Town of Bridgewater Town Council 2021 Ordinances Voted

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Town Council Ordinances

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Ordinance		
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	General Ordinance: SFI Paperwork	
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	2-1 Composition; Eligibility; Term of	
D-FY21-011	Office	December 21, 2021



In Town Council, Tuesday, September 22, 2020

Council Ordinance: D-FY21-002

Introduced By: Councilor William Wood

Date Introduced: August 4, 2020

First Reading: August 4, 2020

Third Reading: September 22, 2020

Amendments Adopted: None

Date Adopted: September 22, 2020
Date Effective: October 23, 2020

Ordinance D-FY21-002

Second Reading:

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

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

September 8, 2020

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

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

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

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

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

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

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

The questions for the Short-Form are:

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

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

Explanation:

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
Rules & Procedures Committee	• 8/25/20: Vote 3-0 recommend approval
 This measure has been duly advertised in the 	
Enterprise and on the Town's website,	
therefore may be finally considered this	
evening.	

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 22, 2020, to approve the aforementioned Ordinance by a Roll Call vote (9-0).

A TRUE COPY ATTEST:				
Ann M. Holmberg				
Town Council Clerk				



In Town Council, Tuesday, January 5, 2021

Council Ordinance: D-FY21-003

Introduced By: Councilors Sousa, Losche, Rushton, and Gallagher

Date Introduced: September 22, 2020
First Reading: September 22, 2020
Second Reading: November 10, 2020
Third Reading: December 15, 2020
Amendments Adopted: December 15, 2020
Fourth Reading: January 5, 2021

Date Adopted: January 5, 2021

Date Effective: February 5, 2021

Ordinance D-FY21-003

ZONING ORDINANCE – ZONING MAP AMENDMENT – PLEASANT STREET

ORDERED, pursuant to MGL, Chapter 40A that the Town Council assembled votes to change the boundary of the Industrial E and Gateway to Business B for the following lots:

• Map 71, Lot 12

• Map 71, Lot 16

• Map 71, Lot 18

Map 71, Lot 19

Map 71, Lot 20

Map 71, Lot 21

Map 71, Lot 22

Map 71, Lot 23

Map 71, Lot 44

Map 71, Lot 66

Map 71, Lot 67

Map 71, Lot 68

Map 71, Lot 69

Map 71, Lot 76

Map 71, Lot 77

Map 71, Lot 78

• Map 84, Lot 43

See attached Exhibit "Assessors Map of Proposed Zoning Change – September 22, 2020" and "Letter to Pleasant Street Property Owners, dated September 3, 2020"

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
 Community & Economic Development Committee and Planning Board Planning Board 	 11/4/20: At conclusion of a duly advertised public hearing, vote 3-0 recommend approval with proposed amendment. 11/4/20: At conclusion of duly advertised public hearing vote not to recommend as written, but would support with CEDC proposed amendment.
 At their meeting held 11/10/20, the Town Council re-referred this measure back to Planning Board and Community & Economic Development Committee for another joint public hearing. Community & Economic Development Committee Planning Board This measure has been duly advertised in the Enterprise and on the Town's website, therefore may be finally considered this evening. 	 12/2/20: At conclusion of a duly advertised public hearing, vote 3-0 recommend approval with proposed amendments. 12/2/20: At conclusion of duly advertised public hearing, vote not to recommend as written, but would support with CEDC proposed 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, January 5, 2021, to approve the aforementioned Ordinance by a Roll Call vote (9-0).

A TRUE COPY ATTEST:

Ann M. Holmberg
Town Council Clerk



In Town Council, Tuesday, November 24, 2020

Council Ordinance: D-FY21-004

Introduced By: Councilor Shawn George

Date Introduced: November 10, 2020
First Reading: November 10, 2020

Second Reading: November 24, 2020

Third Reading: None
Amendments Adopted: None

Date Adopted: November 24, 2020
Date Effective: December 25, 2020

Ordinance D-FY21-004

GENERAL ORDINANCE - AMEND SECTION III "COUNCIL MEETINGS" OF THE COUNCIL RULES AND PROCEDURES

WHEREAS, Section III "Council Meetings" of the Town Council's Rules and Procedures reads in part:

"....No agenda item shall be brought forth after 10:30 p.m., unless approved by a majority of the thenpresent Councilors..." it is therefore;

ORDERED, that the Town Council assembled votes to amend Section III to read as follows:

..."Generally, Council meeting should not exceed three hours, therefore, no agenda item shall be brought forward after three hours unless approved by a majority of then-present Councilors..."

Explanation:

This amendment sets a specific timeframe for Council meetings regardless of start time.

