class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with
the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? Northeast Motor Sales LLC.

Business address of concern. No. 365 Elm St. St.,
Bridgewater MA 02324 City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? LLC

3. If an individual, state full name and residential address.

Freddy Arriola. 365 Elm St. Bridgewater
MA 02324

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President Freddy Arriola; 365 Elm St. Bridgewater MA 02324

Secretary Freddy Arriola; 365 Elm St. Bridgewater MA 02324

Treasurer Freddy Arriola; 365 Elm St. Bridgewater MA 02324

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? YES

If so, is your principal business the sale of new motor vehicles? NO

Is your principal business the buying and selling of second hand motor vehicles? YES

Is your principal business that of a motor vehicle junk dealer? NO

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

The premise to be used at 365 Elm St. will be an
11 car lot and a Preengineered metal office
(20'x8'x9'). The exact area of land occupied
will be 15,000.

8. Are you a recognized agent of a motor vehicle manufacturer? NO
(Yes or No)

If so, state name of manufacturer

9. Have you a signed contract as required by Section 58, Class 1? (Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? NO
(Yes or No)

If so, in what city — town

Did you receive a license? (Yes or No) For what year?

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? (Yes or No)

Sign your name in full [Signature]
(Duly authorized to represent the concern herein mentioned)

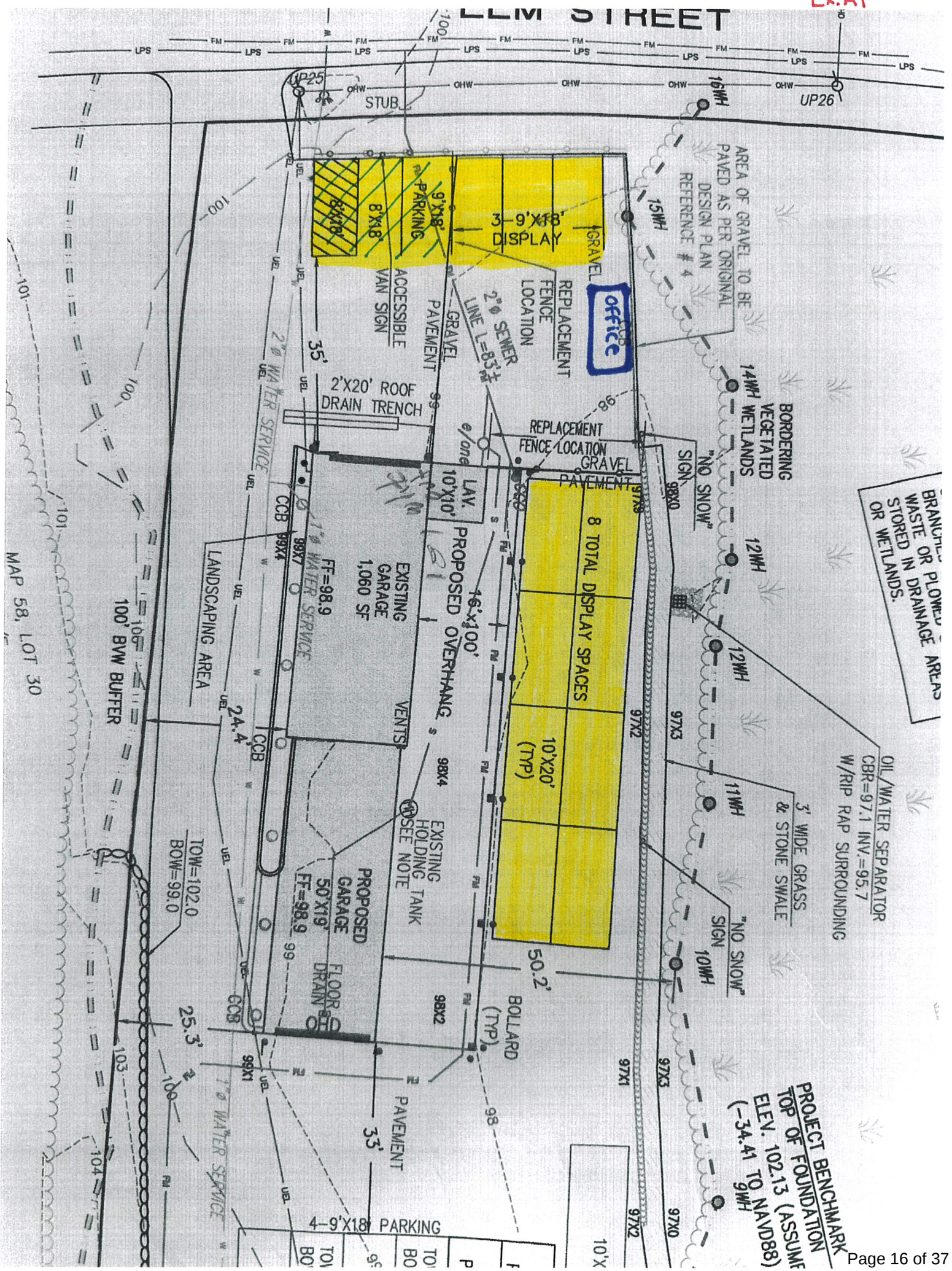
Residence 365 Elm St. Bridgewater
MA, 02324

