

**Town of Bridgewater
Town Council
FY12 Ordinances**

Directory of Documents

[Town Council Ordinances](#)

(Click on Ordinance Number/Name to View Document)

Ordinance Number	Ordinance Title	Date Adopted
D-2012-003	Building Permit Bonds	February 7, 2012
D-2012-004	Administration and Fiduciary Oversight of the Budget Ambulance Receipts/Ambulance Reserve Account	June 5, 2012
D-2012-006	Additional Town council Meeting Dates – 2012	April 24, 2012
D-2012-007	Town of Bridgewater code of Conduct and Ethics: Statement of Financial Interest and Financial Disclosure Form	August 7, 2012
D-2012-010	Town Council Approval of Employment Contracts	September 4, 2012
D-2012-011	Creation of a Capital Stabilization Fund	July 17, 2012
D-2012-012	Creation of OPEB Trust Fund	July 10, 2012
D-2012-013	Amend and Codify A Flood Plain Ordinance for the Town of Bridgewater	July 10, 2012
D-2012-014	Right to Farm Ordinance	April 7, 2015
D-2012-015	An Ordinance Regulating Vacant and Abandoned Properties	August 5, 2014
D-2012-016	Bylaw Availability	November 13, 2012
D-2012-017	An Ordinance to Amend Special Election Hours	September 4, 2012
D-2012-019	Definition of Capital Items	March 5, 2013



Bridgewater Town Council

In Town Council, Tuesday, February 7, 2012

Council Ordinance: D-2012-003

Introduced By:	Town Manager (at the request of the Treasurer/Collector & Highway Superintendent)
Date Introduced/First Reading:	January 3, 2012
Second Reading:	January 17, 2012
Amendments Adopted:	January 17, 2012
Third Reading:	February 7, 2012
Date Adopted:	February 7, 2012
Date Effective:	March 9, 2012

Ordinance #D-2012-003

BUILDING PERMIT BONDS

ORDERED: that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled, vote to rescind Building Inspector Article XIX Section 4 of the Bridgewater General Bylaws, as amended at the Annual Town Meeting on June 24, 1991 and replace with the following language:

Prior to the issuance of a building permit, the Town shall require the applicant for the building permit to post a bond with the town prior to the issuance of said permit.

The bond amount will be determined by the DPW Director and/or the Highway Superintendent or his designee and will be submitted to the Council each year for review and approval.

The bond will be for the sole purpose of restoring any damage to the Right of Way layout coincidental to as a result of construction activity on said lot.

Upon final construction, grading, and or landscaping of the lot, and inspected by the DPW Director and/or the Highway Superintendent or his designee the bond shall be returned to the applicant unless it is determined that the bond will be acted upon by the Town to repair any damages to the Right of Way damaged and not repaired by the applicant.

Explanation:

Presently, building permit applicants must post a bond to obtain a building permit. The bonds are for the sole purpose of making repairs to the right of way if it is damaged during the course of construction and not properly restored. The bonds are almost exclusively cash bonds and are deposited by the Town in an existing bank account. When the construction project is completed the cash bond is returned to the applicant with interest.

The proposed change would require an insurance bond for the application. This would be a paper bond and submitted with the building permit application. The amount of the bond would be determined in the same manner in which it is now; by the type and condition of the existing roadway. The present requirement for bond amounts are outdated and need to be revisited and adjusted to meet present conditions and repair costs. Bond amounts will be reviewed yearly and submitted to the Town Manager and forwarded for approval in a schedule of fees to the Town Council.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Referred to Rules & Procedures Committee 1/3/12• Referred to Finance Committee 1/3/12• Amendments voted 1/17/12• This measure has been duly advertised.	<ul style="list-style-type: none">• Dispositions/Feedback to be provided 1/17/12• 1/11/12: Approved (7-0)

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, February 7, 2012, to approve the aforementioned Ordinance by a roll call vote (8-0) (President Pitta was not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk

ARTICLE XIX

Building Inspector

Section 1.

No building permit shall be issued for a dwelling on a building lot until the owner or his/its representative submits a plan by a registered surveyor showing lot lines defined by "iron pipes, cement and/or stone bounds".

February 19, 1980

Section 2.

In connection with construction on a parcel of land facing an accepted town way, no person shall break or dig up any public sidewalk, street, or highway without written permit from the Highway Superintendent. The Building Inspector shall not issue an occupancy permit for any new building until the affected sections of sidewalk and/or street have been restored to the satisfaction of the Highway Superintendent and Town Engineer.

Section 3.

Said resolution shall be in writing and signed by the Town Engineer and Highway Superintendent prior to the issuance of a Building Permit. In addition thereto, the driveway location must be approved in writing by the Highway Superintendent prior to the issuance of a Building Permit.

November 17, 1986

Section 4.

Prior to the issuance of a building permit, the Town shall have the option or requiring the owner of said lot to post a bond with the town, not to exceed two thousand (\$2,000.00) dollars. The bond amount shall be determined by the Building Inspector and Highway Superintendent and shall be for the sole purpose of restoring any damage to the road lay-out coincidental to or as a result of construction on said lot. Upon completion of final grading and landscaping of the lot, said bond and any earned interest shall be returned to the owner, minus any amount determined necessary by the Building Inspector and Highway Superintendent to restore any damages not restored by the lot owner to said road lay-out.

June 24, 1991

Recessed **Annual Town Meeting** **MONDAY, JUNE 24, 1991** **BRIDGEWATER-RAYNHAM** **REGIONAL HIGH SCHOOL** **AUDITORIUM**

The Moderator called the Meeting to order at 7:40 P.M. The Town Clerk read the Notice of Recess from the June 17th 1991 Town Meeting. Total Attendance 347.

ARTICLE 3. That the Town vote to hear and act upon the report of any Committee appointed by the Town and to continue such Committee as the Town deems appropriate.

Report from the School Building Committee — to report at the next Annual Town Meeting. *Voted*

ARTICLE 11. That the Town vote to amend the By-Laws of the Town of Bridgewater by adding under **ARTICLE XIX, Building Inspector**, the following:

SECTION 4. Prior to the issuance of a building permit, the Town shall have the option of requiring the owner of said lot to post a bond with the Town, not to exceed two thousand (\$2,000.00) dollars. The bond amount shall be determined by the Building Inspector and Highway Superintendent and shall be for the sole purpose of restoring any damage to the road lay-out coincidental to or as a result of construction on said lot. Upon completion of final grading and landscaping of the lot, said bond and any earned interest shall be returned to the owner, minus any amount determined necessary by the Building Inspector and Highway Superintendent to restore any damages not restored by the lot owner to said road lay-out. *Voice Vote — Voted.*

ARTICLE 19. This article was **WITHDRAWN**.

