



BRIDGEWATER TOWN COUNCIL

Tuesday, September 22, 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 09/22/2020 Town Council Meeting](#)

To attend via phone, dial: 1(646)876-9923

Meeting ID: 983 9263 4888

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) September 8, 2020

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Charter Review Committee – Janet Hanson

F. HEARINGS - *None*

G. LICENSE TRANSACTIONS

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

- a) Mitchell School Update (*Standing Item*)
- b) FY21 Revenue vs. Budget (*Standing Item*)
- c) COVID-19 Update
- d) Update - FY20/21 Goals
- e) Maintenance of Town Buildings
- f) Election
- g) Halloween
- h) Town Webpage – Code360
- i) Items for Next Meeting:

J. DISCUSSIONS

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Ordinance D-FY20-009: General Ordinance - Amend Administrative Code Article II, Section I (B) and Article III, Section I (I)
At their meeting held 8/18/20, the Rules and Procedures Committee voted 3-0 to recommend approval of this measure with proposed amendments. The Town Council adopted proposed amendments 9/8/20. This measure has been duly advertised in the Enterprise and on the Town's website, therefore may be finally considered this evening.
- b) Ordinance D-FY21-002: General Ordinance - SFI Paperwork Reduction - Creation of a SFI Short Form
At their meeting held 8/18/20, the Rules and Procedures Committee voted 3-0 to recommend approval of this measure. This measure has been duly advertised in the Enterprise and on the Town's website, therefore may be finally considered this evening.
- c) Order O-FY21-012: WWI Guardrail/Flagpole Repair
At their meeting held 8/25/20, the Budget & Finance Committee voted 3-0 to recommend approval of this measure. The Finance Committee voted 5-0 to recommend approval at their meeting held 9/1/20. On 9/8/20, this measure was postponed pending amendments. This measure may be finally considered this evening pending the adoption of any proposed amendments.

- d) Order O-FY21-013: Creation of an Ad Hoc Committee for Community Diversity, Inclusion and Equity
The Rules & Procedures Committee voted 3-0 to recommend approval at their meeting held 9/17/20. This measure may be finally considered this evening.
- e) Order O-FY21-014: Acceptance of CARES Act Reimbursement
Finance Committee meet 9/21/20. Their disposition will be provided upon receipt. The Budget & Finance Committee also meet 9/21/20. They will provide their disposition 9/22/20.
- f) Order O-FY21-015: Transfer Order - Cross Street Engineering
Finance Committee meet 9/21/20. Their disposition will be provided upon receipt. The Budget & Finance Committee also meet 9/21/20. They will provide their disposition 9/22/20.
- g) Order O-FY21-017: Transfer Order - CPC Recommendation - Central Square Congregational Church
Finance Committee meet 9/21/20. Their disposition will be provided upon receipt. The Budget & Finance Committee also meet 9/21/20. They will provide their disposition 9/22/20.

M. OLD BUSINESS - None

N. NEW BUSINESS

- a) Ordinance – D-FY21-003: Zoning Ordinance – Zoning Map Amendment – Pleasant Street (*Councilors Sousa, Rushton, Gallagher, Losche*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

MGL, Chapter 30A, Section 21(a)(6) To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, September 22, 2020

Council Ordinance: D-FY20-009

Introduced By:	Councilor Dennis Gallagher
Date Introduced:	June 23, 2020
First Reading:	June 23, 2020
Second Reading:	September 8, 2020
Amendments Adopted:	September 8, 2020
Third Reading:	September 22, 2020
Date Adopted:	
Date Effective:	

Ordinance D-FY20-009

GENERAL ORDINANCE - AMEND ADMINISTRATIVE CODE ARTICLE II, SECTION I (B) AND ARTICLE III, SECTION I (I)

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

ORDERED, that the Town Council assembled votes to amend the Bridgewater Administrative Code, Article II, Section I (B) and Article III, Section I (I) as follows:

Article II. Elective Bodies

Section 1. Offices and Standards

B. Eligibility for office. Any registered voter of the Town shall be eligible to run and hold any elective Town office, provided that no person shall simultaneously hold more than one elective office. Members of the Finance Committee shall not hold any elective or other appointed office.