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH
FULL INFORMATION, AND FALSE STATEMENTS
HEREIN MAY RESULT IN THE REJECTION OF
YOUR APPLICATION OR THE SUBSEQUENT
REVOCATION OF YOUR LICENSE IF ISSUED.

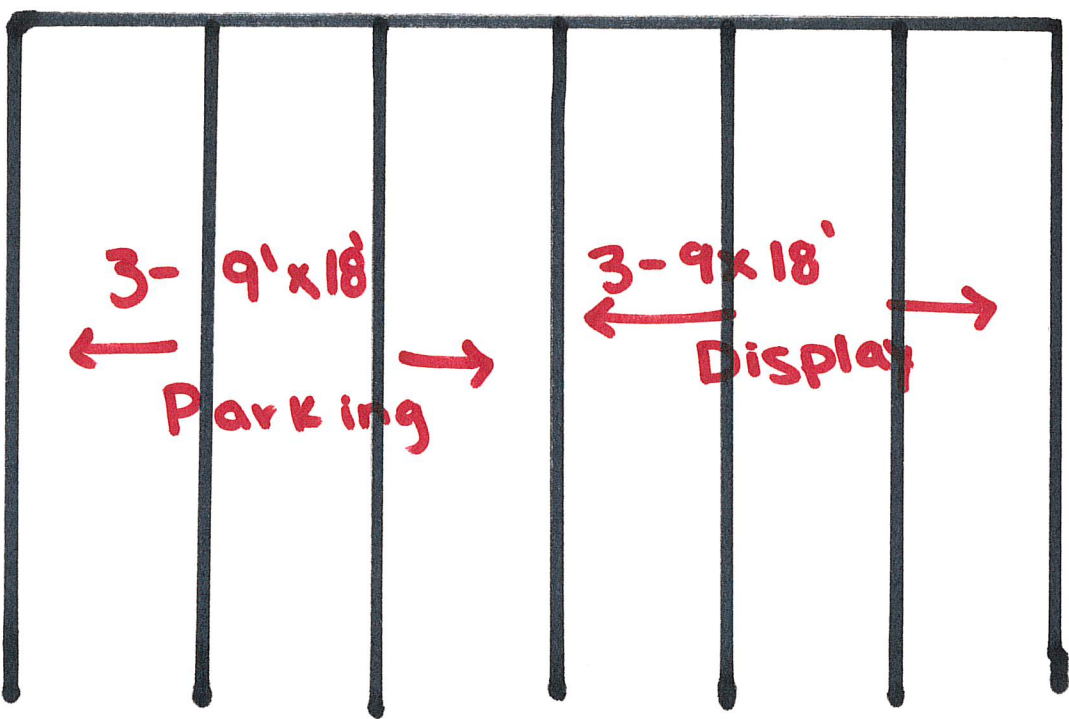
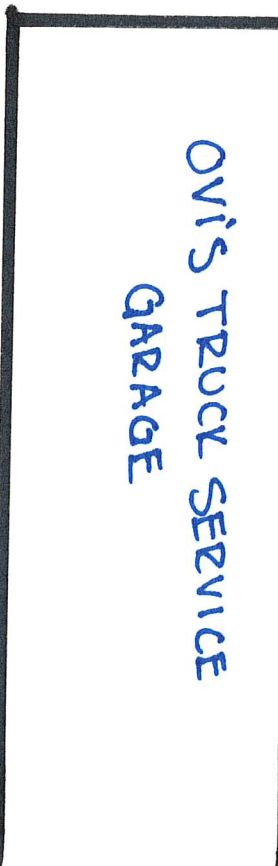
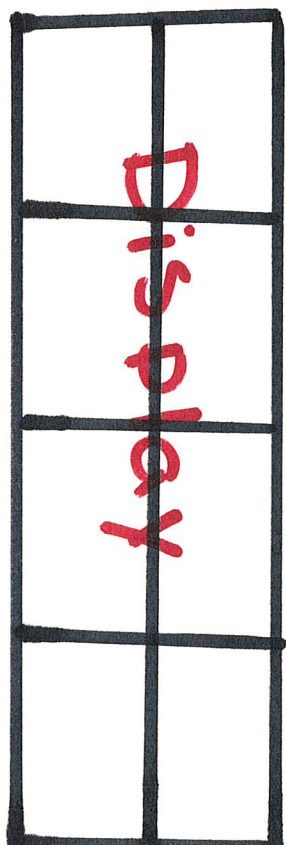
NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

