



BRIDGEWATER TOWN COUNCIL

Tuesday, July 13, 2021

7:00 p.m.

The meeting will be held virtually via Zoom.

To attend via video, click on the link below:

<https://zoom.us/j/92301479483>

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

Meeting ID: 923 014 794 83

MEETING AGENDA

Disclosure: Pursuant to Section 20 of Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency, this meeting of the Town Council for the Town of Bridgewater will be fully remote and accessible to the public through 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 Zoom or Facebook Live.

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) June 29, 2021

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Finance Committee – Julie Scleparis Reappointment

F. HEARINGS

- a) **7:05 PM:** 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-2021-014: One day Entertainment - Larkin Motors Foundation, 850 Bedford Street, Larkin Motors Foundation 1st Annual Charity Car Show 8/14/21 (Rain Date: 8/15/21) 12:00 p.m. - 6:30 p.m.

H. PRESENTATIONS

- a) Perkins Foundry Project – Presented by Edgewood Development Company
- b) Town Buildings Update – Christopher Hartman

I. TOWN MANAGER'S REPORT

- a) Mitchell School Update
- b) Mid-Year Goals Update

J. DISCUSSIONS - *None*

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

- a) Ordinance D-FY21-007: Amend Admin Code PT II CH157
At their meeting held on 6/16/2021, the Rules and Procedures Committee voted 3-0 to recommend approval as amended.

M. OLD BUSINESS

N. NEW BUSINESS

- a) Ordinance D-FY22-001: Prohibited Sale of 100ml or Less Alcoholic Beverage Containers (*Councilor Sousa & Councilor Gallagher*)
- b) Order O-FY22-008: Acceptance of Gift - Donation of \$55,000 from Bridgewater State University (*Town Manager*)

- O. CITIZEN COMMENTS
- P. COUNCIL COMMENTS
- Q. EXECUTIVE SESSION
- R. ADJOURNMENT



Bridgewater Town Council

In Town Council Tuesday, July 13, 2021

Council Petition: P-2021-014

Date Introduced: July 13, 2021

Amendments Adopted:

Date Adopted:

Date Effective:

Relative to:

The Granting of a One-Day Alcohol & One-Day Entertainment Permit

WHEREAS, Larkin Motors Foundation of Bridgewater has petitioned for a One-day Entertainment permit for the following event:

	EVENT	DATE	TIME	APPROXIMATE ATTENDANCE
1	Live Entertainment – DJ	August 14, 2021 (Rain Date 8/15/21)	12:00 p.m. – 6:30 p.m.	500

;and,

WHEREAS, Larkin Motors Foundation has 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 138 - section 14 and Chapter 140- Section 183A respectively of the Massachusetts General Law (M.G.L.), in Town Council assembled approve the petition of Larkin Motors Foundation to be granted a one day entertainment permit for the aforementioned event to be held on the grounds of 850 Bedford Street.

One Day Entertainment & Alcohol Licenses

APPLICANT: Larkin Motors Foundation

EVENT	DATE	TIME	ATTENDANCE	NOTES
Live Entertainment	14-Aug-21	12:00 p.m. - 6:30 p.m.	500	
	(Rain Date 8/15/21)			

Town Documents

- 1 ✓ One-Day Entertainment Applications
- 2 \$75.00 - Town License Fees

Recommendations

- 3 ✓ Fire Department
- 4 ✓ Police Department
- 5 ✓ Building Department
- 6 ✓ Health Department

NOTES:

1) Police detail required for event.

2) License fees to be collected before issuance.

3) License is subject to all state and local regulations, if the guidance is changed due to COVID numbers event may need to be canceled or altered.



Bridgewater Town Council

In Town Council, Tuesday, April 6, 2021

Council Ordinance: D-FY21-007

Introduced By:	Councilor Fred Chase
Date Introduced:	April 6, 2021
First Reading:	April 6, 2021
Second Reading:	July 13, 2021
Third Reading:	
Amendments Adopted:	(1)
Date Adopted:	
Date Effective:	

Proposed Ordinance D-FY21-007

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

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

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

ARTICLE II. Flag Raising on Town Property

Section 1. Flag Raising

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

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

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

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

NOT FOR ACTION – FIRST READING ONLY

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

Section 2. Rules Governing Flag Raising

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

1. At no time will the Town of Bridgewater display a flag deemed to be inappropriate or offensive in nature, or a flag supporting discrimination, prejudice or reference to any religious movement. A determination of impropriety in this regard shall be rendered by the Town Council in its sole discretion.
2. A flag proposed for public display shall be considered for approval which features words, symbols, designs or colors customarily associated with the event or occasion to be commemorated and which does not otherwise, in the determination of Town Council, convey or suggest policies, positions or proposals beyond the intended scope of the proclamation with which it is purported to correspond.
3. A photograph of the actual flag proposed for display under this Ordinance shall be provided to the Town Council Clerk together with the written request for display and shall be deemed to constitute a necessary component of the request.
4. A flag proposed for display under this Ordinance shall be clean and serviceable, and corresponding in size with the flag of the United States beneath which it will be flown.
5. Flag raisings must occur on a normal business day during regular business hours as may be determined appropriate by Town administration. Requests outside of normal business days hours cannot be accommodated. The precise hours of flag raising and lowering cannot be estimated or stipulated in advance.
6. A flag delivered for public display must be presented to the Town Council Clerk during normal business days and regular business hours and, following the Period of Display, promptly retrieved from the Town Council Clerk. Neither the Town nor the Town Council Clerk shall bear responsible for flags not promptly retrieved.
7. If the President or other appropriate authority orders that the U.S. Flag be flown at half-staff, no other flag may be flown therewith during the pendency of such order.
8. The Town of Bridgewater shall bear no responsibility for the loss of or any damage to a flag presented for public display under this Policy.

9. The Town Council may amend or rescind this Policy or the Rules hereunder at any time and any authorization for display made pursuant to this policy may be amended or withdrawn upon appropriate action by the Town Council for any reason.

Explanation:

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

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none">• Rules and Procedures Committee	<ul style="list-style-type: none">• Vote: 3-0 recommend for approval as amended



Bridgewater Town Council

In Town Council, Tuesday, July 13, 2021

Council Ordinance: D-FY22-001

Introduced By: Councilor Frank Sousa and Councilor Dennis Gallagher
Date Introduced: July 13, 2021
First Reading: July 13, 2021
Second Reading:
Third Reading:
Amendments Adopted:
Date Adopted:
Date Effective:

Proposed Ordinance D-FY22-001

Ordinance D-FY22-001: Prohibited Sales of 100ml or Less Alcoholic Beverage Containers

WHEREAS, the growing prevalence of “nip” bottles as loose litter in our streets and on our sidewalks and in our parks and other open spaces contributes to the flow of trash in our town; and

WHEREAS, this form of litter additionally detracts from the public’s enjoyment and diminishes the quality of life in our community;

THEREFORE, the sale of alcoholic beverages in containers less than or equal to 100ml is prohibited within the Town of Bridgewater. This ordinance shall take effect 30 days after passage of the ordinance, and shall remain in effect until the State Legislator adds these bottles to the Bottle bill and puts a 10 cent deposit on each one.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



Bridgewater Town Council

In Town Council, Tuesday, July 13, 2021

Council Order: O-FY22-008

Introduced By: Town Manager
 Date Introduced: July 13, 2021
 First Reading: July 13, 2021
 Second Reading:
 Amendments Adopted:
 Third Reading:
 Date Adopted:
 Date Effective:

Order O-FY22-008

Acceptance of Gift – Donation of \$55,000

ORDERED, that the Town Council assembled vote to:

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 annual gift of \$55,000, 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 \$55,000 from The Bridgewater State University and in accordance with stated purpose thereof.

Explanation:

see attached letter from BSU President Clark

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•



June 25, 2021

Mr. Michael Dutton, Town Manager
Town of Bridgewater
Memorial Building
25 South Street
Bridgewater, MA 02324

Re: Restricted Gift to the Town of Bridgewater

Dear Mr. Dutton:

On behalf of Bridgewater State University, I am pleased to provide the Town of Bridgewater with a restricted one time gift of funds in the amount of \$55,000. It is Bridgewater State University's intent to restrict our gift so that equal amounts be distributed to the Town of Bridgewater Fire Department, Town of Bridgewater Police Department and to the Town of Bridgewater Highway Department. The funds from Bridgewater State University are provided in Fiscal Year 2021, but may be used at any time within the next twelve months by the Town of Bridgewater for the restricted purpose noted above.

It is important for BSU and the Town of Bridgewater to continue finding ways to share resources for our mutual benefit and especially for the benefit of our students. This year, Bridgewater State University has provided \$25,000 in scholarships to Bridgewater-Raynham students attending BSU and \$50,000 in Community Development Grants to be spent through the University and Community Partnership's Office.

Sincerely,

A handwritten signature in black ink, appearing to read "F. W. Clark Jr.", written in a cursive style.

Frederick W. Clark Jr., Esq.
President