



# BRIDGEWATER TOWN COUNCIL

Tuesday, May 7, 2019

7:30 p.m.

Academy Building

66 Central Square

Council Chamber, Room 203

Bridgewater MA

## MEETING AGENDA

### A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) April 9, 2019
- b) April 23, 2019

### B. ANNOUNCEMENTS FROM THE PRESIDENT

- a) Reorganization of the Town Council

### C. PROCLAMATIONS

### D. CITIZEN OPEN FORUM

### E. APPOINTMENTS

- a) Town Council Appointment to Finance Committee – *Lea Wyatt*

### F. HEARINGS

- a) **7:35 p.m.:** Order O-FY19-052: Loan Order - For Upgrade of The Wastewater Treatment Facility

*\*This hearing is continued from 4/23/19.*

*At their meeting held 4/9/19, the Budget & Finance Committee voted 3-0 to recommend approval. On 4/29/19, the Finance Committee voted 6-0 to approve. This measure was duly advertised in the Enterprise and on the Town's website for a public hearing. This measure may be finally considered this evening upon conclusion of the hearing.*

- b) **7:40 p.m.:** Order O-FY19-053: Loan Order - Water Main Replacement

*\*This hearing is continued from 4/23/19.*

*At their meeting held 4/9/19, the Budget & Finance Committee voted 3-0 to recommend approval. On 4/29/19, the Finance Committee voted 6-0 to approve. This measure was duly advertised in the Enterprise and on the Town's website for a public hearing. This measure may be finally considered this evening upon conclusion of the hearing.*

### G. LICENSE TRANSACTIONS

### H. PRESENTATIONS

### I. TOWN MANAGER'S REPORT

### J. DISCUSSIONS

- a) Methods for Town Charter Revisions (*Councilor Wood*)

### K. COMMITTEE REPORTS

### L. LEGISLATION FOR ACTION

- a) Order O-FY18-004: Evening Hours - Office of the Town Clerk

*At their meeting held 4/1/19, the Rules & Procedures Committee voted to recommend returning this measure to the Town Council with proposed amendments. On 4/9/19, the Town Council voted to postpone this measure to the first meeting in May for additional research and opinion of the Town Attorney. This measure may be finally considered this evening.*

- b) Order O-FY19-055: Acceptance of a Gift - Howard Foundation

*At their meeting held 4/6/19, the Budget & Finance Committee voted 2-0 to recommend approval. The Finance Committee voted 6-0 to approve on 4/29/19.*

### M. OLD BUSINESS

- a) Ordinance D-FY19-006: General Ordinance - Acceptance of MGL c. 44, s53 3/4 Concerning PEG Access & Cable Related Fund

*At their meeting held 4/29/19, the Budget & Finance Committee voted 3-0 to recommend approval. The Finance Committee voted 6-0 to recommend approval on 4/29/19. This measure may not be finally considered this evening, as it requires final advertising.*

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BRIDGEWATER, MA.  
2019 MAY - 3 P 12: 20

N. NEW BUSINESS

- a) Order O-FY19-057: Directing the Town Manager to Create a Special Reserve Fund (*Councilor Fitzgibbons*)
- b) Order O-FY20-010: FY2020 Supplemental Appropriation (*Town Manager*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



## Bridgewater Town Council

In Town Council, Tuesday, May 7, 2019

Council Order: O-FY19-052

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Introduced By:	Town Manager
Date Introduced	March 26, 2019
First Reading:	March 26, 2019
Second Reading/Public Hearing:	April 23, 2019
Amendments Adopted:	
Third Reading/Continued Public Hearing:	May 7, 2019
Date Adopted:	
Date Effective:	

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### Order O-FY19-052

#### LOAN ORDER - FOR UPGRADE OF THE WASTEWATER TREATMENT FACILITY

**ORDERED**, that, **\$32,000,000** is appropriated for the purpose of financing the design and construction of upgrades to the Town's existing Wastewater Treatment Facility located at the end of Morris Avenue including without limitation all costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Town Manager is authorized to borrow \$32,000,000 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that the Treasurer with the approval of the Town Manger is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C; and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project. Any premium received upon the sale of any bonds or notes approved by this vote, 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 loan funds the rehabilitation work to the Town's existing wastewater treatment facility and is required to modernize old systems and equipment, provide odor control, and upgrade the treatment process to meet new effluent discharge limits set by the EPA and Massachusetts DEP and as agreed to by the Town per an administrative consent order signed in 2018.*
- *Phase I work was funded with a **\$250,000** transfer from Reserve Capital for pre-design tasks, and was approved under Order O-FY19-008.*
- *This project is currently under review for approval for funding through the State Revolving Fund (SRF). Approval of the loan order is a precondition of SFR funding approval.*
- ***\$1.5M** for Preliminary and Final Design will be funded through Sewer Reserve Funds*

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

Committee Referrals and Dispositions:

<b>Referral(s)</b>	<b>Disposition(s)</b>
<ul style="list-style-type: none"><li>• Budget &amp; Finance</li><li>• Finance Committee</li> <li>• This measure has been duly advertised in the Enterprise and on the Town's website for a public hearing</li><li>• On 4/23/19, the Town Council continued the public hearing and order to 5/7/19. This measure may be finally considered at the conclusion of the hearing.</li></ul>	<ul style="list-style-type: none"><li>• 4/9/19: Vote 3-0 recommend approval.</li><li>• 4/29/19: Vote 6-0 approve.</li></ul>



# Bridgewater Town Council

In Town Council, Tuesday, May 7, 2019

Council Order: O-FY19-053

Introduced By: Town Manager  
 Date Introduced: March 26, 2019  
 First Reading: March 26, 2019  
 Second Reading/Public Hearing: April 23, 2019  
 Amendments Adopted:  
 Third Reading/Public Hearing Continued: May 7, 2019  
 Date Adopted:  
 Date Effective:

## Order O-FY19-053

### LOAN ORDER - WATER MAIN REPLACEMENT

**ORDERED**, that, **\$500,000** is appropriated for the replacement of water mains; including without limitation all costs related thereto, that to meet this appropriation the Treasurer with the approval of the Town Manager is authorized to borrow \$500,000 and issue bonds or notes therefore under Chapter 44, §8 or any other enabling legislation; that the Town Manager is authorized to contract for and expend any federal or state aid available for the project; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project. Any premium received upon the sale of any bonds or notes approved by this vote, 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 Chapter 44, §20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

#### Explanation:

**Hayward Street** water main is constructed of asbestos cement pipe and **Wall Street** water main is constructed of cast iron pipe. Both water mains were installed in the 1950s and have exceeded their useful life. Also, over the past several years we have been experiencing an increase in water main breaks. With anticipated road repaving scheduled for the spring of 2020, now is the time to replace additional aging pipe before the road is repaved as per Water Superintendent and Roadway Superintendent's recommendations.

\$1,200,000 was appropriated for this project under Order O-FY18-028 effective May 11, 2018. The additional \$500,000 sought under this Order is due to an expansion in scope of the project to include additional construction, survey, design, engineering, construction contingencies and the budget for police details for the entire project.

#### Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> <li>Budget &amp; Finance</li> <li>Finance Committee</li> <li>This measure has been duly advertised in the Enterprise and on the Town's website for a public hearing</li> <li>On 4/23/19, the Town Council opened and continued the hearing and order to 5/7/19. This measure may be finally considered upon conclusion of the hearing.</li> </ul>	<ul style="list-style-type: none"> <li>4/9/19: Vote 2-0-1 recommend approval (Councilor Wood recused).</li> <li>4/29/19: Vote 6-0 approve.</li> </ul>

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



# Bridgewater Town Council

In Town Council, Tuesday, May 7, 2019

Council Order: O-FY18-004

Proposed Amendments

Introduced By: Councilor William Wood  
 Date Introduced: September 5, 2017  
 First Reading: September 5, 2017  
 Second Reading: April 9, 2019  
 Amendments Adopted:  
 Third Reading: May 7, 2019  
 Date Adopted:  
 Date Effective:

## Order O-FY18-004

### EVENING HOURS – OFFICE OF THE TOWN CLERK ACADEMY BUILDING

~~WHEREAS, the Office of the Town Clerk is a customer facing office of the Town of Bridgewater; and~~  
**WHEREAS**, the Academy Building is open to the public late for the meeting of the Town Council; and  
~~WHEREAS, there are no standard evening office hours for the Office of the Town Clerk~~**the Academy Building;** and  
~~WHEREAS, the Bridgewater Home Rule Charter Section 3-4 allows the Town Council to assign duties not already provided under any general or special law to the Office of the Town Clerk;~~  
**THEREFORE, BE IT ORDERED**, that ~~the Office of the Town Clerk shall remain open until the start of the Town Council meeting on evenings when a regular Town Council meeting is scheduled~~**Academy Building office hours be extended to twice monthly on the first and third Tuesdays. In return, the Academy Building will be closed on Fridays in July and August.**

#### Explanation:

*Board Members, Committee Members, people submitting voting information, and people from the general public that need to conduct business ~~with the Office of the Town Clerk~~at the Academy Building need convenient hours when they work away from Bridgewater and cannot visit the office between 8 AM and 4 PM.*

#### *Committee Referrals and Dispositions:*

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> <li>Rules &amp; Procedures Committee</li> </ul>	<ul style="list-style-type: none"> <li>4/1/19: Vote 3-0 recommend back to Council with proposed amendments.</li> </ul>

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



# Bridgewater Town Council

In Town Council, Tuesday, May 7, 2019

Council Order: O-FY19-055

Introduced By: Town Manager  
 Date Introduced: April 9, 2019  
 First Reading: April 9, 2019  
 Second Reading: May 7, 2019  
 Amendments Adopted:  
 Third Reading:  
 Date Adopted:  
 Date Effective:

## Order O-FY19-055

### ACCEPTANCE OF A GIFT - HOWARD FOUNDATION

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 financial gift from Home for Aged Men in the City of Brockton, also known as the Howard Foundation to be expended by the Office of Elder Affairs.