LLIM STREET



WETLAND

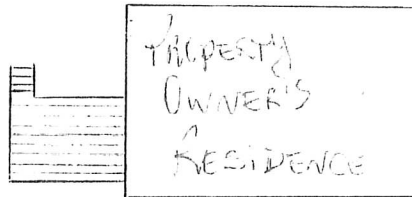
Office



APARTMENT

COMPLEX

APARTMENT COMPLEX



PROPERTY
OWNER'S
RESIDENCE

UVI'S TRUCK SERVICES
GARAGE
ROOF
OVERHANG

UVI'S
OFFICE

4	5
6	7
8	9
10	11

COMMON
CUSTOMER
PARKING
SPACES

1	2	3
---	---	---

DEALER
OFFICE

W
E
T
L
A
N
D

DATE _____



I, Herbert DeCastilho, president of COLLEGE MOTORS INC, hereby declare that we will NO LONGER be keeping the Class II License for College Motors Inc located at 365 Elm st, Bridgewater MA 02324 as of December 1st, 2023.

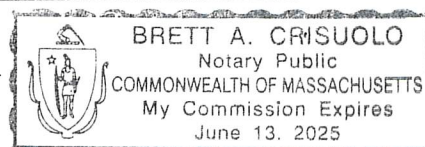
Signed under the penalties of perjury this 6th day of NOVEMBER, 2023
Day Month Year
Signature(s): Herbert DeCastilho

C. Notarization

On this 6th day of November, 2023, before me, the undersigned notary public, personally appeared Herbert DeCastilho (name of document signer), proved to me through satisfactory evidence of identification, which was/ were License to be the person whose name is signed above, and swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

Signature of Notary Public: [Signature]

My Commission Expires: June 13 2025



Place notary seal above



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 11/7/2023
First Reading: 11/7/2023
Second Reading: 11/21/2023
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY24-015: Sewer Enterprise Fund

ORDERED, that the Town Council assembled vote to

pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts assembled vote to transfer from Sewer Enterprise Retained Earnings a sum of \$220,363 to be used to fund total costs of operations of the Sewer Department.

Explanation:

This transfer from Retained Earnings will be necessary to fund the FY2024 Sewer Enterprise Operations based on the current Sewer Revenue Estimates.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Budget & Finance	Meeting 11/21/23 prior to Town Council meeting.
Finance Committee	Meeting 11/20/23.

Attachments: None

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 11/7/2023
First Reading: 11/7/2023
Second Reading: 11/21/2023
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY24-016: Transfer Order - Sewer Waste Water Treatment Facility Phase I

ORDERED, that the Town Council assembled vote to

In accordance with section 6-4 of the Bridgewater Home Rule Charter, vote to appropriate and transfer \$850,000 from Sewer Retained Earnings to Sewer Capital Projects Fund 61134-497003.

Explanation:

For Town Share costs of the Waste Water Treatment Facility Morris Avenue Phase I Project amounts not covered by Special Revolving Fund (SRF) loan proceeds. Sustaining positive cash flow in this Capital Project fund is essential to avoid any short-term borrowing.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Budget & Finance	Meeting 11/21/23 prior to Town Council meeting.
Finance Committee	Meeting 11/20/23.

