



BRIDGEWATER TOWN COUNCIL

Tuesday, May 25, 2021

7:00 p.m.

The meeting will be held virtually via Zoom.

To attend via video, click on the link below:

[Link to Join 05/25/2021 Town Council Meeting](#)

To attend via phone, dial: 1(646) 876-9923

Meeting ID: 945 9749 4109

MEETING AGENDA

Disclosure: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Bridgewater Town Council will be conducted via remote participation to the greatest extent possible. There will be no in person attendance permitted. Citizens who wish to tune in to the meeting may do so via Facebook Live.

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) May 11, 2021

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

a) Charter Review Committee – *30 Day Extension of Term Appointment*

- Edward Ivaldi
- Darren Boston
- Thomas Golden
- Janet Hanson
- Cleonie Mainvielle
- Steven Persell
- Scott Pitta

F. HEARINGS

- a) **7:05 P.M.:** Petition P-2021-011: Cumberland Farms of Massachusetts, Inc. dba Cumberland Farms for a Change of Beneficial Interest and Change of Officer

G. LICENSE TRANSACTIONS

- a) Petition P-2021-012 – One Day Entertainment – First Annual Juneteenth Celebration, BCCR & First Parish UU Church, Stanley Iron Works Parkland, 6/19 (Rain Date 6/20) 3:00 – 6:00 PM

H. PRESENTATIONS

- a) Memorial Building – Tappe Architects
b) Fire Station/Headquarters Update - Jacunski Humes Architects, LLC

I. TOWN MANAGER'S REPORT

- a) Mitchell School Update (*Standing Item*)
b) COVID-19 Update
c) Items for Next Meeting:

J. DISCUSSIONS - *None*

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Order O-FY21-042: Rescind Elm Street Roadway Project Loan Authorization
At their meeting held 5/17/21, the Budget & Finance Committee voted 3-0 to recommend approval of this measure. The Finance Committee meet 5/24/21. Their disposition will be provided upon receipt. This measure may be finally voted this evening pending the disposition of the Finance Committee.
- b) Order O-FY21-043: Transfer Order - First Street Roadway Betterment
At their meeting held 5/17/21, the Budget & Finance Committee voted 3-0 to recommend approval of this measure. The Finance Committee meet 5/24/21. Their disposition will be provided upon receipt. This measure may be finally voted this evening pending the disposition of the Finance Committee.
- c) Order O-FY21-044: Acceptance of a Grant - Complete Streets Tier 3 Construction Grant
At their meeting held 5/17/21, the Budget & Finance Committee voted 3-0 to recommend approval of this measure. The Finance Committee meet 5/24/21. Their disposition will be provided upon receipt. This measure may be finally voted this evening pending the disposition of the Finance Committee.
- d) Order O-FY21-046: Capital Transfer Order - Water Fund
At their meeting held 5/17/21, the Budget & Finance Committee voted 3-0 to recommend approval of this measure. The Finance Committee meet 5/24/21. Their disposition will be provided upon receipt. This measure may be finally voted this evening pending the disposition of the Finance Committee.
- e) Order O-FY21-047: Capital Transfer Order - Sewer Fund
At their meeting held 5/17/21, the Budget & Finance Committee voted 3-0 to recommend approval of this measure. The Finance Committee meet 5/24/21. Their disposition will be provided upon receipt. This measure may be finally voted this evening pending the disposition of the Finance Committee.
- f) Resolution R-FY21-007: A Resolution In Recognition of Gay Pride Month
This measure was not referred to a committee. 14 days has elapsed per Section XVIII of the Council Rules & Procedures; therefore, this measure may be finally considered this evening.
- g) Resolution R-FY21-008: A Resolution Relative to Diversity and Respect
This measure was not referred to a committee. 14 days has elapsed per Section XVIII of the Council Rules & Procedures; therefore, this measure may be finally considered this evening.