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 gift of \$7,500.00 from the Home for Aged Men, also known as the Howard Foundation, to expend the gift in accordance with stated purpose thereof.**

Explanation:

*The Elder Affairs Director has requested and secured this additional funding assistance for senior programs. This foundation has continuously and generously supported various programs consistently over the last several years of which the Senior community is most grateful.*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> <li>Budget &amp; Finance Committee</li> <li>Finance Committee</li> </ul>	<ul style="list-style-type: none"> <li>4/16/19: Vote 2-0 recommend approval .</li> <li>4/29/19: Vote 6-0 approve.</li> </ul>

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



# Bridgewater Town Council

In Town Council, Tuesday, May 7, 2019

Council Ordinance: D-FY19-006

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Introduced By: Councilor Wood  
Date Introduced: April 23, 2019  
First Reading: April 23, 2019  
Second Reading: May 7, 2019  
Third Reading:  
Amendments Adopted:  
Date Adopted:  
Effective Date:

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## Ordinance D-FY19-006

### **GENERAL ORDINANCE - ACCEPTANCE OF MGL C. 44, S53 3/4 CONCERNING PEG ACCESS & CABLE RELATED FUND**

**ORDERED** that the pursuant to Article II, Section 2-6 of the Bridgewater Town Charter, the Town Council accept the provisions of MGL c.44 Section 53F ¾ and further authorize the Town Manager to carry out the provisions contained therein including the creation of a "Receipts Reserved for Appropriation" Fund to reserve the franchise fees and other cable related revenues for appropriation to support PEG access services, monitor compliance with the franchise agreement or prepare for license renewal.

**Explanation:** *Due to the Municipal Modernization Act, the DLS Bureau of Accounts recommends that this new section is the most appropriate method to account for these revenues.*

#### Committee Referrals and Dispositions:

<b>Referral(s)</b>	<b>Disposition(s)</b>
<ul style="list-style-type: none"><li>• Budget &amp; Finance</li><li>• Finance Committee</li></ul>	<ul style="list-style-type: none"><li>• 4/29/19: Vote 3-0 recommend approval.</li><li>• 4/29/19: Vote 6-0 approve.Finance Committee</li></ul>





# Bridgewater Town Council

In Town Council, Tuesday, May 7, 2019

Council Order: O-FY19-057

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Introduced By: Councilor Fitzgibbons  
Date Introduced: May 7, 2019  
First Reading: May 7, 2019  
Second Reading:  
Amendments Adopted:  
Third Reading:  
Date Adopted:  
Date Effective:

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## Order O-FY19-057

### **DIRECTING THE TOWN MANAGER TO CREATE A SPECIAL RESERVE FUND**

**WHEREAS**, the Academy Building is a recently renovated building and a great asset to the Town.

**WHEREAS**, ongoing maintenance is essential to the preservation and long-term upkeep of the building.

**IT IS THEREFORE ORDERED**, that the Town Council assembled vote to direct the Town Manager to establish a separate reserve fund for said maintenance on the Academy Building.

Explanation:

*The town should always have an identified source of funds for expensive and ongoing large maintenance projects.*

### *Committee Referrals and Dispositions:*

<b>Referral(s)</b>	<b>Disposition(s)</b>
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# Bridgewater Town Council

In Town Council, Tuesday, May 7, 2019

Council Order: O-FY20-010

Introduced By: Town Manager  
 Date Introduced: May 7, 2019  
 First Reading: May 7, 2019  
 Second Reading:  
 Amendments Adopted:  
 Third Reading:  
 Date Adopted:  
 Date Effective:

## Order O-FY20-010

### FY2020 SUPPLEMENTAL APPROPRIATION

**ORDERED** that to provide for the payment of certain expenses of the Town for the Fiscal Year ending June 30, 2020;

The Town will raise and appropriate and vote into tax, to be assessed per law and/or appropriate and transfer from the following available funds:

- Remaining Funds from O-FY18-043 BRRSD Capital FY19 of \$135,329.00

For the operations of the Town and further that such appropriation in the amount of **\$335,329**, be for such purposes, each Department and group being considered a separate appropriation as shown below:

- Dept 300 Bridgewater Raynham Regional School District Expenses: \$ 98,000.00
- Dept 300 Bridgewater Raynham Regional School District Capital: \$135,329.00
- Dept 420 DPW Salaries/Wages/Benefits \$ 53,000.00
- Dept 420 DPW Expenses \$ 49,000.00

*To supplement the Town Manager’s FY2020 budget, this supplemental appropriation funds the BRRSD FY2020 assessment with “new growth” revenue and existing capital funding. It also adds one additional DPW highway employee, and increases expenses in DPW to begin to pay for compliance with new stormwater regulations, storm cleanup, tree trimming, etc.*

### Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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