



BRIDGEWATER TOWN COUNCIL

Tuesday, October 9, 2018

7:30 p.m.

Academy Building

66 Central Square

Council Chamber, Room 203

Bridgewater MA

MEETING AGENDA

RECEIVED
TOWN CLERKS OFFICE
BRIDGEWATER, MA.
2018 OCT -4 A 10:17

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) September 25, 2018

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS - None

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Cultural Council – Justin McCauley

F. HEARINGS

- a) **7:35 p.m. (Continued from 9/25/18):** Order O-FY19-015: Transfer Order – Capital Transfer – LED Light Conversion Project

At their meeting held 9/11/18 the Budget & Finance Committee voted 3-0 to recommend approval. This measure has been duly advertised for a public hearing, however may not be finally voted until a Finance Committee disposition is provided.

- b) **7:38 p.m. (Continued from 9/25/18):** Order O-FY19-018: Transfer Order – Appropriation for Street Assessment

At their meeting held 9/11/18 the Budget & Finance Committee voted 3-0 to recommend approval. This measure has been duly advertised for a public hearing, however may not be finally voted until a Finance Committee disposition is provided.

G. LICENSE TRANSACTIONS - None

H. PRESENTATIONS - None

I. TOWN MANAGER'S REPORT

J. DISCUSSIONS

- a) Update Job Description & Goals – Town Council Clerk (*Councilor Losche*)

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Resolution R-FY18-004: Town Council Clerk Performance Appraisal

At their meeting held 8/7/18, the Strategic Planning committee voted 2-0 to recommend approval with proposed amendment.

- b) Petition P-2018-018: State Election Warrant

M. OLD BUSINESS

- a) Ordinance D-FY18-013: General Ordinance - Prohibition on Marijuana Establishments

At their meeting held 10/1/18, the Rules & Procedures committee voted 3-0 to recommend approval with proposed amendments. This measure requires advertising pending the adoption of amendments, therefore may not be finally considered this evening.

- b) Ordinance D-FY19-002: General Ordinance - Amend Administrative Code - Temporary Repair to Private Ways

At their meeting held 10/1/18, the Rules & Procedures committee voted 3-0 to recommend approval. This measure requires advertising therefore may not be finally considered this evening.

N. NEW BUSINESS

- a) Order O-FY19-026: Transfer Order - Sewer Enterprise Capital Special Purpose – RBC (*Town Manager*)

- b) Order O-FY19-027: Transfer Order – Community Preservation Transfer – McElwain School Redevelopment (*Town Manager at the Request of the CPC*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

- Q. EXECUTIVE SESSION
- R. ADJOURNMENT



Bridgewater Town Council

In Town Council, Tuesday, October 9, 2018

Council Order: O-FY19-015

Amend Account Numbers

Introduced By: Town Manager
 Date Introduced: August 7, 2018
 First Reading: August 7, 2018
 Second Reading/Public Hearing: September 25, 2018, October 9, 2018
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY19-015

TRANSFER ORDER - CAPITAL TRANSFER – LED LIGHT CONVERSION PROJECT

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 |
|----------------------------------|-----------------|------------------------------------|--------------|
| Capital Stabilization Trust Fund | 80105-596010 | Transfer to GF Capital Project Fur | \$ 39,000.00 |
| Total: | | | \$ 39,000.00 |
| Use of Funds | Account No. | GL Account Description | Amount |
| FY 2019 Capital Items 2019 | 10123219-530000 | LED Streetlight Design Work | \$ 39,000.00 |
| Total | | | \$ 39,000.00 |

Explanation: Transfer of Funding for the Town's Portion of LED Project

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|--|---|
| <ul style="list-style-type: none"> Budget & Finance Committee Finance Committee This measure has been advertised for a public hearing to be held on 9/25/18. The hearing was opened and continued to 10/9.18 pending a disposition from Finance Committee. This measure may not be finally voted until a Finance Committee disposition is provided. | <ul style="list-style-type: none"> 9/11/18: Vote 3-0 recommend approval Pending Disposition |

ROLL CALL VOTE – REQUIRES 9/10 OF THOSE PRESENT AND VOTING.



