



Board of Selectmen

65 North Main Street
West Bridgewater, MA 02379
Telephone (508) 894-1267
Fax (508) 894-1269

Open Session Agenda Wednesday June 3, 2020 Selectmen's Meeting Room – 2nd Floor 7:00 p.m.

The listing of matters is those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items may, in fact, be discussed and other items not listed may be brought up for discussion to the extent permitted by law. This meeting may be recorded for use on the internet.

Due to the increasing concern surrounding the Coronavirus pandemic, this meeting will remain closed to the public. There are no scheduled Public Hearings and there will be no public comment period. Live video and audio of the meeting will be aired on Comcast local channel 9. A recording of the meeting will also be posted on the West Bridgewater YouTube channel.

PUBLIC HEARINGS

APPOINTMENTS

7:00 p.m. Conservation Agent, John Delano – High Street Dam Removal (p. 3)

1. Warrants/Board of Selectmen Business:

- a. Approve Meeting Minutes of May 6, 2020 (p. 4-7)
- b. Accept for Review Meeting Minutes of May 20, 2020 (p. 8-12)
- c. Review Proposed Schedule of Meetings and Important Dates for the Second Half of Calendar Year 2020 (p. 13)
- d. Vote to Open Annual Town Meeting Warrant
 - i. Vote to Remove Water Article from Annual Town Meeting Warrant pertaining to Funding a New Water Source (p. 14)
 - ii. Vote on Adding Article to the Annual Town Meeting Warrant for Transfer into SPED Stabilization Account (p. 15)
 - iii. Vote on Proposed Amendments to Solar By-Law Article on Annual Town Meeting Warrant
 - iv. Vote to Close Annual Town Meeting Warrant

e. Approve Motions, Make Recommendations, and Assign Readers for Annual Town Meeting Currently Scheduled for June 29, 2020 (p. 16-28)

f. Sign Annual Town Meeting Warrant

g. Vote on Vacation Carry Over Requests: (p. 29)

i. Chris Iannitelli

h. Sign Purchase and Sale Agreement – Russo Property (p. 30-37)

i. Authorize Disposal of Crack Sealer Machine (p. 38-40)

j. Approve Town of West Bridgewater Annual Town Election COVID-19 Contingency Plan (p. 41-47)

2. Communications and Reports from Boards, Commissions and Town Officials:

3. Correspondence from the Public to Determine a Course of Action:

4. Public Comment Period:

5. Town Administrator's Report:

a. COVID-19 Update: (p. 48-57)

i. Governor Baker's Phase II Re-Opening Scheduled to Start June 8, 2020 (p. 58-65)

ii. Vote on Common Victualler Policy Allowing Outdoor Seating (p. 66-71)

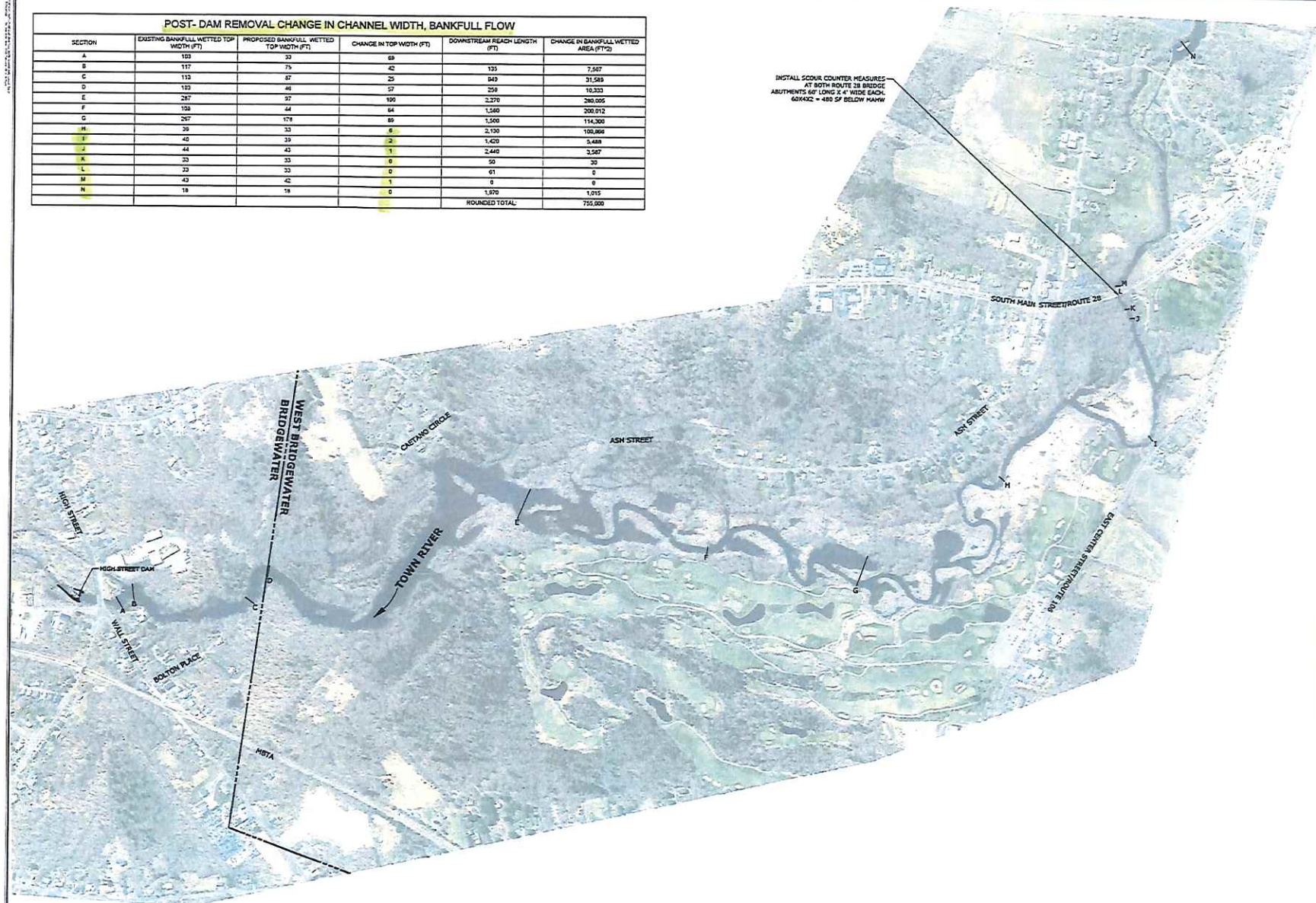
b. Senate IT Bond Bill Priorities (p. 72)


6. Adjourn:


7. Executive Session:

POST-DAM REMOVAL CHANGE IN CHANNEL WIDTH, BANKFULL FLOW					
SECTION	EXISTING BANKFULL WETTED TOP WIDTH (FT)	PROPOSED BANKFULL WETTED TOP WIDTH (FT)	CHANGE IN TOP WIDTH (FT)	DOWNSTREAM REACH LENGTH (FT)	CHANGE IN BANKFULL WETTED AREA (FT ²)
A	103	33	69		
B	117	75	42	135	7,567
C	113	87	25	849	31,588
D	103	46	57	258	16,333
E	287	57	230	190	280,095
F	158	64	94	1,588	200,912
G	267	178	89	1,588	174,320
H	38	33	5	2,100	108,868
I	45	39	6	1,400	5,488
J	44	43	1	2,440	3,567
K	33	33	0	50	30
L	32	33	1	61	6
M	43	42	1	6	6
N	18	18	0	1,970	1,015
				ROUNDED TOTAL:	755,000

INSTALL SCOUR COUNTER MEASURES
AT BOTH ROUTE 28 BRIDGE
ABUTMENTS 60' LONG X 4' WIDE EACH
60X4X2 = 480 SF BELOW KAHN







MILONE & MACBROOM
ENGINEERS ARCHITECTS
100 STATE STREET
BOSTON, MA 02109
TEL: 617.552.1234
WWW.MILONE-MACBROOM.COM

REVISION	DATE	BY

CHANGE IN CHANNEL WIDTH
HIGH STREET DAM REMOVAL
AND BRIDGE REPLACEMENT
HIGH STREET
BRIDGEWATER, MASSACHUSETTS

DESIGNED BY	FRM	JCM
CHECKED BY		
DATE	FEBRUARY 25, 2020	
PROJECT NO.	1967-27	
SHEET NO.	01 OF 01	

Fig 6-1

Minutes of the Board of Selectmen Meeting of Wednesday, May 6, 2020. Present were Eldon F. Moreira. Also present was David L. Gagne, Town Administrator. The meeting convened at 7:00 p.m. in the Selectmen's Meeting Room in Town Hall.

Chairman Moreira stated Selectman Denise Reyes and Selectman Anthony Kinahan were participating remotely. Chairman Moreira stated due to the increasing concern surrounding the Coronavirus pandemic, this meeting will remain closed to the public. Chairman Moreira stated there are no scheduled Public Hearings and there will be no public comment period. Chairman Moreira stated live video and audio of the meeting will be aired on Comcast local channel 9 and a recording of the meeting will also be posted on the West Bridgewater YouTube channel.

The Board led the Pledge of Allegiance.

Chairman Moreira held a moment of silence recognizing the passing of Avon Selectman, Robert Brady.

Town Clerk, Anne Iannitelli, joined the meeting remotely.

Chairman Moreira stated first on the agenda was presenting the Professional Municipal Clerks Week Proclamation.

Mr. Gagne stated this week is recognized across the nation as Professional Municipal Clerk's week. Mr. Gagne stated Town Clerk, Anne Iannitelli, has had to go above and beyond in organizing this year's elections and keeping in compliance with social distancing measures. Mr. Gagne stated the Town is fortunate to have such a professional Town Clerk. Mr. Gagne stated he wanted to recognize her and all her hard work.

Chairman Moreira read the proclamation aloud.

Ms. Iannitelli thanked the Board and stated she would also like to recognize and thank her assistant, Sharon Ledin. Ms. Iannitelli stated she would not be able to run the office without her hard work as well. Chairman Moreira stated next on the agenda was approving the meeting minutes of April 1, 2020.

Mr. Kinahan **MOVED** to approve the meeting minutes of April 1, 2020, Ms. Reyes seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was accepting the meeting minutes of April 15, 2020 for review.

Ms. Reyes **MOVED** to accept the meeting minutes of April 1, 2020 for review, Mr. Kinahan seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was voting to move the due date for exemption and deferral applications to June 1, 2020.

Mr. Gagne stated the Board voted to move the due date for exemption and deferral applications to June 1, 2020 at their last meeting; however, it was not listed on the agenda, because the Assessors voted on this right before the Board started their last meeting. Mr. Gagne stated it was placed on this agenda as a precaution to not potentially run afoul of the Open Meeting Law.

Mr. Kinahan **MOVED** to move the due date for deferral and exemption applications to June 1, 2020, Ms. Reyes seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was voting on the FY 21 Appointments.

Mr. Kinahan **MOVED** to take the list of FY 21 Appointments under advisement and take an official vote at their next meeting, Ms. Reyes second, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was approving the Confined Space Policy.

Mr. Gagne stated MIIA provided the Town a grant opportunity for equipment that could detect gas leaks in confined spaces. Mr. Gagne stated this equipment would enable the Fire Department and inspectors to determine if there is a gas leak before entering a confined space. Mr. Gagne stated in order to fulfill the grant MIIA required that the Town adopt a Confined Space Policy. Mr. Gagne stated Assistant Town Administrator, Linda Torres worked on establishing a policy in conjunction with the Building Inspector, Fire Chief, Deputy Fire Chief, and the Plumbing and Gas Inspector. Mr. Gagne stated the policy is before the Board tonight for approval.

Mr. Kinahan **MOVED** to approve the Confined Space Policy, Ms. Reyes seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was the Town Administrator's report.

Mr. Gagne stated first on his report was DTLA funding approval. Mr. Gagne stated the Old Colony Planning Council has approved the Town's 2020 District Local Technical Assistance Project Request for a Housing Production Plan. Mr. Gagne stated the Town will receive a grant for the Old Colony Planning Council to write the Town a Housing Production Plan. Mr. Gagne stated this approved request is for a full housing plan, which will give the Town the opportunity to have an in-depth analysis on how to produce a Housing Production plan. Mr. Gagne stated OCPC's focus would not be solely on how to completely avoid future proposed 40B projects, however, the information provided in their plan may be helpful to assess those projects in the future and determine which ones would best suit the Town of West Bridgewater. Mr. Gagne

stated the Board can review the final product and decide if they want to formulate a Housing Production Plan in the future.

Chairman Moreira stated he is on the Old Colony Planning Council and will follow up on this matter.

Mr. Gagne stated next on his report was Special Legislation for Special Police Officers approved by the State. Mr. Gagne stated the Police Chief had previously requested that the Town allow retired Police Officers to serve as Special Police Officers up until the age of 70 instead of 65. Town Meeting approved this request last year and the request was submitted to the Legislature for its approval. Mr. Gagne stated the Legislature and the Governor have approved the special legislation,

Mr. Gagne stated next on his report was his letter to MassHousing regarding the permitted 40B project at 43R Belmont Street. Mr. Gagne stated the letter requested that the Town of West Bridgewater be given local preference options.

Mr. Gagne stated next on his report is a discussion on the Plymouth County CARES Act. Mr. Gagne stated about half a trillion dollars was awarded nationwide under the Federal CARES Act. Mr. Gagne stated this money has gone to municipalities and/or government agencies with a population of 500,000 or more. Mr. Gagne stated Plymouth County was awarded \$90 Million. Mr. Gagne stated as Plymouth County Municipality the Town may receive some of that funding at a later date.

Mr. Gagne stated last on his report is a COVID-19 update. Mr. Gagne stated his office continues to send memos to Residents and Employees. Mr. Gagne stated there have been 42 residents who have tested positive and currently there are 14 residents still in quarantine. Mr. Gagne stated Governor Baker has extended the closure of nonessential businesses until May 18, 2020. Mr. Gagne stated he has asked the Building Commissioner and DPW Director to start looking into safety precautions that should be set in place before bringing Town Employees back to working in-office. Mr. Gagne would like to install plexiglass barriers in service windows/areas in all offices. Mr. Gagne stated some offices might require the installation of "dutch doors" as well. Mr. Gagne stated they are trying to do everything possible to continue offering services while protecting both employees and residents as much as possible.

