



BRIDGEWATER TOWN COUNCIL

Tuesday, May 5, 2020

7:00 p.m.

The meeting will be held virtually via Zoom.

To attend via video, click on the link below:

[Link to Join 05/05/2020 Town Council Meeting](#)

To attend via phone, dial: +1 646 876 9923

Meeting ID: 946 0067 4436

MEETING AGENDA

Disclosure: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Bridgewater Town Council will be conducted via remote participation to the greatest extent possible. There will be no in person attendance permitted. Citizens who wish to tune in to the meeting may do so via Facebook Live.

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) April 21, 2020

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

a) Charter Review Committee

1. Thomas Golden
2. Edward Ivaldi
3. James Karol-Chik
4. Steven Persell

F. HEARINGS - *None*

G. LICENSE TRANSACTIONS - *None*

H. PRESENTATIONS - *None*

I. TOWN MANAGER'S REPORT

- a) Mitchell School Update (*Standing Item*)
- b) COVID-19 and Budget Impact
- c) CARES Act Grant Funding
- d) Town Follow-Up to Citizens Comments
- e) Items for Next Meeting:

J. DISCUSSIONS

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Ordinance D-FY20-002: General Ordinance - Dumpsters in Residential Zoning Districts
This measure is supported by the Community & Economic Development Committee as it was discussed prior to sponsorship. This measure has been duly advertised in the Enterprise and on the Town's website, therefore may be finally considered.

M. OLD BUSINESS

- a) Ordinance D-FY20-008: General Ordinance - Rescind Ordinance D-2012-004 Administration & Fiduciary Oversight of Budget - Ambulance Receipts
At their meeting held 2/25/20, the Budget & Finance Committee voted 3-0 to recommend approval. The Finance Committee voted 6-0 to recommend approval at their meeting held 4/27/20. This measure may not be finally considered this evening as it requires advertising.

N. NEW BUSINESS

- a) Order O-FY20-053: Transfer Order - Employee Contractual Buyouts (*Town Manager*)
- b) Order O-FY20-054: Transfer Order - Prior Year Bill (*Town Manager*)
- c) Order O-FY20-055: Transfer Order - Capital Appropriations (*Town Manager*)
- d) Resolution R-FY20-009: A Resolution Aiding and Supporting the Reopening of Businesses Closed by Executive and Public Health Orders (*Councilors Rushton and Fitzgibbons*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, May 5, 2020

Council Ordinance: D-FY20-002

Introduced By: Councilors Peter Colombotos and Timothy Fitzgibbons
Date Introduced: March 10, 2020
First Reading: March 10, 2020
Second Reading: April 7, 2020, April 21, 2020, May 5, 2020
Amendments Adopted: March 10, 2020
Date Adopted:
Date Effective:

Ordinance D-FY20-002

GENERAL ORDINANCE – DUMPSTERS IN RESIDENTIAL DISTRICTS

WHEREAS, in accordance with the provisions of Section 2-6 of the Bridgewater Home Rule Charter relative to amendments to the Administrative Code, it is

ORDERED, that the Town Council assembled votes to amend the Bridgewater Administrative Code, Chapter 160: Peace and Good Order by adding a new Article IX to read as follows:

Article IX: Screening of Dumpsters

For this section Dumpster shall mean: a waste container 1-yard or larger used for the storage or collection of solid waste and/or recyclables.

All permanent dumpsters and trash receptacle locations of 6 or more containers, and other similar uses shall be screened from the street and from public view. They may be screened through a variety of materials such as walls, fences, plantings or a combination of these materials. Said screening shall be maintained a minimum of 1 foot above the dumpster.

Temporary dumpsters and/or receptacles used during projects including, but not limited to, demolition are exempt for the length of the project.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
	<ul style="list-style-type: none">• This measure was not referred to any committee.• This measure has been advertised in the Enterprise and on the Town's website, therefore may be finally considered.

ROLL CALL VOTE – REQUIRES MAJORITY OF FULL COUNCIL (5).



Bridgewater Town Council

In Town Council, Tuesday, May 5, 2020

Council Ordinance: D-FY20-008

Introduced By: Councilor Timothy Fitzgibbons
 Date Introduced: February 4, 2020
 First Reading: February 4, 2020
 Second Reading: May 5, 2020
 Amendments Adopted:
 Date Adopted:
 Date Effective:

Proposed Ordinance D-FY20-008

GENERAL ORDINANCE - RESCIND ORDINANCE D-2012-004 ADMINISTRATION & FIDUCIARY OVERSIGHT OF BUDGET - AMBULANCE RECEIPTS

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

ORDERED, that the Town Council assembled votes to rescind General Ordinance D-2012-004, Administration and Fiduciary Oversight of Budget – Ambulance Receipts.

Explanation: When Ordinance D-2012-004 was adopted by the Council it attempted to create an “ambulance reserve” out of which money could be transferred to the General Fund to offset the expenses of running an ambulance service, and it generally limited that amount to \$1 million. Unfortunately, the Town’s Auditors have suggested that the fund was not created properly. Now, with proper budgeting practices and annual budget resolutions which better reflect and understand the nature of the ambulance business, the ordinance is not necessary. Consistently the Council has voted to override the Ordinance’s restrictions, and the Budget and Finance Committee has consistently recommended to the Finance Director and the Town Manager that the Ordinance should be rescinded.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> • Finance Committee • Budget & Finance Committee • This measure may not be finally voted this evening as it requires advertising. 	<ul style="list-style-type: none"> • 4/27/20: Vote 6-0 recommend approval. • 2/25/20: Vote 3-0 recommend approval