Bridgewater Town Council

In Town Council, Tuesday, October 9, 2018

Council Order: O-FY19-018

Introduced By: Town Manager *(at the request of the Finance Director)*
 Date Introduced: August 7, 2018
 First Reading: August 7, 2018
 Second Reading/Public Hearing: September 25, 2018, October 9, 2018
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY19-018

TRANSFER ORDER – APPROPRIATION FOR STREET ASSESSMENT

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 of obtaining a town-wide street assessment.

| Source of Funds | Account No. | GL Account Description | Amount |
|----------------------------|-----------------|-------------------------------|---------------------|
| Capital Stabilization Fund | 80105-596110 | Transfer to Capital Projects | \$ 65,000.00 |
| Total: | | | \$ 65,000.00 |
| Use of Funds | Account No. | GL Account Description | Amount |
| General Fund Capital | 10420219-530000 | Roadway & Sidewalk Assessment | \$ 65,000.00 |
| Total | | | \$ 65,000.00 |

Explanation:

Approval of the above transfer will fund a detailed town-wide street and sidewalk assessment. In addition, it will map all storm drains, manholes, signage, and provide software to track and document street repairs and conditions, as well as document complaints concerning road conditions. The initial work will provide all the information and reporting by November 1 pursuant to the Council's order #0-FY18-031 Roadway and Sidewalk Maintenance and Improvement Plan.

ROLL CALL VOTE – REQUIRES 9/10 OF THOSE PRESENT AND VOTING.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|---|---|
| <ul style="list-style-type: none">• Budget & Finance Committee• Finance Committee• This measure has been advertised for a public hearing to be held on 9/25/18. The hearing was opened and continued to 10/9.18 pending a disposition from Finance Committee. This measure may not be finally voted until a Finance Committee disposition is provided. 9/11/18: Vote 3-0 recommend approval• Pending Disposition• | <ul style="list-style-type: none">• |



Bridgewater Town Council

In Town Council, Tuesday, October 9, 2018

Council Resolution: R-FY18-004

Proposed Amendment

Introduced By: Councilor Dennis Gallagher
 Date Introduced: December 19, 2017
 First Reading: December 19, 2017
 Second Reading: October 9, 2018
 Amendments Adopted:
 Date Adopted:
 Effective Date:

Resolution R-FY18-004

TOWN COUNCIL CLERK PERFORMANCE APPRAISAL

BE IT RESOLVED: The Town Council assembled approves the distribution of the Town of Bridgewater Performance Appraisal to each Council member for the purposes of evaluating the Town Council Clerk. The completed form should be returned to the Council President no later than ~~January 23~~ September 30, 2018.

Explanation: *The purpose of this is to look at the Performance, Hours and Salary of the Council Clerk and to recommend any adjustments.*

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|--|---|
| <ul style="list-style-type: none"> Strategic Planning Committee | <ul style="list-style-type: none"> 8/7/18: Vote 2-0 recommend approval with amendment. |



Bridgewater Town Council

In Town Council Tuesday, October 9, 2018

Council Petition: P-2018-018

Date Introduced: October 9, 2018

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to: Petition P-2018-016

2018 State Election Warrant

ORDERED: That the Town Council of the Town of Bridgewater, Massachusetts, assembled accepts, as a matter of record, the attached 2018 State Election Warrant as provided by the Town Clerk.

Explanation: It is required that the Town Council accepts and approves the attached Warrant as a matter of record.

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR THE STATE ELECTION

Plymouth County SS.

To the Constables of the Town of Bridgewater:

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the State Election to vote at

PRECINCTS 1,2,3,4,5,6 & 7

(precinct numbers)

MITCHELL MIDDLE SCHOOL, 166 MOUNT PROSPECT STREET

(polling location)

on **TUESDAY, THE SIXTH DAY OF NOVEMBER, 2018**, from 7 :00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

