

TOWN OF BRIDGEWATER



OFFICE OF THE TOWN COUNCIL

Rules & Procedures Committee Meeting Minutes

Meeting Date: December 14, 2021

A. CALL TO ORDER

Councilor Erik Moore, Chair of the Rules & Procedures Committee, called the meeting to order at 7:03PM, noted committee members in attendance and confirmed enough members are present to constitute a quorum. The meeting was conducted remotely and is available via YouTube at https://youtu.be/N764Ze8_obQ

Committee Member	Present	Not Present
Councilor Erik Moore, District 1 (Chair)	X	
Councilor Shawn George, District 3	X	
Councilor Frank Sousa, District 7	X	

Councilor Moore made opening remarks, covering the following topics:

- Reminder that the current focus is on topics that support Charter changes and re-precincting
- Note that Ed Ivaldi, Chair of the Charter Review Committee, will be joining to provide information and prior history where needed

B. PUBLIC COMMENT

Councilor Erik Moore invited public comment. No public comments received.

C. LEGISLATION REFERRED

- **Ordinance D-FY21-012 General Ordinance – Admin Code Change Part II CH. 1 Article II Section 2**

Committee Chair Moore reminded the committee that this is part of the larger re-precincting changes, and the committee had previously discussed holding action on this until the other related re-precincting changes are decided by the Town Council so the committee can align with that outcome.

Councilor George made a motion to postpone to a date certain (our next scheduled meeting) which was seconded by Councilor Sousa. A roll call vote was taken with no additional discussion. The results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

- **Ordinance D-FY22-002 Bridgewater Town Charter Amendment Correction of Typographical and Punctuation Errors**

Committee Chair Moore note prior legal guidance suggesting that we specify each change in a referenced attachment. He also suggested postponing the work to document typographical and punctuation changes until the rest of the Charter changes are agreed up, to avoid overlapping work.

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Councilor George made a motion to postpone to a date certain (our next scheduled meeting) which was seconded by Councilor Sousa. A roll call vote was taken with no additional discussion. The results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

- **Ordinance D-FY22-003 Bridgewater Town Charter Article IV, Town Manager “Temporary Absence”**

Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee, to share that committee’s perspective on the proposed changes and answer additional questions from the Rules & Procedures Committee members.

Committee discussed the desire to default to the Assistant Town Manager before other options, but provide a means for the Assistant Town Manager to opt out of role if needed (for example, away on vacation, medical concerns, etc.). The Committee also discussed adding language specifying a Councilor cannot fill the role and how the transfer should be made.

Councilor George made a motion to postpone to a date certain (our next scheduled meeting) to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken with no additional discussion. The results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

- **Ordinance D-FY22-004 Bridgewater Town Charter Article III, Elected Officials, Library Trustees**

Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee, to share that committee’s perspective on the proposed changes and answer additional questions from the Rules & Procedures Committee members. Mr. Ivaldi provided background and confirmed that the proposed language was reviewed with the Library Board of Trustees

The committee discussed the need to do additional research to determine if the proposed language unintentionally conflicts with the rights and roles of other town bodies and/or sets any unintended precedent. Mr. Ivaldi agreed to research the language in section (g) and provide additional details about the background and intent via email.

Councilor George made a motion to postpone to a date certain (our next scheduled meeting) to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken with no additional discussion. The results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

- **Ordinance D-FY22-005 Bridgewater Town Charter “Town” to “City” Amendment**

Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee, to share that committee’s perspective on the proposed changes and answer additional questions from the Rules & Procedures Committee members. Mr. Ivaldi provided background and noted the committee had researched potential implications of the change to “City” and was unable to find any, noting that Bridgewater could still refer to itself as a Town in public communications.

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The Committee discussed the value of making the change versus the potential unintended consequences and requires additional research to be done and documented about known or potential consequences of the change.

Councilor George made a motion to postpone to a date certain (our next scheduled meeting) to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

- **Ordinance D-FY22-006 Bridgewater Town Charter Article II, Legislative Branch, Term of Office**

Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee, to share that committee's perspective on the proposed changes and answer additional questions from the Rules & Procedures Committee members. Mr. Ivaldi provided background and noted the goal of this was to minimize the length of the lame duck period.

The Committee supports this language as is but noted that the same language is present in another ordinance that is already in front of the Town Council. Committee agreed to postpone detailed discussion in case this ends up being irrelevant. A correction to the article title was also noted, should this move further.

