

# TOWN OF BRIDGEWATER

## OFFICE OF THE TOWN COUNCIL



## Rules & Procedures Committee Meeting Agenda January 5, 2022

### **Committee Members:**

*Shawn George, Member  
District 3 Councilor*

*Erik Moore, Chair  
District 1 Councilor*

*Frank Sousa, Member  
District 7 Councilor*

### **Virtual Via Zoom**

**To Attend Via Video, use the Link Below:**

<https://us06web.zoom.us/j/83940496375>

**Call In: 1-646-876-9923**

**Meeting ID: 839 4049 6375**

- A. Call to Order – 7:00 p.m.**
- B. Approval of Meeting Minutes**
  - Meeting Minutes 12/22/21
- C. Public Comment**
- D. Discussions**
  - Charter Change Approach – discuss approaches and timeframes for considering and/or processing the remaining charter changes suggested by the Charter Review Committee
- E. Legislation Referred:**
  - Ordinance D-FY22-002 Bridgewater Town Charter Amendment Correction of Typographical and Punctuation Errors
  - Ordinance D-FY22-004 Bridgewater Town Charter Article III, Elected Officials, Library Trustees
  - Ordinance D-FY22-005 Bridgewater Town Charter “Town” to “City” Amendment
  - Ordinance D-FY22-006 Bridgewater Town Charter Article II, Legislative Branch, Term of Office
  - Ordinance D-FY22-008 Bridgewater Town Charter Article II, Legislative Branch, Annual Stipend
  - Ordinance D-FY22-011 Bridgewater Town Charter Article V, Administrative Organizations, City Attorney, Term Limits
- F. Adjourn**



# Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-002

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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:

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## Proposed Ordinance D-FY22-002

### Bridgewater Town Charter Amendment for Correction of Typographical and Punctuation Errors

**ORDERED** that the Town Charter shall be amended by fixing all typographical and punctuation errors that were present in the review of the charter by the charter review committee and notated on the proposed charter changes as highlighted. Such amendment shall be effective only after approval by the Town Council and the State Legislature.

#### *Committee Referrals and Dispositions:*

Referral(s)	Disposition(s)
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# Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-004

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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:

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## **Proposed Ordinance D-FY22-004**

### **Bridgewater Town Charter Article III, Elected Officials, Library Trustees**

**ORDERED** that Section 3-2 of the Town Charter shall be amended as below:

"a)Composition, Election - There shall be a Board of Library Trustees composed of nine members, all elected by and from the voters at large.

b)Term of Office - The terms of Library Trustee members shall be staggered terms of three years each, beginning on the day following the election for 3 years and continuing until a successor is qualified.

c)Powers and Duties- The board of library trustees shall insure that the Bridgewater Public Library, a public institution supported and managed by the Library Department and the Library Board of Trustees provide all members of the Bridgewater community the right and means to free and open access to information and ideas and that the Bridgewater Public Library protects intellectual freedom, promotes literacy and encourages life-long learning. The powers set forth herein shall be vested in the Board of Trustees as a ministerial body in furtherance of these duties and obligations.

d)Filling of Vacancies - If a vacancy occurs in the membership of the Library Trustees, whether by failure to elect or otherwise, the Library Trustees have 30 calendar days from the date the vacancy is declared to exist by the City Clerk under section 109 of chapter 41 of the General Laws, to act to appoint a person to fill the vacancy. The appointments will be approved by the City Council. If the vacancy is not filled within 30 calendar days after the vacancy is declared to exist, the appointment will defer to the City Council. The appointee will serve for the balance of the unexpired term. A person so chosen shall be sworn and commence to serve forthwith. Library Trustees or City Council shall give consideration to whichever of the defeated candidates for the seat in which the vacancy is declared to exist, received the highest number of votes at the last regular City election immediately preceding the date the vacancy is declared to exist.