(MacDonald Industries, Inc.)

ARTICLE 20. This article was **WITHDRAWN**.

(Board of Health — Contract)

A motion was made and duly seconded — It was voted to take Article 23 out of order.

ARTICLE 23. That the Town vote to amend the Wage & Personnel Board By-Law, as reported by the Wage & Personnel Board at its Public Hearing as read, including amendments thereto.

Wage & Personnel Board **PUBLIC HEARING** **APRIL 16, 1991**

WAGE PACKAGE TO BE AMENDED AS FOLLOWS:

1. Section 12A Change the last sentence to read as follows: "If recalled for duty shall be entitled to three (3) hour recall."

2. Section 14 Vacation Leave
Revise paragraph 2: employees in Group B (Group K (Appointed) and Group M (Deputy with 17 years service) five (5) weeks vacation guidelines."

3. Section 15A Military Leave
Revise as follows:
"Any employee of the entitled to receive pay regular rate for an amount exceeding seventeen member of a reserve Armed Forces of the to receive the same pay or vacation with pay employees or officials, from work without compensation to attend assigned war drills which require employee's normally tour."

4. Section 27 Personal Days
Add
"All employees in Group Heads), Group K (App Workers) and Group M tendents) shall be granted personal days per year."

Resp

Ala

Wage &

ARTICLE 21. That the Town vote the considered covered and acted upon in a sum of \$18,821,542.00 appropriated and tion; the sum of \$87,895.00 shall be for town officers which are fixed in the follow

Selectmen

Chairman
Member
Member

Assessor

Chairman
Member
Member

Treasurer

Collector

Town Clerk

Registration & Election Clerk

Tree Warden

Water Commissioners

Chairman
Member
Member



Bridgewater Town Council

In Town Council, Tuesday, June 5, 2012

Council Ordinance: D-2012-004

Introduced By:	Councilor Michael Demos
Date Introduced:	February 15, 2012
Second Reading:	March 29, 2012
Third Reading:	June 5, 2012
Amendments Adopted:	None
Date Adopted:	June 5, 2012
Date Effective:	July 6, 2012

Ordinance #D-2012-004

ADMINISTRATION AND FIDUCIARY OVERSIGHT OF THE BUDGET: **AMBULANCE RECEIPTS/AMBULANCE RESERVE ACCOUNT**

PREAMBLE:

Ordinance #2011-010 was presented in Town Council for action on December 20, 2011. A roll call vote was taken and the measure failed by a vote of 4-3 with Councilors Colombotos, Pitta and Wood in the minority and Councilors Fitzgibbons and Callahan absent. At the conclusion of the roll call, the President incorrectly declared the measure passed.

Pursuant to Section XIX – “Resubmission” of the Town Council Rules and Procedures

“When any measure has been finally rejected by the Council, no motion embodying substantially the same subject shall be presented to the Council within six months of its previous writing for resubmission, except as otherwise provided in the Bridgewater Home Rule Charter and unless approved by a majority (5) of the full Council. “

ORDERED: That the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled, vote to establish a procedure for the Administration and Fiduciary Oversight of the Budget.

Whereas, the Bridgewater Home Rule Charter, Section 6-5 states, “The Town Council shall provide by ordinance the procedures for administration and fiduciary oversight of the budget.”

Be It Ordained by the Town Council of the City known as the Town of Bridgewater that:

An aggregate appropriation in any given fiscal year to be applied for operating expenses (e.g. salaries and general expenses) from ambulance receipts and/or ambulance reserve account shall not exceed \$1 million dollars. However, the Town Council with a 2/3 vote of the entire Town Council may exceed \$1 million dollar limit in any given fiscal year. (Note: an appropriation in any given fiscal year from ambulance receipts and/or ambulance reserve account for fire apparatus (e.g. procurement of ambulances, fire truck) is exempt from this \$1 million dollar ceiling.)

Explanation: The remaining balance of the prison mitigation fund continues to dwindle. This measure going forward will better assist the town to adequately plan for expected upgrades for fire apparatus.

ROLL CALL VOTE: PASSAGE REQUIRES AFFIRMATIVE VOTE OF MAJORITY OF FULL COUNCIL (5)

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Measure referred to Finance Committee 2/16/12• This measure was on the 3/6/12 & 3/20/12 agendas for amendment consideration, but not taken up.• This measure requires publication pending any Council amendments voted at 3/29/12 meeting.• 5/1/12: Measure postponed to 5/8/12• 5/8/12: Measure postponed.• 5/17/12: Measure postponed to 6/5/12• This measure has been duly advertised.	<ul style="list-style-type: none">• Vote 5-1 Tabled

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, June 5, 2012, to approve the aforementioned Ordinance by a roll call vote (7-2) (Councilors Fitzgibbons and Wood in the minority).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk



Bridgewater Town Council

In Town Council, Tuesday, April 24, 2012

Council Ordinance: D-2012-006

Introduced By:	Councilor Michael Demos
Date Introduced:	April 3, 2012
Second Reading:	April 24, 2012
Third Reading:	None
Amendments Adopted:	April 3, 2012
Date Adopted:	April 24, 2012
Date Effective:	April 24, 2012

Ordinance #D-2012-006

ADDITIONAL TOWN COUNCIL MEETING DATES - 2012

ORDERED that pursuant to The Bridgewater Home Rule Charter section 2-6 (c), the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled; vote to establish the following addition to their schedule of regular meeting dates for the year 2012. All regular meetings will be held in the Memorial Building, 25 South Street, Bridgewater, MA beginning at 7:30 p.m., unless otherwise noted.

Addition:

Thursday, May 17, 2012
Tuesday, May 22, 2012
Tuesday, June 19, 2012

Meetings already voted:

January 3, 2012	July 10, 2012
January 17, 2012	August 7, 2012
February 7, 2012	September 4, 2012
February 28, 2012	September 18, 2012
March 6, 2012	October 2, 2012
March 20, 2012	October 16, 2012
April 3, 2012	November 13, 2012
April 24, 2012	November 27, 2012
May 1, 2012	December 4, 2012
May 15, 2012	December 18, 2012
June 5, 2012	

Explanation: This Ordinance ensures sufficient scheduled meetings to accommodate the budget process. Further, the above proposed Ordinance complies with Charter Section 2-7 (a) "Measures" which states: "No ordinance shall be amended or repealed except by another ordinance adopted in accordance with the charter or as provided in the initiative and referendum procedures."