Article III. Multiple Member Appointive Bodies

Section I. Offices and Standards

I. Eligibility for service. Any registered voter of the Town of Bridgewater, except those who are: (1) an elected official; (2) whose written contract with the Town bars them from holding any other elected or appointed position with the town; or (3) who would be ineligible to serve under Massachusetts General Laws c. 268A. An eligible candidate for a Multiple Member Appointive Body as stated in sentence one herein, shall not serve on more than one Multiple Member Appointive Body at a time unless that candidate has been: (1) recommended by the Town Manager to the Town Council to do so; and (2) is then ratified by the Town Council. Membership on a multiple member appointive body shall terminate forthwith upon the members ceasing to be a resident of the Town or otherwise ceasing to be a registered voter. Unless otherwise noted, members shall serve without compensation.

Explanation:

Adoption of this ordinance will allow town employees who are residents and registered voters to volunteer to serve on multiple member appointive bodies upon recommendation of the Town Manager.

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Rules & Procedures Committee• This measure has been duly advertised in the Enterprise and on the Town's website, therefore may be finally considered this evening.	<ul style="list-style-type: none">• 8/18/20: Vote 3-0 recommend approval with proposed amendments.



Bridgewater Town Council

In Town Council, Tuesday, September 22, 2020

Council Ordinance: D-FY21-002

Introduced By:	Councilor William Wood
Date Introduced:	August 4, 2020
First Reading:	August 4, 2020
Second Reading:	September 8, 2020
Third Reading:	September 22, 2020
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Ordinance D-FY21-002

GENERAL ORDINANCE - SFI PAPERWORK REDUCTION - CREATION OF A SFI SHORT FORM

Whereas, the Charter calls for the use of the Statement of Financial Interest (SFI); and

Whereas, the Town Council established a long form for the SFI; and

Whereas, many members of boards, committees, and employees must fill out the form on a regular basis; and

Whereas the information on the Long Form may not change from one submission to another; and

Whereas it is a burden for the Town Clerk's office to manage forms that may not change;

Therefore, the Town Council establishes an SFI Short Form to be used if the personal information to be collected has not changed since the last submission.

The Short Form SFI will be a one-page summary questionnaire.

If any are answered as Yes, then the respondent must use the long form.

The questions for the Short-Form are:

1. Is this your first time you have submitted a Statement of Financial Interest form? (Yes/No)
2. Since your last report, have you received income in excess of one thousand dollars (\$1000) from a business that has matters pending before, does any business with, or is subject to regulation, supervision or oversight by the agency, department, board, election commission or other city office which employs you, or over which you have administrative or legislative control? (Yes/No)
3. Since your last report, have you had any business transactions with any business in Bridgewater for which more than one percent (1%) of the beneficial ownership is held directly or indirectly by a family member? (Yes/No)
4. Since your last report, do you owe more than one thousand dollars (\$1000) to a creditor located within or doing business with the Town of Bridgewater? (Yes/No)
5. Since your last report, have you been reimbursed for any expense, aggregating more than one hundred dollars (\$100), by someone with direct interest in legislation, legislative action, or a matter before your municipal body? (Yes/No)
6. Since your last report, have you received any gifts, aggregating more than one hundred dollars (\$100), from a donor with direct interest in legislation, legislative action, or a matter before your municipal body? (Yes/No)

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

7. Since your last report, have you transferred any real property with an assessed value greater than one thousand dollars (\$1,000) in which direct or indirect financial interest was held? (Yes/No)
8. Since your last report, has a legislative agent (a person who is compensated for acting to promote, oppose or influence local legislation) given you an honoraria aggregating more than one hundred dollars (\$100)? (Yes/No)
9. Since your last report, has any creditor voluntarily forgiven a debt of over one thousand dollars (\$1,000)? (Yes/No)
10. Since your last report, have you taken a leave of absence from any business, or returned from a leave previously reported? (Yes/No)
11. Since your last report, have you transferred any business equity to a member of your family? Equity is defined as any stock, interests in capital or profits and losses, or similar ownership interest in any business. (Yes/No)
12. Since your last report, have you had any commercial or business transaction worth two hundred and fifty dollars (\$250) or more between any municipal official and you? (Yes/No)

Explanation:

At least annually, every committee, board, and other listed individuals must submit a six page SFI form, often with no changes from the previous one. This legislation is intended to condense that submission to a one page form that can be used when nothing has changed since the last report. The estimated cost savings to the Town is hundreds of dollars annually.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> • Rules & Procedures Committee • This measure has been duly advertised in the Enterprise and on the Town’s website, therefore may be finally considered this evening. 	<ul style="list-style-type: none"> • 8/25/20: Vote 3-0 recommend approval