Mr. Gagne stated the Small Business Administration has issued some guidance to address borrower and lender questions concerning the implementation of the Paycheck Protection Program, established by section 1102 of the Coronavirus Aid, Relief and Economic Security Act. Mr. Gagne stated this information has been posted on the Town's website along with Facebook for public access.

Chairman Moreira stated the following "I would entertain a motion to enter into executive session, not to return to open session, for purposes of conducting a strategy session in preparation for contract negotiations with nonunion personnel, specifically all nonunion contract employees overseen by the Board of Selectmen and to discuss strategy with respect to Collective Bargaining, specifically, all unions overseen by the Board of Selectmen, since in my opinion as

Chair, strategizing in open session would have a detrimental effect on the bargaining position of the Town.”

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Open session adjourned at 7:45 p.m.

Anthony J. Kinahan, Clerk

Respectfully submitted by Lorna J. Carroll, Confidential Secretary.

List of Documents included in the May 6, 2020 Meeting Packet:

- *Professional Municipal Clerks Week Proclamation*
- *Meeting Minutes of April 1, 2020*
- *Meeting Minutes of April 15, 2020*
- *Memo re: Act to Address Challenges Face by Municipalities – Ability to Defray Internet/Late Charges on Municipal Charges*
 - *Chapter 53 of the Acts of 2020*
- *List of FY21 Appointments*
- *Confined Space Policy*
- *Letter from Old Colony Planning Council re: Approval of 2020 District Local Technical Assistance Request*
- *Chapter 59 of the Acts of 2020*
- *Letter to MassHousing re: Property, Local Presence Justification, Olde Bridgewater Place, 43R Belmont Street*
- *Coronavirus Advisory #5 to the Honorable Board of Selectmen*
 - *Memo re: Interest and fees on Taxes/Water Bills and Excise Tax- To Treasurer/Collector and Principal Assessor*
 - *Update #12: Town of West Bridgewater Confirms First Cases of COVID-19*
 - *COVID-19 Advisory #6 – To All Department Heads*
 - *COVID-19 Advisory #3 – To All West Bridgewater Residents*
 - *Confirmed COVID-19 Cases in West Bridgewater Update #12*
 - *COVID-19 Response Reporting Discrepancy Explanation*
- *Governor Baker’s Order Further Extending The Closing of Certain Workplaces and the Prohibition on Gatherings of More than 10 People*
- *Small Business Administration guidance regarding borrower and lender questions concerning the implementation of the Paycheck Protection Program*

Minutes of the Board of Selectmen Meeting of Wednesday, May 20, 2020. Present were Eldon F. Moreira. Also present was David L. Gagne, Town Administrator. The meeting convened at 7:00 p.m. in the Selectmen's Meeting Room in Town Hall.

Chairman Moreira stated Selectmen Denise Reyes and Anthony Kinahan were participating remotely. Chairman Moreira stated due to the increasing concern surrounding the Coronavirus pandemic, this meeting will remain closed to the public. Chairman Moreira stated there are no scheduled Public Hearings and there will be no public comment period. Chairman Moreira stated live video and audio of the meeting will be aired on Comcast local channel 9 and a recording of the meeting will also be posted on the West Bridgewater YouTube channel.

The Board led the Pledge of Allegiance.

Chairman Moreira stated first on the agenda was approving the meeting minutes of April 15, 2020.

Mr. Kinahan **MOVED** to approve the meeting minutes of April 15, 2020, Ms. Reyes seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was accepting the meeting minutes of May 6, 2020 for review.

Ms. Reyes **MOVED** to accept the meeting minutes of May 6, 2020 for review, Mr. Kinahan seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was voting on FY 21 appointments.

Mr. Kinahan **MOVED** to approve all FY 21 appointments as presented, with the noted amendment of appointing Mr. Bodwell in place of Ms. Oakley's appointments, Ms. Reyes seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was voting on the FY21 Budget.

Mr. Gagne stated it has been difficult to determine an appropriate budget due to the effects of the Coronavirus Pandemic. Mr. Gagne stated he has been extremely conservative with what he is suggesting funding this year. Mr. Gagne stated he balanced the budget according to the request of the Board of a level services budget with no new hires for FY21. Mr. Gagne stated the Town is in a good position with approximately \$3M dollars in stabilization if they ever need to tap into that for funding. The Board reviewed the budget documents provided by Mr. Gagne.

Ms. Reyes recused herself from voting on the Library's budget due to her being employed by Local 653, and **MOVED** to approve the remaining budgets, Mr. Kinahan seconded and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Mr. Kinahan **MOVED** to approve the Library budget, Chairman Moreira seconded, and so voted two in favor, one recused.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, recused; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was the By-Law Study Committee's report on proposed by-laws for Annual Town Meeting currently scheduled for June 29, 2020.

Mr. Gagne stated the By-Law Study Committee did not provide an official report but their recommendations are reflected in their proposed Articles for the Annual Town Meeting Warrant. Mr. Gagne stated the Committee did not recommend a proposed yard sale by-law; therefor it is not included in the Articles before the Board today.

Mr. Gagne stated typically the Board goes through the Warrant, Article by Article, and takes a vote at the end. Mr. Gagne stated Article 13 starts the Capital Budget Articles and he requested that the Board refer to the break down he provided to them regarding the Capital Budget items. Mr. Gagne stated that the Board was voting to only place the Articles on the Warrant and were not taking recommendation votes tonight.

The Board reviewed each proposed Article.

Mr. Gagne outlined each Capital Budget item approved by the Capital Budget Committee and referenced a chart that noted in red Capital Budget projects that the Town is not able to fund this year and those that the Town can fund in green. Mr. Gagne stated the two projects he believes the Town can fund this year are new mobile lifts for the DPW, replacing the non-functioning lifts they have currently, and a new F250 service vehicle for the Fire Department.

The Board continued to review the Articles and agreed to remove Articles 13, 14, 19, 21, and 22, from the Warrant.

Mr. Gagne presented Article 33 to the Board, explaining that the Finance Committee submitted changes to the existing Finance Committee By-Law to the By-Law Study Committee. Mr. Gagne stated the redline Article submitted by the By-Law Study Committee differed from the original Finance Committee's requested changes.

The Board amended Article 33 to reflect a seven member Finance Committee, appointed within 60 days after the Annual Town Meeting by the Committee to Appoint the Finance Committee. The Board also incorporated language that a member of the Finance Committee must be a resident of the Town of West Bridgewater.

The Board continued to review the Articles and agreed to remove Article 34 from the Warrant.

Mr. Kinahan **MOVED** to place all presented Articles on the Annual Town Meeting Warrant, excluding Articles 13, 14, 19, 21, 22 and 34, subject to grammatical changes and final review by Town Counsel, Ms. Reyes seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was voting on vacation carry over requests from Fire Chief Ken May, Assistant Town Clerk Sharon Ledin, and Water Department Laborer Ronald Randall.

Ms. Reyes **MOVED** to approve the vacation carry over requests, Mr. Kinahan seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was voting on the request from the Town Clerk to adjust polling hours for the Annual Town Election.

Mr. Gagne stated Ms. Iannitelli submitted a request to the Board to adjust the polling hours for the Annual Town Election from 9 a.m. – 8 p.m. to 10 a.m. – 5 p.m.

Chairman Moreira stated he was not comfortable with cutting the hours and would like to keep it the same.

Mr. Gagne stated the Town Clerk believes that more people will be taking advantage of early voting by mail due to the Coronavirus pandemic. Mr. Gagne stated there are also less poll workers volunteering to work in direct contact with the public. Mr. Gagne stated Ms. Iannitelli took all of the circumstances in to consideration before submitting this request to alter the polling hours.

Chairman Moreira **MOVED** to change the polling hours to 9 a.m. - 7 p.m., Mr. Kinahan seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was signing the Annual Town Election Warrant noting the adjusted polling hours.

Mr. Kinahan **MOVED** to sign the Annual Town Election Warrant noting the adjusted polling hours, Ms. Reyes seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated next on the agenda was voting on the Southeastern Regional Services Group FY 21 Contract Awards for DPW Supplies, Water & Sewer Treatment Chemicals, and Paper.

Mr. Kinahan **MOVED** to approve the Southeastern Regional Services Group FY21 Contract Awards for DPW Supplies, Water & Sewer Treatment Chemicals, and Paper, Ms. Reyes seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

Chairman Moreira stated there will not be any typical Memorial Day Services, however, wreathes will be laid out at graves across Town. Chairman Moreira stated last year's Memorial Day Service will be aired on Comcast Channel 9 and posted to the Town's YouTube page.

Chairman Moreira stated next on the agenda is the Town Administrator's Report.

Mr. Gagne stated that every week he participates in several conference calls outlining Covid-19 policies, procedures and updates. Mr. Gagne stated Governor Baker has announced a four-phased re-opening plan and the State is in Phase I and will move through each phase accordingly. Mr. Gagne stated the High School Track will be open to the public come Monday, May 25, 2020. Mr. Gagne stated everyone using the track is expected to adhere to social distancing and proper safety protocols. Mr. Gagne stated the Town Hall would remain closed to the public. Mr. Gagne stated he is working on getting quotes for the installation of plexiglass barriers in every office in the Town Hall. Mr. Gagne stated a majority of Town Hall staff will remain working remotely. Mr. Gagne stated the Town has been allocated approximately \$318,000 from the Plymouth County CARES Act. Mr. Gagne stated the Town will be filing for reimbursement for any expenditures relative to COVID-19.

Mr. Gagne stated he has approved a request from the West Bridgewater Athletic Boosters to conduct their annual Car Wash in the Town Hall Parking Lot on September 12, 2020 with a rain date of September 19, 2020. Mr. Gagne stated this may need to be reassessed in the near future due to the Coronavirus Pandemic.

At 8:42 p.m. Ms. Reyes **MOVED** to adjourn, Mr. Kinahan seconded, and so voted unanimously.

ROLL CALL VOTE: Chairman Moreira, yes; Ms. Reyes, yes; Mr. Kinahan, yes.

The meeting adjourned at 8:42. p.m.

Anthony J. Kinahan, Clerk

Respectfully submitted by Lorna J. Carroll, Confidential Secretary.

List of Documents included in the May 20, 2020 Meeting Packet:

- *Meeting Minutes of April 15, 2020*
- *Meeting Minutes of May 6, 2020*
- *List of FY21 Appointments*
- *Breakdown of Capital Budget Articles and Free Cash Articles*
- *Memo re: Executive Summary of FY 2021 Budget*
 - *Amended FY21 Budget Breakdown*
 - *Outline of Budget Changes*
- *Annual Town Meeting Warrant*
- *Copy of Finance Committee By-Law*
 - *Finance Committee Proposed Changes to By-Law*
- *Vacation Carry Over Requests:*
 - *Ken May*
 - *Sharon Ledin*
 - *Ronald Randall*
- *Letter from Town Clerk re: Adjusting Polling Hours*
 - *Annual Town Election Warrant*
- *SERSG FY21 DPW Supplies Contract Award*
- *SERSG FY21 Water & Sewer Treatment Chemicals Contract Award*
- *SERSG FY21 Paper Contract Award*
- *Memo to Board of Selectmen re: Coronavirus – Advisory #6*
 - *Governor Baker's Reopening Four Phase Approach*
- *West Bridgewater Booster's Request to Use Town Hall Parking Lot for Car Wash*



Board of Selectmen

65 North Main Street
West Bridgewater, MA 02379
Telephone (508) 894-1267
Fax (508) 894-1269

MEMORANDUM

To: The Honorable Board of Selectmen
From: Lorna J. Carroll, Confidential Secretary
Re: Schedule of Meetings and Important Dates for the Second Half of Calendar Year 2020
Date: June 3, 2020

**All meetings begin at 7:00 p.m. in the Board of Selectmen's Meeting Room, 2nd Floor, Town Hall
unless otherwise noted.**

All meetings subject to change due to scheduling conflicts.

Meeting Dates

Important Dates & Town Hall Closings

July 8, 2020

July 3, 2020, Independence Day (Observed), Closed

August 19, 2020

September 2, 2020
September 16, 2020

September 7, 2020, Labor Day, Closed
September 25, 2020, Employee Appreciation Day
(Tentative)

October 7, 2020
October 21, 2020

October 12, 2020 Columbus Day, Closed

November 4, 2020
November 18, 2020

November 11, 2020, Veterans Day, Closed
November 25, 2020, Close at Noon
November 26, 2020, Thanksgiving Day, Closed
November 27, 2020, Closed

December 2, 2020
December 16, 2020

December 24, 2020 – Christmas Eve, Close at Noon
December 25, 2020 – Christmas Day, Closed
December 31, 2020 – New Year's Eve, Close at Noon

Original Water Article:

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Water Commissioners to continue permitting of a New Water Source, or to take any other action relative thereto.

Proposed School Article:

To see if the Town will vote to transfer from Article 27" Paving School Lots" of the Annual Town Meeting of June 12, 2017 and closeout said article, to place proceeds into the Education SPED Stabilization Account, or take any action relative thereto.

ANNUAL TOWN MEETING WARRANT ARTICLES

Monday, June 29, 2020-6:00 p.m.
West Bridgewater Junior/Senior High School Auditorium

Moderator Reads- Consent Motion-Articles 1 and 2 are consent articles. Articles and motions are listed here in the event Consent article is not voted as a whole.

MOVE: That the Town consider and approve Articles 1 and 2 as printed on the Warrant, as a single "consent" article.
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Article 1: To hear reports of all Town Officers and act thereon.

Consent-
MOVE: To accept reports of all Town Officers.

Article 2: To see if the Town will vote to authorize the Board of Selectmen to enter into a contract or contracts with the Massachusetts Department of Public Works for the construction and maintenance of public highways for the fiscal year, or to take any other action relative thereto.

Consent-
MOVE: That the Town vote to authorize the Board of Selectmen to enter into a contract or contracts with the Massachusetts Department of Public Works for the construction and maintenance of public highways for the fiscal year beginning July 1, 2020.