Committee Referrals and Dispositions:

	Referral(s)	Disposition (s)
•	This measure was not referred to any comm	ittee
•	This measure has been duly advertised in the	e Enterprise and on the Town's website,
	therefore may be finally considered this even	ning.

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 24, 2020, to approve the aforementioned Ordinance by a Roll Call vote (8-0) (Councilor Sousa Absent).

A TRUE COPY ATTEST:				
Ann M. Holmberg				
Town Council Clerk				



In Town Council, Tuesday, September 21, 2021

Council Ordinance: D-FY21-005

Introduced By: Councilor William Wood

Date Introduced: February 23, 2021
First Reading: February 23, 2021
Second Reading: September 7, 2021
Third Reading: September 21, 2021

Amendments Adopted:

Date Adopted: September 21, 2021

Date Effective: October 22, 2021

Proposed Ordinance D-FY21-005

GENERAL ORDINANCE - AMEND SECTION XXV "COMMITTEES" OF THE TOWN COUNCIL RULES & PROCEDURES

WHEREAS, In accordance with the provisions of Section XXXVII of the Town Council Rules and Procedures Document relative to amendments to the Document, it is therefore;

ORDERED, that the Town Council assembled votes to amend the Town Council Rules & Procedures Document as follows:

Add the following Subsection to XXVI. COMMITTEES of the Town Council Rules & Procedures.

- i. ANNUAL EVALUATION
 - In accordance with provisions of MGL and terms of the most recent Town Manager contract, each calendar year beginning in October, the Review Committee shall begin the Town Manager's evaluation process following the steps enumerated below:
 - 1. Review Committee Chair makes a general announcement at Council meeting to advise Councilors and public that the process is beginning.
 - 2. Review Committee meet to decide on a timeline for:
 - a. Council Clerk to send evaluations
 - b. Return of evaluations
 - 3. Upon receipt, Council Clerk compiles numeric values to average categoric and overall rating. Narrative sections will also be compiled into composite responses.
 - 4. Review Committee Chair meets with Council Clerk to review results and final composite evaluation.
 - 5. Town Council President meets with Town Manager to deliver evaluation in January. Town Manager and Town Council President agree on timeframe for Town Manager to submit written comments to be included with personnel file.

Explanation:

Adoption of this Ordinance will establish clear procedure for the Town Manager's annual performance evaluation process.

Committee Referrals and Dispositions:

	Referral(s)		Disposition(s)
•	Rules & Procedures Committee	•	Vote: 2-0 recommend as amended at
•	This measure requires advertising,		their 7/20/2021 meeting.
	therefore may not be finally voted this		-
	evening.		

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 21, 2021, to approve the Order by a Roll Call vote.

A TRUE COPY ATTEST:		
Joshua McGraw		



In Town Council, Tuesday, March 23, 2021

Council Ordinance: D-FY21-006

Introduced By: Councilor Shawn George

Date Introduced: February 23. 2021
First Reading: February 23, 2021

Second Reading: March 9, 2021
Third Reading: March 23, 2021

Amendments Adopted: None

Date Adopted: March 23, 2021

Date Effective: April 23, 2021

Ordinance D-FY21-006

GENERAL ORDINANCE - AMEND ADMINISTRATIVE CODE, PART II, ARTICLE III, SECTIONS 7 AND 16

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

ORDERED that; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Administrative Code, Part I, Chapter 1, Article III, Section 7, Community Preservation Committee, B., (1) (c): as follows:

Section 7. Community Preservation Committee

- B. Authorities and responsibilities.
 - (1) Acquisition and preservation.
 - (c) In considering its recommendations, the Community Preservation Committee shall use as a guideline local and regional open space plans, housing plans, and the Master Plan. The Committee may develop its own guidelines concerning Community Preservation expenditures with the active participation of other Town multiple member bodies as well as public participation. The Community Preservation Committee is a ministerial committee of the Town.

Further ORDERED that; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Administrative Code, Part I, Chapter 1, Article III, Section 16, Historic District Commission, A. as follows:

Section 16. Historic District Commission

A. Term of office. There shall be a Bridgewater Historic District Committee consisting of five members. At least one of the members shall be an architect, a builder with at least five years of demonstrated historic renovation experience, or a professional educator or attorney specializing in historic preservation, who need not be a resident of the district, although preference may be given to those living or working within the District. At least one member shall be a resident of or property owner in the District. Members shall be appointed for three-year terms.

Explanation:

Both the Community Preservation Committee and the Historic District Commission have requested minor changes to provision of the Administrative Code. For the Historic District Commission, the body is requesting expansion to five members. For the Community Preservation Committee, the body requests that the Code reflect that the body is a ministerial body and not an advisory body in the Town.