Bridgewater Town Council

In Town Council, Tuesday, May 5, 2020

Council Order: O-FY20-053

Introduced By: Town Manager
 Date Introduced: May 5, 2020
 First Reading: May 5, 2020
 Second Reading:
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY20-053

TRANSFER ORDER - EMPLOYEE CONTRACTUAL BUYOUTS

ORDERED, in accordance with section 6-4 of the Bridgewater Home Rule Charter, that the Town Council assembled vote to appropriate and transfer from the schedule Source of Funds to the Use of Funds below:

Source of Funds	Account No.	GL Account Description	Amount
Employee SLLB Liability	80045-596100	transfer to GF	\$217,807.00
Total:			\$217,807.00
Use of Funds	Account No.	GL Account Description	Amount
Salaries-COA	05415001-519005	Salaries Contractual Pay	\$24,011.00
Salaries-Police	02105001-519005	Salaries Contractual Pay	\$193,796.00
Total:			\$217,807.00

Explanation:

Transfer of contractual Payments in FY2020 for retired employees.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, May 5, 2020

Council Order: O-FY20-054

Introduced By: Town Manager

Date Introduced: May 5, 2020

First Reading: May 5, 2020

Second Reading:

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Order O-FY20-054

TRANSFER ORDER - PRIOR YEAR BILL

ORDERED, in accordance with pursuant to section 6-4 of the Bridgewater Home Rule Charter, that the 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
FMLA MA TOWN SHARE	09145170-517013	FMLA MA TOWN SHARE	\$1,600.00
Total:			\$1,600.00
Use of Funds	Account No.	GL Account Description	Amount
PRIOR YEAR BILL	01235013-530000	PROFESSIONAL SERVICES	\$1,600.00
Total:			\$1,600.00

Explanation:

Transfer of available funds to pay a prior year bill - for Evan Melillo, Contractor for services in implementing Electronic Vehicle Charging Station from last spring -FY2019.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, May 5, 2020

Council Resolution: R-FY20-009

Introduced By:	Councilors Rushton and Fitzgibbons
Date Introduced	May 5, 2020
First Reading:	May 5, 2020
Second Reading:	
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Resolution R-FY20-009

A RESOLUTION AIDING AND SUPPORTING THE RE-OPENING OF BUSINESSES CLOSED BY EXECUTIVE AND PUBLIC HEALTH ORDERS

WHEREAS, on March 24, 2020, the Governor of the Commonwealth of Massachusetts invoking powers pursuant to Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, issued Executive Order *Covid-19 Order No. 30*, which extended the operation of Executive Order *Covid-19 Order No. 13* and effected the closure of certain workplaces and prohibited the gathering of more than 10 persons; and

WHEREAS, on April 28, 2020, the Governor of the Commonwealth, in response to the continuing public health emergency extended the closures certain workplaces and prohibition of the gathering of more than 10 persons from May 4, 2020, to May 18, 2020; and

WHEREAS, pursuant to the declaration of a public health emergency, the Governor of the Commonwealth of Massachusetts has issued several Public Health Emergency Orders, which defined essential businesses and necessitated the closure of “non-essential” businesses; and

WHEREAS, by acting quickly to impose necessary restrictions on citizens and businesses alike, the Governor, The Town of Bridgewater government, and its residents have managed to minimize the incidence and spread of COVID-19 within the Town which may have saved an untold number of lives;

WHEREAS, those businesses designated as “non-essential” businesses include small businesses, restaurateurs, specialty retailers and non-profits that have long been an essential part of the fabric of our Town and our local economy, but also of our nation’s economy by providing necessary services to the public; and

WHEREAS, these businesses and specialty retailers employ, pay wages, and provide health care benefits to a many in our community, and

WHEREAS, on April 28, 2020 the Governor announced plans to convene a Council to advise him on plans to reopen Commonwealth of Massachusetts businesses and communities;

WHEREAS, it is possible to reasonably reopen the economy while maintaining public health; and

NOT FOR ACTION – FIRST READING ONLY.

NOW, THEREFORE, the Town of Bridgewater Town Council fully affirms and endorses Governor Charles D. Baker’s plan to convene a Reopening Advisory Board led by Lt. Gov. Karyn Polito and Housing and Economic Development Secretary Mike Kennealy. The panel will include public health professionals and members of the business community and municipal governments who will develop recommendations for the prudent and phased re-opening of the state’s economy.

BE IT RESOLVED, that the Bridgewater Town Council stands willing to assist and work with other governing bodies to develop guidelines and appropriate restrictions that recognize the differing challenges of this endeavor; and support the development and implementation of a phased-in data driven approach in the reopening of its businesses, including utilizing the full weight of the legislative tools available to it under the Home Rule Charter and applicable laws of the Commonwealth.

FURTHER, that the Bridgewater Town Council urges the Town Manager to propose to the Town Council any ordinance, rule, or regulation, or any suspension thereof if such action would assist Bridgewater businesses in their efforts to reopen.

FURTHER, that the Bridgewater Town Council encourages the Town Manager to bring to bear any and all efforts, staff, and initiatives within the Town’s ability to support the economic recovery of Bridgewater business community.

FURTHER, the Bridgewater Town Council continues to encourage its citizens to be vigilant in their efforts to combat and mitigate the spread of COVID-19 by employing prudent safety measures and maintaining social distancing guidelines. The result of which will allow the safe reopening of small businesses, restaurants, specialty retailers and non-profits and expeditious return to the economy that the Town of Bridgewater citizens once enjoyed, and work to make even more substantial improvements to the economic environment in Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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