Article 3: To see if the Town will vote to determine the salaries of the following elected Town Officials for the fiscal year beginning July 1, 2020:

Moderator	Board of Assessors
Board of Selectmen	Water Commissioners
Town Clerk	
Board of Health	

The following officers to serve without pay:

Library Trustees	School Committee
Planning Board	Tree Warden

Or to take any other action relative thereto.

MOVE: That the Town vote to determine the salaries of the following elected Town Officers for the fiscal year beginning July 1, 2020:

Moderator	\$338	Board of Assessors	\$10,539
Board of Selectmen	\$10,375	Water Commissioners	\$7,295
Town Clerk	\$73,614		
Board of Health	\$4,936		

Article 4: To raise such sums of money as may be necessary to defray Town charges for the fiscal year beginning July 1, 2020 and to make appropriations for the same, or to take any other action relative thereto.

MOVE: (See Budget Book for Motion)

Article 5: To see if the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986 and to further accept the provisions of Chapter 126 of the Acts of 1988, which will grant a percentage increase to real estate tax exemptions to persons who are otherwise qualified for such exemptions, or to take any other action relative thereto.

Section 4 of Chapter 73 of the Acts of 1986 authorizes towns certified by the Commissioner of Revenue to be assessing all property at its full and fair cash value, and which accept the provisions of that Act to grant additional real estate tax exemptions. Such additional exemptions may be granted to persons who qualify for property tax exemptions under Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A and 41C.

This would increase the status exemptions to qualified individuals as follows:

<u>Exemption</u>	<u>FY2020 Amount</u>	<u>With 25% increase</u> <u>FY 2021</u>
Elderly	\$500.00	\$625.00
Widows/Over 70	\$175.00	\$218.75
Veterans	\$400.00	\$500.00
Blind	\$500.00	\$625.00

This increased amount will stay in place so long as it is voted each year at Town Meeting

MOVE: That the Town accept the provisions of Section 4 of Chapter 73 of the Acts of 1986 and to further accept the provisions of Chapter 126 of the Acts of 1988 which will grant a percentage increase to real estate tax exemptions to persons who are otherwise qualified for such exemptions and further to increase the Real Estate Tax Exemption to persons so qualified by 25% for FY 2021.

Article 6: To see if the Town will vote to borrow a sum of money in anticipation of reimbursement to meet the Town’s share of the cost of work for State Aid Construction and Maintenance or to take any other action relative thereto. *(Borrow \$323,058 per allocation of Chapter 90 funds for West Bridgewater from the State’s Chapter 90 local transportation aid funding for FY 2021 in anticipation of reimbursement from the state.)*

MOVE: That the Town borrow \$323,058, to be repaid in not more than one year, in anticipation of reimbursement to meet the Town’s share of the cost of work for State Aid Construction and Maintenance as authorized as the Town’s apportionment of Chapter 90 Local Transportation aid funding for Fiscal Year 2021 in accordance with the figures released by the Massachusetts Department of Transportation in accordance with Chapter 86 of the Acts of 2008.

Article 7: To see if the Town will vote to appropriate, or reserve from the projected Fiscal Year 2021 Community Preservation Estimated Revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community debt services, community preservation projects, Open Space, Historic Resources, and Community Housing reserves, and other expenses in Fiscal Year 2021 with each item to be a separate appropriation or reserve:

Appropriations:

- From FY 2021 estimated revenues for Committee Administrative Expenses\$10,750
- From FY 2021 estimated revenues for Open Space Reserve.....\$0
- From FY 2021 estimated revenues for Historic Resources Reserve.....\$4,000
- From FY 2021 estimated revenues for Community Housing Reserve.....\$21,500
- From FY 2021 estimated revenues for Undesignated Funds.....\$0

Or to take any other action relative thereto.

MOVE: That the Town vote to appropriate from the Community Preservation Fund Estimated Revenues the following amounts recommended by the Community Preservation Committee for Committee Administrative Expenses, Open Space, Historic Resources, and Community Housing reserves, and other expenses in Fiscal Year 2021 with each item to be a separate appropriation or reserve.

Article 8: To see if the Town will vote to appropriate, transfer from available funds or borrow a sum of money to meet the 10% requirement due to a supplemental CPA budget voted by the Commonwealth of Massachusetts, or take any other action relative thereto.

MOVE: That the Town vote to transfer \$4641 to Community Housing Reserve and \$4641 to Open Space Reserve from CPA Unreserved Fund Balance to meet the 10% state requirement.

- Article 9: To see if the Town will vote to appropriate, transfer from available funds or borrow a sum of money from the FY21 estimated budgeted revenue of the Community Preservation Fund reserve to fund the debt service for the new playground at Friendship Park, an open space project, or take any action relative thereto.
- MOVE: That the Town vote to appropriate \$68,742 from FY21 Community Preservation Fund estimated budgeted revenue to fund the debt service for the open space project of the new playground at Friendship Park.**
- Article 10: To see if the Town will vote to appropriate, transfer from available funds or borrow a sum of money from the West Bridgewater Community Preservation Fund, of which shall be appropriated from the projected Fiscal Year 2021 Fund Revenues in accordance with Chapter 44B of the Massachusetts General Laws, under the category of Historic Preservation to be expended under the direction of the Conservation Agent, for the historic preservation and nomination of the Skim Milk Bridge, or any other action relative thereto.
- MOVE: That the Town vote to appropriate from the FY 2021 Community Preservation Fund estimated revenues a sum of which up to \$17,500, under the category of Historical Preservation, to be expended by the Conservation Agent for the historic preservation and nomination of the Skim Milk Bridge.**
- Article 11: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to fund Other Post-Employment Benefits (OPEB) Liability Trust Fund established in accordance with Chapter 32B, Section 20 of the Massachusetts General Laws, or to take any other action relative thereto.
- MOVE: That the Town transfer from Free Cash \$50,000 to fund Other Post Employment Benefits (OPEB) Liability Trust Fund established in accordance with Chapter 32B, Section 20 of the Massachusetts General Laws.**
- Article 12: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money as the Town's match for the WEB Task Force in FY2021, or to take any other action relative thereto.
- MOVE: That the Town raise and appropriate a sum of \$10,000 as the Town's match for the WEB Task Force in FY 2021.**
- Article 13: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Department of Public Works to purchase Mobile Lifts, or take any other action relative thereto.
- MOVE: That the Town vote to transfer from Free Cash a sum of \$45,920 to be expended by the Department of Public Works to purchase a Mobile Lifts.**

- Article 14: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Department of Public Works for the Construction and Engineering of sidewalks, or to take any other action relative thereto.
- MOVE: That the Town vote to transfer from Free Cash a sum of \$150,000 be expended by the Department of Public Works for the construction and engineering of sidewalks.**
- Article 15: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended by the Department of Public Works, for the purpose of installing a traffic signal and sidewalks to be located at Howard Street and West Center Street, or to take any action relative thereto.
- MOVE: That the Town vote to transfer from Free Cash a sum of \$300,000 to be expended by the Department of Public Works, for the purpose of installing a traffic signal and sidewalks at the corner of Howard Street and West Center Street.**
- Article 16: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money from the Commonwealth Infrastructure Enhancement Trust Fund for the construction and engineering of sidewalks, or take any action relative thereto.
- MOVE: That the Town vote to transfer a sum of \$2301 from the Commonwealth Infrastructure Enhancement Trust Fund to be expended for the construction and engineering of sidewalks.**
- Article 17: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Fire Department to purchase and equip a Ford F 250, Utility Body, Pickup Truck and to authorize the Board of Selectmen to dispose of the vehicle to be taken out of service in the best interest of the Town, or take any other action relative thereto.
- MOVE: That the Town vote to transfer from Free Cash a sum of \$63,000 to be expended by the Fire Department to purchase and equip a Ford F 250 and to authorize the Board of Selectmen to dispose of the vehicle to be taken out of service in the best interest of the Town.**
- Article 18: To see if the Town will vote to appropriate, transfer from available funds or borrow a sum of money to purchase the real estate located at 134 Lincoln Street, consisting of approximately 15 ½ acres, including the entire combined area shown as Parcel A and Lots 1, 2 and 3 on a plan of land entitled "Plan of Land", prepared for "Russo Greenhouse Trust", recorded with the Plymouth County Registry of Deeds in Plan Book 62, Page 212, said premises being shown on Town Assessors Map 51 as Lots 27, 28, 29, 05 and "Russo's Way", or take any action relative thereto.
- MOVE: That the Town vote to transfer from Free Cash a sum of \$600,000 to purchase the real estate located at 134 Lincoln Street, consisting of approximately 15 ½ acres, including the entire combined area shown as Parcel A and Lots 1, 2 and 3 on a plan of land entitled "Plan of Land", prepared for "Russo Greenhouse Trust", recorded with the Plymouth County Registry of Deeds in Plan Book 62, Page 212, said premises being shown on Town Assessors Map 51 as Lots 27, 28, 29, 05 and "Russo's Way".**

Article 19: To see if the Town will vote to appropriate, transfer from available funds or borrow a sum of money for Design and Engineering for an Athletic Fields Complex, to be built on Lincoln Street, formerly owned by "Russo Greenhouse Trust" or take any action relative thereto.

MOVE: That the Town vote to transfer from Free Cash a sum of \$100,000 for the Design and Engineering for an Athletic Fields Complex, to be built on Lincoln Street.

Article 20: To see if the Town will vote to transfer from Article 27" Paving School Lots" of the Annual Town Meeting of June 12, 2017 and closeout said article, to place proceeds into the Education SPED Stabilization Account, or take any action relative thereto.

MOVE: That the Town vote to transfer \$49,035 from Article 27" Paving School Lots" of the Annual Town Meeting of June 12, 2017 and closeout said article, into the Education SPED Stabilization Account.

Article 21: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Water Commissioners to purchase a Ford F 350, Utility Body, Pickup Truck and to authorize the Board of Selectmen to dispose of the vehicle to be taken out of service in the best interest of the Town, or take any other action relative thereto.

MOVE: That the Town vote to borrow a sum of \$41,000 to be expended by the Water Commissioners to purchase a Ford F 350, Utility Body, Pickup Truck and to authorize the Board of Selectmen to dispose of the vehicle to be taken out of service in the best interest of the Town.

Article 22: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Water Commissioners to Refit an Existing Motor Starter with a Variable Frequency Drive and Surge Protection at Norman Ave Station, or take any other action relative thereto.

MOVE: That the Town vote to transfer from Water Surplus a sum of \$15,000 to be expended by the Water Commissioners to refit the existing motor start with Variable Frequency Drive, and Surge Protection System at Norman Ave Station.

Article 23: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Water Commissioners to pay down Principle on the Tank Painting Loan, or take any other action relative thereto.

MOVE: That the Town vote to transfer from Water Surplus a sum of \$100,000 to be expended by the Water Commissioners to pay down Principle on the Tank Painting Loan.

Article 24: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Water Commissioners to pay down Principle on New Well Loan, or take any other action relative thereto.

MOVE: That the Town vote to transfer from Water Surplus a sum of \$57,668 to be expended by the Water Commissioners to pay down Principle on New Well Loan.

Article 25: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Water Commissioners to receive an Asset Management Grant, or take any other action relative thereto.

MOVE: That the Town vote to transfer from Water Surplus a sum of \$77,000 to be expended by the Water Commissioners to receive an Asset Management Grant.

Article 26: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be expended by the Water Commissioners, to Replace the Existing Radio Transmitter System, or take any other action relative thereto.

MOVE: That the Town vote to transfer from Water Surplus a sum of \$11,108 to be expended by the Water Commissioners to Replace the Existing Radio Transmitter System.

Article 27: To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, or eminent domain, and upon such terms and consideration as the Board of Selectmen deem appropriate, a permanent easement for sidewalk and sidewalk construction purposes, containing approximately 35 square feet, said easement adjoining the southeasterly location line of West Center Street and the westerly location line of Howard Street, and being shown as Parcel SW-1 on a plan of land entitled "Plan of Easement to be Acquired by the Town of West Bridgewater, 155 Howard Street, Prepared for the Town of West Bridgewater, West Bridgewater, Massachusetts, Plymouth County", dated August 27, 2019, prepared by Greenman-Pedersen, Inc., a copy of which is on file with the Town Clerk, and to take all actions necessary or appropriate to carry out said acquisition and construction, or act thereon.

MOVE: That the Town vote to authorize the Board of Selectmen to acquire, by purchase, gift, or eminent domain, and upon such terms and consideration as the Board of Selectmen deem appropriate, a permanent easement for sidewalk and sidewalk construction purposes, containing approximately 35 square feet, said easement adjoining the southeasterly location line of West Center Street and the westerly location line of Howard Street, and being shown as Parcel SW-1 on a plan of land entitled "Plan of Easement to be Acquired by the Town of West Bridgewater, 155 Howard Street, Prepared for the Town of West Bridgewater, West Bridgewater, Massachusetts, Plymouth County", dated August 27, 2019, prepared by Greenman-Pedersen, Inc., a copy of which is on file with the Town Clerk, and to take all actions necessary or appropriate to carry out said acquisition and construction, or act thereon.

Article 28: To see if the Town will vote to amend Article 12 of the Town's General By-Laws Finance Committee. as follows:

MOVE: That the Town vote to amend, Article 12. Finance Committee of the Town's General By-Laws, as printed on the Warrant.

ARTICLE 12 FINANCE COMMITTEE

Section 1. There shall be a Finance Committee consisting of ~~nine-seven~~ members, to be appointed at large, ~~and three Selectmen, the latter acting as ex-officio members.~~ If a vacancy occurs during the year, the remaining members of the Committee and the Board of Selectmen shall appoint a new member to serve until the next annual Town Meeting. ~~or until another is qualified.~~

Section 2. Within sixty days (60) ~~after of~~ the annual town meeting the Moderator shall appoint a committee of five members who shall in turn appoint the appointive members of the Finance Committee for the ensuing term. Members of the Moderator's Committee To Appoint the Finance Committee shall serve a one year term and may be reappointed. No elective officer or employee of the Town shall be eligible for appointment to the Finance Committee or to the committee to appoint the Finance Committee. ~~Finance Committee members must be a resident of the Town at the time of appointment and remain so for the duration of their term.~~

Section 3. The term for each member of the Finance Committee shall be three years, so staggered that three members are appointed ~~each year. Initially three members shall be appointed for one year; three for two years and three for three years~~for three years; two for two years and two for one year.