| | |
|---|--|
| SENATOR IN CONGRESS. | FOR THIS COMMONWEALTH |
| GOVERNOR and LIEUTENANT GOVERNOR. | FORTHIS COMMONWEALTH |
| ATTORNEY GENERAL. | FOR THIS COMMONWEALTH |
| SECRETARY OF STATE. | FOR THIS COMMONWEALTH |
| TREASURER AND RECEIVER GENERAL. | FOR THIS COMMONWEALTH |
| AUDITOR. | FOR THIS COMMONWEALTH |
| REPRESENTATIVE IN CONGRESS. | EIGHTH CONGRESSIONAL DISTRICT |
| COUNCILLOR. | FIRST COUNCILLOR DISTRICT |
| SENATOR IN GENERAL COURT | FIRST PLYMOUTH & BRISTOL SENATORIAL DISTRICT |
| REPRESENTATIVE IN GENERAL COURT. | EIGHTH PLYMOUTH REPRESENTATIVE DISTRICT |
| DISTRICT ATTORNEY | PLYMOUTH COUNTY DISTRICT |
| CLERK OF COURTS. | PLYMOUTH COUNTY DISTRICT |
| REGISTER OF DEEDS. | PLYMOUTH COUNTY DISTRICT |
| COUNTY COMMISSIONERS. | PLYMOUTH COUNTY DISTRICT |
| REGIONAL SCHOOL COMMITTEE. | BRISTOL-PLYMOUTH REGIONAL SCHOOL DISTRICT |

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

This proposed law would limit how many patients could be assigned to each registered nurse in Massachusetts hospitals and certain other health care facilities. The maximum number of patients per registered nurse would vary by type of unit and level of care, as follows:

- In units with step-down/intermediate care patients: 3 patients per nurse;
- In units with post-anesthesia care or operating room patients: 1 patient under anesthesia per nurse; 2 patients post-anesthesia per nurse;

ROLL CALL VOTE

- In the emergency services department: 1 critical or intensive care patient per nurse (or 2 if the nurse has assessed each patient's condition as stable); 2 urgent non-stable patients per nurse; 3 urgent stable patients per nurse; or 5 non-urgent stable patients per nurse;
- In units with maternity patients: (a) active labor patients: 1 patient per nurse; (b) during birth and for up to two hours immediately postpartum: 1 mother per nurse and 1 baby per nurse; (c) when the condition of the mother and baby are determined to be stable: 1 mother and her baby or babies per nurse; (d) postpartum: 6 patients per nurse; (e) intermediate care or continuing care babies: 2 babies per nurse; (f) well-babies: 6 babies per nurse;
- In units with pediatric, medical, surgical, telemetry, or observational/outpatient treatment patients, or any other unit: 4 patients per nurse; and
- In units with psychiatric or rehabilitation patients: 5 patients per nurse.

The proposed law would require a covered facility to comply with the patient assignment limits without reducing its level of nursing, service, maintenance, clerical, professional, and other staff.

The proposed law would also require every covered facility to develop a written patient acuity tool for each unit to evaluate the condition of each patient. This tool would be used by nurses in deciding whether patient limits should be lower than the limits of the proposed law at any given time.

The proposed law would not override any contract in effect on January 1, 2019 that set higher patient limits. The proposed law's limits would take effect after any such contract expired.

The state Health Policy Commission would be required to promulgate regulations to implement the proposed law. The Commission could conduct inspections to ensure compliance with the law. Any facility receiving written notice from the Commission of a complaint or a violation would be required to submit a written compliance plan to the Commission. The Commission could report violations to the state Attorney General, who could file suit to obtain a civil penalty of up to \$25,000 per violation as well as up to \$25,000 for each day a violation continued after the Commission notified the covered facility of the violation. The Health Policy Commission would be required to establish a toll-free telephone number for complaints and a website where complaints, compliance plans, and violations would appear.

The proposed law would prohibit discipline or retaliation against any employee for complying with the patient assignment limits of the law. The proposed law would require every covered facility to post within each unit, patient room, and waiting area a notice explaining the patient limits and how to report violations. Each day of a facility's non-compliance with the posting requirement would be punishable by a civil penalty between \$250 and \$2,500.

The proposed law's requirements would be suspended during a state or nationally declared public health emergency.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

A YES VOTE would limit the number of patients that could be assigned to one registered nurse in hospitals and certain other health care facilities.

A **NO VOTE** would make no change in current laws relative to patient-to-nurse limits.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

This proposed law would create a citizens commission to consider and recommend potential amendments to the United States Constitution to establish that corporations do not have the same Constitutional rights as human beings and that campaign contributions and expenditures may be regulated.

Any resident of Massachusetts who is a United States citizen would be able to apply for appointment to the 15-member commission, and members would serve without compensation. The Governor, the Secretary of the Commonwealth, the state Attorney General, the Speaker of the state House of Representatives, and the President of the state Senate would each appoint three members of the commission and, in making these appointments, would seek to ensure that the commission reflects a range of geographic, political, and demographic backgrounds.