M. OLD BUSINESS - None

N. NEW BUSINESS

- a) Order O-FY21-048: Acceptance of a Gift - Bridgewater Police Association (*Town Manager*)
- b) Order O-FY21-049: Acceptance of a Grant - Home Depot Foundation (*Town Manager*)
- c) Order O-FY21-051: Laying Out and Acceptance of Private Way(s) - Upland Drive and Strathmore Road (*Councilor Wood*)
- d) Resolution R-FY21-009: Future Retail Sale of Marijuana Guidelines Resolution (*Councilors Wood and Chase*)
- e) Resolution R-FY21-010: A Resolution Designating June 19th as a Town Holiday (*Councilors Gallagher and Rushton*)

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Bridgewater Town Council

In Town Council Tuesday, May 25, 2021

Council Petition: P-2021-012

Date Introduced: May 25, 2021

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

The Granting of One Day Entertainment Permits

WHEREAS, BCCR & First Parish Unitarian Universalist Church has petitioned for a One-day entertainment permit for the following event:

	EVENT	DATE	TIME	APPROXIMATE ATTENDANCE
1	First Annual Juneteenth Celebration	June 19, 2021	3:00-6:00 p.m.	100

;and,

WHEREAS, BCCR & First Parish Unitarian Universalist Church have complied with the requirements of the Town of Bridgewater; and,

WHEREAS, the Bridgewater Town Council, acting as the Legislative body of the Town has such licensing authority and with the affirmative recommendation of the Bridgewater Building Inspector, Fire and Police Departments who have oversight authority, it appears that the public good so requires such license be granted;

WHEREAS, this license is being issued under the most current state guidelines which could be revoked or changed such that the applicant will have to abide by any new state or local requirements;

The Town Council of the Town of Bridgewater, Massachusetts, pursuant to Chapter 140- Section 183A of Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition BCCR & First Parish Unitarian Universalist Church to be granted a one-day entertainment permit for the aforementioned event to be held at Stanley Iron Works Parkland.



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Order: O-FY21-042

Introduced By:	Town Manager
Date Introduced	May 11, 2021
First Reading:	May 11, 2021
Second Reading:	May 25, 2021
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY21-042

RESCIND ELM STREET ROADWAY PROJECT LOAN AUTHORIZATION

ORDERED, In accordance with MGL c.44 section 7 and Section 6 of the Bridgewater Home Rule Charter to rescind remaining authorization of \$2,835,000.00, as this amount was funded with Grant proceeds from MassWorks Grant in conjunction with the Elm Street DIF Roadway Construction Project

The Original authorization of \$7,500,000 on O-FY21-059.

Explanation:

This order is to clear the authorized remaining balances not needed for borrowing due to the receipt of the Massworks Grant Award for the Elm Street DIF Roadway Construction Project.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	5/17/21: Vote 3-0 recommend approval 5/24/21:



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Order: O-FY21-043

Introduced By: Town Manager
Date Introduced: May 11, 2021
First Reading: May 11, 2021
Second Reading: May 25, 2021
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY21-043

TRANSFER ORDER - FIRST STREET ROADWAY BETTERMENT

ORDERED, appropriate and transfer from below schedule Source of Funds to below schedule Use of Funds:

Source of Funds	Account No.	GL Account Description	Amount
First Street Roadway Betterment	27605-596100	Transfer to GF	\$250,000.00
Total:			\$250,000.00
Use of Funds	Account No.	GL Account Description	Amount
First Street Roadway	01005910-591092	First St Roadway Princ	\$250,000.00
Total			\$250,000.00

Explanation:

This will appropriate the paydown of the debt service of the private roadway known as First Street from the assessments of the property owners collected this fiscal year.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	5/17/21: Vote 3-0 recommend approval 5/24/21:



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Order: O-FY21-044

Introduced By:	Town Manager
Date Introduced	May 11, 2021
First Reading:	May 11, 2021
Second Reading:	May 25, 2021
Amendments Adopted:	
Third Reading:	
Date Adopted:	
Date Effective:	

Order O-FY21-044

ACCEPTANCE OF A GRANT - COMPLETE STREETS TIER 3 CONSTRUCTION GRANT

WHEREAS: Massachusetts General Laws, Chapter 44, §53A, states as follows:

“An officer ... of any city or town ... may accept grants or gifts of funds from ... from the commonwealth ... or an agency thereof, ... and may expend such funds for the purposes of such grant or gift ... with the approval of the city manager and city council...;” and