Section 4. The Finance Committee shall choose its own officers and adopt such rules regarding its procedures as may from time to time be deemed necessary. ~~The appointive members of the Finance Committee shall constitute its executive board. The executive board shall examine all articles in the Warrant for the Town Meeting. The executive board shall keep the Selectmen informed as to all its actions.~~

Section 5. The meetings of the Finance Committee may be called by the Chairman of the Committee or by the Selectmen.

Section 6. The Finance Committee shall call on all officers, committee chairmen, and departments heads for full information regarding recommendations, appropriations, expenditures and reports. The Assessors and Selectmen shall furnish the Finance Committee with estimates of income as well as reports of expenditures. The Finance Committee shall have the power to investigate books, accounts and general financial management of any and all departments of the town.

Section 7. The Finance Committee shall consider all articles in the warrant for any Town Meeting and shall recommend appropriate action thereon to the voters of the Town.

Section 8. The Finance Committee shall, at least two (2) weeks prior to any annual town meeting, submit to the voters a written report stating the Committee's recommendations and its reasons therefor on all warrant articles.

Section 9. If called upon by any voter at the Annual or any Special Town Meeting, any member of the Finance Committee shall explain their recommendation.

Article 29: To see if the Town will vote to amend the Town's Zoning Bylaws by adding Section 6.2.4. Driveways, as follows:

MOVE: That the Town vote to amend the Town's Zoning Bylaws by adding Section 6.2.4. Driveways, as printed on the warrant.

Proposed West Bridgewater Zoning Bylaw Change:

In all Zoning Districts driveways, in new developments, shall be permitted only as follows:

1. "Driveway" is defined as any way used for vehicular access from a public or private way to a public or private building. Access roads used only occasionally, such as those used to access a field for forestry or agricultural purposes, are not intended to be included in these bylaws. Existing driveways, unless not exempted as referenced in #2, are not subject to this bylaw.
2. A building permit for a new structure cannot be issued until a driveway plan has been prepared in accordance with these requirements and approved jointly by an agent of the Planning Board, the Building Inspector, the Conservation Commission and the DPW. Repair, replacement and resurfacing of an existing driveway is exempt from this regulation unless the grade, alignment or location of the existing driveway changes from what is currently existing.
3. Should terrain or other conditions make these driveway requirements exceedingly difficult or impossible to follow, a solution must be developed and proposed by the applicant for a building permit and submitted to an agent of the Planning Board and the Building Inspector. If a solution cannot be developed in this manner, then the applicant must seek a variance from the Zoning Board of Appeals.
4. Driveway entrance onto public or private road shall be situated so a driver has a minimum sight line of 100 feet in each direction.
5. No driveway entrance shall be located closer than 75 feet to any street intersection.
6. No portion of a driveway, including its cuts, fills, culverts, etc. shall come closer than 10 feet to any abutting property.
7. Driveways with a down gradient onto or off a public road shall have a grade no steeper than 12% within the first 50 feet from the edge of the road layout line or the lot property line if the road layout is of variable width.
8. Driveways shall be constructed with a paved apron constructed a minimum of 18' wide at the edge of the paved -way and a minimum of 10 feet wide 6' back from the edge of the road layout line or the lot property line if the road layout is of variable width.
9. The elevation of the driveway from the edge of the road pavement to a distance of at least six feet back of the edge of the road pavement shall be graded to a minimum of six inches above the edge of the road pavement grade.
10. All driveway plans must be prepared in accordance with these requirements and indicate the proper driveway construction specification such as thickness of materials, type of materials, subbase thickness; diameter and lengths of culverts where the driveway crosses an existing

drainage swale along the public way; the dimensions of the driveway apron; the required elevations; required slopes; the required sight distances; required setbacks from property lines; and required setbacks from street intersections.

11. An as built of the finished driveway construction shall be prepared by an engineer who certifies the driveway construction as being in compliance with this section of the zoning by-law.
12. The building Inspector shall not issue a Certificate of Occupancy until the driveway is found to be in compliance with these regulations.
13. If conditions prevent the completion of the driveway before the Certificate of Occupancy is to be issued, the builder shall be required by the Building Inspector to deposit a cash surety with the town for the completion of the driveway for \$5000.00.
14. Driveways shall not be constructed within 5' of catch basins, utility poles, hydrants, street lights and surface infrastructure for underground utilities. Water and gas shut-offs are not included in this requirement.

Article 30: To see if the Town will vote to amend the Town's Zoning Bylaw, Section 8.6. Ground Mounted Solar Photovoltaic (PV) Installations. as follows:

MOVE: That the Town vote to amend the Town's Zoning Bylaws by amending Section 8.6. Ground Mounted Solar Photovoltaic (PV) Installations. as printed on the warrant.

Section 8.6.2:

After the words "prohibited in the General Residential and Farming (GRF)" insert "except on Qualifying Parcels" and after the words "whether as a primary or accessory structures" add the words "and, in the General Residential and Farming (GRF) District on Qualifying Parcels with appropriate setbacks with a Special Permit".

8.6.3 Definitions:

Amend Section E, by adding the following:

"Qualifying Parcel: A parcel of continuous land in agricultural use at least fifteen (15) acres in size that may sustain no more than 10 acres of solar panels, -, and compliant with the provisions of Section 8.6.5.3 of these By-laws. For the purposes of this section, no lot may be created from parcels of land not land held in common ownership at the effective date of this section and from any new lots created by division of land which occurred after the effective date of this section."

8.6.4. General Requirements;

add a new section "8.6.4.9" reading:

"Standards for Granting Special Permit: No permit for Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be granted unless the Board of Appeals shall find that the proposed Large-Scale Ground-Mounted Solar Photovoltaic Installation shall not be contrary to the best interests of the Town.

For this purpose, a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be considered contrary to the best interests of the Town if it : (1) will be injurious or dangerous to the public health and safety; (2) will produce noise, dust or other effects observable at the lot lines in amounts seriously objectionable or detrimental to the normal use of adjacent property; (3) will result in a change in topography and cover which will be disadvantageous to the most appropriate use of the land on which the operation is conducted; (4) will have a material adverse effect on the health or safety of persons living in the neighborhood or on the use or amenities of adjacent land ,(5) will prohibit a majority of the land in agricultural use to continue to be in agricultural use and, (6) will alter an area of significant topographic significance.”

8.6.5.2. Height: The height limit for all Scale Installations shall be ten (10) feet.

Amend by adding as follows:

“except for Large-Scale Ground-Mounted Solar Photovoltaic Installations in General Residential and Farming (GRF) on a Qualifying Parcel in which the height limit shall be no more than fourteen (14) feet”,

Article 31: To see if the Town will vote to amend the Town’s Zoning Bylaw, Section 4.4 Table of Use Regulations by adding the following under Commercial and Industrial Uses:

MOVE: That the Town vote to amend the Town Zoning Bylaws by amending Section 4.4 Table of Use Regulations by adding the following under Commercial and Industrial Uses as printed on the warrant.

Digital Message Boards:	SA	SA	SA	SA
Computerized programmable electronic visual communication devices used for the advertisement purposes for goods and services, specially manufactured for the outside environment.				

Article 32. To see if the Town will vote to amend the Town’s Zoning Bylaw, Section 6.5 Sign Requirements as follows:

MOVE: That the Town vote to amend the Town Zoning Bylaws by amending Section 6.5. Sign Requirements as printed on the warrant.

6.5. Sign Requirements

6.5.2. Business and Industrial Districts Signs, which are not flashing are permitted in the Business and Industrial Districts as follows:

- a. They relate to the premises on which they are located and only identify the occupant of such premises or advertise the service, and/or merchandise available within said premises.
- b. There shall be no temporary signs, banners, streamers, or placards erected suspended, posted or affixed in any manner outdoors on a building exterior of premises except for:
 1. Those granted by right upon written application to the Building Inspector which in no case shall exceed a period of sixty (60) days. Approval of the application shall not be withheld unless said signs are not in conformance with the provisions of this By-law or create traffic and safety hazards.
 2. Flags, "open" or "closed" signs, banners, or signs of a similar nature provided that there is not more than one (1) for each structure and that no such flag, banner or sign shall exceed twelve (12) square feet.
 3. Holiday or special event decorations which do not obstruct traffic or create a hazard.
- c. On each premise, there is permitted only one (1) sign affixed to the exterior of a building for each occupancy therein. The top edge of each such sign shall not be higher than either the roof ridge of the building or the highest point of the roof, if no ridge pole. **No wall /roof mounted sign (s) shall have sign-board area (or display area, if no sign-board) exceeding ninety-six (96) square feet gross area**
- d. Free-standing signs are limited to one (1) per lot, except that more than one (1) free-standing sign will be permitted if there is more than one (1) entrance way, each entrance being a minimum of three hundred (300) feet distance apart on the same side of street or public way.
- e. The total sign area of all free-standing signs in no case can exceed two (2) times that of a single free-standing sign. The top edge of any such free-standing signs shall not be higher than twenty-five (25) feet vertical measure. No free-standing signs shall be erected where they may obstruct view of traffic. Any such free-standing sign may be located within the front setback space if any, on such lot, but may not be nearer than six (6) feet from front and side lot lines, unless a ~~Special Permit is granted by the Planning Board.~~ **Variance is granted by the Zoning Board of Appeals**
- f. No free-standing signs shall have sign-board area (or display area, if no sign-board) exceeding ninety-six (96) square feet gross area, measured from the top of the topmost display elements to the bottom of the lowest display elements and from exterior side to exterior side of display elements, excluding in such measurements, any blank space between display and elements.
- g. Illuminated signs shall be permitted, but subject to the following restrictions and prohibitions:
 1. There shall be no intermittently illuminated sign of a traveling, animated, or flashing light type, **or visible moving or moveable parts, except such portions of a sign that consist solely of indicators of time or temperature.**

6.5.4 Digital Message Board

- a. Definition: Computerized programmable electronic visual communication devices used for the advertisement purposes for goods and services, specially manufactured for the outside environment.
- b. There shall be only one (1) Digital Message Board allowed per property.
- c. Transitions from one static image to the next shall appear instantaneously without the appearance of flashing, animation or movement of any kind.
- d. Digital Message Boards can only display goods and services available at the petitioner's place of business.
- e. Digital Message Boards may change their static images no more than once every thirty minutes (30) as a free standing, monument, or wall sign. In addressing this issue, the Zoning Board of Appeals may review sight distances and speed limits on surrounding roads.
- f. Such sign shall come equipped with automatic dimming technology that automatically adjusts the sign's brightness based on ambient light conditions.
- g. No Digital Message Board shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle meter and a distance of 25' from the display.
- h. Digital Message Boards shall display static images only.
- i. During a public safety event, the petitioner, upon request, shall make the Digital Message Board accessible to the Town of West Bridgewater's public safety departments.
- j. Maintenance: Any allowed Digital Message Board that malfunctions, fails, or ceases to operate in its usual or normal programmed manner shall be repaired or disconnected within forty-eight hours (48) by the owner or operator of such sign.



Office of the Town
Administrator

Town Hall
65 North Main Street
West Bridgewater, MA 02379
508-894-1267
Fax: 508-894-1269

Vacation Carry-Over Request Form

Please submit this form to the Town Administrator at least two weeks prior to your anniversary hire date.

Employee: Chris Iannitelli

Position: DPW Director

Department: DPW

Number of Days requested: 7

Site Contractual Authorization: per my contract, #6 vacation, I am allowed to carry over vacation days (no number specified) w/ BOS approval

Anniversary Date/Start of New Benefits Year: April 16

Employee Signature: Christopher Iannitelli

Date: 3/15/20

Department Head Signature (if applicable): Chris Iannitelli

Date: 5/15/20

Approved by: David Gagne, Town Administrator

Date: 5/31/20

cc: Board of Selectmen
Linda Torres, Assistant Town Administrator/HR Director
Scott Golder, Treasurer
Maureen Adams, Assistant Treasurer
Kathy Reed, Accountant

Effective June 5, 2019

PURCHASE AND SALE AGREEMENT

1. PARTIES. The **Town of West Bridgewater**, Massachusetts, a municipal corporation having an address of 65 North Main Street, West Bridgewater, Massachusetts 02379, hereinafter called the BUYER or TOWN, agrees to purchase, and **George A. Russo and Thomas L. Russo, Co-Trustees of the Russo's Greenhouse Trust**, u/d/t dated December 27, 2012, a Notice of Trust pursuant to M.G.L. 184 § 35 having been recorded with the Plymouth County Registry of Deeds in Book 42475, Page 145, said Trust having an address of 86 Glades Road, Scituate, MA 02066, hereinafter called the SELLER, agrees to sell, upon the terms hereinafter set forth, the following described premises.

2. PREMISES. The parcel of land, together with improvements thereon, located at 134 Lincoln Street, West Bridgewater, Massachusetts, containing 15.5 acres, as more particularly described in a deed to Salvatore George Russo, as Trustee of the Russo's Greenhouse Trust, recorded with the Plymouth County Registry of Deeds in Book 42475, Page 146, and as shown as Parcel B, containing 15.5 acres, on the plan of land recorded with said Registry as Plan #585 of 1958, Book 2665, Page 441.

3. BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES. Included in the sale as a part of said premises are the buildings, structures, and improvements belonging to the SELLER now thereon, and the fixtures belonging to the SELLER and used in connection therewith, if any. Excluded from the sale are: N/A.

4. TITLE DEED. Said premises are to be conveyed by a quitclaim deed running to the BUYER, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except:

- (a) Provisions of existing building and zoning laws;
- (b) Existing rights and obligations in party walls which are not the subject of written agreement;
- (c) Such taxes for the then current year as are not due and payable on the date of the delivery of such deed;
- (d) Any liens for municipal betterments assessed after the date of this Agreement; and
- (e) Easements, restrictions and reservations of record, if any, so long as the same do not prohibit or materially interfere with the Buyer's intended future use of said premises as the location of Town athletic fields.

