

# TOWN OF BRIDGEWATER

## OFFICE OF THE TOWN COUNCIL



### Budget & Finance Committee Meeting Virtual Meeting via Zoom© Agenda

**Committee Members:**

*William Wood, Chair  
Precinct 6 Councilor*

*Shawn George, Member  
Precinct 3 Councilor*

*Dennis Gallagher, Member  
Councilor-At-Large*

**Location:** Virtual Via Zoom©  
To Attend Via Video, Click the Link Below:  
<https://us06web.zoom.us/j/81110160171>

Call In: 1-646-876-9923  
Meeting ID: 811 1016 0171

**Date &** April 5, 2022  
**Time:** 6:00 p.m.

### Agenda

- A. Call to Order**
- B. Public Comment**
- C. Approval of Meeting Minutes**
  - February 28, 2022 Meeting Minutes
- D. Legislation Referred**
  - Order O-FY22-051: Transfer Order Town Hall Roof
  - Order O-FY22-052: Transfer Order Sewer PS Wetwell Repair
  - Order O-FY22-054: Acceptance of Fire Grant
  - Order O-FY22-055: Contractual Buyout
  - Ordinance D-FY22-019: Acceptance of Local Tax Option – Retail Marijuana Tax
- E. Public Comment**
- F. Adjourn**



# Bridgewater Town Council

In Town Council, Tuesday, March 1, 2022

Council Order: O-FY22-051

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Introduced By: Town Manager  
Date Introduced: March 1, 2022  
First Reading: March 1, 2022  
Second Reading/Hearing: April 5, 2022  
Amendments Adopted:  
Third Reading:  
Date Adopted:  
Date Effective:

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## Order O-FY22-051

### TRANSFER ORDER TOWN HALL ROOF

**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 in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below schedule Use of Funds:

Source of Funds	Account No.	GL Account Description	Amount
CAPITAL STABILIZATION	80105-596010	TRANSFER TO CAPITAL	\$ 100,000.00
Total:			\$ 100,000.00
Use of Funds	Account No.	GL Account Description	Amount
TOWN HALL ROOF REPAIR	TBA	CAPITAL PROJECT	\$ 100,000.00
Total			\$ 100,000.00

**Explanation:** The old Town Hall roof is in need of replacing. The Town Clerk, as chair of the Old Town Hall Ad Hoc Committee, has identified a grant that could offset the cost of the roof by up to 50%. The reimbursement grant requires that the Town first appropriate the full amount. Given the possibility of a grant match, the Town Manager is asking for this additional capital appropriation now instead of next year.

#### Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Budget & Finance	• Meeting on 4/5/22 prior to the Town Council meeting.
• FinCom	• 3/16/22: Voted 5-1 to recommend.

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



# Bridgewater Town Council

In Town Council, Tuesday, March 1, 2022

Council Order: O-FY22-052

Introduced By: Town Manager  
 Date Introduced: March 1, 2022  
 First Reading: March 1, 2022  
 Second Reading/Hearing: April 5, 2022  
 Amendments Adopted:  
 Third Reading:  
 Date Adopted:  
 Date Effective:

## Order O-FY22-052

### TRANSFER ORDER SEWER PS WETWELL REPAIR

**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 in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below schedule Use of Funds:

Source of Funds	Account No.	GL Account Description	Amount
SWR RES SPEC PURPOSE	6100-358000	TRANSFER TO CAPITAL	\$ 220,000.00
Total:			\$ 220,000.00
Use of Funds	Account No.	GL Account Description	Amount
SWR CAPITAL	TBA	CAPITAL PROJECT	\$ 220,000.00
Total			\$ 220,000.00

**Explanation:** As part of the Town's ongoing Collection System Capacity-Management-Operation-Maintenance and Asset Management Program an evaluation of noticeable damage was noted, and subsequently, immediate repair of the Route 104 Sewer Pump Station Wetwell is deemed necessary to avoid further corrosion.

#### Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Budget & Finance	• Meeting on 4/5/22 prior to the Town Council meeting.
• FinCom	• 3/16/22: Voted 6-0 to recommend.

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



# Bridgewater Town Council

In Town Council, Tuesday, March 15, 2022

Council Order: O-FY22-054

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Introduced By:	Town Manager
Date Introduced	March 15, 2022
First Reading:	March 15, 2022
Second Reading/Hearing:	April 5, 2022
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

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## Order O-FY22-054

### ACCEPTANCE OF FIRE 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 2 grant awards from the Executive Office of Public Safety to the MA Department of Fire Services for FY2022 Fire Prevention Programs for the Community.

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 \$5,175 & \$3,055 from the EOPS - MA Department of Fire Services, to expend the grant in accordance with stated purpose thereof.