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

Committee Referrals and Dispositions:

	Referral(s)		Disposition(s)
•	Rules & Procedures Committee	•	3/1/21: Vote 3-0 recommend approval.
•	This measure has been duly advertised,		
	therefore may be finally considered this		
	evening.		

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 23, 2021, to approve the aforementioned Ordinance by a Roll Call vote (7-0) (Councilor George Absent, Vacancy – D5).

A TRUE COPY A	TTEST:
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Ann M. Holmberg
Town Council Clerk



In Town Council, Tuesday, August 3, 2021

Council Ordinance: D-FY21-007

Introduced By: Councilor Fred Chase

Date Introduced: April 6, 2021
First Reading: April 6, 2021
Second Reading: July 13, 2021

Third Reading: August 3, 2021

Amendments Adopted: (1) – July 13, 2021

Date Adopted: August 3, 2021

Date Effective: September 3, 2021

Proposed Ordinance D-FY21-007

GENERAL ORDINANCE - AMEND ADMINISTRATIVE CODE, PART III, CHAPTER 157

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

ORDERED, that; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater Administrative Code, Part III, Chapter 157, by adoption of the following:

ARTICLE II. Flag Raising on Town Property

Section 1. Flag Raising

The Town of Bridgewater, acting through its Town Council, may allow the raising of a flag on the flagpole located at the Academy Building in observance of an event or occasion, subject to this ordinance (the "Ordinance") and the attached rules appended to this Ordinance (the "Rules"), each as may be amended by the Town Council from time-to-time.

1. Request Procedure. An organization or individual (in either case being resident in the Town of Bridgewater) may request that the Town raise a particular flag by written request presented to the Town Council Clerk. Such request must be received by the Town Council Clerk sufficiently in advance of a regularly scheduled meeting of the Town Council to conform with public notice requirements. The requested period of display (the "Period of Display") may commence no sooner than thirty (30) days following receipt of the request by the Town Council Clerk.

The Town Council will consider approval of the request in accordance with all rules and procedures applicable to matters before the Town Council. A decision to approve or deny the raising of a flag is made in the sole and complete discretion of the Town Council.

- 2. <u>Appropriate Events</u>. The events and occasions for which a request pursuant to this Ordinance may be considered are limited to events or occasions designated within a formal proclamation duly issued by a governmental authority, as follows:
 - a) A Proclamation issued by the President of the United States;
 - b) A Proclamation issued by the Congress of the United States;
 - c) A Proclamation issued by the Governor of the Commonwealth of Massachusetts; or
 - d) A Proclamation issued by the Town Council of Bridgewater, Massachusetts.

- 3. <u>Period of Display</u>. The Period of Display of a flag to commemorate an event or occasion above-described shall be limited in the following manner:
 - a) A flag raising intended to coordinate with a proclamation designating one (1) day of honor, recognition, celebration or remembrance shall be limited in duration to one (1) day of public display to take place on the date set-forth within the proclamation;
 - b) A flag raising intended to coordinate with a proclamation designating one week of honor, recognition, celebration or remembrance shall be limited in duration to one (1) week of public display to commence and cease in accordance with the dates specified within the proclamation, or as closely thereto as practicable; and
 - c) A flag raising intended to coordinate with a proclamation designating one (1) month of honor, recognition, celebration or remembrance shall be limited in duration to no less than one (1) week and no longer than (1) month of public display, such period to commence in accord with the earliest date set-forth within the proclamation, or as closely thereto as practicable.
- 4. <u>Flag of the United States</u>. During any Period of Display, a flag approved for public display in the manner permitted hereby shall be flown beneath the flag of the United States in a manner consistent with the United States Code (4 U.S.C. §7).

Section 2. Rules Governing Flag Raising

The Flag Raising Ordinance of the Town of Bridgewater (the "Ordinance") shall be administered in accordance with the following rules (the "Rules"):

- 1. At no time will the Town of Bridgewater display a flag deemed to be inappropriate or offensive in nature, or a flag supporting discrimination, prejudice or reference to any religious movement. A determination of impropriety in this regard shall be rendered by the Town Council in its sole discretion.
- 2. A flag proposed for public display shall be considered for approval which features words, symbols, designs or colors customarily associated with the event or occasion to be commemorated and which does not otherwise, in the determination of Town Council, convey or suggest policies, positions or proposals beyond the intended scope of the proclamation with which it is purported to correspond.
- 3. A photograph of the actual flag proposed for display under this Ordinance shall be provided to the Town Council Clerk together with the written request for display and shall be deemed to constitute a necessary component of the request.
- 4. A flag proposed for display under this Ordinance shall be clean and serviceable, and corresponding in size with the flag of the United States beneath which it will be flown.
- 5. Flag raisings must occur on a normal business day during regular business hours as may be determined appropriate by Town administration. Requests outside of normal business days hours cannot be accommodated.
- 6. A flag delivered for public display must be presented to the Town Council Clerk during normal business days and regular business hours and, following the Period of Display, promptly retrieved from the Town Council Clerk.