5. PLANS. If said deed refers to a plan necessary to be recorded therewith the SELLER shall, at its sole cost and expense, prepare a survey plan in a form adequate for recording or registration.

6. TIME FOR PERFORMANCE; DELIVERY. Such deed is to be delivered at the Plymouth County Registry of Deeds or other location agreed upon by the parties within twenty (20) days following the West Bridgewater Annual Town Meeting or if the twentieth (20th) day following the West Bridgewater Annual Town Meeting falls on a weekend or holiday, the next business day, unless otherwise agreed upon by the parties in writing, subject to all other conditions of this agreement. It is agreed that time is of the essence.

7. PURCHASE PRICE. The agreed purchase price for said premises is the conveyance to the SELLER of **Six Hundred Thousand (\$600,000.00) Dollars**, of which:

\$ 0.00	has been paid as a deposit on this date; and
\$ 600,000.00	are to be paid at the time of delivery of the deed by certified, treasurer's, or bank check or by wire transfer.

\$ 600,000.00	TOTAL
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8. POSSESSION AND CONTROL OF PREMISES. Full possession of said premises free of all tenants and occupants, except as herein provided, is to be delivered at the time of the delivery of the deed, said premises to be then (a) in the same condition as they now are, reasonable use and wear thereof excepted, and (b) in compliance with provisions of any instrument referred to in Section 4 hereof. The BUYER shall be entitled personally to inspect said premises prior to the delivery of the deed in order to determine whether the condition thereof complies with the terms of this clause.

9. EXTENSION TO MAKE TITLE OR PREMISES CONFORM. If the SELLER shall be unable to give title or to make conveyance, or to deliver possession of the premises, all as herein stipulated, or if at the time of the delivery of the deed the premises do not conform with the provisions hereof, then any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto, unless the SELLER elects, in its sole discretion, to use reasonable efforts to remove any defects in title, or to deliver possession as provided herein, or to make the said premises conform to the provisions hereof, as the case may be, in which event the SELLER shall give written notice thereof to the BUYER at or before the time for performance hereunder, and thereupon the time for performance hereof shall be extended for a period of up to thirty (30) calendar days or such less time as is required to cure the condition which prevented the conveyance. In no event, however, shall reasonable efforts require the SELLER to expend more than \$1,000.00, including attorneys' fees.

10. FAILURE TO PERFECT TITLE OR MAKE PREMISES CONFORM. If at the expiration of the extended time the SELLER shall have failed so to remove any defects in title, deliver possession, or make the premises conform, as the case may be, all as herein agreed, then any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.

11. BUYER'S ELECTION TO ACCEPT TITLE. The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefore the purchase price, without deduction, in which case the SELLER shall convey such title.

12. ACCEPTANCE OF DEED. The acceptance of a deed by the BUYER shall be deemed to be a full performance and discharge of every agreement and obligation herein

contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed.

13. INSURANCE. Until the delivery of the deed, the SELLER shall maintain insurance on said premises as presently insured.

14. ADJUSTMENTS. Water, sewer, fuel and other utility charges shall be adjusted as of the date of closing.

15. ADJUSTMENT OF UNASSESSED AND ABATED TAXES. If the amount of said taxes is not known at the time of the delivery of the deed, they shall be apportioned on the basis of the taxes assessed for the preceding fiscal year.

16. DEPOSIT. Not applicable, no deposit.

17. BUYER'S DEFAULT; DAMAGES. If the BUYER shall fail to fulfill the BUYER'S agreements herein, all deposits made hereunder by the BUYER shall be retained by the SELLER as SELLER'S sole and exclusive remedy at law and equity for BUYER'S breach of this agreement.

18. LIABILITY OF TRUSTEE, SHAREHOLDER, BENEFICIARY, etc. If the SELLER or BUYER executes this agreement in a representative or fiduciary capacity, only the trust, principal or the estate represented shall be bound, and neither the SELLER or BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

19. WARRANTIES AND REPRESENTATIONS. The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction nor has BUYER relied upon any warranties or representations not set forth or incorporated in this agreement or previously made in writing, except for the additional warranties and representations, if any, made by either the SELLER or the Broker(s): NONE.

20. MORTGAGE CONTINGENCY. Intentionally omitted.

21. BROKERS. BUYER and SELLER represent to the other that they have not engaged with any real estate sales person nor broker that would be entitled to a commission resulting from the conveyance contemplated hereby. BUYER and SELLER indemnify one another for misrepresentations under this paragraph including reasonable attorney's fees. This paragraph shall survive the closing..

22. CONTINGENCIES. The obligations of BUYER are contingent upon the satisfaction of each of the following conditions:

- (a) Seller shall have complied with the disclosure provisions of G.L. c.7C, § 38.
- (b) Compliance with any other requirements of law relative to the purchase of the premises by the BUYER as a municipality of the Commonwealth.
- (c) The purchase price as set forth herein shall be less than or equal to the appraised value as determined by an appraisal performed prior to the closing by a certified appraiser hired at the expense of the Town or the assessed value. In the event

that the purchase price set forth herein exceeds the appraised value or the assessed value, the Town shall have the option, at its sole and absolute discretion, to cancel this agreement.

- (d) As set forth in paragraphs 34(a)-(c) of this Agreement.

23. AFFIDAVITS. At the time of delivery of the deed, SELLER shall execute and deliver all the usual and customary affidavits required by BUYER'S attorney, including but not limited to a statement under oath to any title insurance company issuing a policy to BUYER and/or BUYER'S mortgagee and/or the BUYER individually to the effect that: (1) there are no tenants, lessees or parties in possession of the premises, except as noted herein; (2) that SELLER is not a foreign person subject to the withholding provisions of the Internal Revenue Code of 1986, as amended (FIRPTA).

24. ASSIGNMENT. BUYER shall not assign this agreement or any of its rights hereunder without prior written consent of SELLER, which may be withheld in the SELLER'S sole and absolute discretion.

25. PROPERTY INSPECTION; CONDITION OF PREMISES. BUYER or BUYER'S agent(s) shall have the right, to enter the premises, upon no less than forty-eight (48) hours written notice to SELLER, at BUYER'S own risk for the purposes of inspecting the premises, provided that BUYER shall not conduct any subsurface tests without SELLER'S prior written consent, which shall not to be unreasonably withheld. BUYER shall indemnify, defend and hold SELLER harmless against any claim by BUYER or BUYER'S agents, employees or invitees for any harm to them arising from said entry and shall restore the premises to substantially the same condition as prior to such entry. In the event BUYER finds Hazardous Waste on the premises in quantities that must be reported to the Department of Environmental Protection under the provisions of G.L. c. 21E or the regulations thereunder, and informs SELLER of the same in writing prior to the closing date, this agreement shall be null and void and without recourse to the parties, unless SELLER, at SELLER'S sole and absolute discretion, gives written notice to BUYER within twenty (20) days of receiving BUYER'S notice of its intention to remediate such contamination and thereafter remediates such hazardous condition in full compliance with applicable law within a reasonable period of time, with SELLER paying all of the costs of remediation. Nothing herein shall require SELLER to remediate any contamination on the premises. The provisions of this Section shall survive the delivery of the deed.

26. TITLE OR PRACTICE STANDARDS. Any matter or practice arising under or relating to this agreement which is the subject of a title standard or a practice standard of the Massachusetts Real Estate Bar Association at the time for delivery of the deed shall be covered by said title standard or practice standard to the extent applicable. It is understood and agreed by the parties that, without limitation, the premises shall not be in conformity with the title provisions of this agreement unless:

- (a) no building, structure or improvement of any kind belonging to any person or entity encroaches upon or under the premises from other premises;
- (b) title to the premises is insurable, for the benefit of the BUYER, by a title insurance company acceptable to the BUYER, in a fee owner's policy of title insurance at normal premium rates, in the American Land Title Association form currently in use;

- (c) all structures and improvements and all means of access to the premises shall not encroach upon or under any property not within the lot lines of the premises; and
- (d) the premises shall abut a public way, duly laid out or accepted as such by the municipality in which the premises are located, or have the benefit of a valid easement leading to public ways.

27. CLOSING. The deed and other documents required by this agreement are to be delivered and the Purchase Price paid at the Date and Time of Closing and at the Place of Closing. Unless the Closing takes place at the appropriate Registry of Deeds, all documents and funds are to be delivered in escrow subject to prompt rundown of title and recording, which term shall include registration in the case of registered land. Unless otherwise agreed, SELLER'S attorney may disburse the funds if no report has been received by 5:00 p.m. of the next business day following the date of the delivery of the deed that the documents have not been recorded, due to some problem beyond the recording attorney's control. BUYER will act with reasonable diligence to see that the deed shall be recorded as soon as practicable. SELLER shall execute and deliver a so-called Gap Indemnity Affidavit for the benefit of BUYER's title insurer. If permitted by BUYER's title insurance company, proceeds shall be disbursed in accordance with customary practice in connection with so-called "gap coverage."

28. NOTICE. Any notice required or permitted to be given under this Agreement shall be in writing and signed by the party or the party's attorney or agent and shall be deemed to have been given upon the earlier of: (i) two business days after deposit with the United States Postal Service, if sent by registered or certified mail, return receipt requested, postage prepaid; (ii) one business day after deposit with an express courier service such as Federal Express; (iii) actual receipt, (iv) confirmed facsimile transmission (provided such facsimile notice is promptly followed by other acceptable means of sending notice), or (v) email with proof of transmission, addressed in the case of:

If to BUYER: David T. Gay, Esquire, Town Counsel
Gay & Gay, P.C.
73 Washington Street
P.O. Box 988
Taunton, MA 02780
Tel. 508-822-2071
Fax. 508-880-2602

If to SELLER: George Russo, Trustee
86 Glades Road
Scituate, MA 02066
george.russo@comcast.net and tommyrusso@pga.com

with a copy to: Benjamin X. Cote, Esq.
Stiles Law
892 Plain Street, Second Floor
Marshfield, MA 02050
Tel. (781) 319-1900
Fax. (781) 319-1919
bcote@stiles-law.com

By such notice, either party may notify the other of a new address, in which case such new

address shall be employed for all subsequent deliveries and mailings.

29. CASUALTY AND CONDEMNATION. Notwithstanding anything herein to the contrary, in the event that all or a substantial part of the premises is damaged or destroyed by fire, vandalism or other casualty (and such fire, vandalism or other casualty is not the result of the negligence of BUYER, or its agents, employees, contractors and invitees), or in the event of a taking of all or substantially all of the premises by eminent domain by an entity other than the Town of West Bridgewater, then SELLER or BUYER, may, at its option, terminate this agreement, whereupon all deposits made by BUYER under this agreement shall be returned to BUYER. "Substantial part" shall be defined as that portion of the premises which if damaged or taken by eminent domain would materially and adversely affect the use of the premises for the purposes set forth herein.

30. DEFAULT. In the event that SELLER defaults under this agreement, BUYER shall be entitled to terminate this agreement, and receive a refund of the deposit. The foregoing shall be BUYER'S sale and exclusive remedy at law and in equity for any breach of this agreement by SELLER.

31. POST CLOSING COMPLIANCE AND ADJUSTMENTS. If any errors or omissions are found to have occurred in any calculations or figures used in the settlement statement signed by the parties (or would have been included if not for any such error or omission) and notice hereof is given within sixty (60) days of the date of the delivery of the deed to the party to be charged, then such party agrees to make a payment to correct the error or omission. This provision shall survive delivery of the Deed.

32. EXTENSIONS. BUYER and SELLER hereby authorize their respective attorneys (as the case may be) to execute on their behalf any extensions to the time for performance and any change of location and/or time for delivery of the deed. BUYER and SELLER shall be able to rely upon the signature of said attorneys as binding unless they have actual knowledge before the execution or other consent to such extensions, that either party has disclaimed the authority granted herein to bind them. For purposes of this agreement, facsimile signatures shall be construed as original.

33. CONSTRUCTION. This instrument, executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both SELLER and BUYER. If two or more persons are named herein as BUYER their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this agreement or to be used in determining the intent of the parties to it.

34. ADDITIONAL PROVISIONS:

a. Name of Future Athletic Fields. At such future time that the Town may develop the premises as the site of one or more Town athletic fields, it shall name such athletic fields "Russo Field." This paragraph 34(a) of this agreement shall survive delivery of the deed.

b. Approval by Town Meeting. Obligations of the Buyer under this Agreement are

contingent on approval of the purchase of the property and an appropriation of funding for the same by the Town of West Bridgewater Annual Town Meeting. Buyer shall act with reasonable diligence in securing funding by the Town of West Bridgewater Annual Town Meeting.

c. Publication in Central Register. Pursuant to M.G.L. c. 30B, sec. 16(e)(2), the obligations of the parties under this Agreement are contingent on the Buyer making a determination in writing that advertising will not benefit its interest because of unique qualities or location of the property needed. The determination shall specify the manner in which the property proposed for acquisition satisfies the unique requirements. The Buyer shall publish the determination and the reasons for the determination, along with the names of the parties having a beneficial interest in the property pursuant to M.G.L. c. 7, sec. 40J, the location and size of the property, and the proposed purchase price or rental terms, in the Massachusetts Central Register. This Agreement shall not be deemed binding upon the parties until thirty (30) days after said publication in the Central Register. The Buyer shall make said publication promptly after this Agreement is executed by the parties.

d. No Roll Back Taxes. The Town will not assess a roll back tax under M.G.L. c. 61A but the seller will be liable for real estate taxes assessed as of the date of the closing, to be apportioned as set forth herein.

Signed by the parties as of this _____ day of June, 2020.

