



BRIDGEWATER TOWN COUNCIL

Tuesday, February 7, 2017

7:30 p.m.

Academy Building

66 Central Square

Council Chamber, Room 203

Bridgewater MA

MEETING AGENDA

- A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS
- B. ANNOUNCEMENTS FROM THE PRESIDENT
- C. PROCLAMATIONS
- D. CITIZEN OPEN FORUM
- E. APPOINTMENTS
- a) Inspector of Buildings/Zoning Enforcement Officer Appointment Ratification
- F. HEARINGS
- a) 7:35 p.m., Public Hearing Appropriation Orders:
- Order O-2017-005: Transfer Order – Demolition Bedford Street Project
At their meeting held 1/23/17 the Finance Committee voted 5-0 to approve this item. On 1/24/17, the Budget & Finance Committee voted 2-0 to recommend approval of this item. This measure has been duly advertised in the Enterprise and on the Town's website for a required public hearing. This measure may be finally considered this evening upon conclusion of the public hearing.
 - Order O-2017-006: Transfer Order – Appropriation for Ambulance
At their meeting held 1/23/17 the Finance Committee voted 5-0 to approve this item. On 1/24/17, the Budget & Finance Committee voted 2-0 to recommend approval of this item. This measure has been duly advertised in the Enterprise and on the Town's website for a required public hearing. This measure may be finally considered this evening upon conclusion of the public hearing.
 - Order O-2017-007: Transfer Order – Appropriation for Police Equipment
At their meeting held 1/23/17 the Finance Committee voted 5-0 to approve this item. On 1/24/17, the Budget & Finance Committee voted 2-0 to recommend approval of this item. This measure has been duly advertised in the Enterprise and on the Town's website for a required public hearing. This measure may be finally considered this evening upon conclusion of the public hearing.
- G. LICENSE TRANSACTIONS
- a) Petition P-2017-004: Change of Manager, 99 Restaurants, LLC
- H. PRESENTATIONS
- a) Master Plan Committee and Energy Committee – Dr. Carlton Hunt
- I. TOWN MANAGER'S REPORT
- J. DISCUSSIONS
- a) Councilor Agenda Items – Meeting of the General Public, February 28, 2017 (*President Gallagher*)
- K. COMMITTEE REPORTS
- L. LEGISLATION FOR ACTION
- M. OLD BUSINESS
- a) Order O-2016-029: Procure Services – Strategic Planning
At their meeting held 11/28/16, the Budget & Finance Committee voted 3-0 to refer back to the Town Council for further discussion. The Finance Committee voted 5-0 to approve the measure. At their meeting 1/24/17 the Town Council postponed this measure to their next meeting. This measure requires advertising and a public hearing, therefore may not be finally considered this evening
- N. NEW BUSINESS
- a) Ordinance D-2017-004: Local Retail Marijuana Sales Tax (*Councilor Wood*)
- b) Order O-2017-002: Collective Bargaining Agreement Ratification – Library Union (*Town Manager*)

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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, February 7, 2017

Council Order: O-2017-005

Introduced By: Town Manager
Date Introduced: January 10, 2017
First Reading: January 10, 2017
Second Reading/Public Hearing: February 7, 2017
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order O-2017-005

TRANSFER OF FREE CASH

ORDERED; that pursuant to section 6-4 of the Bridgewater Home Rule Charter, the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer the sum of \$30,000 from Free Cash Account to Demolition Account.

Explanation:

The cost to demolish the Town owned house on Bedford Street has increased significantly due to the discovery of asbestos. The house has been deemed dangerous and must be removed. It is beyond repair.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Budget & Finance Committee• Finance Committee• Duly advertised in Enterprise and on website for a required public hearing• This measure may be finally considered this evening at the conclusion of a public hearing.	<ul style="list-style-type: none">• 1/24/17: Vote 2-0 recommend approval• 1/23/17: Vote 5-0 approval

ROLL CALL VOTE: REQUIRES MAJORITY OF THOSE PRESENT AND VOTING



Bridgewater Town Council

In Town Council, Tuesday February 7, 2017

Council Order: O-2017-006

Introduced By: Town Manager
Date Introduced: January 10, 2017
First Reading: January 10, 2017
Second Reading/Public Hearing: February 7, 2017
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Order O-2017-006

EQUIPMENT LEASE / PURCHASE FOR NEW AMBULANCE

WHEREAS, Town Manager has proposed a cost effective lease - purchase arrangement according to the useful life of the equipment to be purchased. With the Council's agreement, the Town Manager will enter into a five year finance arrangement to procure said equipment, subject to approval as to form by the Town's legal counsel.

ORDERED, in accordance with Section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council vote to authorize the Town Manager to enter into a five year financing agreement for the purchase of a New Emergency Vehicle for the Fire Department (Ambulance).

ORDERED, in accordance with section 6-4(d) of the Bridgewater Home Rule Charter, that the Town Council vote to appropriate and transfer the sum of \$61,025.03 from Ambulance Receipts Reserved for Appropriations Fund to the General Capital Project Fund and to further appropriate this amount, in the GF Capital Project Fund in order to make the first of five lease payments and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.

FURTHER, The Council's affirmative vote permits the Town Manager and other officers, jointly and severally, to take any and all actions and to execute and deliver any and all agreements, documents and certificates which we may deem necessary or advisable in order to carry out, give effect to and comply with the terms the Agreement.

Explanation: The Fire Department, as part of their capital budget, plans for the purchase of this equipment to replace original failing equipment. This will be a capital budgeted amount and requires \$61,025.03 to be Funded from Ambulance Reserves for Appropriations Fund and

ROLL CALL VOTE: REQUIRES 9/10 VOTE

additional funding for FY2019, FY2020, FY2021, and FY2022 of equal amounts. The terms of the agreement are for 5 years and thus the financing requires the approval of the legislative body.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Budget & Finance Committee• Finance Committee• Duly advertised in Enterprise and on website for a required public hearing• This measure may be finally considered this evening at the conclusion of a public hearing.	<ul style="list-style-type: none">• 1/24/17: Vote 2-0 recommend approval• 1/23/17: Vote 5-0 approval



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2017

Council Petition: P-2017-004

Date Introduced/Public Hearing: February 7, 2017

Amendments Adopted:

Date Adopted:

Date Effective:

Petition: P-2017-004

Relative to:

CHANGE OF MANAGER OF AN ALCOHOL ESTABLISHMENT

WHEREAS, the 99 Restaurants of Boston, LLC has petitioned to change the manager of the alcohol establishment from Christopher Peltier to Robert Tierney; and

WHEREAS, Approval of such request is required by Massachusetts General Law – Chapter 138 prior to the final submission to the Commonwealth's Alcohol Beverages Control Commission who must ratify such appointment; and

WHEREAS, 99 Restaurants of Boston, LLC has complied with the policies and requirements of the Town of Bridgewater; and

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such local licensing authority and with affirmative recommendation from the Police Department, it appears that the public good so requires such petition be granted;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 138 of the Massachusetts General Law (MGL), in Town Council assembled approve the petition of the 99 Restaurants of Boston, LLC to change its manager from Christopher Peltier to Robert Tierney as requested.



Bridgewater Town Council

In Town Council, Tuesday, January 24, 2017

Council Order: O-2016-029

Introduced By: Councilor Dennis Gallagher
Date Introduced: November 15, 2016
First Reading: November 15, 2016
Second Reading: January 24, 2017
Third Reading: February 7, 2017
Amendments Adopted:
Date Adopted:
Date Effective:

Order #O-2016-029

PROCURE SERVICES FOR STRATEGIC PLANNING

WHEREAS, the Strategic Planning Committee has recommended that a consultant be hired to guide the first phase of a strategic planning process culminating in a formal, Town-wide Strategic Plan and;

WHEREAS, the services of a consultant are not expected to cost more than \$15,000;

ORDERED, that, the Town Council authorize the transfer of \$15,000 from "Free Cash" to hire a consultant, and that the Town Manager move forward with the procurement process in accordance with MGL relative hereto.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Budget & Finance Committee• Requires consideration by Finance Committee• This measure requires a public hearing with advertisement, therefore may not be finally considered this evening.• At their meeting held 1/24/17, the Town Council voted to postpone this measure to their next meeting (2/7/17)	<ul style="list-style-type: none">• 11/28/16: vote 3-0 to return to full Council for discussion and possible passage.• 1/23/17: Vote 5-0 approve.

NOT FOR ACTION – REQUIRES A PUBLIC HEARING WITH ADVERTISEMENT.



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2017

Council Ordinance: D-2017-004

Introduced By: Councilor William Wood
Date Introduced: February 7, 2017
First Reading: February 7, 2017
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-2017-004

MARIJUANA RETAIL SALES TAX

WHEREAS, the citizens of the Commonwealth voted to permit recreational sales of marijuana in all cities and towns across the state, and

WHEREAS, the approved ballot question includes provisions for the local sales taxation of marijuana sales from a retailer to a consumer, and

WHEREAS, the maximum local tax on retail sales of marijuana can be not greater than two (2) percent of the total sales price of marijuana or marijuana products, and

NOW THEREFORE, the Town Council assembled votes to establish the maximum local sales tax of two (2) percent of the total sales price received from the retail sales of marijuana or marijuana products, or any additional amount as approved by the Commonwealth.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, February 7, 2017

Council Order: O-2017-002

Introduced By: Town Manager
Date Introduced: February 7, 2017
First Reading: February 7, 2017
Second Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Order #O-2017-002

COLLECTIVE BARGAINING RATIFICATION – LIBRARY UNION

ORDERED, in accordance with section 4-2 (15) of the Bridgewater Home Rule Charter, that the Town Council assembled vote to approve the negotiated agreement covering July 1, 2016 through June 30, 2019 with the Bridgewater Public Library Association.

Explanation:

The Town Manager negotiated an agreement with the Library Union. An affirmative vote of the Council will approve the contract as presented. A subsequent transfer request will fund the appropriation thereof.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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