ROLL CALL VOTE: PASSAGE REQUIRES AFFIRMATIVE VOTE OF MAJORITY OF FULL COUNCIL (5)

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Amendments voted 4/3/12• This measure has been duly advertised	<ul style="list-style-type: none">•

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, April 24, 2012, to approve the aforementioned Ordinance by a roll call vote (9-0).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk

YEAS Colombotos Riordan Demos Colon Berolini Pitta Wood Callahan Fitzgibbons

NAYS Colombotos Riordan Demos Colon Berolini Pitta Wood Callahan Fitzgibbons



Bridgewater Town Council

In Town Council, Tuesday, August 7, 2012

Council Ordinance: D-2012-007

Introduced By:	Councilor Kristy Colon
Date Introduced/Public Hearing:	April 3, 2012
Second Reading:	June 5, 2012
Third Reading:	August 7, 2012
Amendments Adopted:	June 5, 2012
Date Adopted:	August 7, 2012
Date Effective:	September 7, 2012

Ordinance # D-2012-007

TOWN OF BRIDGEWATER CODE OF CONDUCT AND ETHICS: STATEMENT OF FINANCIAL INTEREST AND FINANCIAL DISCLOSURE FORM

Be it ordained by the Town Council of the Town of Bridgewater as follows:

ORDERED that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote that an ordinance of the town of Bridgewater, Massachusetts, to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials.

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF BRIDGEWATER, MASSACHUSETTS, AS FOLLOWS:

1. Declaration of Purpose. The proper operation of municipal government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a standard of conduct for town employees and municipal agents. It also establishes a requirement and procedure for the filing of financial interests by the Town Manager, Town Council, certain Town Officials (*elected or appointed*).
2. Conflicts of Interest. The provisions of this article supplement the conflict of interest provisions of the State Ethics Law. All town employees shall comply with the requirements of the State Ethics Law, including, but not limited to, Sections 2, 3, 17-20, and 23 of the State Ethics Law, in addition to the provisions of this Article. Note persons who are not considered town employees under this chapter may still be considered a "municipal employee" under the State Ethics Law M.G.L. c. 268A.

Further, this provision will establish conflict of interest guidelines as it pertains to the following areas:

- Improper Influence
- Gifts Among Town Employees
- Illegal Gifts. Surrendered to Town Treasurer-Collector
- Town-Owned Property
- Use or Disclosure of Confidential information
- Interest in Town Business
- Conferring Benefits to Others: Employment of Immediate Family
- Prohibited Acts by Members of the Town Manager/Town Council
- Duty to Disclose and Recuse

3. Statement of Financial Interest. The provisions of the article for Statement of Financial Interest are to ensure the public's trust and confidence that decisions of Town Officials and Town Employees are not contaminated by such Town Official and Town Employee's personal financial interests. The article requires certain Town Employees, and Town Officials to make certain financial disclosures.

Further, this provision will establish Statement of Financial Interest guidelines as it pertains to the following areas:

- Required Reporting Persons
- Financial Statements
- Advisory Opinions
- Penalties
- Recovery of Damages and Other Remedies
- Conflict with other law
- Distribution of Chapter; Training Provisions; Town Website
- Retaliatory Action

4. Effective Date. This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the Town Council.



Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> • Postponed to 5/1/12 meeting (4/24/12) • This measure requires advertisement pending amendments offered 5/1/12. • 5/1/12: Postponed • Measure amended 6/5/12 • Measure advertised in Enterprise 7/26/12 • This measure may be voted. 	<ul style="list-style-type: none"> •

The full text of the proposed Ordinance has been posted in the office of the Town Clerk, Town Manager's Office and the Town's website (www.bridgewaterma.org) for public examination.

ROLL CALL VOTE: PASSAGE REQUIRES AFFIRMATIVE VOTE OF MAJORITY OF FULL COUNCIL (5)

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, August 7, 2012, to approve the aforementioned Ordinance by a roll call vote (6-0) (Councilors Pitta, Riordan and Demos not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk

ROLL CALL VOTE: PASSAGE REQUIRES AFFIRMATIVE VOTE OF MAJORITY OF FULL COUNCIL (5)



Bridgewater Town Council

In Town Council, Tuesday, September 4, 2012

Council Ordinance: D-2012-010

Introduced By:	Councilor William Wood
Date Introduced:	April 17, 2012
First Reading:	April 24, 2012
Second Reading:	June 5, 2012
Third Reading:	July 17, 2012
Fourth Reading:	September 4, 2012
Amendments Adopted:	July 17, 2012
Date Adopted:	September 4, 2012
Date Effective:	October 5, 2012

Ordinance #D-2012-010

TOWN COUNCIL APPROVAL OF EMPLOYMENT CONTRACTS

WHEREAS, Charter Section 6-5 - Administration and Fiduciary Oversight of the Budget - grants the right to the Town Council to provide by ordinance the procedures for administration and fiduciary oversight of the budget;

WHEREAS, Charter Section 4-2(13) tasks the Town Manager to administer all collective bargaining agreements entered into by the town;

WHEREAS, Charter Section 4-2(15) grants the right to negotiate all contracts with town employees over wages, and other terms and conditions of employment, to the Town Manager;

WHEREAS, Charter Section 4-2(15) grants the right to approve employment contracts when they require appropriation to the Town Council;

WHEREAS, Charter Section 6-4(a) –Supplemental Appropriations - recognizes that the budget is an appropriation;

WHEREAS, Charter Section 6-4(d) – Transfer of Appropriations – recognizes that any transfer is an appropriation;

WHEREAS, Charter Section 4-2(22) allows the Town Council to define, by Ordinance, additional duties of the Town Manager;

ORDERED: That the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled, vote to establish a procedure for the Administration and Fiduciary Oversight of the Budget relative to employment contracts, such that,

1. All employment contracts shall be presented to the Town Council for approval;
2. All contracts that require appropriations in current or future years shall be presented to the Town Council for approval;
3. In keeping with Charter Section 4-2(15), no employment contract may be negotiated or modified by the Town Council except for a contract for Town Manager, Assistant Town Manager, and any staff hired under Charter Section 2-8 (Council Staff).