Attachments: None

VOICE VOTE - REQUIRES MAJORITY OF THOSE PRESENT AND VOTING



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 III, Elected Officials 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 Town of Bridgewater may be recalled and removed there from by the qualified voters of said Town 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 Town Clerk an affidavit containing the name of the officer and the office held whose recall is sought and a statement of the offenses upon which the petition is based. An allegation of offenses which shall constitute a basis for recall of an elected official under this section shall include, but not be limited to, the following transgressions: (1) conviction of a felony or conviction of the following misdemeanors as defined by Massachusetts General Laws: domestic violence, driving under the influence of alcohol or drugs, the illegal manufacture, distribution or dispensing of controlled substances, assault or criminal harassment, while presently in office; or (2) admission of facts, while presently in office, sufficient to be convicted of a felony or sufficient to be convicted of the following misdemeanors as defined in Massachusetts General Laws: domestic violence, driving under the influence of alcohol or drugs, the illegal manufacture, distribution or dispensing of controlled substances, assault or criminal harassment; or (3) violation of the conflict of interest law (M.G.L. c. 268A) while presently in office, as determined by the State Ethics Commission or the Attorney General; (4) attendance at less than fifty (50%) of the posted public meetings of the board or office of which the official was an elected member or to which the official has been elected or appointed as part of their elected position during the previous twelve (12) months; (5) lack of fitness, insobriety while performing official functions, being placed under guardianship or conservatorship by a probate court; or (6) corruption, conviction of a felony involving moral turpitude, conviction of bribery, or extortion or (7) violation of law, regulation, bylaw or other abdication of the applicable requirements of the elected position. The elected official’s vote on a matter (other than in connection with a conflict of interest violation

VOICE VOTE - REFER TO ADVERTISING

reference above) shall not be grounds for a recall petition. 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 Clerk'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 district or the 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.

(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 Town 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,

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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 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) and Disposition(s)
• 9/7/21: Town Council First Reading - Referred to Rules & Procedures • 1/5/22: Rules & Procedures Voted to recommend with amendments. • 8/8/23: Town Council Second Reading • 9/5/23: Town Council Third Reading - Referred back to Rules & Procedures • 10/3/23: Rules & Procedures Voted 3-0 to recommend changes • 10/10/23: Town Council Fourth Reading - referred back to Rules & Procedures • 11/21/23: Referred back from Rules & Procedures with amendments

Attachments: 1. Ordinance D-FY22-009 Recall Provision - Rules and Procedures Recommendation

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Ordinance D-FY22-009

Bridgewater Town Charter Article III, Elected Officials Recall Provision

Rules and Procedures met on November 9, 2023 and voted 3-0 to recommend the following changes:

- 1) Paragraph (b) (5): Strike “lack of fitness”
- 2) Paragraph (b) (6): Strike “conviction of a felony involving moral turpitude”



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 11/21/2023
First Reading: 11/21/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY24-017: FY2024 Classification Tax Allocation - Adoption of Residential Factor

ORDERED that, pursuant to G.L. c. 40, § 56, the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to adopt a residential factor of 1 for fiscal year 2024.

FURTHER ORDERED that; the Town Council authorizes the Chief Assessor to sign the LA-5 Recap relative hereto.

Explanation:

The Town Council shall annually first determine the percentages of the local tax levy to be borne by each class of real property, as defined in section two A of chapter fifty-nine and personal property for the next fiscal year. In determining such percentages, the Town Council, shall first adopt a residential factor. Said factor shall be an amount not less than the minimum residential factor determined by the commissioner of revenue in accordance with the provisions of section one A of chapter fifty-eight and shall be used by the board of assessors to determine the percentages of the local tax levy to be borne by each class of real and personal property.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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NOT FOR ACTION - FIRST READING

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Attachments: None



Bridgewater Town Council

Introduced By: Erik Moore, Councilor
Date Introduced: 11/21/2023
First Reading: 11/21/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Proposed Zoning Ordinance D-FY24-003: Chapter 7.7 - Specialized Energy Code

WHEREAS, In accordance with the provisions of Section 2-6 of the Bridgewater Home Rule Charter relative to amendments to the Town ordinances, it is therefore;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Zoning Ordinance, Section 7, Special Regulations to add section 7.7, Specialized Energy Code, as follows, and to be effective July 1, 2024:

§ 7.7.1 Definitions

International Energy Conservation Code (IECC) – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.

Specialized Energy Code – Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, the Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch energy code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

Stretch Energy Code - Codified by the combination of 225 CMR 22 and 23 1, not including Appendices RC and CC, the Stretch Energy Code is a comprehensive set of amendments to the International Energy Conservation Code (IECC) seeking to achieve all lifecycle cost-effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code.