Bridgewater Town Council

In Town Council, Tuesday, September 22, 2020

Council Order: O-FY21-012

Proposed Amendments

Introduced By: [Councillor Gallagher](#) [Town Manager](#)

Date Introduced: August 4, 2020

First Reading: August 4, 2020

Second Reading: September 8, 2020

Amendments Adopted:

Third Reading: September 22, 2020

Date Adopted:

Date Effective:

Order O-FY21-012

WWI GUARDRAIL/FLAGPOLE REPAIR

WHEREAS; The guardrail in Central Square providing protection to the WWI Memorial was damaged and subsequently removed leaving the memorial exposed, and the flagpole has been damaged, it is therefore;

ORDERED, that the Town Council assembled vote to appropriate the sum of \$30,000 from the below schedule Source of Funds to the below schedule of Use of Funds to fund the repair of the stone guardrail and flagpole; ~~direct the Town Manager to repair the stone guardrail to its original form and condition prior to the accident.~~

~~**FURTHER ORDERED,** that the Town Manager address and have repaired the damaged flagpole.~~

<u>Source of Funds</u>	<u>Amount</u>
<u>Capital Stabilization Trust Fund</u>	<u>\$30,000</u>

<u>Use of Funds</u>	<u>Amount</u>
<u>Stone Guardrail and Flag Repair</u>	<u>\$30,000</u>

Explanation:

Months have gone by and no repairs have been done. Regardless of what future changes may take place around the Common, we should at least make this presentable by repairing it to how it was before the damage.

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"> 8/25/2020: Vote 3-0 recommend approval 9/1/2020: Vote 5-0 recommend approval

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



Bridgewater Town Council

In Town Council, Tuesday, September 22, 2020

Council Order: O-FY21-013

Introduced By: Councilors Gallagher and Rushton
Date Introduced: September 8, 2020
First Reading: September 8, 2020
Second Reading: September 22, 2020
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY21-013

CREATION OF AN AD HOC COMMITTEE FOR COMMUNITY DIVERSITY, INCLUSION AND EQUITY

ORDERED, that the Town Council assembled vote to create an ad hoc committee as follows:

PURPOSE:

The AD-HOC Committee will develop a proposal to the Town Council for a permanent Committee with the Administrative -Code titled: **Committee on Diversity, Inclusion and Equity**. The AD-HOC Committee will give the specific role of the permanent Committee and the makeup of the Committee and who the appointing authority will be.

MAKE-UP:

The make-up of the AD-HOC Committee will consist of 7 residents of the Community. The Council President shall call for letters of interest. However, the Town Manager shall be the appointing authority for the seven residents of the Ad-Hoc Committee. In addition to the seven residents, a member of the Town Council (appointed by the President) and the Town Manager or his designee shall serve as ex-officio members and not voting members of the AD-HOC Committee.

TIME-LINE:

The Ad-Hoc Committee shall report back to the Council within 6 months of the first meeting held. If additional time is needed, the Chairperson of the Committee shall request additional time through the Council President.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• Rules & Procedures Committee	• 9/17/20: Vote 3-0 recommend approval.



Bridgewater Town Council

In Town Council, Tuesday, September 22, 2020

Council Order: O-FY21-014

Introduced By: Town Manager
 Date Introduced: September 8, 2020
 First Reading: September 8, 2020
 Second Reading: September 22, 2020
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY21-014

ACCEPTANCE OF CARES ACT REIMBURSEMENT

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 REIMBURSEMENT OF CARES FUNDING OF \$30,703.07 as per CARES Act of for Coronavirus Disease 2019 (COVID-19) Relief Fund

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 reimbursement of \$30,703.07 from Plymouth County for reimbursements in accordance with stated purpose thereof.

Explanation:

In accordance with CARES Funding Act any funds received by the Town as a reimbursement, must be accepted by the Town Council.