Explanation: The Town of Barnstable shifted to the Town Manager/Town Council form of government in 1989 and the Town of Watertown has been a Town Manager/Town Council form for about a decade. The language found in charter section 4-2(15) is identical to a similar passage in the Barnstable Charter except that the Barnstable Charter adds exclusions for the School and Airport contracts. In practice,

both the Barnstable and Watertown Town Council approve employment contracts. The Bridgewater Charter specifically states that under Section 4-2 (15): The town manager shall be the chief administrative officer of the town and shall be responsible to the town council for the proper operation of town affairs for which the town manager is given responsibility under this charter. The powers, duties and responsibilities of the town manager shall apply to all municipal departments excluding the Bridgewater Raynham Regional School District, and shall include, but shall not be limited to, the following: (15) to be responsible for the negotiation of all contracts with town employees over wages, and other terms and conditions of employment. The town manager may employ special counsel to assist in the performance of these duties. Insofar as they require appropriations, contracts shall be subject to the approval of the town council. Since multi-year contracts require appropriation in future years, set by the council, any contracts for multi year purposes shall require approval from the town council. This is also important to maintain accountability and the necessary checks and balances in our government that was a key concept in developing our Charter.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> • Included on 4/17/12 agenda, but not taken up. • 4/24/12: Referred to Finance Committee • 4/24/12: Referred to Budget & Finance Committee • 6/5/12: Measure referred to Contracts Review Committee • Amendments adopted 7/17/12 and approved for advertising. • Measure advertised 7/26/12 in Enterprise • This measure may be acted upon. • 8/7/12: Measure postponed to 9/4/12. 	<ul style="list-style-type: none"> • 5/2/12: vote tabled 5-0 • 5/7/12: vote tabled • 5/30/12: Vote return to full council recommend referral to Contracts Committee. • Committee voted to recommend with amendments.

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, September 4, 2012, to approve the aforementioned Ordinance by a roll call vote (9-0).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk



Bridgewater Town Council

In Town Council, Tuesday, July 17, 2012

Council Ordinance: D-2012-011

Introduced By:	Town Manager (at request of Town Accountant)
Date Introduced:	May 1, 2012
First Reading:	May 1, 2012
Second Reading:	June 5, 2012
Third Reading:	July 17, 2012
Amendments Adopted:	None
Date Adopted:	July 17, 2012
Date Effective:	August 17, 2012

Ordinance D-2012-011

CREATION OF A CAPITAL STABILIZATION FUND

WHEREAS: The Bridgewater Home Rule Charter, Section 6-6, sets forth the requirements for a five year capital plan; and

WHEREAS: Capital planning is an important part of the town's fiscal planning; and

WHEREAS: It is imperative and appropriate that the Town Council have a dedicated fund from which to appropriate capital resources;

Now, therefore, in accordance with the authority so vested in it by the Bridgewater Home Rule Charter, the Town Council votes to take the following action:

ORDERED that under Massachusetts General Laws, Chapter 40, §5B, the Town of Bridgewater establish a Capital Stabilization Fund for the purpose of accepting funds from a variety of sources to be used exclusively for the purpose annual capital expenditures, or take any other action relative thereto.

Explanation:

This ordinance will establish a capital fund to be used for ongoing capital needs and will demonstrate the town's commitment to ongoing capital improvements.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Measure referred to Finance Committee• Referred to Budget & Finance Committee• This measure requires advertising• This measure was duly advertised in the Enterprise on 6/28/12• 7/10/12: Postponed to next meeting.	<ul style="list-style-type: none">• 5/16/12: Vote approve 7-0.• 5/30/12: Vote 3-0 recommend

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, July 17, 2012 to approve the aforementioned Ordinance by roll call vote (8-0)(Councilor Fitzgibbons not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk



Bridgewater Town Council

In Town Council, Tuesday, July 10, 2012

Council Ordinance: D-2012-012

Introduced By:	Town Manager (at request of Town Accountant)
Date Introduced:	May 1, 2012
First Reading:	May 1, 2012
Second Reading:	June 5, 2012
Third Reading:	July 10, 2012
Amendments Adopted:	None
Date Adopted:	July 10, 2012
Date Effective:	August 10, 2012

Ordinance D-2012-012

CREATION OF OPEB TRUST FUND

ORDERED: The Town Council vote to accept the provisions of Chapter 479 of the Acts of 2008 (codified as M.G.L Chapter 32B, Section 20), to provide for the establishment of an "Other Post Employment Benefits Liability Trust Fund" and further, to establish a "Other Post Employment Benefits Liability Trust Fund" to account for appropriations made to cover the unfunded actuarial liability for retirees' health care and life insurance benefits; or take any other action relative thereto.

Explanation:

As noted in the FY11 Management Letter under "Informational Items", the Town has not yet begun to act on a strategy to fund its other post-employment benefits. By creating an irrevocable trust, the Town can slowly begin funding OPEB costs and work towards reducing its' liability. Roselli, Clark & Associates points out that the towns that have at least begun to put some funds aside are being viewed as more fiscally responsible by the credit agencies. Legislation submitted in conjunction with the 5 Year Capital Plan included a free cash policy that devoted 2% of annual free cash to the unfunded pension liability.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Measure referred to Finance Committee• Referred to Budget & Finance Committee• This measure requires advertising.• Measure duly advertised in Enterprise 6/28/12.	<ul style="list-style-type: none">• 5/16/12: Vote approve 7-0.• 5/30/12: Vote recommend 3-0

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, July 10, 2012 to approve the aforementioned Transfer by Roll Call Vote (5-0) (Councilors Pitta, Colon, Whitaker and Demos were not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk

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



Bridgewater Town Council

In Town Council, Tuesday, July 10, 2012

Council Ordinance: D-2012-013

Introduced By:	Town Manager (at request of Town Planner)
Date Introduced:	June 5, 2012
First Reading:	June 5, 2012
Second Reading:	July 10, 2012
Public Hearing:	July 10, 2012
Amendments Adopted:	None
Date Adopted:	July 10, 2012

Ordinance D-2012-013

AMEND AND CODIFY A FLOOD PLAIN ORDINANCE FOR THE TOWN OF BRIDGEWATER

WHEREAS, Sections 14.10 through 14.50 of the Town of Bridgewater Zoning By-Laws defines flood plain districts and regulates such districts and uses thereunder;

WHEREAS, Section 10-1 of the Town Charter relative to "Continuation of Existing Laws" provides that all by-laws which were in force at the time the Charter was adopted, not inconsistent with the provisions of the Town Charter, shall continue in full force until amended or repealed.