The commission would be required to research and take testimony, and then issue a report regarding (1) the impact of political spending in Massachusetts; (2) any limitations on the state's ability to regulate corporations and other entities in light of Supreme Court decisions that allow corporations to assert certain constitutional rights; (3) recommendations for constitutional amendments; (4) an analysis of constitutional amendments introduced to Congress; and (5) recommendations for advancing proposed amendments to the United States Constitution.

The commission would be subject to the state Open Meeting Law and Public Records Law. The commission's first report would be due December 31, 2019, and the Secretary of the Commonwealth would be required to deliver the commission's report to the state Legislature, the United States Congress, and the President of the United States.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

A **YES VOTE** would create a citizens commission to advance an amendment to the United States Constitution to limit the influence of money in elections and establish that corporations do not have the same rights as human beings.

A **NO VOTE** would not create this commission.

QUESTION 3: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on July 7, 2016?

SUMMARY

This law adds gender identity to the list of prohibited grounds for discrimination in places of public accommodation, resort, or amusement. Such grounds also include race, color, religious creed, national origin,

ROLL CALL VOTE

sex, disability, and ancestry. A “place of public accommodation, resort or amusement” is defined in existing law as any place that is open to and accepts or solicits the patronage of the general public, such as hotels, stores, restaurants, theaters, sports facilities, and hospitals. “Gender identity” is defined as a person’s sincerely held gender-related identity, appearance, or behavior, whether or not it is different from that traditionally associated with the person’s physiology or assigned sex at birth.

This law prohibits discrimination based on gender identity in a person’s admission to or treatment in any place of public accommodation. The law requires any such place that has separate areas for males and females (such as restrooms) to allow access to and full use of those areas consistent with a person’s gender identity. The law also prohibits the owner or manager of a place of public accommodation from using advertising or signage that discriminates on the basis of gender identity.

This law directs the state Commission Against Discrimination to adopt rules or policies and make recommendations to carry out this law. The law also directs the state Attorney General to issue regulations or guidance on referring for legal action any person who asserts gender identity for an improper purpose.

The provisions of this law governing access to places of public accommodation are effective as of October 1, 2016. The remaining provisions are effective as of July 8, 2016.

A YES VOTE would keep in place the current law, which prohibits discrimination on the basis of gender identity in places of public accommodation.

A NO VOTE would repeal this provision of the public accommodation law.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2018.
(month)

Town Council of Bridgewater

Posting: Academy Building, Senior Center & Bridgewater Public Library
Online viewing: www.bridgewaterma.org
(Indicate method of service of warrant.)

_____, 2018.
Constable (month and day)

Warrant must be posted by **October 23, 2018**, (at least *fourteen days prior* to the **November 6, 2018** State Election).



Bridgewater Town Council

In Town Council, Tuesday, October 9, 2018

Council Ordinance: D-FY18-013

Proposed Amendments

Introduced By: Councilor Dennis Gallagher
 Date Introduced: December 19, 2017
 First Reading: December 19, 2017
 Second Reading: October 9, 2018
 Amendments Adopted:
 Date Adopted:
 Date Effective:

Proposed Ordinance D-FY18-013

GENERAL ORDINANCE – RECREATIONAL MARIJUANA ESTABLISHMENTS FORBIDDEN AND EXCEPTIONS

ORDERED, that the Town Council assembled votes to amend the Bridgewater General Ordinances to include the following:

Chapter 160. Peace and Good Order

Article VIII. Prohibition of Marijuana Establishments.

Section 1. Prohibition. The operation of any marijuana establishment, as presently and subsequently defined in G.L. c. 94G, Section 1, ~~including, without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business,~~ with the exception of marijuana cultivators, marijuana product manufacturers and marijuana testing facilities, as also defined presently and subsequently defined in G.L. c. 94G §1 and any Town of Bridgewater Ordinance, within the Town of Bridgewater is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|--|--|
| <ul style="list-style-type: none"> Rules & Procedures Committee | <ul style="list-style-type: none"> 10/1/18: Vote 3-0 to recommend with proposed amendments. |



Bridgewater Town Council

In Town Council, Tuesday, October 9, 2018

Council Ordinance: D-FY19-002

| | |
|---------------------|-----------------------|
| Introduced By: | Councilor Frank Sousa |
| Date Introduced: | September 11, 2018 |
| First Reading: | September 11, 2018 |
| Second Reading: | October 9, 2018 |
| Amendments Adopted: | |
| Date Adopted: | |
| Date Effective: | |

Proposed Ordinance D-FY19-002

GENERAL ORDINANCE – AMEND ADMINISTRATIVE CODE - TEMPORARY REPAIRS ON PRIVATE WAYS

WHEREAS, In accordance with M.G.L. c40, Section 6N, it is therefore;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Town Code by adding the following:

Chapter 260, Article XVI.
Temporary Repairs on Private Ways

Section 1. General

The maintenance and repair of all public and private ways being of utmost importance to the economic development of the Town; to the control of pollutants entering Town waters; to the preservation of Town property; and to the accessibility of public safety vehicles from public ways to residences, Town facilities, and conservation land; the Department of Public Works is authorized to make temporary repairs to private ways which have been open to the public for a period of at least five (5) years.

Section 2. Type and Extent of Repairs

The repairs made must be temporary in nature, such as filing, grading, patching and surface coating, and may include such repairs to drainage swales or structures, installation of water or sewer, and conduits and structures as are necessary to preserve the integrity of surface repairs to the roadway, and shall not be such as to constitute a reconstruction of the roadway. The temporary repair shall have a minimum expected life equal to twenty (20) years. Temporary repairs may be undertaken in a way subject to this ordinance, or to a continuous portion of such way, which portion begins and ends at an intersection or conjunction with another way.

Section 3. Petition

Two-thirds of the ownership interests on a private way may petition for temporary repair under this ordinance. Each lot abutting the private way shall count as one ownership interest, unless the Town Manager finds it is impractical, in which case the Town Manager is authorized to waive or amend this calculation.

NOT FOR ACTION – REQUIRES ADVERTISING.

Section 4. Betterment Charges

The owners of such land abutting such private way who derive benefit from said repairs shall be assessed betterment charges by the Town Manager. Betterment charges, in an amount of 100% of the aggregate cost of the planning, preparation, and repair of the private way shall be assessed on a per lot basis or on the proportion of lot frontage on the way or portion of the way to be repaired, or other proportional method as may be required by the Town Manager.

The Town may be considered an abutter if property under care, custody and control of the Town abuts said way to be repaired.

Section 5. Status of Way

This ordinance does not confer any obligation or duty on the Town or its agents to either initially place or to thereafter maintain and repair said private ways so that they are reasonably safe and convenient for travel by being free from defects or want of repair.

The making of such temporary repairs to private ways, no matter how often or to what extent, does not constitute an acceptance by the Town of such private ways as public ways, nor does it constitute a way being “maintained and used as a public way” under Massachusetts Subdivision Control Law.

Any private way repaired under the provisions of this ordinance need not be brought up to full Town standards and may continue to remain a private way.

Section 6. Liability

The Town of Bridgewater, in making repairs under this section, shall not be liable for any damages to persons or property caused by negligent repair or maintenance of the private way.

Section 7. Indemnity Agreement

No repair of a private way shall be undertaken until the Town Manager and the abutting two-thirds of the property owners have executed agreements holding the Town harmless from any additional damage arising from any negligent repair, and which includes the following provisions:

- a. The Town assumes no liability to such owners by making the repairs;
- b. Jointly and severally, to indemnify and hold harmless the Town with respect to such statutory liability and any and all other liability for claims of injury, death or property damage to such owners or third parties caused by alleged defects in the way, including attorney’s fees and other costs of defense;
- c. That should the town decide not to continue to provide temporary repairs to such way, the owners will themselves keep such way in good repair so as to minimize the liability of the Town for having undertaken such repairs;
- d. That such repairs shall not constitute “maintenance” of such way, so as to give the way the status of a way “maintained and used as a public way” under Massachusetts Subdivision Control Law, and;
- e. That if assessed for repairs, the owners will not appeal the amount of the assessment and agree that the assessment may be apportioned over a number of years of the expected lifetime of the repair to be determined by the Town Manager.

Section 8. Continuous Public Use

The indemnity agreement required in Section 7 shall provide that any private way for which repairs and maintenance are performed and maintenance are performed pursuant to the ordinance shall remain open to public use for a period not less than the expected lifetime of the repair as determined by the Town Manager.

Reference, M.G.L. c. 40, section 6N

Explanation:

Adoption of the above ordinance will amend the Bridgewater Administrative Code by adding Section XVI to Chapter 260. Historically, the Town has improved private ways (most commonly with the installation of water and sewer) and has usually charged assessments to the abutters to cover the expenditures. However, through the work with the First Street property owners to sewer that area, staff has determined that there is not the proper blanket authority to do such work. This ordinance would resolve this issue now and for all future projects.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|--|---|
| <ul style="list-style-type: none">Rules & Procedures Committee | <ul style="list-style-type: none">10/1/18: Vote 3-0 recommend approval. |



Bridgewater Town Council

In Town Council, Tuesday, October 9, 2018

Council Order: O-FY19-026

Introduced By: Town Manager *(at the request of the Finance Director)*
Date Introduced: October 9, 2018
First Reading: October 9, 2018
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY19-029

TRANSFER ORDER – SEWER ENTERPRISE CAPITAL SPECIAL PURPOSE - RBC

ORDERED, pursuant to Section 6-4 of the of the Bridgewater Home Rule Charter, that the Town Council assembled vote to appropriate and transfer the sum of **\$450,000**

- from SWR Reserved Special Purpose -Capital account# **6100-358000**
- to SWR ROTATING BIOLOGICAL CONTACTOR (RBC) account# **61105-583005**

Explanation:

Replacement of RBC#2, RBC#6, and RBC#7 – Original Equipment installed in 1988 and repairs are not feasible due to the cost and age. These are the final remaining three units are scheduled for replacement this fall. The engineers believe that this same treatment process will continue to be used for the new facility.

Committee Referrals and Dispositions:

| Referral(s) | Disposition(s) |
|-------------|----------------|
| • | • |



Bridgewater Town Council

In Town Council, Tuesday, October 9, 2018

Council Order: O-FY19-027

Introduced By: Town Manager
 Date Introduced: October 9, 2018
 First Reading: October 9, 2018
 Second Reading:
 Amendments Adopted:
 Date Adopted:
 Date Effective:

Order O-FY19-027

CPC TRANSFER – PRESERVATION TRANSFER – McELWAIN SCHOOL REDEVELOPMENT PROJECT

WHEREAS: On September 17, 2018 the joint venture of Capstone Communities and MPZ Development submitted an application for Community Preservation Act funding for their McElwain redevelopment project, and;

WHEREAS: The Community Preservation Committee heard the application at its meeting on September 26, 2018, and;

WHEREAS: The Bridgewater Community Preservation Committee has recommended the funding of affordable housing and open space at the McElwain School site at 250 Main Street, Bridgewater, MA.

ORDERED, pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council vote to appropriate as required by Massachusetts General Laws, chapter 44B, and to meet this appropriation, transfer the sum of \$1,345,000 from the Community Preservation Fund, and make the distribution of funds subject to agreement between the Town Manager and the joint venture of Capstone Communities and MPZ Development.

| Source of Funds | Account No | GL Account Desc | Amount |
|-------------------------------|--------------|--|-----------------------|
| CPC RESERVES | 2100-324300 | FB - CPA RESERVE FOR COMMUNITY HOUSING | (726,885.00) |
| CPC RESERVES | 2100-324100 | FB - CPA RESERVE FOR OPEN SPACE | (135,000.00) |
| CPC UNDESIGNATED FUND BALANCE | 2100-359000 | FB - CPA UNDESIGNATED FUND BALANCE | (483,115.00) |
| Total | | | (1,345,000.00) |
| Use of Funds | Account No | GL Account Desc | Amount |
| MCELWAIN SCHOOL REDEVELOPMENT | 21005-589000 | MCELWAIN SCHOOL REDEVELOPMENT PROJECT | 1,345,000.00 |
| Total | | | 1,345,000.00 |

Explanation: The Community Preservation Committee unanimously approved the application of MPZ Development LLC and Capstone Communities Development LLC for Community Preservation Funds. This vote will appropriate the funds and subject their distribution to an agreement with the Town Manager and the joint venture.