BUYER:

SELLER:

TOWN OF WEST BRIDGEWATER
By Its Board of Selectmen:

RUSO'S GREENHOUSE TRUST

Eldon F. Moreira

George A. Russo, Trustee

Denise R. Reyes

Thomas L. Russo, Trustee

Anthony J. Kinahan

WEST BRIDGEWATER BOARD OF ASSESSORS

Roll-back Tax for Chapter 61A

Owner:

Russo, Salvatore George, Trustee

Location

134 Lincoln Street

Map/Lot

Acreage To Be Removed

Classified Acres

15.5000

51 005

15.5000

Non-Classified Acres

0.0000

Total Acres

15.5000

First year of Classification

FY98

Total

Lien Re-Filed - Book / Page

46342/156

15.5000

1	Tax Year	FY19	FY18	FY17	FY16	FY15
2	Full Value of Total Land Being Withdrawn	437,062	428,350	413,104	402,650	402,650
3	Assessed Value of Unclassified Land	0	0	0	0	0
4	Full Value of Classified Land (line 2 minus line 3)	437,062	428,350	413,104	402,650	402,650
5	Assessed Value of Classified Land	13,826	13,299	14,474	11,574	11,574
6	Commercial Tax Rate	27.65	28.58	28.68	29.13	28.78
7	Full Value Taxes on Classified Land (line 4 times line 6)	12,084.76	12,242.24	11,847.82	11,729.19	11,588.27
8	Actual Taxes Paid on Classified Land (line 5 times line 6)	382.29	380.09	415.11	337.15	333.10
9	Products Value, Chapter 61	0.00	0.00	0.00	0.00	0.00
10	Products Tax	0.00	0.00	0.00	0.00	0.00
11	Total Tax Credits/Paid (line 8 plus line 10)	382.29	380.09	415.11	337.15	333.10
12	Roll Back Tax (line 7 minus line 11)	11,702.48	11,862.16	11,432.71	11,392.04	11,255.17
13	Interest (at 5% per annum)	585.12	593.11	571.64	569.60	562.76
14	Total Per Fiscal Year	12,287.60	12,455.27	12,004.34	11,961.65	11,817.93
15	Total Roll Back Tax	60,526.78	Payable to Town of West Bridgewater (Separate Check)			
16	Lien Discharge Fee (\$105 each)	315.00	Payable to Town of West Bridgewater (Separate Check)			
17	Total Roll Back Tax plus Lien Charges	60,841.78				

From: **Chris Iannitelli** <ciannitelli@wbridgewater.com>
Date: Tue, Jun 2, 2020 at 11:01 AM
Subject: Re: Cracked Sealer Machine
To: David Gagne <dgagne@wbridgewater.com>, Linda Torres <ltorres@wbridgewater.com>

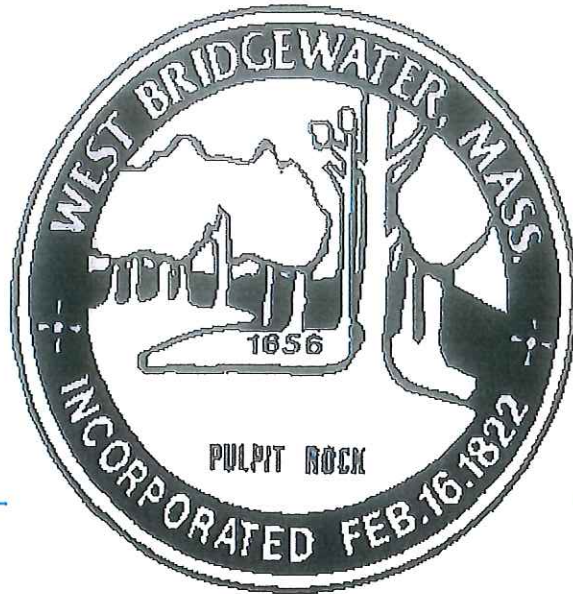
Hi David,

Some more info on the crack sealer:

It was purchased in March 2011 from a private party for \$47,000. The following January, after sitting outside for months, it required repairs for pumps and injectors for \$2900. It was used a few times by the Highway Dept. It is started weekly and should be sellable. We did have some interest from a party to purchase it, not too long ago. It is probably worth between \$12,000 and \$15,000. We would want to get at least \$10,000 for it. Thank, Chris







TOWN OF WEST BRIDGEWATER

Annual Town Election COVID-19 Contingency Plan

June 1, 2020

Town of West Bridgewater

Annual Town Election COVID-19 Contingency Plan

Please note: The novel Corona virus COVID-19 is a rapidly evolving situation. The plan below reflects the information available on June 1, 2020, the date The Plan was written.

I. INTRODUCTION

A. PURPOSE

The purpose of the Town of West Bridgewater Annual Town Election COVID-19 Contingency Plan (The Plan) is to perform a state mandated Annual Town Election in the time of a declared State of Emergency in response to the COVID-19 pandemic.

B. SCOPE

The Plan establishes:

- Identifying the current state of emergency due to COVID-19
- Identifying essential functions of an election
- Incorporating directives of *Chapter 45 Act of 2020* signed by the Massachusetts Legislature and Governor on March 23, 2020
- Procedures to limit the risk of exposure to election workers and voters
- Measures to curtail the further spread of the virus

I. BACKGROUND

On March 10, 2020, Governor Charlie Baker declared a state of emergency in response to the COVID-19 outbreak, a highly contagious, sometimes fatal respiratory illness. To curtail the further spread of the virus Governor Baker subsequently issued a multitude of Orders and Advisories which restricts social gatherings and the operations of businesses deemed “Non-Essential”.

On March 23, 2020 an emergency act of the legislature known as *Chapter 45 of the Acts of 2020* was signed into law granting municipalities authority to postpone 2020 municipal elections in the Commonwealth, reduce hours of the Annual Town Election, reduce staff, and increase voting options in response to the Declaration of Emergency due to COVID-19. This Act defines the parameters under which municipalities can make changes to their normal operations of local elections while working within the guidelines of Massachusetts General Laws relating to elections.

II. OPERATIONS

A. OBJECTIVES

Voting is a fundamental right in Massachusetts. The objective of The Plan is to provide multiple voting options for a fair, open and safer election while incorporating the Orders and Advisories under Governor Baker's current state of emergency and the provisions of *Chapter 45 of the Acts of 2020*.

B. PLAN EXECUTION

This Plan will take effect by a vote of acceptance by the West Bridgewater Board of Selectmen. The Chief Election Officer/Town Clerk of the Town of West Bridgewater will be responsible for its execution.

III. PLAN OVERVIEW

A. PRE-ELECTION DAY

Date of Election: Saturday, June 27, 2020. This date was chosen to provide maximum separation in time from the anticipated surge of COVID-19 cases in Massachusetts and to meet the deadline to hold a municipal election by June 30, 2020.

Polling Location: Spring Street School, 2 Spring St., West Bridgewater, MA

Polling Hours: 9 am – 7 pm. Election workers will arrive at 8 am to begin the preparation for opening the election. Wardens and Clerks will arrive at 7:30 am to set up last minute details to assure social distancing.

Methods of Voting: Mass General Law requires at least one polling location to be open on Election Day. Provisions in *Chapter 45 the Act of 2020* allow reduced hours at the polling station on Election Day and reduced election worker staffing.

Mail in Voting: Efforts will be made to strongly encourage West Bridgewater registered voters to reduce their risk of virus exposure during the election process by voting by mail with either Absentee or Early Voting methodology as defined in the *Chapter 45 Act of 2020*.

Due to social distancing advisories, over-the-counter Absentee or Early Voting at Town Hall prior to Election Day will be suspended for this election.

Communicating the Message to Vote by Mail: Detailed information on the specifics of the election and how a voter can request an application for a mail-in Absentee or Early ballot will be distributed to the following:

- Social media (Facebook and Twitter)
- Town website
- Local Cable
- Department Newsletters (COA and Library)
- Electronic Signage at the Transfer Station
- Selectmen's Meeting

Funding Mailing Election Expenses: The costs associated with mailing ballots to voters who have submitted an application for either an Absentee or an Early Ballot will come from the Town's Elections and Registrations budget. The costs will be submitted to the State for possible reimbursement due to COVID 19.

Staffing and Staff Personal Protection Protocols: The Town Clerk and election workers are considered essential non-medical workers and are not subject to stay-at-home orders or advisories unless under separate isolation or quarantine orders from the Board of Health. The Town Clerk has reached out to the usual election workers and informed them of the changes to this election and the potential risks of being exposed to the virus if they choose to work on Election Day.

The election will be staffed as follows:

- One Warden to cover both precincts.
- One Greeter to cover both precincts.
- One Police Officer to cover both precincts.
- Two Tallies for the end of the night.

Each precinct will be staffed as follows:

- Two at check in
- Two at check out
- One Clerk

The Town Clerk will endeavor to enlist at least 14 possible election workers for Election Day.

A safer staff training pamphlet (along with this policy) will be emailed or mailed to all election workers prior to election which will include Personal Protection Protocols (PPPs) including proper handwashing techniques, proper mask wearing, use of hand sanitizer, etc.

Election workers will be informed that they are to contact the Town Clerk if they have experienced any COVID-19 symptoms or been exposed to anyone with a confirmed case of COVID-19 within 14 days prior to the election. In those cases, they will be asked not to participate in this election.

B. POLLING STATION LAY OUT

The Spring St. School Cafeteria will be set up to allow for social distancing. The Voters will enter the front door of the building and will follow the instructions on the floor to keep six feet apart. The booths will be placed 6 feet apart in each precinct and each voter will be given their own pen. The voters will continue maintaining 6 feet distancing while checking out and will exit through the back door of the Cafeteria. Due to the social distancing there will be less booths available because of space, so voters may have to wait to vote.

C. ELECTION DAY

- All elections workers will be required to wear masks and gloves while present at the polling location. Masks and gloves will be provided to all election workers. Plexiglas shields will be put up at all check in and check out tables as well as the Town Clerk's table and the ballot boxes.
- Voters will be asked to either wear a mask or some kind of facial covering before entering the building. If they refuse, they will be directed to wait to cast their ballot until the building is cleared of all other voters. After they exit, areas in which the voter has had contact will be sanitized.
- Election observers or members of the media will be required to wear masks.
- Election workers will clean their gloves with hand sanitizer often and will wash their hands whenever possible.

HAND SANITIZER CANNOT COME INTO CONTACT WITH THE BALLOTS OR THE VOTING MACHINE WILL NOT TABULATE CORRECTLY.

Extra masks and gloves will be available throughout the day.

- No outside snacks, etc. will be allowed in the building, The Town Clerk will provide individual lunches and dinners for the poll workers.
There will be individual beverages supplied by the Town Clerk for poll workers.
- Bottles of hand sanitizer will be placed at the entrance and exit of the buildings as well as near election workers.
- Election workers will keep a six-foot distance from each other at all times.

- The greeter will meet voters at the entrance of Spring Street School to ensure they are wearing masks and deliver the following welcoming script:
 - a. Thank you for coming today.
 - b. Our objective today is a safer, as well as secure and assessable election.
 - c. Are you experiencing fever, cough, sore throat or sudden loss of taste or smell?
 - d. Are you in close contact with anyone with these symptoms in the last 14 days?
 - e. Do you have a temperature of more than 100.0 F?
 - f. Has it been less than 14 days since a COVID-19 recovery?
 - g. If so, could you please wear a mask and wait outside until we can clear the building.
- The greeter will ensure that all voters are maintaining a six-foot distance. Cones will be set up outside the building marking six foot intervals and the floor will be marked with tape.

D. CLOSING THE ELECTION

- Election workers will continue to wear masks and keep a six-foot distance from each other while gathering the cast ballots, counting any write-ins or counting ballots in the auxiliary compartment of the tabulator and balancing the voting lists.
- The Tallies will arrive at 6:45pm to tally the election, they will wear masks and gloves and keep a six-foot distance while tallying the votes.
- Election workers will thoroughly wash their hands before assembling the cast ballots and when they leave for the evening.
- The Town Clerk will secure the cast ballots.

E. CERTIFYING THE ELECTION

- The Town Clerk will post a web meeting with the Board of Registrars to be held on Tuesday June 30, 2020 for any issues or provisional ballots.

References:

Emergency Order Massachusetts Governor Charlie Baker, March 10, 2020

Chapter 45 of the Acts of 2020, signed March 23, 2020

BCBOHA Memo Safer Voting During COVID-19 (Coronavirus) 2020.04.20

Berkshire County Boards of Health Association, Berkshire Regional Planning Commission Public Health Program

Annual Town Election COVID-19 Contingency Plan

Approved by Town Clerk on June 1, 2020


Anne G. Iannitelli, Town Clerk

Approved by Board of Selectmen on June ____, 2020

Eldon Moreira, Chairman

Denise Reyes, Vice Chairman

Anthony Kinahan, Clerk



Office of the Town Administrator

Town Hall
65 North Main Street
West Bridgewater, MA 02379
508.334.1267

TO: The Honorable Board of Selectmen
FROM: David Gagne, Town Administrator
DATE: June 3, 2020
RE: Coronavirus – Advisory #7

Please be advised, the following memos have been distributed regarding the Coronavirus since the last Board of Selectmen Meeting:

- **May 21, 2020**

- Confirmed COVID-19 Cases in West Bridgewater Update #16
 - 4 additional residents have tested positive for COVID-19
 - Residents, and those they have been in close contact with, are in isolation
 - Total number of residents in isolation is 18.
 - Total number of residents who have tested positive for COVID-19 is 59.

- **May 26, 2020**

- Memo to Library Director re: Library Curb Side Pick Up
 - All Employee must participate equally in running this service
 - The building must meet Governor Baker's safety standards and standards must be posted in conspicuous areas inside the building, before any employee returns to working in the building.
 - If all safety standards are not met and all employees are not willing to participate in running this service then the Library must remain closed.

- **May 27, 2020**

- Memo to All Department Heads re: Safety Supply Storage
 - All cleaning/safety supplies that are secured must be forwarded to the Board of Health Office.
 - All supplies will be stored in and monitored by the Board of Health Office.

- Employees will report to the Board of Health Office when in need of supplies and will be required to “sign out” supplies.
- Board of Health staff will maintain an accurate inventory for future restocking.

- **May 28, 2020**

- Confirmed COVID-19 Cases in West Bridgewater Update #17
 - 12 additional residents have tested positive for COVID-19
 - Residents, and those they have been in close contact with, are in isolation
 - Total number of residents in isolation is 30.
 - Total number of residents who have tested positive for COVID-19 is 71.