WHEREAS, the Federal Flood Plain maps have recently been updated some changes made to relevant regulations necessitating an amendment and update to the existing Town of Bridgewater flood plain by-law in order to remain a participating National Flood Insurance Program community; now, therefore,

Be it ordained by the Town Council of the Town of Bridgewater as follows:

Flood Plain District

14.10 Purposes

- a. The purpose of the Flood Plain District is: To provide that lands in the Town of Bridgewater subject to seasonal or periodic flooding as described hereinafter shall not be used for residence or other purposes in such a manner as to endanger the health or safety, of the occupants thereof or of the public generally, or as to burden the public with costs resulting from unwise individual choices of land use.
- b. To protect, preserve and maintain the water table and water recharge areas within the Town so as to preserve present and potential water supplies for the public health and safety.
- c. To assure the continuation of the natural flow pattern of the water courses within the Town in order to provide adequate and safe floodwater storage capacity to protect persons and property against the hazards of flood inundation.

ROLL CALL VOTE: 2/3 VOTE OF FULL COUNCIL (6) REQUIRED FOR PASSAGE.

14.20 District Boundaries

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Bridgewater designated as Zone A and AE on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Bridgewater are panel numbers 25023C0188J, 25023C0189J, 25023C0193J, 25023C0281J, 25023C0282J, 25023C0283J, 25023C0284J, 25023C0292J, 25023C0301J, 25023C0302J, 25023C0303J, 25023C0304J, 25023C0306J, 25023C0307J, 25023C0308J, 25023C0311, and 25023C0312J dated July 17, 2012. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

14.30 Use Regulations

- a. The Flood Plain shall be superimposed on existing Zoning By-law Districts.
- b. In Flood Plain applicable use and provisions of the Zoning By-Law continue in force. All uses permitted in the underlying district are allowed, except mobile homes and trailers.

14.33 BASE FLOOD ELEVATION AND FLOODWAY DATA:

- a. Floodway Data - in Zone A and AE, alone watercourses that have not had a regulatory floodway designated the best available Federal, State, Local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- b. Base Flood Elevation Data - in a Zone A, applicants may be required under the Wetland Protection Act, to determine base flood elevation information on engineering calculations. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres; whichever is the lesser, within unnumbered A. Zones.
- c. In floodway, the following provisions apply: All encroachments (fill, construction, etc.) are prohibited unless engineer's certification is provided that such encroachment does not increase flood levels.
- d. In Flood Plain District, NO mobile homes, trailers,

14.34 In Flood Plains no new building shall be erected, altered, enlarged, unless special permit is received from the Board of Appeals.

14.35 Board of Appeals shall issue a permit stating the conditions under which a building may be erected in the Flood Plain.

14.36 All subdivision proposals must be designed to assure that:

- a) such proposals minimize flood damage;
- b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
- c) adequate drainage is provided to reduce exposure to flood hazards.

14.40 Permit Procedure

- a. Any person undertaking action described in Subsection 14,33B above, within the Flood Plain shall submit six (6) copies of application for permit to the Building Inspector, who transmits to the Board of Appeals, Board of Health, Department of Public Works, Conservation Commission and Planning Board. Application accompanied by plans that conform to existing Rules and Regulations of Subdivision Control.
- b. No permit to be issued by the Board of Appeals until receipt of recommendations from the Planning Board and Conservation Commission.
- c. Board of Appeals to issue permit under this Section if it does not endanger health, safety, welfare of occupants, and Board shall be satisfied:
 1. That floor level elevation is proper.
 2. That other land is protected against detriments.
 3. That safe vehicular and pedestrian passage be provided.
 4. That methods of drainage are adequate.
 5. That methods of filling will assure that the health and safety of occupants is protected.
 6. That the land is not subject to periodic flooding.
 7. That the portion of any lot used to meet the yard and area requirements, does not exceed 50% of the minimum lot area, except in the Residential A/B District, wherein the portion of any lot used to meet the yard and area requirements shall not exceed 50% of the minimum lot requirements.
- d. Nothing in this section limits the authority of the Board of Health in respect to premises in the Flood Plain or the applicability of the Town's Building Code.
- e. Nothing in this section shall limit the applicability of Section 40 of Chapter 131, Massachusetts General Laws.
- f. A permit issued by the Board of Appeals, or a building permit issued by the Building Inspector, shall be deemed to be a permit hereunder provided work is started within six (6) months, or take any other action relative thereto.

14.50 Compliance With Other Regulations

All development in the Flood Plain District including structural and non-structural activities whether permitted by right or special permit must be in compliance with Chapter 131 Section 40, of the Massachusetts General Laws and the following. (where applicable):

- 780 CMR Massachusetts State Building Code,
- 10 CMR 10.00, Wetlands Protection Regulations, Department of Environmental Protection (DEP)
- 310 CMR 13.00 Inland Wetlands Restriction
- 10 CMR 15, Title V, Minimum Requirements for Subsurface Disposal of Sanitary Sewage (DEP) Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedure of these state regulations.

- 14.51 Prior to the alteration and/or relocation of any river or watercourse in a riverine situation, notice shall be given to the following:

Adjacent Communities

NFIP State Coordinator,
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104

NFIP Program Specialist
Federal Emergency Management Agency
Region I,
99 High Street 6th Floor
Boston, MA 02110

Councilor _____

Explanation:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">6/5/12: Measure referred to Planning BoardThis measure has been duly advertised as a Public Hearing and for consideration in the Enterprise on Tuesday, June 19, 2012 and Tuesday June 26, 2012.	<ul style="list-style-type: none">6/18/12: Vote favorable recommendation 4-0.

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, July 10, 2012, to approve the aforementioned Ordinance by a roll call vote (6-0) (Councilors Pitta, Colón and Whitaker not present).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk

ROLL CALL VOTE: 2/3 VOTE OF FULL COUNCIL (6) REQUIRED FOR PASSAGE.



Bridgewater Town Council

In Town Council, Tuesday, April 7, 2015

Council Ordinance: D-2012-014

Introduced By:	Councilor Peter Colombotos
Date Introduced:	June 19, 2012
First Reading:	June 19, 2012
Second Reading:	September 18, 2012, February 24, 2015
Third Reading:	April 7, 2015
Amendments Adopted:	February 24, 2015
Date Adopted:	April 7, 2015
Date Effective:	May 8, 2015

Ordinance D-2012-014

RIGHT TO FARM ORDINANCE

Section 1 Legislative Purpose and Intent

- A. The purpose and intent of this ordinance is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations there under including but not limited to Massachusetts General Laws, Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A. We the Town Council of the Town of Bridgewater restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution. ("Home Rule Amendment").
- B. This ordinance encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Bridgewater by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This ordinance shall apply to all jurisdictional areas within the Town of Bridgewater.