(e)Collections – The books, periodicals, papers and any other material curated by the Bridgewater Public Library shall be in the custody and control of the board of library trustees, subject to the Director's responsibility to manage circulating materials and disposition of outdated materials. The board of library trustees may direct the Director of the Library to make certain items, collections or items related to specific subject matters available as a special collection, subject to Director's obligations regarding the orderly management of the Bridgewater Public Library and the Library Department. The board of library trustees may make, or authorize the Director to make such disposition of old and unused papers and books as they may think for the best interests of the City. The proceeds, if any, of such disposition shall be retained and segregated by the City. The board of library trustees shall have the full and sole power to expend such funds, solely in their discretion, to further the duties set forth in section 3-2 (c).

**NOT FOR ACTION – FIRST READING ONLY**

(f) Gifts - All gifts of property, including but not limited to funds, that have been, is, or will be given, to the Bridgewater Public Library shall be in the custody and control of the board of library trustees, subject to the board's acceptance of such property and any restrictions placed upon it. The board of library trustees shall have the power and authority to liquidate or dispose of any such gifted property, subject to any accepted restrictions. The board of library trustees shall have the full and sole power to expend any such funds, or the funds resulting from the liquidation or disposition of such property, solely in their discretion, to further the duties set forth in section 3-2 (c), herein, subject to any gift restriction. Any funds described herein shall be retained and segregated by the City. Property provided to the Library by the Library Department for the support, maintenance and operation of the Library by the Library Department, excluding property subject to 3-2(e), shall not be considered property given to the Library for purposes of this section.

(g) Library Director- Except as set forth herein, the Library Director shall only be hired upon the City Manager receiving a written recommendation from the board of library trustees. Except as set forth herein, the City council may not ratify the appointment of the Library Director if the City Manager has not received a written recommendation from the board of library trustees. Should the Library Board of Trustees fail to provide a written recommendation within 180 calendar days from the date the position becomes publicly posted, the City Manager may proceed with the hiring process without the Board of Trustees recommendation and the City Council may ratify such hiring. The City Manager will provide the board of library trustees with term length and renewal conditions of any employment contract entered into with the Library Director. The City Manager may only renew or extend the employment contract of the Library Director upon receipt of an additional written recommendation of the board of library trustees to do so. In the case of an employment at will situation, any period of consecutive employment for more than one year shall be considered an extension. The City Manager shall include that a member of the Board of Library Trustees is present for a least one interview for each potential candidate.

(h) City Collector-Treasurer- The City treasurer shall act as treasurer of the board of library trustees. The board of library trustees may request from the treasurer a report setting out the funds retained by the City and subject to the custody and control of the board of library trustees.

(i) Annual Fiscal Report- The board of library trustees shall make an annual report to the City, no later than January 1st, of its receipts and expenditures and of the property in its custody and control and of any gifts or bequests made to the library."

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

*Committee Referrals and Dispositions:*

Referral(s)	Disposition(s)
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# Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-005

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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:

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## Proposed Ordinance D-FY22-005

### Bridgewater Town Charter "Town" to "City" Amendment

**ORDERED** that the Town Charter shall be amended to change all references in the current charter that use term "town" to "city." Such amendment shall be effective only after approval by the Town Council and the State Legislature.

#### *Committee Referrals and Dispositions:*

Referral(s)	Disposition(s)
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# Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-006

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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:

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## Proposed Ordinance D-FY22-006

### Bridgewater Town Charter Article II, Term of Office

**ORDERED** that the Town Charter, Article II Legislative Branch Sec 2-1c Term of Office shall be amended by deleting “beginning on the second Monday,” and replacing it with “next business day.” Such amendment shall be effective only after approval by the Town Council and the State Legislature.

#### *Committee Referrals and Dispositions:*

Referral(s)	Disposition(s)
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# Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-008

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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:

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## 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)
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# Bridgewater Town Council

In Town Council, Tuesday, September 7, 2021

Council Ordinance: D-FY22-011

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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:

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## Proposed Ordinance D-FY22-011

### **Bridgewater Town Charter Article V, Administrative Organizations, City Attorney, Term Limits**

**ORDERED** that The Town Charter, Article V, Section 5-3, Town Attorney, paragraph (a) shall be amended by replacing the provision with "A city solicitor shall be appointed by the city council to a maximum of a 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.

**Explanation:**

**This changes the appointment authority to the Town Council and changes the title to City Solicitor.**

*Committee Referrals and Dispositions:*

Referral(s)	Disposition(s)
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