WHEREAS: The Town of Bridgewater has received an award of \$400,000 and Notice to Proceed, Now, therefore, in accordance with Chapter 44, §53A of the Massachusetts General Laws, the Town Council votes to take the following action:

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the grant of \$400,000 from the Complete Streets Funding Program, in conjunction with MASS DOT Division and in accordance with stated purpose thereof.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	5/17/21: Vote 3-0 recommend approval 5/24/21:



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Order: O-FY21-046

Introduced By: Town Manager
Date Introduced: May 11, 2021
First Reading: May 11, 2021
Second Reading: May 25, 2021
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY21-046

CAPITAL TRANSFER ORDER - WATER FUND

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below schedule of Use of Funds:

Source of Funds	Account No.	GL Account Description	Amount
WTR RESERVES SPEC PURPOSE	6200-358000	WTR RESERV SP PURPOSE	\$ 149,560.00
Total:			\$ 149,560.00
Use of Funds	Account No.	GL Account Description	Amount
	TBD	FORD F250 PICK-UP	\$ 47,858.00
	TBD	FORD F250 PICK-UP	\$ 47,858.00
	TBD	F550 REG CAB CHASSIS 4x4	\$ 53,844.00
Total			\$ 149,560.00

Explanation:

This transfer will fund the Capital Water Fund Projects #450.10, 450.11, and 450.21 fleet replacement expenses associated with replacing a 2012 F550 service truck, a 2008 Ford F150 pickup truck and a 2006 Ford Ranger pickup truck which are beyond their useful life expectancy. These vehicles are used daily, weekends, including plowing, emergency operations, etc.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	5/17/21: Vote 3-0 recommend approval 5/24/21:

ROLL CALL VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Order: O-FY21-047

Introduced By: Town Manager
Date Introduced: May 11, 2021
First Reading: May 11, 2021
Second Reading: May 25, 2021
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY21-047

CAPITAL TRANSFER ORDER - SEWER FUND

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to pursuant to Section 6-4 of the Town of Bridgewater Charter, that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to appropriate and transfer from below schedule Source of Funds to below schedule of Use of Funds:

Source of Funds	Account No.	GL Account Description	Amount
SEWER RESERVES SPEC PURPOSE	6100-	SEWER RESERV SP PURPOSE	\$ 55,097.50
	6110-321500	SEWER CAPITAL CLOSEOUTS	\$ 33,925.50
Total:			\$ 89,023.00
Use of Funds	Account No.	GL Account Description	Amount
	TBD	440.07 FORD F250 REG CAB	\$ 48,327.00
	TBD	440.13 FORK-LIFT	\$ 40,696.00
Total			\$ 89,023.00

Explanation:

This transfer will fund the Capital Sewer Fund Projects #440.07 and #440.13 fleet replacement expenses associated with replacing a 1968 Hyster Forklift and a 2012 Ford F250 pickup truck which are beyond their useful life expectancy. The amounts include trade in values. Also of note is the sources of \$33,925.50 of closeouts of PY capital balances unspent that will be repurposed as described.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- Budget & Finance Committee - Finance Committee	5/17/21: Vote 3-0 recommend approval 5/24/21:

ROLL CALL VOTE – REQUIRES MAJORITY OF THOSE PRESENT AND VOTING.



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Resolution: R-FY21-007

Introduced By: Councilors Gallagher, Chase and Rushton

Date Introduced: May 11, 2021

First Reading: May 11, 2021

Second Reading: May 25, 2021

Amendments Adopted:

Date Adopted:

Date Effective:

Resolution R-FY21-007

A RESOLUTION IN RECOGNITION OF GAY PRIDE MONTH

Whereas, The Town of Bridgewater is committed to creating an inclusive, safe and compassionate community through supporting its diversity, and

Whereas: In January 2016, the Town of Bridgewater proclaimed its support of the Bridgewater Citizens for Civility and Respect (now known as Bridgewater Communities for Civil Rights) by resolving that we are a community of civility; where intolerant speech and behavior are unacceptable, thus ensuring our town remains a respectful place to live, work, attend school, visit and conduct business, and

Whereas: The Town of Bridgewater has a diverse LGBTQ+ community that includes people of all ethnicities, religions and professions who should be able to live without fear of prejudice, discrimination, violence or hatred based on the gender identity or sexual orientation, and

Whereas, The Commonwealth of Massachusetts became the first State in the Nation to recognize and allow same sex marriages, and

Whereas, everyone should be able to live and work without fear of prejudice, discrimination, violence or hatred based on gender identity or sexual orientation and that right should be acknowledged at all levels of government; and

Therefore Be it resolved, that the Town of Bridgewater, on behalf of its residents, hereby proclaims June 2021 as Lesbian, Gay, Bisexual, Transgender and Queer Pride Month in the Town of Bridgewater and;

Be it further resolved that the Bridgewater Town Council fully supports the Gay Pride Flag to be flown with the United States Flag in front of the Academy Building in the Town of Bridgewater for the week of June 7-13, 2021.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure was not referred to any committee. 14 days has elapsed, therefore it may be finally considered this evening.	



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Resolution: R-FY21-008

Introduced By: Councilor Rushton

Date Introduced May 11, 2021

First Reading: May 11, 2021

Second Reading: May 25, 2021

Amendments Adopted:

Date Adopted:

Date Effective:

Resolution R-FY21-008

A RESOLUTION RELATIVE TO DIVERSITY AND RESPECT

Whereas; Bridgewater is a town that highly values diversity, dignity and respect for all individuals. As the Legislative Branch of the town, the Town Council recognizes its responsibility to make the following declarations and;

Whereas; The Town Council opposes unequivocally any expression of hate, prejudice, intolerance, or discrimination toward any individual or group and;

Whereas; The Town Council commits to engaging the Town on race, equity and inclusion through broad and collaborative public engagement; and

Be It Resolved; The Town Council denounces any form of racism, discrimination or intolerance as a threat to the safety and well-being of the public. We call upon the entire Bridgewater community to welcome every resident, visitor, employee and resident student in the Town.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
This measure was not referred to any committee. 14 days has elapsed, therefore it may be finally considered this evening.	



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Order: O-FY21-048

Introduced By: Town Manager
Date Introduced: May 25, 2021
First Reading: May 25, 2021
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY21-048

ACCEPTANCE OF A GIFT - BRIDGEWATER POLICE ASSOCIATION

WHEREAS: Massachusetts General Laws, Chapter 44, §53A, states as follows:

“An officer ... of any city or town ... may accept grants or gifts of funds from ... from the commonwealth ... or an agency thereof, ... and may expend such funds for the purposes of such grant or gift ... with the approval of the city manager and city council...;” and

WHEREAS: The Town of Bridgewater has received an award of \$2,000, therefore, in accordance with Chapter 44, §53A of the Massachusetts General Laws, the Town Council votes to take the following action:

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the grant of \$2,000 from The Bridgewater Police Association and in accordance with stated purpose thereof.

Explanation:

The Bridgewater Police Association conducted their annual "No Shave Fund- Razor" this past November. The Event raised \$2,000 and the association voted to donate the money to the Town to assist in the repair of the flagpole by the War Memorial.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Order: O-FY21-049

Introduced By: Town Manager
Date Introduced: May 25, 2021
First Reading: May 25, 2021
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY21-049

ACCEPTANCE OF A GRANT - HOME DEPOT FOUNDATION

WHEREAS: Massachusetts General Laws, Chapter 44, §53A, states as follows:

“An officer ... of any city or town ... may accept grants or gifts of funds from ... from the commonwealth ... or an agency thereof, ... and may expend such funds for the purposes of such grant or gift ... with the approval of the city manager and city council...;” and

WHEREAS: The Town of Bridgewater has received an award of \$3,500, therefore, in accordance with Chapter 44, §53A of the Massachusetts General Laws, the Town Council votes to take the following action:

ORDERED that the Town Council of Bridgewater, Massachusetts in Town Council assembled vote to accept the grant of \$3,500 from The Home Depot Foundation and in accordance with stated purpose thereof.

Explanation:

The Director of Elder Affairs applied to the Home Depot Foundation on behalf of Bridgewater seniors and residents to provide needed households a HD bucket filled with cleaners, sanitizers, light bulbs, etc..

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Order: O-FY21-051

Introduced By: Councilor Wood
Date Introduced: May 25, 2021
First Reading: May 25, 2021
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY21-051

LAYING OUT AND ACCEPTANCE OF PRIVATE WAY(S) - UPLAND DRIVE AND STRATHMORE ROAD

WHEREAS, the owners of Upland Drive and Strathmore Road, Elmwood Knoll Realty Trust, has requested the Town of Bridgewater lay out and accept Upland Drive and Strathmore Road as public ways; it is therefore;

ORDERED: that the common necessity and convenience of the inhabitants of the Town of Bridgewater require the laying out of Upland Drive and Stonehill Lane and for that purpose it is necessary to take an easement for Highway purposes and lay out as public streets or ways of said Town of Bridgewater, said easement passing by or over lands of those persons shown on "EXHIBIT A", attached hereto, and parties unknown.

Explanation:

Approval of this order would effectively adopt Upland Drive and Strathmore Road as public ways.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Resolution: R-FY21-009

Introduced By: Councilors Wood and Chase

Date Introduced: May 25, 2021

First Reading: May 25, 2021

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Resolution R-FY21-009

FUTURE RETAIL SALE OF MARIJUANA GUIDELINES RESOLUTION

WHEREAS, on April 24th, 2021, the Town of Bridgewater held its Annual Town Election; and

WHEREAS, the ballot contained a question for the voters, known as Question 1; and

WHEREAS, the text of the question read, "Will the public support allowing retail sale of recreational marijuana in Bridgewater?"; and

WHEREAS, the question was framed with, "This non-binding question will not change any current zoning or general ordinances but serves to inform the Town Council of current public opinion."; and

WHEREAS, the Town Clerk has certified the results of the Election and the Ballot question; and

WHEREAS, Precincts 1, 3, 4, 5, 6, and 7, voted in the Affirmative for Question 1; and

WHEREAS, Precinct 2 was a no by only a single vote (207 YES, 208 NO); and

WHEREAS, out of 1891 ballots cast, there were only 14 blanks; and

WHEREAS, the public answered Yes on Question 1 by over 57%;

NOW THEREFORE BE IT RESOLVED, that the Town Council recognizes that it has been informed that the public supports allowing the retail sales of recreational marijuana in Bridgewater. Any zoning changes enacted by the Town Council shall identify the number of shops permitted, the Zone(s) where the shops are permitted, and the security regulations the shops must adhere to.

Explanation:

Similar to results found by broader surveys like Gallop, which found strong support for recreational marijuana, the results in Bridgewater show strong positive support to allow the retail sale of recreational marijuana within Bridgewater.

April 24th Question 1 Results:

Precinct 1: Yes 58.4%

Precinct 2: No 50.1%

Precinct 3: Yes 59.4%

NOT FOR ACTION – FIRST READING ONLY.

Precinct 4: Yes 66.4%
Precinct 5: Yes 60.0%
Precinct 6: Yes 66.7%
Precinct 7: Yes 54.2%
Overall Results: Yes 57.5%

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, May 25, 2021

Council Resolution: R-FY21-010

Introduced By: Councilors Gallagher and Rushton

Date Introduced: May 25, 2021

First Reading: May 25, 2021

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Resolution R-FY21-010

A RESOLUTION DESIGNATING JUNE 19TH AS A TOWN HOLIDAY

Whereas Juneteenth is commemorated on the anniversary date of the June 19, 1865 announcement by Union Army general Gordon Granger, proclaiming freedom from slavery in Texas, and

Whereas commemoration of Juneteenth has involved celebrations dating to 1866, at first involving church-centered community gatherings in Texas, then spreading across the South through the early twentieth century, and

Whereas Juneteenth became more celebrated in the late twentieth century with a focus on African American freedom and arts, and

Whereas the Town of Bridgewater welcomes celebrations of its diversity, and recognizes the importance of acknowledging our residents' various and varied histories;

Now Therefore, the Town of Bridgewater recognizes the date of June 19 as Juneteenth, a holiday celebrating the emancipation of those who had been enslaved in the United States.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•