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"> • 9/21/20: • 9/21/20:



Bridgewater Town Council

In Town Council, Tuesday, September 22, 2020

Council Order: O-FY21-015

Introduced By: Town Manager
 Date Introduced: September 8, 2020
 First Reading: September 8, 2020
 Second Reading: September 22, 2020
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY21-015

TRANSFER ORDER - REALLOCATION ROADWAY DRAINAGE/ENGINEERING

ORDERED, 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 of Use of Funds

Source of Funds	Account No.	GL Account Description	Amount
General Fund Capital	10420219-580000	FLAGG ST DRAINAGE	\$ 300,000.00
Total:			\$ 300,000.00
Use of Funds	Account No.	GL Account Description	Amount
General Fund Capital	10420221-580000	CROSS ST DRAINAGE	\$ 300,000.00
Total			\$ 300,000.00

Explanation:

This Order will reallocate \$300,000 of the appropriation for Flagg Street to Engineering for Cross Street. The money will cover all the engineering for the rebuilding of Cross, including drainage, easements, sidewalk, etc, pending any unexpected occurrences. This will leave \$200,000 in the Flagg Street appropriation which will cover the engineering for the Flagg Street improvements. This includes only design and engineering. It does not cover construction but will provide us with plans ready for construction.

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"> 9/21/20: 9/21/20:

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



Bridgewater Town Council

In Town Council, Tuesday, September 22, 2020

Council Order: O-FY21-017

Introduced By: Town Manager
 Date Introduced: September 8, 2020
 First Reading: September 8, 2020
 Second Reading: September 22, 2020
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY21-017

TRANSFER ORDER - CPC RECOMMENDATION - CENTRAL SQUARE CONGREGATIONAL CHURCH

WHEREAS: The Community Preservation Committee, with a quorum of members present, rendered its recommendation by a vote of 6-1 to the Town Council to fund the proposal from the Central Square Congregational Church at 71 Central Square for the restoration and renovation of the church’s steeple. The request and the recommendation are for \$200,000.00 with the terms to be set forth in a grant agreement with the Town of Bridgewater to transfer the requested funds from the Community Preservation Account.

Now, therefore, it is hereby:

ORDERED, pursuant to Section 6-4 (d) of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate to the Central Square Congregational Church, located at 71 Central Square, for historic preservation purposes, in compliance with the Secretary of the Interior Standards for Historic Rehabilitation as required by Massachusetts General Laws, chapter 44B, and which work shall be overseen by a Historic Preservationist, the restoration and renovation of the steeple; and to meet this appropriation, the sum of \$200,000.00 be taken from Community Preservation Historic Reserve and, if necessary, the balance from the Budgeted Reserve Account, as recommended by the Community Preservation Committee in the attached recommendation.

Explanation:

The Community Preservation Committee recommends funding of the Central Square Congregational Church steeple repair as outlined in the attached recommendation.

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"> • 9/21/20: • 9/21/20:



Bridgewater Town Council

In Town Council, Tuesday, September 22, 2020

Council Ordinance: D-FY21-003

Introduced By: Councilors Sousa, Losche, Rushton, and Gallagher
 Date Introduced: September 22, 2020
 First Reading: September 22, 2020
 Second Reading:
 Third Reading:
 Date Adopted:
 Date Effective:

Ordinance D-FY21-003

ZONING ORDINANCE – ZONING MAP AMENDMENT – PLEASANT STREET

ORDERED, pursuant to MGL, Chapter 40A that the Town Council assembled votes to change the boundary of the Industrial E by rezoning the lots listed below to Business B:

- Map 71, Lot 12
- Map 71, Lot 16
- Map 71, Lot 18
- Map 71, Lot 19
- Map 71, Lot 20
- Map 71, Lot 21
- Map 71, Lot 22
- Map 71, Lot 23
- Map 71, Lot 44
- Map 71, Lot 47
- Map 71, Lot 66
- Map 71, Lot 67
- Map 71, Lot 68
- Map 71, Lot 69
- Map 71, Lot 76
- Map 71, Lot 77
- Map 71, Lot 78
- Map 84, Lot 43

See attached Exhibit “Assessors Map of Proposed Zoning Change – September 22, 2020” and “Letter to Pleasant Street Abutters, dated September 3, 2020”

Explanation: The stretch of Pleasant Street between Elm Street and Route 24 is zoned Industrial. It is built out with the exception of two undeveloped properties. Most of the current uses do not conform to Industrial use, but are uses allowed in Business B. As a commercial entry to Bridgewater, these parcels are not appropriate as Industrial properties and are more appropriately zoned Business. For example, the lot on the corner of Elm and Pleasant has been rumored to be developed as a Five Guys, Panera, hotel, convenience store with gas station, and a tool rental among other things. Under current zoning, these uses are not allowed or require a special permit. Changing the zoning to Business B will make more of these uses allowable, thereby increasing the desirability of the parcels along this stretch and allowing the highest and best use. This proposed change also removes a small piece of the Gateway District which slices through Map 71, Lot 20.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)