

Town of Bridgewater  
Town Council

Pursuant to Section MGL Ch 40A, Sec. 5, notice is hereby given that the Bridgewater Town Council will hold a Public Hearing on Tuesday, February 17, 2026 at 7:00pm in the Academy Building Council Chambers, 66 Central Square, on proposed Ordinance D-FY26-007: Establishing the Process for Filling a Vacant Town Councilor role.

The entire Ordinance can be viewed on the Town's website at [www.bridgewaterma.org](http://www.bridgewaterma.org) and is on file with the Town Council Clerk.

Noticed in the February 3, 2026 Enterprise.



## Bridgewater Town Council

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Introduced By: Paul Murphy, Councilor  
Sean Kennedy, Councilor

Date Introduced: 11/4/2025

First Reading: 11/4/2025

Second Reading: 2/3/2026

Amendments Adopted:

Third Reading: 2/17/2026

Date Adopted:

Date Effective:

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### **Ordinance D-FY26-007: Ordinance Establishing the Process for Filling a Vacant Town Councilor Role**

#### **Section 1: Purpose**

This ordinance supersedes Ordinance number D-2013-001 and is intended to create a process when a vacancy is to be filled pursuant to Article II, Section 2-5(c) of the Town of Bridgewater's Town Charter. Its purpose is to ensure continuity of governance while maintaining public trust and adherence to democratic principles.

#### **Section 2: Scope**

This ordinance applies to all situations in which Article II, Section 2-5(c) of the Town of Bridgewater's Town Charter is applicable.

#### **Section 3: Town Council Vote**

The Town Council of the Town of Bridgewater has the authority to fill any vacancy under Article II, Section 2-5(c) of the Town Charter. Prior to initiation of the process set forth below, the Town Council will vote as to whether or not it intends on filling the vacancy. To pass, the vote will require a majority vote of the remaining members of the Town Council. If the vote is not passed, the seat will remain vacant until the following scheduled town election, or if so decided by the Town Council, a special election.

#### **Section 4: Notification of Vacancy**

1. Should the Town Council vote to fill the vacancy pursuant to Article II, Section 2-5(c), the Town Council Clerk shall post a public notice of the vacancy on the town's official website and at all public posting locations, including details about the application process and deadline.

#### **Section 5: Appointment Process**

##### **1. Eligibility Criteria:**

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- Candidates must meet all eligibility requirements for serving as a Town Councilor as outlined in the Home Rule Charter and applicable state law.

## **2. Application Period:**

- A public application period of no less than fourteen (14) days from the date of the vacancy notice shall be observed.
- Interested candidates must submit a formal application, including a résumé, letter of interest, and a statement addressing their qualifications and vision for the town.

## **3. Interview Process:**

- The Town Council shall schedule candidate presentations and interviews as part of the next scheduled Town Council meeting following the close of the application period.
- All eligible candidates will be permitted to present a three (3) minute presentation followed by a brief interview by the remaining Town Council members during this meeting.
- Interviews shall be conducted in a fair and transparent manner, allowing each candidate equal time to present their qualifications and respond to questions.

## **4. Public Comment:**

- Residents shall be given the opportunity to provide input on the candidates during a designated public comment period following all candidate presentations and interviews.

# **Section 6: Selection**

## **1. Nomination Process**

- Following the interviews, each Council member may nominate one candidate.
- Each nomination must receive a second from another Council member to advance.
- This ensures the pool of nominees cannot exceed the number of seated Council members recognized as participants in the meeting, while guaranteeing that every Councilor has the opportunity to bring forward a candidate.

## **2. Voting Process**

- All nominated candidates shall be voted on by the Council members who are recognized as active participants in the meeting under the Town Charter and applicable state law, including but not limited to the Massachusetts Open Meeting Law.
- Majority Defined: For purposes of this section, “majority” shall mean more than half of the Council members recognized as active participants in the meeting.
- The candidate who receives favorable votes from a majority and also receives more votes than any other candidate shall be appointed.

### **• Tie-Breaking Procedure**

- Second Round: If a tie exists among candidates who each received a majority in the first vote, a second vote shall be conducted limited to those tied candidates. In this round, Council members may vote for more than one tied candidate. This provides flexibility to narrow the field while preserving Councilors’ ability to support multiple nominees.
- Third Round: If a tie persists after the second round, a third vote shall be conducted limited to the tied candidates. In this round, each Council member may vote for only one candidate.
  - A candidate shall only be appointed if they receive both:

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1. Favorable votes from a majority of the Council members recognized as active participants in the meeting; and
  2. More votes than any other candidate in that round.
- Failure to Appoint: If no candidate satisfies these conditions after the third round, the appointment process shall be deemed unsuccessful, and the vacancy shall be filled through a special election as outlined in Section 7.

## **Section 7: Special Election Option**

### **1. Triggering a Special Election**

- If the Town Council cannot appoint a candidate through the process outlined in Section 6, the vacancy shall be filled through a special town election.

### **2. Candidate Pool**

- The pool of candidates for this election shall not be limited to nominees considered by the Council.
- Candidates must qualify for the ballot by collecting signatures and meeting all requirements established under state law and the Town Charter, consistent with the process for a regular town election.

### **3. Election Timeline**

- A special town election shall be called and held within ninety (90) days of the Council's failure to appoint a candidate.
- The timing and minimum requirements for holding a special election shall be governed by Massachusetts General Laws, including but not limited to M.G.L. c.41 §10 and c.53 §§7 & 10.
- All elections shall be conducted in compliance with applicable state and local election laws.

## **Section 8: Effective Date**

This ordinance shall take effect immediately upon approval by the Town Council and publication in accordance with local and state laws.

## **Section 9: Severability**

If any provision of this ordinance is found to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

## **Committee Referrals and Dispositions:**

<b>Referral(s)</b>	<b>Disposition(s)</b>
<ul style="list-style-type: none"> <li>• Town Council</li> </ul>	<ul style="list-style-type: none"> <li>• 11/4/25: Referred to Rules and Procedures</li> </ul>
<ul style="list-style-type: none"> <li>• Rules and Procedures</li> </ul>	<ul style="list-style-type: none"> <li>• 11/14/25: Voted 3-0 to recommend</li> </ul>

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<ul style="list-style-type: none"><li>• Town Council</li></ul>	<ul style="list-style-type: none"><li>• 12/2/25 - Referred to Advertising</li></ul>
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Attachments:               None