 Neither the Town nor the Town Council Clerk shall bear responsible for flags not promptly retrieved.
- 7. If the President or other appropriate authority orders that the U.S. Flag be flown at half-staff, no other flag may be flown therewith during the pendency of such order.
- 8. The Town of Bridgewater shall bear no responsibility for the loss of or any damage to a flag presented for public display under this Policy.
- 9. The Town Council may amend or rescind this Policy or the Rules hereunder at any time and any authorization for

display made pursuant to this policy may be amended or withdrawn upon appropriate action by the Town Council for any reason.

Explanation:

Town officials have from time-to-time received requests seeking display upon Town premises of various flags intended to promote or celebrate events or causes of widely recognized societal, humanitarian, educational, patriotic, or environmental importance. This Ordinance is intended to establish parameters by which such requests may be considered for approval and to set-forth specific rules governing the administration of the Ordinance.

Committee Referrals and Dispositions:

	Referral(s)		Disposition(s)
•	Rules and Procedures Committee	•	Vote: 3-0 recommend for approval as
			amended

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 3, 2021, to approve the Order by a Roll Call vote.

A TRUE COPY ATTEST:				
	_			
Joshua McGraw				



In Town Council, Tuesday June 29, 2021

Council Ordinance: D-FY21-011

RECEIVED TOWN CLERKS OFFICE BRIDGEWATER, MA.

Introduced By:

Councilor Dennis Gallagher

2022 JAN 20 A 8: 47

Date Introduced:

June 29, 2021

First Reading:

June 29, 2021

Second Reading:

December 21, 2021

Third Reading:

Amendments Adopted:

Date Adopted:

December 21, 2021.

Date Effective:

Proposed Ordinance D-FY21-011

General Ordinance - Amend Article II Sec 2-1. Composition; Eligibility; Term of Office

WHEREAS, in accordance with the General Laws of the Commonwealth, the Town Council assembled has adopted a town precinct map dividing the territory of the town into nine (9) voting precincts consisting of, as nearly as possible, an equal number of inhabitants and each consist of fewer than four thousand inhabitants;

WHEREAS, due to the above referenced precinct map the Town Council must now amend the makeup of the Town Council;

WHEREAS, Article 89, Section 8 of the Massachusetts Constitution allows the legislative body of the Town of Bridgewater to vote to submit a Special Act to the State Legislature to Amend the current Charter of the Town;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Home Rule Charter, Article II, Section 2-1 and to send said amendment to the State Legislature as a Special Act as follows:

Section 2-1 shall be deleted in its entirety and replaced with the following:

SECTION 2-1. COMPOSITION; ELIGIBILITY; TERM OF OFFICE

- (a) Composition There shall be a town council consisting of nine members which shall exercise the legislative powers of the town. Three of these members,-to be known as District Councilors, shall be nominated and elected by and from the voters of the three Districts into which the town is divided and six of the members to be known as Councilors-at-Large, shall be nominated and elected by and from the voters at large.
- (b) Eligibility Any voter shall be eligible to hold the office of Councilor-at-Large. A District Councilor must be a voter and resident of the District in which election is sought. If a District Councilor or a Councilor-at-Large moves out of the town during the term for which elected, such office shall immediately be deemed vacant and filled in the manner provided in section 2-5. If a District Councilor moves from the District from which the councilor is elected, or is removed by a change in District lines, and more than 14 months remains of the term for which elected, the office shall be deemed vacant and shall be filled in the manner provided in section 2-5. If less than 6 months of the term remains, the District Councilor who remains a resident of the town may continue to serve during the term for which elected.

(c) Term of Office – After completion of the transitional terms as outlined in Section 10-7, the term of office of District Councilors and Councilors-at-Large shall be staggered terms of 3 years each, beginning on the next business day following election and continuing until their successors are qualified.

EXPLANATION:

This begins the process of what we know will be some change in the makeup of the precincts in Bridgewater due to the recent census. The Town Clerk will make a recommendation to the Council as to what the makeup should be, but the Council will have the final say. This puts the issue in committee so discussions can begin to take place as the timeline for this process will be tight.

Committee Referrals and Dispositions:

	Referral(s)		Disposition(s)
9	Rules and Procedures Committee	0	Vote 3-0 to recommend approval as
			amended

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, December 21, 2021, to approve the Order by a Roll Call vote (7-0 Councilors Perry and Wood absent).

A TRUE COPY ATTEST:

Debra Ward

RECEIVED
TOWN CLERKS OFFICE
BRIDGEWATER, MA.

107 JAN 20 A 8: 4