*Explanation: The FY2022 Student Awareness of Fire Education (S.A.F.E.) for \$5,175 for fire prevention education program designed to equip elementary, intermediate, and high school students with skills for recognizing the dangers of fire, including fire risks posed by smoking related materials. The Senior SAFE grant for \$3,055 is another fire prevention program designed to improve the fire and life safety of older adults in the community through education that addresses unique fire risks for this age group.*

#### Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"><li>Budget &amp; Finance</li></ul>	<ul style="list-style-type: none"><li>Meeting on 4/5/22 prior to the Town Council meeting.</li></ul>
<ul style="list-style-type: none"><li>FinCom</li></ul>	<ul style="list-style-type: none"><li>3/30/22: Voted 8-0 to recommend.</li></ul>

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



## Bridgewater Town Council

In Town Council, Tuesday, March 15, 2022

Council Order: O-FY22-055

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Introduced By: Town Manager  
Date Introduced: March 15, 2022  
First Reading: March 15, 2022  
Second Reading/Hearing: April 5, 2022  
Amendments Adopted:  
Third Reading:  
Date Adopted:  
Date Effective:

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### Order O-FY22-055

## CONTRACTUAL BUYOUT

**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 in Town Council assembled vote to appropriate and transfer \$88,433 from Employer's Liability Trust Fund to accounts as outlined:

Source of Funds	Account No.	GL Account Description	Amount
Employee Liability Fund	80045-596100	TRANSFER TO GF	\$ 88,433.00
Total:			\$ 88,433.00
Use of Funds	Account No.	GL Account Description	Amount
FIRE DEPT SALARIES	02205001-519005	Salary Contractual Pay	\$ 88,433.00
Total			\$ 88,433.00

*Explanation: Contractual Buyout for Recently approved Retirements*

### Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Budget & Finance	• Meeting on 4/5/22 prior to the Town Council meeting.
• FinCom	• 3/30/22: Voted 8-0 to recommend.

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



# Bridgewater Town Council

In Town Council, Tuesday, February 15, 2022

Council Ordinance: D-FY22-019

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Introduced By: Councilor Wood  
Date Introduced: February 15, 2022  
First Reading:  
Second Reading:  
Third Reading:  
Amendments Adopted:  
Date Adopted:  
Date Effective:

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## **Proposed Ordinance D-FY22-019**

### **General Ordinance – Acceptance of Local Tax Option – Retail Marijuana Tax**

**WHEREAS**, The Town Council voted in 2016 to establish the Elm Street Retail Overlay for the zoning of medical marijuana treatment centers, also known as Registered Marijuana Dispensaries (RMD); and

**WHEREAS**, the Town of Bridgewater has two RMD's; and

**WHEREAS**, both RMD's bought their properties on Elm Street in 2016; and

**WHEREAS**, both RMD's received Planning Board Decision Letters for site approval in 2016; and

**WHEREAS**, both RMD's have Community Benefit Agreements (Host Agreements) signed with the Town prior to 1-July-2017; and

**WHEREAS**, both RMD's have licensing from the State prior to 1-July-2017; and

**WHEREAS**, M.G.L. Chapter 94G, Section 3, states that, "except that zoning ordinances or by-laws shall not operate to: (i) prevent the conversion of a medical marijuana treatment center licensed or registered not later than July 1, 2017 engaged in the cultivation, manufacture or sale of marijuana or marijuana products to a marijuana establishment engaged in the same type of activity...", and

**WHEREAS**, when there is a conflict between local ordinances and State Law, State Law has preemption; and

**WHEREAS**, in their judgment (SJC-13029, 30-Aug-2021), the Massachusetts Supreme Judicial Court (SJC) found unanimously in favor of CommCan in their lawsuit against the Town of Mansfield, which was attempting to prevent CommCan, a medical marijuana dispensary, to become a Retail Marijuana Establishment; and

**WHEREAS**, the SJC, in their decision, said that CommCan was covered by the exclusion as defined in M.G.L Chapter 94G, Section 3, and that Mansfield could not prevent the conversion to a Retail Marijuana establishment; and

**WHEREAS**, both of Bridgewater RMD's satisfy the requirements as stated in SJC-13029, making them eligible for licensing as a Marijuana Retailer; and

**NOT FOR ACTION – FIRST READING ONLY**

**WHEREAS**, at least one of the RMD's in the Town of Bridgewater has begun the effort to obtain a Retail Marijuana license;

**NOW THEREFORE**, the Town Council assembled votes to accept M.G.L, Chapter 64N, Marijuana Tax, Section 3, Local Tax Option, and sets the tax rate to be 3 percent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products.

*Committee Referrals and Dispositions:*

Referral(s)	Disposition(s)
• B&F	•
• FinCom	• 3/30/22: Voted 6-2 to recommend.