



BRIDGEWATER TOWN COUNCIL

Tuesday, February 26, 2019

7:30 p.m.

Academy Building

66 Central Square

Council Chamber, Room 203

Bridgewater MA

RECEIVED
TOWN CLERKS OFFICE
BRIDGEWATER, MA.

2019 FEB 22 P 12:01

MEETING AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) February 5, 2019

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Republican Town Committee:

1. Sandra Wright
2. Joseph Gillis, Jr.

F. HEARINGS

- a) **7:35 p.m.:** Petition P-2019-004: Class II Auto Dealer's License Wayne Richard, DBA South Shore Auto Detailing & Window Tinting
- b) **7:40 p.m.:** Order O-FY19-041: Loan Order - Elm Street Project
At their meeting held 2/11/19, the Finance Committee voted 5-0 to approve this measure. The Budget & Finance Committee meet 2/26/19 and will provide their disposition to the full Council. This measure has been duly advertised in the Enterprise and on the Town's website for a public hearing. This measure may be finally considered this evening at the conclusion of the hearing, pending a disposition from the Budget & Finance Committee.
- c) **7:45 p.m.:** Order O-FY19-042: Loan Order - First Street Project
At their meeting held 2/11/19, the Finance Committee voted 5-0 to approve this measure. The Budget & Finance Committee meet 2/26/19 and will provide their disposition to the full Council. This measure has been duly advertised in the Enterprise and on the Town's website for a public hearing. This measure may be finally considered this evening at the conclusion of the hearing, pending a disposition from the Budget & Finance Committee.
- d) **7:50 p.m.:** Order O-FY19-046: Adoption of a 5-Year Capital Plan
At their meeting held 2/11/19, the Finance Committee voted 5-0 to approve this measure. The Budget & Finance Committee meet 2/26/19 and will provide their disposition to the full Council. This measure has been duly advertised in the Enterprise and on the Town's website for a public hearing. This measure may be finally considered this evening at the conclusion of the hearing, pending a disposition from the Budget & Finance Committee.
- e) **8:00 p.m.:** Order O-FY19-047 - 2019 Capital Plan Funding
At their meeting held 2/11/19, the Finance Committee voted 5-0 to approve this measure. The Budget & Finance Committee meet 2/26/19 and will provide their disposition to the full Council. This measure has been duly advertised in the Enterprise and on the Town's website for a public hearing. This measure may be finally considered this evening at the conclusion of the hearing, pending a disposition from the Budget & Finance Committee.

G. LICENSE TRANSACTIONS

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Order O-FY19-040: Affix Town Clerk Salary

At their meeting held 2/5/19, the Budget & Finance Committee voted 3-0 to recommend approval of this measure with a proposed amendment. On 2/11/19, the Finance Committee voted 4-1 to approve the proposed amended document. This measure may be finally considered this evening.

b) Order O-FY19-043: Acceptance of Non-Recurring Revenue to Capital

At their meeting held 2/5/19, the Budget & Finance Committee voted 3-0 to recommend approval of this measure. On 2/11/19, the Finance Committee voted 5-0 to approve. This measure may be finally considered this evening.

c) Order O-FY19-048: Acceptance of MassWorks Grant

At their meeting held 2/11/19, the Finance Committee voted 5-0 to approve this measure. The Budget & Finance Committee meet 2/26/19 and will provide their disposition to the full Council. This measure may be finally considered this evening pending the disposition of the Budget & Finance Committee.

M. OLD BUSINESS - None

N. NEW BUSINESS

a) Order O-FY19-049: Transfer Order - Other One-Time Unforeseen Expenses (Town Manager)

b) Order O-FY19-050: Transfer Order - Capital Appropriations (Town Manager)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-041

Introduced By: Town Manager
 Date Introduced: January 22, 2019
 First Reading: January 22, 2019
 Second Reading/Public Hearing: February 26, 2019
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY19-041