§7.7.2 Purpose

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The purpose of 225 CMR 22.00 and 23.00 including Appendices RC and CC, also referred to as the Specialized Energy Code is to provide a more energy efficient and low greenhouse gas emissions alternative to the Stretch Energy Code or the baseline Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings.

§7.7.3 Applicability

This energy code applies to residential and commercial buildings.

§7.7.4 Specialized Code

The Specialized Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including any future editions, amendments, or modifications.

The Specialized Code is enforceable by the inspector of buildings or building commissioner.

Explanation: *The Climate Act of 2021 required the development of a new Municipal Opt-in Specialized energy code (Specialized Code). The statute requires that the Specialized Code is formulated to ensure new construction that is consistent with Massachusetts greenhouse gas limits and sub-limits set every five years from 2025 to 2050. The Specialized Code consists of the IECC 2021 with Massachusetts-specific amendments plus additional Stretch Code and Specialized Code amendments. Communities may opt into the Specialized Code.*

For New Residential Construction: The Specialized Code requires the following above and beyond the Stretch Code:

- *Mixed-Fuel homes 4,000 SF or under must:*
 1. *be pre-wired for electrification; and*
 2. *install on-site solar PV when following the Stretch Code HERS pathway, with an exemption for shaded sites.*

- *Mixed-Fuel homes over 4,000 SF must:*
 - *achieve HERS 0 or Plus ZERO requirements; and*
 - *be pre-wired for electrification; and*
 - *install on-site solar PV or other renewables to achieve the Zero energy building definition.*

For New Commercial Construction: The Specialized Code requires the following above and beyond the Stretch Code:

- *Mixed-Fuel buildings must:*
 - *be pre-wired for electrification; and*
 - *install on-site solar PV of a minimum of 1.5W/sf for each square foot of the 3 largest floors or for 75% of the Potential Solar Zone; and*
 - *meet minimum HVAC equipment and service water heating efficiencies*

All multi-family buildings over 12,000 sf must achieve precertification to Passive House standards.

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Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Attachments: None



Bridgewater Town Council

Introduced By: Erik Moore, Councilor
Date Introduced: 11/21/2023
First Reading: 11/21/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Resolution R-FY24-003: Town Council Meeting Dates - 2024

WHEREAS: The Bridgewater Town Council Rules and Procedures, Section III Meetings states, “The Town Council will hold regular meetings on the first and third Tuesdays of each month beginning at 7:30 p.m. In the months of June, July and August, the Council will meet monthly on the first Tuesday, following the first Monday”; and

WHEREAS: Adoption of this Resolution, establishes regular meeting dates which are an exception to the aforementioned rule; and

RESOLVED: The following dates are established as regular meetings for the calendar year 2024 and regular meetings will be held in the Academy Building, Council Chambers, 66 Central Square, Bridgewater MA, to the greatest extent possible, beginning at 7:00 p.m., unless otherwise noted.

FURTHER RESOLVED: Due to COVID-19 restrictions relative to building capacity and social distancing requirements, remote participation for Councilors will be offered while allowable under the revised Open Meeting Law and meetings will begin at 7:00 p.m.

January 2, 2024	June 18, 2024
January 16, 2024	July 16, 2024
February 6, 2024	August 13, 2024
February 20, 2024	September 3, 2024*
March 12, 2024*	September 17, 2024*
March 26, 2024*	October 1, 2024
April 9, 2024*	October 15, 2024
April 23, 2024*	November 12, 2024*
May 7, 2024	November 26, 2024*

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May 21, 2024	December 3, 2024
June 4, 2024	December 17, 2024

*Exceptions to Section III of the Council Rules and Procedures are noted with an asterisk.

Committee Referrals and Dispositions:

Attachments: None



Bridgewater Town Council

Introduced By: Dennis Gallagher, Councilor
Date Introduced: 11/21/2023
First Reading: 11/21/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Resolution R-FY24-004: FY2025 Budget Resolution

WHEREAS: A methodical and disciplined approach to the operating budget is warranted.

RESOLVED: Pursuant to establishing guidelines and priorities for the Town Manager to develop the Annual Budget, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to adopt the following Policy Guidelines for the Town Manager to use in creating the FY2025 Budget:

The Town Council is adopting these budget policy guidelines pursuant to Section 6-1 of the Bridgewater Home Rule Charter. Based on these guidelines, the Town Manager will develop budgetary goals and the Town Budget for Fiscal Year 2025 that commences on July 1, 2024.

Introduction

The following financial principles set forth the framework for our overall fiscal planning and management of the Town of Bridgewater's resources and are designed to ensure the Town's sound financial condition, now and in the future.