Section 2 Definitions

- A. The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.
- B. The word "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:
 - 1. farming in all its branches and the cultivation and tillage of the soil;
 - 2. dairying;
 - 3. production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;

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

4. growing and harvesting of Christmas trees;
5. cultivation of sugar maple trees for the production of maple products;
6. growing and harvesting of forest products and any other forestry or lumbering operations;
7. raising of livestock, including horses;
8. keeping of horses as a commercial enterprise;
9. keeping and raising of poultry, swine, cattle, sheep, goats, rabbits, ratites (such as emus, ostriches and rheas), camelids (such as llamas, alpacas, and camels) and other domesticated animals for food and other agricultural purposes, including fiber and fur-bearing animals (not to include exotic animals).
10. keeping of honey bees;
11. fish hatcheries.

C. “Farming” shall encompass activities including, but not limited to, the following:

1. operation and transportation of slow-moving farm equipment over roads within the Town;
2. control of pests including, but not limited to insects, weeds, predators, and disease organisms of plants and animals;
3. application of manure, fertilizers, and pesticides;
4. conducting agriculture-related educational and farm-based recreational activities, provide that the activities are related to marketing the agricultural output or services of the farm;
5. processing and packaging of the agricultural output of the farm and the operation of a farmer’s market or farm stand including signage thereto;
6. maintenance, repair, or storage of seasonal equipment or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products;
7. on-farm relocation of the earth and clearing of ground for farming operation;
8. construction and use of farm structures and facilities for the storage of animal wastes, farm equipment, pesticides, fertilizers, agricultural products and livestock, for the processing of animal wastes and agricultural products, for the sale of agricultural products, and for the use of farm labor, as permitted by local and state building codes and regulations; including construction and maintenance of fences.

Section 3 Right to Farm Declaration

- A. The Right to Farm is hereby recognized to exist within the Town of Bridgewater. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the accompanying incidental noise, odors, dust and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this ordinance are intended to apply exclusively to those agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right to Farm Ordinance shall be deemed as acquiring any interest in land, or imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning by

law. This ordinance does not supersede local, state or federal laws or regulations or private covenants.

Section 4 Disclosure Notification

- A. The Town will provide a copy of the following notice by posting a copy of the notice at the Bridgewater Town Hall and at the Bridgewater Public Library, and will include the notice and copy of the ordinance on the Town's official website.

"It is the policy of the Town of Bridgewater to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lie within a Town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers and occupants are also informed that the location of property within the Town may be affected by commercial agricultural operations including the ability to access water services for such property under certain circumstances".

Section 5 Resolution of Disputes

- A. Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Town Manager, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer may forward a copy of the grievance to the Town Manager, who shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame with all involved parties.
- B. The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Town Manager, who shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed time frame with all involved parties.

Section 6 Severability Clause

- A. If any part of the ordinance is for any reason held to be unconstitutional or invalid, such decision(s) shall not affect the remainder of this Bylaw. The Town of Bridgewater declares the provisions of this ordinance to be severable.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• This measure received a first reading 6/19/12.• Referred to Community & Economic Development Committee 6/19/12.• After amendments were accepted, this measure was duly advertised in the Enterprise on 3/27/15 and is posted with the Town Clerk's office and may be finally voted this evening.	<ul style="list-style-type: none">• 2/10/15: vote recommend approval.

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, April 7, 2015, to approve the aforementioned ordinance by a roll call vote (6-0) (Councilors Pitta, Norris and Wright absent).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk



Bridgewater Town Council

In Town Council, Tuesday, August 5, 2014

Council Ordinance: D-2012-015

Introduced By:	Councilor Scott Pitta
Date Introduced:	August 7, 2012
First Reading:	August 21, 2012
Second Reading:	July 8, 2014
Amendments Adopted:	July 8, 2014
Third Reading:	August 5, 2014
Date Adopted:	August 5, 2014
Date Effective:	September 5, 2014

Ordinance D-2012-015

AN ORDINANCE REGULATING VACANT AND ABANDONED PROPERTIES

Be it ordained by the Town Council of the Town of Bridgewater;

Section XXXXXX – REGISTRATION AND MAINTENANCE OF ABANDONED, VACANT AND/OR FORECLOSED PROPERTIES.

A. Purpose; Enforcement Authority

1. It is the purpose and intent of this ordinance to protect and preserve public safety, health, welfare and security, and the quiet enjoyment of occupants, abutters and neighbors, by:
 - a. requiring all Property owners, including lenders, trustees and service companies, to register Abandoned and/or Foreclosed properties with the Town of Bridgewater; and by
 - b. regulating the maintenance and security of Abandoned and/or Foreclosed properties to help prevent blighted and unsecured residences and commercial buildings.
2. The Inspector of Buildings/Building Commissioner of the Town of Bridgewater has enforcement authority as to this ordinance.

B. Definitions - When used in this ordinance, the following terms shall have the following meanings, unless a contrary intention clearly appears:

“Abandoned” means a residential Property which is not being used or occupied as a residence despite containing residential unit(s). Abandoned does not include a residential building that is unoccupied while undergoing renovations, or while undergoing repairs due to fire or other casualty. “Abandoned” does not apply to accessory buildings or structures on the premises nor does it apply to residential Property that is temporarily Vacant due to seasonal absences. Abandoned also includes commercial and industrial units that do not have any active business activity.

“Town” means the Town of Bridgewater.

“Commissioner” means the Building Commissioner/Inspector of Buildings of the Town of Bridgewater or his/her designee.

“Days” means consecutive calendar days.

“Foreclosed” means a Property, placed as security for a loan, as to which all rights of the mortgagor or his grantee in the Property have been terminated as a result of a default of the loan.

“Local” means within twenty miles of the Property in question.

“Local Property Management Company” means a company, the regular place of business of which is within twenty miles of the Property in question, that specialized in maintaining properties.

“Mortgagee” means the creditor, including but not limited to service companies, lenders, in a mortgage agreement, or any successor in interest of the Mortgagee’s rights, interests or obligations under the mortgage agreement.

“Property” means any real Property or portion thereof, located in the Town of Bridgewater, which contains a building, structure or other improvement; excepted from this definition is any and all town owned properties.