FOR IMMEDIATE RELEASE

Thursday May 21, 2020

Update #16: Town of West Bridgewater COVID-19

WEST BRIDGEWATER — Town Administrator David L. Gagne and Board of Health Agent Robert W Casper Jr. wish to provide the community with regular updates about the town's response to the ongoing COVID-19 emergency.

Since the Town's last posted update, the Town has been notified by the Massachusetts Department of Public Health (DPH) that 4 additional West Bridgewater residents have tested positive for COVID-19. Close contacts (defined as someone who has spent more than 15 minutes within six feet of a positive case) have been identified, contacted by health officials, and are adhering to DPH guidelines for self-quarantine. The individuals are currently in isolation per DPH orders. This brings the counts as follows:

Total number of residents who have tested positive for COVID-19: 59
Total number of residents who tested positive but have been removed from the list: 40
Total number of residents who tested positive that resulted in death: 1
Total number of residents who are currently under isolation orders: 18

West Bridgewater Board of Health Officials are involved and will continue to closely monitor the individual. In order to protect the residents' medical privacy rights, no additional information will be disclosed.

COVID-19, the illness caused by the novel coronavirus, has been declared a Global Pandemic by the World Health Organization and has moved Governor Charlie Baker to declare a State of Emergency in Massachusetts and President Donald Trump to declare a National Emergency. With increased testing capabilities and community spread of COVID-19, having a positive case in town was extremely likely.

The Town of West Bridgewater and State and Federal Public Health Officials urgently encourage that all residents practice social distancing and remain at least six feet away from others while avoiding congregating in groups larger than 10.

Children and COVID-19

Parents should be sure to talk to their children about proper hygiene and prevention methods as well as the importance of social distancing until further guidelines are provided by state officials about the status of the virus.

- Families should not hold “play dates” and those in need of childcare should limit the number of families involved as much as possible.
- Practice social distancing techniques with children and have them practice among themselves.
- Clean and sanitize toys, video game controllers and all touch surfaces regularly.

Social distancing will help to minimize exposure among people, especially given that COVID-19 is highly contagious and people may be contagious prior to exhibiting symptoms.

As the weather continues to improve, outdoor gatherings are viewed as safer, but social distancing techniques should still be practiced. Walking in outdoor recreation areas in West Bridgewater is allowed, so long as social distancing practices are maintained.

Teens are included in this group, and activities like bike riding and hiking/ walking are viewed as safer alternatives to gathering indoors

Person-to-person spread

The situation is fluid and new information is being posted regularly by the CDC and the DPH. The CDC offers the following [guidance for how COVID-19 spreads](#):

- The virus is thought to spread mainly from person-to-person.
 - Between people who are in close contact with one another (within about 6 feet).

- Through respiratory droplets produced when an infected person coughs or sneezes.
- These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.

Can someone spread the virus without being sick?

- People are thought to be most contagious when they are most symptomatic (the sickest).
- Some spread might be possible before people show symptoms; there have been reports of this occurring with this new coronavirus, but this is not thought to be the main way the virus spreads.

Spread from contact with contaminated surfaces or objects:

It may be possible that a person can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes, but this is not thought to be the main way the virus spreads. As a precaution, it is recommended that residents clean things that are frequently touched (like doorknobs and countertops) with household cleaning spray or wipes.

COVID-19 Information Resources

Information about COVID-19 can be found on the [DPH website here](#) or the [CDC's website](#). The DPH website is updated regularly with the latest guidance concerning COVID-19, including printable fact sheets in multiple languages.

Residents can also call 211 or visit <https://mass211.org/> to live chat to receive more information. For specific questions, call the DPH Epidemiology Line at 617-983-6800, available 24/7.

Additional updates will be provided as information becomes available.



Office of the
Town Administrator

Town Hall
65 North Main Street
West Bridgewater, MA 02379

TO: Ellen Snoeyenbos, Library Director

FROM: David Gagne, Town Administrator *DGh*

DATE: May 26, 2020

RE: Library Curb Side Pickup

Earlier today, the Emergency Management Team, consisting of myself, Assistant Town Administrator Linda Torres, Fire Chief Ken May, Police Chief Victor Flaherty, and Health Agent Rob Casper, met to discuss future protocols and plans associated with re-opening municipal buildings to the public. It was unanimously agreed upon that the Library should be allowed to provide curbside pick up to patrons. However, all employees must equally participate in running this service.

Additionally, the building must meet Governor Baker's safety standards and standards must be posted in conspicuous areas inside the building, before any employee returns to working in the building. If all safety standards are met then all employees will be required to report to work and do their part to provide this service. If you are not able to meet all of the safety standards set in place by the State and/or not all employees are willing to participate in the curbside pickup service then the Library must remain fully closed.

For a list of State mandated safety standards please visit <https://www.mass.gov/info-details/reopening-mandatory-safety-standards-for-workplaces>

cc: Board of Selectmen
Jerry Lawrence, Chairman, Board of Library Trustees



Office of the
Town Administrator

Town Hall
65 North Main Street
West Bridgewater, MA 02379

TO: All Department Heads

FROM: David Gagne, Town Administrator *DLG*

DATE: May 27, 2020

RE: Safety Supply Storage

As part of working towards meeting all State safety standards for the re-opening of Town Hall, Building Inspector Mike White, Fire Chief Ken May, and Health Agent Rob Casper have secured an abundance of cleaning/sanitizing supplies. Moving forward, as supplies are procured, they must be forwarded to the Board of Health office. All supplies will be stored in the Board of Health office and monitored by the BOH staff. Employees will report to the Board of Health office when in need of any supplies. Everyone will be required to "sign out" supplies to maintain an accurate inventory for future restocking.

cc: Board of Selectmen

FOR IMMEDIATE RELEASE

Thursday May 28, 2020

Update #17: Town of West Bridgewater COVID-19

WEST BRIDGEWATER — Town Administrator David L. Gagne and Board of Health Agent Robert W Casper Jr. wish to provide the community with regular updates about the town's response to the ongoing COVID-19 emergency.

Since the Town's last posted update, the Town has been notified by the Massachusetts Department of Public Health (DPH) that 12 additional West Bridgewater residents have tested positive for COVID-19. Close contacts (defined as someone who has spent more than 15 minutes within six feet of a positive case) have been identified, contacted by health officials, and are adhering to DPH guidelines for self-quarantine. The individuals are currently in isolation per DPH orders. This brings the counts as follows:

Total number of residents who have tested positive for COVID-19: 71
Total number of residents who tested positive but have been removed from the list: 40
Total number of residents who tested positive that resulted in death: 1
Total number of residents who are currently under isolation orders: 30

West Bridgewater Board of Health Officials are involved and will continue to closely monitor the individual. In order to protect the residents' medical privacy rights, no additional information will be disclosed.

COVID-19, the illness caused by the novel coronavirus, has been declared a Global Pandemic by the World Health Organization and has moved Governor Charlie Baker to declare a State of Emergency in Massachusetts and President Donald Trump to declare a National Emergency. With increased testing capabilities and community spread of COVID-19, having a positive case in town was extremely likely.

The Town of West Bridgewater and State and Federal Public Health Officials urgently encourage that all residents practice social distancing and remain at least six feet away from others while avoiding congregating in groups larger than 10.

Children and COVID-19

Parents should be sure to talk to their children about proper hygiene and prevention methods as well as the importance of social distancing until further guidelines are provided by state officials about the status of the virus.

- Families should not hold “play dates” and those in need of childcare should limit the number of families involved as much as possible.
- Practice social distancing techniques with children and have them practice among themselves.
- Clean and sanitize toys, video game controllers and all touch surfaces regularly.

Social distancing will help to minimize exposure among people, especially given that COVID-19 is highly contagious and people may be contagious prior to exhibiting symptoms.

As the weather continues to improve, outdoor gatherings are viewed as safer, but social distancing techniques should still be practiced. Walking in outdoor recreation areas in West Bridgewater is allowed, so long as social distancing practices are maintained.

Teens are included in this group, and activities like bike riding and hiking/ walking are viewed as safer alternatives to gathering indoors

Person-to-person spread

The situation is fluid and new information is being posted regularly by the CDC and the DPH. The CDC offers the following [guidance for how COVID-19 spreads](#):

- The virus is thought to spread mainly from person-to-person.
 - Between people who are in close contact with one another (within about 6 feet).

- Through respiratory droplets produced when an infected person coughs or sneezes.
- These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.

Can someone spread the virus without being sick?

- People are thought to be most contagious when they are most symptomatic (the sickest).
- Some spread might be possible before people show symptoms; there have been reports of this occurring with this new coronavirus, but this is not thought to be the main way the virus spreads.

Spread from contact with contaminated surfaces or objects:

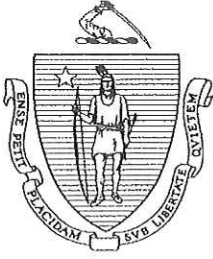
It may be possible that a person can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes, but this is not thought to be the main way the virus spreads. As a precaution, it is recommended that residents clean things that are frequently touched (like doorknobs and countertops) with household cleaning spray or wipes.

COVID-19 Information Resources

Information about COVID-19 can be found on the [DPH website here](#) or the [CDC's website](#). The DPH website is updated regularly with the latest guidance concerning COVID-19, including printable fact sheets in multiple languages.

Residents can also call 211 or visit <https://mass211.org/> to live chat to receive more information. For specific questions, call the DPH Epidemiology Line at 617-983-6800, available 24/7.

Additional updates will be provided as information becomes available.



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER CLARIFYING THE PROGRESSION OF THE COMMONWEALTH'S
PHASED WORKPLACE RE-OPENING PLAN AND AUTHORIZING
CERTAIN RE-OPENING PREPARATIONS AT PHASE II WORKPLACES**

COVID-19 Order No. 35

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control have advised that COVID-19 is spread mainly by person to person contact and that the best means of slowing the spread of the virus is through practicing social distancing and protecting oneself and others by minimizing personal contact with environments where this potentially deadly virus may be transmitted;

WHEREAS, on March 23, 2020, in order to restrict all non-essential person-to-person contact and non-essential movement outside the home as a means of combatting the spread of COVID-19 within the Commonwealth, I issued COVID-19 Order No. 13, which designated certain COVID-19 Essential Services, as defined in the Order, temporarily closed the brick-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services, and prohibited gatherings of more than 10 people;

WHEREAS, on March 31, 2020, April 28, 2020, and May 15, 2020, I issued COVID-19 Orders No. 21, 30, and 32, respectively, which extended the period in which COVID-19 Order No. 13 would continue to restrict the operation of businesses and organizations that do not provide COVID-19 Essential Services;

WHEREAS, recent public health data indicate continued improvement in key areas of measurement as a result of the extraordinary efforts of health care providers in the Commonwealth and the public's unselfish compliance with the restrictions imposed in COVID-19 Order No. 13 and other measures implemented in response to the COVID-19 health crisis;

WHEREAS, on May 18, 2020, I issued COVID-19 Order No. 33, which authorized the re-opening of certain brick-and-mortar premises designated as "Phase I" workplaces ("Phase I enterprises"), subject to the requirement that all such workplaces comply with workplace safety rules and standards implemented to protect against the risk of the COVID-19 virus and which otherwise further extended the period in which COVID-19 Order No. 13 will continue to restrict the operations of businesses and organizations that do not provide Essential Services or that have not been designated as Phase I workplaces;

WHEREAS, a sustained trend of improvement in public health data will permit a continuing, carefully phased relaxation of certain restrictions that COVID-19 Order No. 13 has placed on businesses and other organizations, provided that any adjustment can only be maintained or expanded on the basis of continuing improvements in the public health data, and further provided that any adjustment must reflect the reality that the Commonwealth remains in the midst of a public health emergency, as demonstrated by reporting from the Department of Public Health that as of May 31, 2020, 1,824 persons remain hospitalized in the Commonwealth as a result of COVID-19 and 436 of these patients are receiving treatment in intensive care units;

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over assemblages in order to protect the health and safety of persons, transportation and travel by any means or mode, regulating the sale of articles of food and household articles, variance of the terms and conditions of licenses and permits issued by the Commonwealth or any of its agencies or political subdivisions, and policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby order the following:

1. Advance Preparations by Phase II Enterprises

Beginning immediately, businesses and other organizations that are included within Phase II of the re-opening plan, as defined in Section 2 below, may open their physical workplaces and facilities ("brick-and-mortar premises") to workers for the purpose of preparing for a Phase II re-opening when authorized. In preparing their premises for re-opening, Phase II businesses and other organizations ("Phase II enterprises") must at all times comply with all generally applicable COVID-19 workplace safety rules and any relevant sector-specific COVID-

19 workplace safety rules issued pursuant to Section 2 of COVID-19 Order No. 33 or otherwise by the Department of Labor Standards (“DLS”), the Department of Public Health (“DPH”), or any other agency authorized to issue similar health and safety rules.

Phase II enterprises may not open their premises to customers and the public generally until authorized to do so by subsequent Order.

2. Designation of Phase II Enterprises

Phase II enterprises are businesses or other organizations that meet each of the following conditions:

They are

- not currently permitted to open their premises as an Essential Service or Phase I enterprise pursuant to Section 1 of COVID-19 Order No. 33;
- not closed by any COVID-19 Order separate from or in addition to COVID-19 Order No. 13;
- not excluded or excepted from the terms of this Order in Section 4; and
- not designated on the chart below as a Phase III or Phase IV enterprise.