Sound Financial Condition is defined as:

- Cash Solvency – the ability to pay bills in a timely fashion
- Budgetary Solvency – the ability to annually balance the budget
- Long Term Solvency – the ability to pay for future costs
- Service Level Solvency – the ability to provide needed and desired services
- Reserve Solvency – the ability to adapt and respond to economic conditions
- Capital Solvency – the ability to assess, maintain, and replace our capital assets
- Bond Rating – maintain or improve current bond rating Aa3.

To this end we will adhere to the following financial policies.

NOT FOR ACTION - FIRST READING

Financial Policies and Guidelines:

The Town will adopt a Multi-year forecast for fiscal years 2025 – 2029 and a Capital Improvement Program, prior to submission of the Town Manager's FY2025 Budget. This will give the Town a broader more forwarding looking perspective to better understand the budgetary cost drivers and our revenue capacity. Projecting forward will allow us to foresee where a structural deficit may exist when building out our operating budget for the ensuing year.

The following will be applied in preparing the FY2025 Budget.

1. The town will avoid budgetary practices that balance current expenditures at the expense of meeting future year's expenses, such as postponing maintenance and upkeep of our facilities and equipment.
2. Recurring operating costs will be funded by recurring sources of revenue. In addition, to budget prudently and plan for contingencies, the town sets the following reserve objectives for FY 2025:
 - a. Unreserved Fund Balance (free cash) for FY 2024 (07/01/2025) will be targeted at 2% of the 2025 operating budget and used only for one-time expenditures such as capital improvements, capital equipment, unexpected or extraordinary expenses such as unbudgeted snow and ice removal expenses and/or to meet the stabilization reserve policy objectives
 - b. The Town will maintain a Stabilization Fund as its main financial reserve in the event of an emergency, unforeseen circumstances, or an extraordinary need. It shall be the goal of the town to achieve and maintain a balance in the Stabilization Fund equal to 10% of its operating budget.
3. Revenue:
 - a. Revenue Estimating: the revenues will be estimated conservatively, using an objective analytical approach. The goal is to predict revenues as accurately as possible while erring on the side of caution
 - b. The Town will use methodologies established that best fit the accuracy of specific forecasting, in other words, different methods for different revenue types: Property Tax, Local Aid, Local Receipts, and Other Available Funds.
 - c. Ambulance Receipts Reserved for Appropriation: A five-year forecast will be used to determine available funds to support, proportionately, the ensuing year's Fire Department operating budget and capital requirements for the Ambulance Fleet.
 - d. For FY2025 the projected revenue surplus shall be set at 2% of the 2025 operating budget. Revenue surpluses are essential to continue the annual funding of the Stabilization Fund at the 10% level, fund capital purchases of machinery, equipment, and vehicles, capital building improvement, infrastructure and engineering costs, unfunded sick leave buyback, and outstanding OPEB liability.
4. Expenditures:
 - a. Estimating Major Cost Drivers: This compilation will address the increases necessary to fund the major budgetary cost drivers – salaries and benefits – which support our current service levels.
 - b. Maintenance of Capital Assets: The Town will compile a budget that will maintain capital assets and infrastructure to protect the town's investment. The Town will compile a budget that will maintain our assets to protect the Town's investment, support and provide services, community, and economic development. Specifically:
 - Mach/Equip/Vehicles

- Software
- Infrastructure
- Land & Land Improvement
- Building & Building Improvements

c. New Program or Initiatives: The Town will budget for new programs or initiatives only after fully funding existing major cost drivers and the maintenance of capital assets.

FY 2023 Town Manager's Budget Objectives

1. Continue the Town's efforts within all departments to obtain grant funding from federal, state, and other sources in order to offset capital expenditures and major initiatives
2. Review cost implication of contracted services vs. staffing in various departments
3. Continue to enhance the Town's website and use other technologies as cost-effective means for delivering information and services, increasing public awareness, and encouraging public feedback.
4. Submit a budget which maintains the Town's current service level and a budget which will meet the Town Manager's services priorities.
5. Develop a plan that will improve Town (within projected funds) owned roads that are in need of improvements. Understanding that a great deal of roads are in need of repair, present a priority of what road(s) will be a priority for FY25, where funding will include projected Chapter 90 funds, State/Federal grants, and capital funds.
6. Continue to develop and complete the Town's parks/trails and indicate which ones may be completed in FY25 for the residences of the community.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Attachments: None