Councilor George made a motion to postpone to a date certain to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

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

Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee (CRC), to share that committee's perspective on the proposed changes and answer additional questions from the Rules & Procedures Committee members. Mr. Ivaldi mentioned the wording doesn't match the CRC's wording and noted the intent was to limit service to four elections (or appointments) per Councilor type (4 elections for district and another 4 elections for at-large). It was noted that the title is incorrect and requires updating to reflect Section 2-12 Term Limits instead of Election Eligibility.

The Committee discussed the possibility of using "years" instead of "elections" to cover the issue of a short election term due to re-organizing the government, as we're seeing now. Agreed to review actual language in the next meeting to make sure the intent is preserved and accommodates the reprecincting changes.

Councilor George made a motion to postpone to a date certain to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The

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motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

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

Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee (CRC), to share that committee's perspective on the proposed changes and answer additional questions from the Rules & Procedures Committee members. Mr. Ivaldi noted that the CRC felt strongly that a stipend is warranted based on the effort and noted it was on the smaller side of the amount paid in other towns.

Councilor George asked that he not be listed as a sponsor, as he doesn't support the idea. There are open questions about when this is paid, with an emphasis on monthly payment. Next step is to propose language improvements.

Councilor George made a motion to strike out "and further that such stipend amount shall be amended by a 2/3 vote of the Council". The motion was seconded by Councilor Sousa with discussion to suggest we consider adding clauses to automatically match the rate of inflation and when that number is chosen. A roll call vote was taken, and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion passed 3-0.

Councilor George made a motion to postpone to a date certain to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

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

Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee, to share that committee's perspective on the proposed changes and answer additional questions from the Rules & Procedures Committee members. Mr. Ivaldi said the CRC essentially adopted the recommendation from prior Charter Review and R&P teams. He also mentioned an error in the title and that this was not intended to be limited to the legislative branch. Instead, it was designed to provide the ability to recall any elected official.

Councilor George made a motion to postpone to a date certain to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

- **Ordinance D-FY22-010 Bridgewater Town Charter Article IV, Town Manager Term of Office**

Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee (CRC), to share that committee's perspective on the proposed changes and answer additional questions from the Rules & Procedures Committee members. The CRC proposes a max three year contract for a Town

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Manager. The CRC also added a sentence about serving at the will of the Council based on the appearance of frustration the Town Council had with the Town Manager.

The Committee discussed our understanding that Mass law already limits the contract term to 5 years. Councilor Sousa expressed a desire to set the maximum at 3 years and renew the contract if it is going well. Councilor Moore and George support allowing the Town Council to negotiate up to the state limit. Councilor Moore believes negotiation is important to the contract process and capping the discussion at three years puts an artificial constraint with no room for trade-offs. Higher limits may also be ready to compete for talent in a growing job market.

Councilor Sousa made a motion to amend the language to “to a maximum 3-year renewable term”. The motion was not seconded.

Councilor George made a motion to postpone to a date certain to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

- **Ordinance D-FY22-011 Bridgewater Town Charter Article V, Administrative Organizations, City Attorney, Term Limits**

Committee Chair Moore shared an understanding that the Town Attorney is an employee at will and the proposed language doesn’t apply to the employment scenario. Committee Chair Moore invited Ed Ivaldi, Chair of the Charter Review Committee (CRC), to share that committee’s perspective. Mr. Ivaldi shared the desire to bring this key position in-line with other roles and give the Town Council a stronger connection to the Town Attorney.

The Committee shared history and agreed with the desire to have a strong relationship with the Town Attorney. Councilor Moore didn’t support moving this ordinance forward given the lack of alignment with the employment scenario for the Town Attorney but did support getting a better understanding of the interaction expectations between the Town Council and Town Attorney.

Councilor George made a motion to postpone to a date certain to provide the Committee additional time for review and consideration. The motion was seconded by Councilor Sousa. A roll call vote was taken and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion to postpone to a date certain passed 3-0. The ordinance will remain in committee for further consideration.

D. PUBLIC COMMENT

Councilor Erik Moore invited public comment. No public comments received.

D. ADJOURN

Councilor George made a motion to Adjourn. The motion was seconded by Councilor Sousa. A roll call vote was taken and the results were recorded as follows: Sousa – YES, George – YES, Moore – YES. The motion passed 3-0.