	All Phase II, III, and IV enterprises will be required to comply with general and, where applicable, sector-specific COVID-19 workplace safety rules administered by DPL, DPH, and local boards of health. Workplace safety rules will include a variety of mandatory context-specific COVID-19 safety measures such as occupancy limitations, operational modifications, social distancing rules, and specialized cleaning requirements.
Phase II	<p>Enterprises that meet all of the conditions specified above and including</p> <ul style="list-style-type: none"> • Retail Stores including stores in enclosed shopping malls • Restaurants providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000, including beer gardens/wineries/distilleries meeting these criteria • Hotels, motels, inns, and other short-term lodgings (no events, functions, or meetings) • Limited organized youth and adult amateur sports activities and programs—no contact and no games or scrimmages, and indoor facilities limited to youth programs • Professional sports practice and training programs--no inter-team games and no admission for the public • Personal Services provided at a fixed place of business or at a client location <ul style="list-style-type: none"> ○ Step 1: Services involving no close personal contact (photography, window washers, individual tutoring, home cleaning, etc.) ○ Step 2: Services involving close personal contact (massage, nail salons, personal training for individuals or no more than 2 persons from same household, etc.) • Non-athletic instructional classes in arts/education/life skills for youths under 18 years of age in groups of fewer than 10 • Driving schools and flight schools • Outdoor historical spaces—no functions or gatherings and no guided tours • Funeral homes—increased capacity to permit 40% occupancy for one service at a time within the facility

	<ul style="list-style-type: none"> • Warehouses and distribution centers • Golf facilities including outdoor driving ranges • Other outdoor recreational facilities <ul style="list-style-type: none"> ○ pools, playgrounds and spray decks ○ mini golf, go karts, batting cages, climbing walls, ropes courses • Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools <ul style="list-style-type: none"> ○ for the limited purposes of permitting students to complete a degree, program, or prerequisite for employment, or other similar requirement for completion, for summer youth programming including athletic facilities, and any necessary supporting services • Day Camps including sports and arts camps • Public libraries
Phase III	<ul style="list-style-type: none"> • Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools—general operations • Casino gaming floors • Horse racing simulcast facilities (no spectators) • Indoor recreational and athletic facilities for general use (not limited to youth programs) • Fitness centers and health clubs including <ul style="list-style-type: none"> ○ cardio/weight rooms/locker rooms/inside facilities ○ fitness studios (yoga, barre, cross-fit, spin classes, general fitness studios) ○ indoor common areas ○ indoor swimming pools ○ indoor racquet courts and gymnasiums ○ locker rooms/shower rooms ○ excluding saunas, hot-tubs, steam rooms • Museums • Indoor historic spaces/sites • Aquariums • Outdoor theatres and performance venues of moderate capacity • Indoor theatres, concert halls, and other performance venues of moderate capacity • Sightseeing and other organized tours (bus tours, duck tours, harbor cruises, whale watching) • Fishing and hunting tournaments and other amateur or professional derbies • Weddings/events/gatherings in parks, reservations, and open spaces with allowance for moderate capacity • Overnight camps • Indoor non-athletic instructional classes in arts/education/life skills for persons 18 years or older • Indoor recreational businesses: batting cages, driving ranges, go karts, bowling alleys, arcades, laser tag, roller skating rinks, trampolines, rock-climbing <p>This listing is subject to amendment.</p>
Phase IV	<ul style="list-style-type: none"> • Amusement parks, theme parks, indoor or outdoor water parks • Saunas, hot-tubs, steam rooms at fitness centers, health clubs, and other facilities • Bars, dance clubs, and nightclubs—venues offering entertainment, beverages, or dancing and not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000 • Beer gardens/breweries/wineries/distilleries not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000 • Large capacity venues used for group or spectator sports, entertainment, business, and cultural events including

	<ul style="list-style-type: none"> ○ Theaters and concert halls ○ Ballrooms ○ Stadiums, arenas, and ballparks ○ Dance floors ○ Exhibition and convention halls ● Private party rooms ● Street festivals and parades and agricultural festivals ● Road races and other large, outdoor organized amateur or professional group athletic events <p>This listing is subject to amendment.</p>
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3. Rules for Phase II Limited Organized Sports Activities and Programs

Amateur Sports: Effective immediately, organizers of sports activities and programs for youths and adults and facilities that host such programs or activities may open their premises to employees to begin preparations, consistent with the provisions of Section 1, for authorized Phase II activities. In addition to complying with generally applicable COVID-19 workplace safety rules, organizers of sports activities and programs for youths and adults and facilities that host such programs or activities shall be subject to the following directives during Phase II:

- a. Programs for contact sports must limit activities exclusively to no-contact drills and practices. Programs for no contact sports where ordinary play allows for social distancing may include ordinary play.
- b. Games, scrimmages, and tournaments shall not be permitted for any organized sports activities.
- c. Programs must separate participants into groups of no more than 10 participants, including coaches and staff.
- d. Indoor athletic facilities shall be open and available exclusively for the use of supervised sports programs, including sports camps, for youths under the age of 18.

The Secretary of the Executive Office of Energy and Environmental Affairs (“EEA”) shall issue guidance to implement these directives and all generally applicable COVID-19 workplace standards for organizers of youth and adult sports programs and operators of facilities that host those programs. Organizers of youth and adult sports programs shall follow the EEA guidance; provided, however, that when the program is governed by formal league rules or other binding agreements or affiliations, the organizer shall comply with any COVID-19 and other health and safety rules applicable under those authorities. The requirements of items (a) – (d) above shall apply in all circumstances.

Professional Sports: Effective immediately, professional sports organizations may open their premises to employees and other workers for the activities provided for in Section 1 and may also open their premises to employees for on-premises athletic practices and training,

subject to adoption of COVID-19 health and safety rules implemented under the authority of formal league rules or other binding agreements or affiliations.

Professional sports organizations may not engage in inter-team games within the Commonwealth and may not open any facilities within the Commonwealth to the public until further Order.

4. Preparations and Accommodation for Outdoor Restaurant Dining Service

Restaurants will be authorized to provide outdoor table service at the commencement of Phase II of the Commonwealth's phased re-opening of workplaces. If the public health data reflects continued positive progression, restaurants will be authorized at a later date and by a subsequent Phase II Order to commence indoor table service. In each case, restaurants will be required to comply with sector-specific COVID-19 workplace safety rules for restaurants.

"Outdoor table service" shall mean service that is provided outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space. Outdoor table service may be provided under awnings or table umbrellas or other cover from the elements, provided, however, that at least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times.

Notwithstanding the provisions of chapter 40A of the general laws, or any special permit, variance or other approval thereunder, or any other general or special law to the contrary, a city or town may approve requests for expansion of outdoor table service, including in the description of licensed premises as described below. Prior to such approval, the mayor, select board, or chief executive as established by charter or special act, shall establish the process for approving such requests. Such process need not comply with the notice and publication provisions of section 11 of chapter 40A.

Any such approval may be exercised immediately upon filing of notice thereof with the city or town clerk, without complying with any otherwise applicable recording or certification requirements.

In order to provide improved opportunities for outdoor table service, for any type of license that permits the sale of alcoholic beverages for on-premises consumption, a local licensing authority ("LLA") may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service as the LLA may deem reasonable and proper, and issue an amended license to existing license holders, without further review or approval by the Alcoholic Beverages Control Commission ("ABCC") prior to issuance. Upon approval of an amended license, the LLA shall provide notice of the amended license to the ABCC. Nothing in this Order shall prevent the ABCC from exercising its statutory or regulatory enforcement authority over any such amended license issued.

On November 1, 2020 or the date this Order is rescinded, whichever is sooner, any approval issued under this Section, including any amended license issued by an LLA as a result of this Order, shall automatically revert back to its status prior to the approval of the change for expansion of outdoor table service or in the description of a licensed premises.

5. Sector-Specific Rules

The Director of Labor Standards and the Commissioner of Public Health shall issue, subject to my approval, COVID-19 workplace safety rules for certain, specific Phase II enterprise workplace sectors (“Sector-Specific Rules”) to address the particular circumstances and operational needs of those specific workplace sectors. These Phase II Sector-Specific Rules shall supplement the generally applicable COVID-19 safety rules applicable to all workplaces in the Commonwealth. Phase II enterprises shall adopt and comply with all Sector-Specific Rules applicable to their workplaces.

6. Limitations on Gatherings

A Phase II enterprise that is authorized to open its brick-and-mortar premises to workers under the terms of this Order shall not be subject to the 10-person limitation on gatherings established in Section 3 of COVID-19 Order No. 13 in its normal operations of those premises; provided, however, that Phase II enterprises must comply with the social distancing requirements in the Commonwealth’s generally applicable COVID-19 workplace safety rules, any more specific limitations on gatherings and meeting sizes included in any applicable Sector-Specific Rules, and any other similar restrictions specified in this Order.

Section 3 of COVID-19 Order No. 13 shall otherwise remain in effect for businesses or organizations not permitted to open their brick-and-mortar premises as COVID-19 Essential Services, or Phase I or Phase II enterprises.

4. Exceptions

This Order shall have no application to any of the following businesses, organizations, workplaces, or facilities:

- a. Any municipal legislative body, the General Court, or the Judiciary
- b. Federal governmental entities
- c. Any health care facility or provider licensed by the Department of Public Health or the Board of Registration in Medicine
- d. Any of the following workplaces or facilities with specialized functions and populations:
 - Public and private elementary and secondary (K-12) schools
 - Residential and day schools for special needs students

- Licensed, approved, or exempt child care programs and any emergency child care centers and emergency residential programs operating under emergency authorization
- Facilities operated by the Department of Correction or any Sheriff
- Facilities operated or licensed by the Department of Mental Health or the Department of Developmental Services
- And any other facilities or workplaces that the Commissioner of Public Health may in writing exempt from the terms of this Order

This Order is effective immediately and shall remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

Given in Boston at 2:20 PM this 1st day
of June, two thousand and twenty

A handwritten signature in black ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER
GOVERNOR

Commonwealth of Massachusetts



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
LOCAL LICENSING AUTHORITIES' APPROVAL OF OUTDOOR SEATING**

On June 1, 2020, Governor Charlie Baker issued an Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces, which, in part, details the process for reopening establishments for on-premises consumption. The text of the Governor's Order can be found [HERE](#).

When the Governor declares that the Commonwealth has entered Phase II of its reopening plan all licensees for on-premises consumption of alcohol may commence outdoor table service only. Indoor service will remain prohibited until further order from the Governor.

The Governor's Order also grants the local licensing authorities ("LLA") the authority to expand alcohol licensees' licensed premises for outdoor seating in an expedited process.

Pursuant to the Governor's Order, on application from a licensee that serves alcohol for on-premises consumption¹, the LLA may alter the description of the licensee's licensed premises to expand for outdoor seating that the LLA deems "reasonable and proper." The LLA does not need to comply with M.G.L. c. 138, § 15A, and therefore does not need to provide advance notice to abutters or hold a public hearing on the application. LLAs must continue to follow the ABCC's guidelines issued in 2015 for the approval of outdoor seating, which can be found [HERE](#).

ABCC approval is not required on these applications. Upon approval from the LLA the LLA may issue the amended license forthwith. The LLA must provide notice by mail to the ABCC on all application approvals. For further guidance on the process of approving and issuing these amended licenses LLAs should consult with their counsel.

Please be aware that all expanded premises approved pursuant to this Order are only effective through November 1, 2020, or until the Order is rescinded, whichever is sooner, and revert to their original licensed premises on that date.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of

¹ This includes restaurants, bars, hotels, general-on-premises, clubs, war veterans' clubs, continuing care retirement communities, pub-brewers (M.G.L. c. 138, §§ 12 and 19D), farmer-series pouring permits, and manufacturers' pouring permits (M.G.L. c. 138, §§ 19(b), 19B(n), 19C(n), and 19E(o)).

alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued June 1, 2020)



*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114*

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
GUIDELINES FOR EXTENSION OF PREMISES TO PATIO AND OUTDOOR AREAS**

On July 28, 2015, at a public meeting, the Alcoholic Beverages Control Commission approved amendments to its "Guidelines for Extension of Premises to Patio and Outdoor Areas." These amended guidelines supersede the previously issued Guidelines from August 22, 1989. A copy of the amended Guidelines are attached to this Advisory.

As a reminder, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts and that sale of alcoholic beverages take place only as authorized by applicable law. Questions concerning this Advisory can be directed to Ralph Sacramone, Executive Director of the Massachusetts Alcoholic Beverages Control Commission at (617) 727-3040 x 731.

(Issued August 6, 2015)



*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114*

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

**GUIDELINES FOR EXTENSION OF PREMISES TO
PATIO AND OUTDOOR AREAS**

1. Alcoholic beverages cannot be served outside of a licensed establishment unless and until an application to extend the licensed premises has been approved.
2. An application to extend the premises must describe the area in detail, including dimensions, seating capacity, and maximum occupancy.
3. The premises must be enclosed by a fence, rope, or other means to prevent access from a public walkway.
4. The outdoor area must be contiguous to the licensed premises with either (a) a clear view of the area from inside the premises, or, alternatively (b) the licensee may commit to providing management personnel dedicated to the area.
5. The applicant must have a lease or documents for the right to occupy the proposed area.
6. The licensing authorities should consider the type of neighborhood and the potential for noise in the environs.
7. Preferred are outdoor areas where alcohol is served to patrons who are seated at the tables and where food is also available.

Approved July 28, 2015 (superseding August 22, 1989, Guidelines)

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to address challenges faced by restaurants and other establishments due to COVID-19..

PETITION OF:

NAME:

Paul McMurtry

Daniel J. Ryan

DISTRICT/ADDRESS:

11th Norfolk

2nd Suffolk

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act to address challenges faced by restaurants and other establishments due to COVID-19..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding any general or special law to the contrary, the local licensing authorities (LLA) in any city or town which votes to authorize the granting of licenses for the sale of all alcoholic beverages, and such authorities in any city or town which votes to authorize the granting of licenses for the sale of wines and malt beverages only, may grant approval for a change in the description of a licensed premises as the LLA may deem reasonable and proper, and issue an amended license to existing license holders, for the

purpose of outdoor alcohol service. Upon approval of an amended license, the LLA shall forward notification of the amended license to The Alcoholic Beverages Control Commission (ABCC). The ABCC may, within ten days of the passage of this act, promulgate regulations consistent with this act and issue updated guidance to local licensing authorities.

Section 2. Amended licenses issued by local licensing authorities as a result of this act shall automatically revert to their status prior to the approval of the change in the description of a licensed premises, on November 1st, 2020

Section 3. This act shall expire November 1st, 2020.

IT Director - Ed Sarro Recommendations	
Cyber Security Training	\$9,057
Police - New Mail Archiver	\$15,000
Fire - 2 Tablets	\$5,000
MSHS - Chromebooks	\$17,500
Town - Chromebooks	\$46,750
Comcast - Town Service	\$33,288
Comcast - Water	\$4,640
Total	\$131,235