“Vacant” means any real Property which is not being actively used or occupied and which has not been actively used or occupied within the preceding ninety Days. This definition shall not apply to Property which is actively undergoing renovations, or repairs due to fire or other casualty. For the purpose of this ordinance, “Vacant” also includes Abandoned and/or Foreclosed Property(ies). Excepted from this definition is residential Property that is temporarily Vacant due to owner(s) seasonal absences.

C. Registration

1. All owners of Abandoned, Vacant, and/or Foreclosed residential properties shall register such properties with the Commissioner on forms provided by the Commissioner. If the owner is an out-of-state corporation, person, or other entity, the owner shall appoint an in-state agent authorized to accept service of process and other documents under this ordinance.
 - a. Each registration must state the owner’s or agent’s name, telephone number and mailing address located within the Commonwealth of Massachusetts including name of owner, street number, street name, city or town, and zip code. The mailing address shall not be a post office box.
 - b. Each registration must also certify that the Property has been inspected by the owner and must identify whether the Property is Abandoned. Each registration must designate a Local individual or Local Property Management Company responsible for the maintenance and security of this Property. This designation must state the individual or company’s name, direct telephone number, and Local mailing address. The mailing addresses shall not be a post office box.
 - i. If the owner’s inspection determines that the Property is Abandoned, the registration must be received by the Commissioner within seven Days of the owner’s inspection.
 - ii. If the owner’s inspection determines that the Property is not Abandoned, but has been Foreclosed, the registration must be received by the Commissioner within seven Days of the foreclosure.
 - iii. If the Commissioner’s inspection pursuant to paragraph (e) determines that the Property is Abandoned, the registration must be received by the Commissioner within fourteen Days of the Commissioner’s citation for improper maintenance.

- iv. If, regardless of any determination as to Abandonment or Vacancy, Property has been Foreclosed, the registration must be received by the Commissioner within seven Days of the foreclosure. It shall be the Mortgagee's responsibility to register under this paragraph.
2. All Property registrations pursuant to paragraph (c) are valid for one calendar year from the date when the registration is received by the Commissioner. An annual registration fee of two hundred dollars (\$200) must accompany the registration form. Subsequent registrations and fees are due within thirty Days after the date of the expiration of the previous registration. Subsequent registrations must certify whether the Property remains Abandoned, Vacant and/or remains in Foreclosure, as the case may be.
3. Any owner that has registered a Property under paragraph (c) must report any change in information contained in the registration within ten Days of the change.
4. Once the Property is no longer Abandoned or Vacant, or is sold, the owner shall provide the Commissioner with written notice of legal occupancy or proof of sale, as the case may be.

D. Maintenance and Security Requirements

1. Properties subject to this ordinance must be maintained in accordance with the State Building Code. The owner or Local Property Management Company must inspect and maintain the Property on at least a monthly basis for as long as the Property is Abandoned.
2. In accordance with state law, including but not limited to Massachusetts General Laws chapter 143 Sections 6-10 and 780 CMR 121.0, Property that is Abandoned must be safe and must be secured so as not to be accessible to unauthorized persons and exposure to the elements.
3. Maintain Vacant properties subject to this section, including but not limited to maintaining and keeping in good repair any building(s), structures(s), and improvements, the removal of trash and debris, and the regular mowing of lawns, pruning and/or trimming of trees and shrubbery, and upkeep of other landscape features.
4. Repair or replace broken windows or doors within thirty Days of breakage. Boarding up any doors or windows is prohibited except as a temporary measure for no longer than thirty Days.
5. The Building Commissioner may order that a Property Vacant for six months or more shall have utilities shut off, removed, or cut and capped if any such utilities present a hazard or risk of accident.
6. Compliance with paragraph (d) does not relieve the owner of any applicable obligations set forth in code regulations, covenant conditions and restrictions, and/or homeowner's association rules and regulations.

- E. Inspections** - Pursuant to the State Building Code, the Commissioner or his/her designee shall have the authority and the duty to inspect properties subject to this ordinance for compliance with this ordinance and to issue citations for any violations. The Commissioner or his/her designee shall have the discretion to determine when and how such inspections are to be made, provided such determination is reasonably calculated to ensure that this ordinance is enforced.

F. Penalties – In addition to any other means of enforcement available to the Commissioner, the Commissioner may enforce this ordinance by means of noncriminal enforcement pursuant to Massachusetts General Laws chapter 40 Section 21D. The following penalties are established for purposes of said noncriminal disposition:

1. A failure to initially register with the Commissioner pursuant to paragraph (c): three hundred dollars (\$300.00), and a like penalty for each day's continuation of such violation.
2. A failure to properly designate the name of the Local individual or Local Property Management Company responsible for the maintenance and the security of the Property pursuant to paragraph (d): three hundred dollars (\$300.00) for each violation, and a like penalty for each day's continuation of such violation.
3. A failure to maintain and/or to secure the Property pursuant to paragraph (d): three hundred dollars (\$300.00) for each week during which the Property is not maintained and/or not secured in compliance with paragraph (d).
4. The penalties provided in paragraph (f) shall not be construed to restrict the Town from pursuing other legal remedies available to the Town.

G. Appeals – Any persons aggrieved by the requirements of this ordinance or by a decision issued hereunder may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth.

H. Applicability – If any provisions of this ordinance impose greater restrictions or obligations than those imposed by any general law, special law, regulation, rule, ordinance, order or policy, then the provisions of this ordinance shall control.

I. Severability - If any provision of this ordinance is held to be invalid by a court of competent jurisdiction, then such provisions shall be considered separately and apart from this ordinance's remaining provisions, which shall remain in full force and effect.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Introduced on 8/7/12 agenda, not taken up due to sponsor absence.• Referred to Rules & Procedures Committee• This measure has been duly advertised in the Enterprise and may be finally considered this evening.	<ul style="list-style-type: none">• 6/30/14: Vote 2-0 recommend return to full council with amendments (strike all original text and replace with Town Manager submission)

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, August 5, 2014, to approve the aforementioned order by a roll call vote (8-0)(Councilor Whitaker absent).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk



Bridgewater Town Council

In Town Council, Tuesday, November 13, 2012

Council Ordinance: D-2012-016

Introduced By:	Councilor Scott Pitta
Date Introduced:	August 7, 2012
First Reading:	August 21, 2012
Second Reading:	October 2, 2012
Amendments Adopted:	October 2, 2012
Third Reading:	November 13, 2012
Date Adopted:	November 13, 2012
Date Effective:	December 14, 2012

Ordinance D-2012-016

BYLAW AVAILABILITY

ORDERED: All town Bylaws, Municipal Codes, Ordinances, Orders, Resolutions, and the Town Charter shall be made available to the citizens through the official website of the Town of Bridgewater, by no later than February 1, 2013, at no cost. The Town of Bridgewater may charge a fee, in accordance with appropriate State laws, for providing paper copies of the above referenced documents.