LOAN ORDER - ELM STREET PROJECT

ORDERED, ORDERED, that \$6,500,000 is appropriated to pay costs of the Elm Street reconstruction project, including the payment of all costs incidental and related thereto (the "Project"), and that to meet this appropriation, the Treasurer, with the approval of the Town Manager, is authorized to borrow said amount under and pursuant to M.G.L. c. 40Q, M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town Manager is authorized to contract for and expend any grants, aid or gifts available to pay costs of the Project and to take any other action necessary or convenient to carry out the Project. The amount authorized to be borrowed shall be reduced to the extent of any MassWorks Infrastructure Grants or any other grants received by the Town to pay costs of this Project. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Explanation:

This order appropriates the total amount necessary to fund Elm Street reconstruction and requires that the total amount to be borrowed be reduced by the amount of the MassWorks grant. The amount borrowed will be paid back from the DIF district revenue.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> • Budget & Finance Committee • Finance Committee • This measure has been duly advertised in the Enterprise and on the Town's website. 	<ul style="list-style-type: none"> • Meet 2/26/19. Will provide disposition to full Council. • 2/11/19: Vote 5-0 approve.

ROLL CALL VOTE – REQUIRES 2/3 OF FULL COUNCIL (6)



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-042

Introduced By: Town Manager
 Date Introduced: January 22, 2019
 First Reading: January 22, 2019
 Second Reading/Public Hearing: February 26, 2019
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY19-042

LOAN ORDER - FIRST STREET PROJECT

ORDERED, that \$1,200,000 is appropriated to pay costs of the First Street reconstruction project, including the payment of all costs incidental and related thereto (the "Project"), and that to meet this appropriation, the Treasurer, with the approval of the Town Manager, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(5), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town Manager is authorized to contract for and expend any grants, aid or gifts available to pay costs of the Project and to take any other action necessary or convenient to carry out the Project. The amount authorized to be borrowed by this order shall be reduced to the extent of any MassWorks Infrastructure Grants or any other grants received by the Town to pay costs of this Project. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The Town shall assess betterments upon abutters of the Project in accordance with the requirements of Article XVI of the Town Code.

Explanation:

This order appropriates the total amount necessary to fund First Street sewer and paving. The sewer portion is to be funded by the MassWorks grant and the paving portion is to be funded by the property owners through a betterment.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> Budget & Finance Committee Finance Committee This measure has been duly advertised in the Enterprise and on the Town's Website. 	<ul style="list-style-type: none"> Meet 2/26/19. Will provide disposition to full Council, 2/11/19: Vote 5-0 approve.

ROLL CALL VOTE – REQUIRES 2/3 OF FULL COUNCIL (6)



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-046

Introduced By: Town Manager
Date Introduced: January 22, 2019
First Reading: January 22, 2019
Second Reading/Public Hearing: February 26, 2019
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY19-046

ADOPTION OF 5-YEAR CAPITAL PLAN

ORDERED, in accordance with Charter section 6-6 of the Bridgewater Home Rule Charter, that the Town Council assembled vote to adopt the 2019-2025 Capital Improvement Program as attached.

Explanation:

The 2019-2025 Capital Improvement Program is presented for adoption by the Council. It is a multi-year guide, but not an appropriation. The plan changes from year-to-year as revised or new items are added or amended.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">Budget & Finance CommitteeFinance CommitteeThis measure has been duly advertised in the Enterprise and on the Town's website for a public hearing.	<ul style="list-style-type: none">Meet 2/26/19. Will provide disposition to full Council.2/11/19: Vote 5-0 approve.



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-047

Introduced By:	Town Manager
Date Introduced	January 22, 2019
First Reading:	January 22, 2019
Second Reading/Public Hearing:	February 26, 2019
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY19-047

2019 CAPITAL PLAN FUNDING

ORDERED that, pursuant to Section 6-4(a) of the Bridgewater Charter, that the Town Council assembled vote to appropriate the sum of **\$1,164,334.79** from the below schedule to pay costs of the following capital purchases as outlined in the Capital Plan:

Source of Funds	Account No.	GL Account Description	Amount
Ambulance Receipts Reserved	25015-596010	ARRA	\$248.25
Capital Stabilization	80105-596110	Capital Stabilization	\$1,004,040.54
Fire Prison Mitigation	40035-596010	Police Prison Mitigatn Bldg Imprv	\$160,046.00
Total:			\$1,164,334.79
Use of Funds	Account No.	GL Account Description	Amount
FY 2019 Capital Gen Gov	TBD	Bldg Main Plan - Consultant	\$20,000.00
FY 2019 Capital Gen Gov	TBD	Board Docs - Paperless Gov Solution	\$10,000.00
FY 2019 Capital Gen Gov	TBD	Full Circle - Permitting&Software	\$60,000.00
FY 2019 Capital Gen Gov	TBD	Assessors' Scanning Prop Revaluation	\$1,647.00
FY 2019 Capital Gen Gov	TBD	Finance Software Implementation	\$100,000.00
FY 2019 Capital Gen Gov	TBD	Network Switch	\$16,000.00
FY 2019 Capital Gen Gov	TBD	Wireless Network Upgrade	\$6,000.00
FY 2019 Capital Gen Gov	TBD	Computer Replacements & Upgrades	\$25,000.00
FY 2019 Capital Gen Gov	TBD	Fiber Optic Cable Repairs 10 poles	\$11,000.00
FY 2019 Capital Gen Gov	TBD	Tyler UB Project Conversion Fees	\$42,425.00
FY 2019 Capital Gen Gov	TBD	Voting Tables & Office Equipment	\$7,090.00
FY 2019 Capital Gen Gov	TBD	Voting Poll Pads & Thermal Printers	\$28,620.00
FY 2019 Capital Gen Gov	TBD	Voting Poll Pads Warranty 3 Years	\$9,000.00
FY 2019 Capital Gen Gov	TBD	Bldg & Planning - Camino Software	\$8,500.00
FY 2019 Capital Public Safety	TBD	Replace Two Marked Cruisers	\$110,000.00
FY 2019 Capital Public Safety	TBD	A1 Stretchers & IT for Ambulances	\$9,946.00
FY 2019 Capital Public Safety	TBD	Stair Chairs for Ambulance Transports	\$7,500.00
FY 2019 Capital Public Safety	TBD	SCBA Bottles 1 of 3	\$16,350.00
FY 2019 Capital Public Safety	TBD	Turnout Gear 1 of 2	\$57,600.00
FY 2019 Capital Public Safety	TBD	Turnout Gear 2 of 2	\$85,000.00
FY 2019 Capital Public Safety	TBD	SUV/Command Vehicle	\$45,500.00
FY 2019 Capital Public Safety	TBD	DPW Plow#3 Lease Pymt 1	\$47,136.00
FY 2019 Capital Public Safety	TBD	DPW Sidewalk Plow - Lse Pymt - 1	\$42,000.00
FY 2019 Capital Public Safety	TBD	DPW Mini Excavator & Trailer	\$75,000.00
FY 2019 Capital Public Safety	TBD	DPW Roadside Mower	\$90,000.00
FY 2019 Capital Public Safety	TBD	Pedestrian Signals at Pleasant Street	\$26,800.00
FY 2019 Capital Public Safety	TBD	Pedestrian Signals on Town Common	\$8,000.00
FY 2019 Capital Public Safety	TBD	Rdsgn Traffic Signal Pleas&Center St	\$22,800.00
FY 2019 Capital Public Safety	TBD	StreetScan Sidewalk Amend O-FY19-018)	\$20,000.00
FY 2019 Capital Gen Gov	TBD	Street Lighting - LED	\$110,000.00
FY 2019 Capital Human Services	TBD	Senior Center / Upgrade Electric Pane	\$15,000.00
FY 2019 Capital Human Services	TBD	Senior Center Pickle Ball Fencing	\$5,000.00
FY 2019 Capital Parks & Recreation	TBD	Park & Recreation Building Repairs	\$25,000.00
FY 2019 Capital Public Safety	10220219-586001	Ambulance Lease O-FY19-036	\$248.25
FY 2019 Capital Public Safety	10420219-586000	DPW Plow#2 Lease O-FY19-036	\$172.54
Total			\$1,164,334.79

ROLL CALL VOTE – REQUIRES 2/3 OF COUNCIL MEMBERSHIP (6).

FURTHER ORDERED; for the payment of all other costs incidental and related thereto; that the amounts indicated above for each project are estimates and that the Town Manager may allocate more funds to any one or more of such projects, and less to others, so long as, in the judgment of the Town Manager, each of the projects described above can be completed within the total appropriation made by this Order; And that the Town Manager is authorized to contract for and expend any grants, aid or gifts in available for the project; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.

Explanation: This order appropriates funds pursuant to the FY2019 capital plan. Some items on the FY2019 capital list have already been funded.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> • Budget & Finance Committee • Finance Committee • This measure has been duly advertised in the Enterprise and on the Town’s website for a public hearing. 	<ul style="list-style-type: none"> • Meet 2/26/19. Disposition will be provided to full Council. • 2/11/19: Vote 5-0 approve



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-040

Proposed Amendment

Introduced By:	Councilor Gallagher
Date Introduced	January 22, 2019
First Reading:	January 22, 2019
Second Reading:	February 26, 2019
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY19-040

AFFIX TOWN CLERK SALARY

WHEREAS, the Town Clerk of the Town of Bridgewater shall receive a salary in lieu of all fees and other compensation provided for in the Massachusetts General Laws, which salary shall be in an amount fixed by the Legislative body of the Town of Bridgewater.

WHEREAS, pursuant to Massachusetts General Laws Chapter 41 § 15 the duties of the Town Clerk are defined as:

“record all votes passed at town meetings held during his term of office. He shall administer the oaths of office to all town officers who apply to him to be sworn, and shall make a record thereof and of the oaths of office taken before justices of the peace of which certificates are filed. He shall, immediately after every annual election of town officers, transmit to the state secretary, on blanks to be furnished by him, a complete list of all town officers elected and qualified and shall promptly report to the secretary any changes in such officers”.

WHEREAS, the Town, to ensure business continuity and to make certain that the needs of the general public are met, employs two full-time staff to address and perform the day-to-day activities of the Office of the Town Clerk.

WHEREAS, it is intended that these provisions be in accord with all applicable Federal and State laws, rules and regulations, including the Fair Labor Standards Act and the Federal Minimum Wage, and should be applied and interpreted to produce a result harmonious therewith.

WHEREAS, it is intended that these provisions be in accord with the Employee Manual of the Town of Bridgewater and should be applied and interpreted to produce a result harmonious therewith. If there is an irreconcilable conflict between this Order and any other Order of the Town of Bridgewater, this Order shall govern.

ROLL CALL VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.

WHEREAS, the Town of Bridgewater is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, national origin, age, handicap, disability or otherwise in violation of any federal or state law.

BE IT ORDERED, that beginning in the fiscal year 2020 (July 1, 2019), the salary of the Town Clerk shall be increased to ~~\$69,956.25~~ \$75,000.00 annually. The Town Clerk is an elected position and eligible for membership with Plymouth County Retirement System (PCR) benefit and insurance benefits per employee policy manual. The Town Clerk shall be paid in accordance with the usual practices for other town employees.

FURTHER ORDERED, that the position of Town Clerk is exempt from the overtime provisions of the FLSA and shall not be entitled to overtime compensations in any form.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Budget & Finance Committee• Finance Committee	<ul style="list-style-type: none">• 2/5/19: Vote 3-0 recommend approval with proposed amendment.• 2/11/19. Vote 4-1 approve with proposed amendment.



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-043

Introduced By: Town Manager
 Date Introduced: January 22, 2019
 First Reading: January 22, 2019
 Second Reading: February 26, 2019
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY19-043

ACCEPTANCE OF NON RECURRING REVENUE TO CAPITAL

WHEREAS: Pursuant to Massachusetts General Laws, Chapter 40, §5B the Town Council accepts and authorizes the expenditure of revenue sources that are deemed one-time revenue or take any other action relative thereto and

WHEREAS: The Town of Bridgewater has received a payment of \$254,809.93 from the Department of Corrections' FY 2019 budget earmarked for cities and towns hosting correctional facilities.

ORDERED: that the Town Council of Bridgewater, Massachusetts in Town Council assembled to vote to accept payment of \$254,809.93 into the Capital Stabilization Fund to appropriate for future Capital needs.

Explanation: *This Order accepts other one-time non-recurring revenues to the Capital Stabilization Fund for Capital appropriations.*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> Budget & Finance Committee Finance Committee 	<ul style="list-style-type: none"> 2/5/19: Vote 3-0 recommend approval. 2/11/19: Vote 5-0 approve.



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-048

Introduced By: Town Manager
 Date Introduced: February 5, 2019
 First Reading: February 5, 2019
 Second Reading: February 26, 2019
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY19-048

ACCEPTANCE OF MASSWORKS GRANT

WHEREAS: Massachusetts General Laws, Chapter 44, §53A, states as follows:

“An officer ... of any city or town ... may accept grants or gifts of funds from ... from the Commonwealth ... or an agency thereof, ... and may expend such funds for the purposes of such grant or gift ... with the approval of the city manager and city council...;” and

WHEREAS: The Town of Bridgewater has received a MassWorks grant from the Commonwealth of Massachusetts to be expended by as outlined in the terms of the grant.

Now, therefore, in accordance with Chapter 44, §53A of the Massachusetts General Laws, the Town Council votes to take the following action:

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the grant of \$3,000,000.00 from the Commonwealth of MA accordance with stated purpose thereof.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> Budget & Finance Finance Committee 	<ul style="list-style-type: none"> Meet 2/26/19. Disposition will be provided to full Council. 2/11: Vote 5-0 approve



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-049

Introduced By: Town Manager *(at the request of the Finance Director)*
 Date Introduced: February 26, 2019
 First Reading: February 26, 2019
 Second Reading:
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY19-049

TRANSFER ORDER – OTHER ONE-TIME UNFORSEEN EXPENSES

ORDERED, in accordance with Section 6-4 of the Bridgewater Home Rule Charter, that the Town Council assembled vote to transfer and appropriate the following funds for the purposes as intended:

Source of Funds	Account No.	GL Account Description	Amount
Other One Time Stabilization	80135-596100	Transfer to GF	\$ 91,490.00
Other One Time Stabilization	80135-596110	Transfer to GF Capital	\$ 30,000.00
Total:			\$ 121,490.00
Use of Funds	Account No.	GL Account Description	Amount
General Fund Expenses	01235013-530501	Professional Services	\$ 91,490.00
General Fund Capital	10123218-584011	Master Plan & Zoning Plan	\$ 30,000.00
Total			\$ 121,490.00

Explanation: Approval of the above transfer will fund the contract required for an independent investigative personnel matter as well as additional funding for the Comprehensive Plan in order to finalize the work into a completely updated Master Plan. In addition, it makes an appropriation for an updated Classification and Salary Compensation Survey to assist with Contractual Bargaining and Community Comparison.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, February 26, 2019

Council Order: O-FY19-050

Introduced By: Town Manager
 Date Introduced: February 26, 2019
 First Reading: February 26, 2019
 Second Reading:
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY19-050

TRANSFER ORDER - CAPITAL APPROPRIATIONS

ORDERED, in accordance with Section 6-4 of the Bridgewater Home Rule Charter, that the Town Council assembled vote to appropriate the following funds for the below stated purposes:

Source of Funds	Account No.	GL Account Description	Amount
General Fund Capital	10420218-584000	PY Capital Use	\$ 38,230.00
General Fund Capital	10220218-585012	PY Capital Use	\$ 11,175.00
Total:			\$ 49,405.00
Use of Funds	Account No.	GL Account Description	Amount
General Fund Capital	10420218-587000	DPW Vehicle Upgrade	\$ 38,230.00
General Fund Capital	10220219-585000	Thermal Image Camera	\$ 11,175.00
Total			\$ 49,405.00

Explanation:

This Capital Appropriation allows for the purchase of a replacement Flatbed Box Truck with interchangeable Box to replace a currently unusable truck. It also funds a Fire Department thermal image camera for multiple uses. The source of funding is remaining funds in two prior capital appropriations.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•