Explanation:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">Introduced on 8/7/12 agenda, not taken up due to sponsor absence.8/21/12: Measure referred to Rules & Procedures CommitteeMeasure was duly advertised on 11/2/12This measure may be acted upon.	<ul style="list-style-type: none">9/25/12: Return to full council – recommend tabling measure.

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, November 13, 2012, to approve the aforementioned Ordinance by a roll call vote (9-0).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk



Bridgewater Town Council

In Town Council, Tuesday, September 4, 2012

Council Ordinance: D-2012-017

Introduced By:	President Kristy Colon
Date Introduced:	August 21, 2012
First Reading:	August 21, 2012
Second Reading:	September 4, 2012
Amendments Adopted:	August 21, 2012
Third Reading:	None
Date Adopted:	September 4, 2012
Date Effective:	October 5, 2012

Ordinance #D-2012-017

AN ORDINANCE TO AMEND SPECIAL ELECTION HOURS

ORDERED: that the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled, vote to amend Town Election Article I, Section 3 of the Bridgewater General Bylaws, to read as follows:

At Annual Town Elections polls shall be open at seven o'clock in the morning and shall remain open until eight o'clock in the evening.

At Special Town Elections the polls may be open no earlier than seven o'clock a.m., no later than 12 o'clock noon and may remain open no later than 8 o'clock in the evening.

Explanation:

Presently, voting hours for Special Elections begin at 12:00 noon. Amending the start time for Special Elections would allow Special Elections to be held concurrently with State/Federal Elections as necessary.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• No referrals to committees were made• This measure was duly advertised in 8/25/12 in the Enterprise• This measure may be considered for action as 14 days has elapsed per Section XVIII of the Council Rules & Procedures	

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, September 4, 2012, to approve the aforementioned Ordinance by a roll call vote (8-0-1) (Councilor Demos abstained).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk

GENERAL BYLAWS OF THE TOWN OF **BRIDGEWATER** MASSACHUSETTS

ARTICLE I Town Meeting

Section 1.

The Town Meeting shall be held on the Saturday preceding the last Monday in April for the purpose of electing Town Officers and voting upon questions as required by General or Special Law. The spring session shall resume on the first Monday in May at 7:30 o'clock in the evening for the primary purpose of dealing with all financial matters of the Town, including the adoption of an annual operating and capital budget and the revision of the wage and personnel By-law, if necessary. The meeting shall be continued on other days, until all articles in the warrant shall have been acted upon. Nothing in this section shall prevent insertion in the warrant of any article on any subject proper for Town Meeting consideration.

Section 2.

The fall session of the Town Meeting shall be held on the second Monday in November—or, should that be a legal holiday, on the following day—at 7:30 o'clock in the evening for the primary purpose of considering and acting upon matters of planning, zoning, subdivision control, building codes, and the adoption, amendment, or repeal of By-laws, as well as such other business, including matters involving a transfer of Town funds, as may properly come before the meeting. The meeting shall be continued on other days, until all articles in the warrant shall have been acted upon. Nothing in this section shall prevent insertion in the warrant of any article on any subject for the Town Meeting consideration.

Section 3.

At Annual Town Elections polls shall be open at seven o'clock in the morning and shall remain open until eight o'clock in the evening. At Special Town Elections the polls shall be open at 12 o'clock noon and remain open until 8 o'clock in the evening.

Section 4.

Notice of every town meeting shall be given by posting an attested copy of the warrant calling the same at the main entrance to the Town Hall and in at least seven precincts other public places in the town, not less than fourteen days before the day appointed for such meeting, and the return of the officer, stating the manner of notice, shall be endorsed on the warrant. (Amended May 3, 1999 – Unanimous)

Section 5.

Whenever a town meeting shall adjourn to a future date, the Town Clerk shall cause a notice of the time and place of such adjourned meeting to be posted at the main entrance to the Town Hall as soon as practicable after the adjournment. Such notice shall briefly state the business to come before the adjourned meeting.

Section 6.

Notification of Annual and Special Town Meetings: Town Clerk shall post two (2) signs announcing all annual and special town meetings, including the date, time and place of said meetings. Aforementioned signs shall be placed at the north and south end of the town common. This posting shall occur no later than fourteen (14) days prior to all annual and special town meetings.



Bridgewater Town Council

In Town Council, Tuesday, March 5, 2013

Council Ordinance: D-2012-019

Introduced By:	Councilor Timothy Fitzgibbons
Date Introduced:	September 18, 2012
First Reading:	September 18, 2012
Second Reading:	February 5, 2013
Amendments Adopted:	None
Third Reading:	March 5, 2013
Date Adopted:	March 5, 2013
Date Effective:	April 5, 2013

Ordinance #D-2012-019

DEFINITION OF CAPITAL ITEMS

WHEREAS: The Bridgewater Home Rule Charter, Section 6-6 sets forth the requirements of a five year capital plan; and

WHEREAS: The Charter does not define items appropriate for inclusion in said plan

Now, therefore, in accordance with the authority so vested in it by the Bridgewater Home Rule Charter, the Town Council votes to take the following action:

ORDERED that the definition of a capital item for inclusion in the capital plan is as follows:

- Items requiring an expenditure of at least \$10,000 and having a useful life of more than three years;
- Projects consisting of real property acquisitions, construction, capital asset improvements, long-life capital equipment, or major maintenance/repair of an existing capital item, as distinguished from a normal operating or maintenance expenditure;
- Items obtained under a long-term lease; and
- Bulk purchases of similar items, such as computers or copy machines, with an aggregate purchase value exceeding \$10,000.

Explanation:

This definition will provide clear guidance on items to be included in the current and future capital plans.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Referred to Finance Committee• Referred to Council Budget & Finance Committee• Re-referred to Council Budget & Finance Committee 11/18/12• This measure was duly advertised on 2/19/13, therefore may be finally considered.	<ul style="list-style-type: none">• 9/26/12: vote "Table" 7-0• 10/10/12: vote "recommend" 7-0• 11/8/12: vote approve 2-0• 1/31/13: vote approve 3-0 (with minor correction)

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, March 5 2013, to approve the aforementioned Ordinance by a roll call vote (7-0) (Councilor Pitta absent, 1 Vacancy).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk