

Town of Bridgewater

Town Council

January 23, 2024

7:00 PM

66 Central Square

Academy Building

Council Chamber/2nd Floor

The Town Council meeting is also aired via Facebook Live:

<https://www.facebook.com/bridgewaterma.org>

MEETING AGENDA

A. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- a) January 2, 2024 Meeting Minutes

B. ANNOUNCEMENTS FROM THE PRESIDENT

C. PROCLAMATIONS

- a) Firefighter/Paramedic David A. McGillis Retirement

D. CITIZEN OPEN FORUM

E. APPOINTMENTS

- a) Veteran's Council: Johnathan Algarin (2024-2027)
- b) Veteran's Council: Lisa Buzzell-Curley (2024-2027)

F. HEARINGS

G. LICENSE TRANSACTIONS

H. PRESENTATIONS

I. TOWN MANAGER'S REPORT

- a) Vision to Reality Update
- b) Winter Street Drainage Update
- c) Water Street Tire Issue Update
- d) Veterans Agent Update
- e) Migrant Housing Crisis
- f) Sewer Project Update
- g) FY25 Budget & Capital Calendar

J. DISCUSSIONS

K. COMMITTEE REPORTS

L. LEGISLATION FOR ACTION

M. OLD BUSINESS

N. NEW BUSINESS

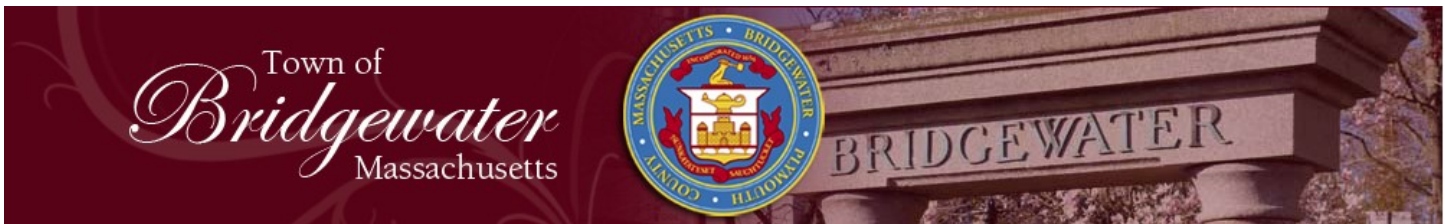
- a) Order O-FY24-022: Acceptance of Gift
- b) Order O-FY24-023: Acceptance of Donation - Oliari Charitable Foundation
- c) Order O-FY24-024: Vote to Authorize the Town Council President and Town Council Vice President to Sign on Behalf of the Town of Bridgewater

O. CITIZEN COMMENTS

P. COUNCIL COMMENTS

Q. EXECUTIVE SESSION

R. ADJOURNMENT



Town of Bridgewater

Town Council

January 2, 2024
7:00 PM

MEETING AGENDA

CALL TO ORDER

A quorum being duly present, Town Council President Erik Moore called the meeting of the Bridgewater Town Council to order at 7:00pm on Tuesday, January 2, 2024 in the Council Chambers.

PRESENT: Erik Moore, Fred Chase, Paul Murphy, Shawn George, Dennis Gallagher, Kevin Perry, Mark Linde, Brad McKinnon and Susan Robinson. Also in attendance was Town Manager Michael Dutton and Town Attorney Jason Rawlins.

Council President Moore asked for a moment of silence for the passing of Navy Veteran Robert L. Wood who passed away on December 21st at 101 years old.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) December 19, 2023

Councilor George made a motion to approve the December 19, 2023 meeting minutes, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Abstained; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Absent at the time of the vote; Linde – Yea. Motion passed 7-0-1

ANNOUNCEMENTS FROM THE PRESIDENT

Council President Moore wished everyone a Happy New Year and noted that the Energy Aggregation plan is available for public comment on the Town website and would be there until January 17, 2024.

PROCLAMATIONS – None

CITIZEN OPEN FORUM – None

APPOINTMENTS – None

HEARINGS – None

LICENSE TRANSACTIONS

a) Petition P-2024-014: The Annual Licensing of Class III Auto Dealer

Councilor Perry made a motion to approve Petition P-2024-014, which was duly seconded by Councilor George.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0

Councilor George made a motion to take N. New Business out of turn, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0

PRESENTATIONS – None

TOWN MANAGER'S REPORT

a) Parking Issue at Train Station

Town Manager Dutton noted that the Town received no advance notice from BSU, MBTA or Keolis about the parking issue. Reached out to MBTA and Keolis and received no information. BSU discussed leasing 130 spaces that would be clearly marked from the MBTA after the first of the year but students caught wind of this prior to winter break and thought they could park anywhere and anytime. BSU issued warnings and tickets and notified students. BSU police will monitor. If not enough spaces for MBTA riders will have a discussion with them. BSU extended apologies.

Councilor Geore asked how the MBTA can release spaces to BSU if the Town pays for them.

b) Fire Station Update

Town Manager Dutton noted that a low bid of \$21M was submitted but with the soft costs it would be above \$23M. Looking at closing the gap, not going back to residents for more money.

Councilor Linde asked if the money saved from coming in under on the Mitchell project could be used towards the Fire Station. Town Manager Dutton noted that money can only be used to the allocated project, cannot use any monies saved for another project.

Councilor Murphy asked what the expiration date is for the bid, does funding need to be set and why was it delayed in the beginning. Town Manager Dutton noted that the bid expires after 60 days, funding has to be in place and there was issues with the property that took time to correct.

c) Sale of 330 Bedford Street

Town Manager Dutton noted that the address is actually 333 Beford Street and the Town does not usually get advance notice on potential buyers of property in town. A potential buyer went to Building Inspector.

d) Stiles & Hart Park Update

Town Manager Dutton noted that the Stiles & Hart project is going out to bid and once bid is chosen work will commence.

e) Waste Water for prison

Town Manager Dutton noted that this is waste water “to” the prison. Been in discussion with DOC and future use of their plant for some of the town’s flow. Their plant needs upgrades and they are looking for funding. Will continue to discuss with them.

f) Recreational Marijuana Sales Update

Town Manager Dutton noted that he was asked what the financial impact to the town was for recreational marijuana sales and right now it is too early to know. One of the two businesses in town have applied but have not been approved by the State yet.

Councilors asked that the following items be added to the next agenda:

Councilor McKinnon: Winter Street Drainage

Councilor George: Update on Water Street Tire Issue

Councilor Murphy: Migrant housing crisis, how does it impact Bridgewater and is there a plan in place.

Councilor Linde: Update on Veterans Agent

DISCUSSIONS

a) Town House Restoration Committee Update

Marilee Hunt gave a presentation on the Ad Hoc Town House Committee. Noted that the roof has been done. Discussed 2020 findings and recommendation for the reuse of Old Town Hall, vision and project timeline, and the needs.

Councilor Gallagher noted that efforts have come before the council and have never been denied. Believes capital plan digitization money was granted. Notes it is an important part of the Town.

Councilor Robinson thanked the committee for their work and noted that 2020 costs would be higher today and asked how it would be funded.

Councilor George noted that he supports cleaning and updating the Town House but need to figure out Central Square before long term decision on Town House is made.

Councilor Perry noted that the Downtown Revitalization Committee is currently tackling traffic and want to make the Town House the jewel of Central Square.

Councilor Moore noted that he believes that keeping the documents and the updating of the building are both important but not sure if the urgency is now vs. later. Is it inconvenient or unacceptable.

Councilor Moore would like a status of document archiving on the next agenda.

COMMITTEE REPORTS – None

LEGISLATION FOR ACTION

a) Order O-FY24-019: Eminent Domain Order of Taking for Two Lot Parcel on Broad Street

Budget and Finance voted 2-0 to recommend at their 12/19/23 meeting. Finance Committee voted 6-0 to recommend at their 12/27/23 meeting.

Councilor George made a motion to approve Order O-FY24-019, which was duly seconded by Councilor McKinnon.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0

b) Order O-FY24-020: Acceptance of Gift - Lopieke Trust

Budget and Finance voted 2-0 to recommend at their 12/19/23 meeting. Finance Committee voted 6-0 to recommend at their 12/27/23 meeting.

Councilor George made a motion to approve Order O-FY24-020, which was duly seconded by Councilor McKinnon.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0

c) Order O-FY24-021: Contractual Buyouts

Budget and Finance meeting 1/2/24. Finance Committee voted 6-0 to recommend at their 12/27/23 meeting.

Councilor George made a motion to approve Order O-FY24-021, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0.

OLD BUSINESS – None

NEW BUSINESS

a) Proposed Zoning Amendment Ordinance D-FY24-004: Central Business District and Form Based Code

Bob Rulli, CED Director gave a brief update of the proposed zoning amendment. Noted that there is a special joint meeting with the Planning Board and the CEDC on January 10th and then the Town Council will hear the ordinance for approval on February 6th.

Councilor George made a motion to refer Proposed Zoning Amendment Ordinance D-FY24-004 to Planning and Community and Economic Development, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion

passed 9-0

Councilor Linde made a motion to take J. Discussions out of turn, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0

CITIZEN COMMENTS – None

COUNCIL COMMENTS

Councilor Linde: wished everyone a Happy New Year

Councilor McKinnon: wished everyone a Happy New Year.

Councilor Perry: wished everyone a Happy New Year and extended his condolences to the Family of Veteran Robert Wood.

Councilor Robinson: wished everyone a Happy New Year and noted that there are now 48 children that have been integrated into the schools and we need to be careful o our words because words matter.

Councilor Gallagher: noted it was a good meeting and wished everyone a Happy New Year.

Councilor George: no comments this evening.

Councilor Murphy: wished everyone a Happy New Year and thanked the Town Clerk for her presentation.

Councilor Chase: thanked the Town Clerk for her presentation, thanked all of the workers for their efforts on the recent storm and wished everyone a Happy New Year.

Councilor Moore: wished everyone a Happy New Year and noted that if anyone wanted to run for office they can look at the openings on line.

EXECUTIVE SESSION – None

ADJOURNMENT

Councilor George made a motion to adjourn, which was duly seconded by Councilor Perry.

A voice vote was taken with the results recorded as follows: Chase – Yea; Murphy - Yea; George – Yea; Gallagher – Yea; Moore – Yea; Robinson – Yea; Perry – Yea; McKinnon – Yea; Linde – Yea. Motion passed 9-0

Meeting adjourned at 9:03pm.

Erik Moore
District 1
President

Dennis Gallagher
Councilor-At-Large
Vice President

Mark Linde
District 2

Kevin Perry
Councilor-At-Large

Town of Bridgewater

OFFICE OF THE TOWN COUNCIL



Shawn George
Councilor-At-Large

Bradford McKinnon
Councilor-At-Large

Paul Murphy
Councilor-At-Large

Susan Robinson
Councilor-At-Large

Fred Chase
District 3

PROCLAMATION

- WHEREAS,** David A. McGillis is retiring on January 19, 2024 as Firefighter/Paramedic of the Town of Bridgewater after a successful career in municipal service; and
- WHEREAS,** in 2003 Firefighter/Paramedic McGillis joined the Town of Bridgewater Fire Department and is now a senior Firefighter who has been a great mentor to other Firefighters in his group and in the department; and
- WHEREAS,** in 2007 Firefighter/Paramedic McGillis received special recognition for his outstanding efforts for treating and reviving a two year old patient who was the victim of a near drowning incident; and
- WHEREAS,** in 2013 Firefighter/Paramedic McGillis received a letter of commendation acknowledging his efforts in assisting with ongoing building maintenance issues; and
- WHEREAS,** Firefighter/Paramedic McGillis has a lot of trade and construction experience and possesses an extremely good work ethic; and
- WHEREAS,** Firefighter/Paramedic McGillis has specialized training in FEMA Introduction to the Incident Command System; FEMA ICS for Single Resources and Initial Accident Incidents and Simulator-Based Emergency Driver Training on the LE Simulator; and
- WHEREAS,** Firefighter/Paramedic McGillis is a member of the Bridgewater Fire Department Honor Guard.
- WHEREAS,** upon his retirement, Firefighter/Paramedic McGillis will be missed by his colleagues and the Town of Bridgewater but can now enjoy his retirement.
- RESOLVED** that the Bridgewater Town Council hereby extends their congratulations to Firefighter/Paramedic David A. McGillis for his dedication and service to the Town of Bridgewater.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the seal of the Town of Bridgewater to be affixed this 19th Day of January 2024.



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 1/16/2024
First Reading: 1/16/2024
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY24-022: Acceptance of Gift

WHEREAS: Massachusetts General Laws, Chapter 44, §53A, states as follows: “An officer or department of any city or town ... may accept grants or gifts of funds from the federal government and from a charitable foundation, a private corporation, or an individual, or from the commonwealth, a county or municipality 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 shall receive a gift of \$40,000 of equity in property from Joseph E. Bonfiglioli and Anthony T. Bonfiglioli,

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 gift of \$40,000.00 from Joseph E. Bonfiglioli and Anthony T. Bonfiglioli.

Explanation:

The Council recently took by friendly eminent domain two building lots off of Broad Street appraised for \$340,000. The agreed sales price was \$300,000, leaving \$40,000 as a gift of equity to the town.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

Attachments: None



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 1/16/2024
First Reading: 1/16/2024
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY24-023: Acceptance of Donation - Oliari Charitable 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 a Donation award from Oliari Charitable Foundation for \$20,000 to be split evenly between the Bridgewater Poice and Fire Department 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 and to expend the grant in accordance with stated purpose thereof.

Explanation:

The Oliari Charitable Foundation., has graciously donated \$20,000 for the Police and Fire Departments.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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•	•

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Attachments: 1. CNT Donation



CNT
Precious Metals

22 December 2023

Michael Dutton
Town Manager
Municipal Offices
22 Central Square
Bridgewater, MA 02324

Dear Mr. Dutton:

Please find the enclosed check for \$20,000.00 intended for the benefit of the Bridgewater Police Department and the Bridgewater Fire Department. The amount is to be split evenly between the two departments and is to be spent at the sole discretion of the respective department heads.

I appreciate your attention to this matter.

Sincerely,

Danielle M Oliari



Bridgewater Town Council

Introduced By: Town Manager
Date Introduced: 1/23/2024
First Reading: 1/23/2024
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Order O-FY24-024: Vote to Authorize the Town Council President and Town Council Vice President to Sign on Behalf of the Town of Bridgewater

ORDERED, that the Town Council assembled vote to authorize Town Council President Erik Moore and Town Council Vice President Dennis Gallagher to sign on behalf of the Town the Preservation Restriction Agreement between the Commonwealth of Massachusetts by and through the Massachusetts Historical Commission and the Town of Bridgewater.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•
•	•
•	•

Attachments: 1. Preservation Restriction Agreement
 2. 2024-1-18 Sign Authority

PRESERVATION RESTRICTION AGREEMENT
between the COMMONWEALTH OF MASSACHUSETTS
by and through the MASSACHUSETTS HISTORICAL COMMISSION
and the TOWN OF BRIDGEWATER

The parties to this Agreement are the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission located at the Massachusetts Archives Building, 220 Morrissey Boulevard, Boston, Massachusetts 02125, hereinafter referred to as the Commission, and Town of Bridgewater, 66 Central Square, Bridgewater, Massachusetts, 02324, hereinafter referred to as the Grantor.

WHEREAS, the Grantor is the owner in fee simple of certain real property with improvements known as the Town House (also known as Bridgewater Town Hall) thereon as described in a deed dated April 11, 1843, from Abram Washburn to the Inhabitants of the Town of Bridgewater, recorded with the Plymouth Registry of Deeds, in Book 208, Page 237 and which is located at 64 Central Square, Bridgewater, Massachusetts, 02324, hereinafter referred to as the Premises. The Premises is also described in Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, the Premises includes, but is not limited to, the following: The Bridgewater Town House, constructed in 1843 and designed by Solomon K. Eaton and Daniel Bartlett. The building is in the Greek Revival Style, with a main façade that is characterized by robust elements and a high degree of symmetry. Its monumental pilasters divide the flush board covered façade into three bays. The pilasters at the corners are compounded, so as to read as doubled pilasters. They have smooth shafts and simplified Tuscan capitals. The two inner pilasters, flanking the central doorway, are fluted, with Temple-of-the-Wind capitals. All of the pilasters have plinth-and-torus bases. The central doorway holds a pair of modern metal doors. Surmounting these is a large wooden panel and a bracketed door hood. Above this is a pair of 12/12 double-hung windows. The main façade's pilasters support a heavy classical entablature and a fully enframed attic pediment which contains a date plaque which reads '1843.' The entablature runs around the entire building. Both clapboarded sides have five 12/12 double-hung windows, evenly spaced, on the first and second floors. The frames of the second floor windows are plain and fit snugly under the entablature, while the first floor windows are each topped by a shallow, pediment hood, supported by narrow pilasters forming the jambs of the window. The rear corners of the main block also have compounded pilasters, with Tuscan capitals. A shallow extension is centered off the rear façade, with two 12/12 double hung windows on each floor. A smaller double-hung window is also centered in the pediment above, and another just to the right of the right-hand second floor window. There is a slightly smaller extension filling the corner on the Alley side, with a single double-hung window on each floor of both sides. On the Spring Street side of the

main extension, is a single door topped by a pediment hood. This leads to a accessibility ramp, with an iron railing, leading to the Spring Street sidewalk. Another, wider, ramp leads from Spring Street, down to a larger vehicle entrance, in the basement on the Spring Street side. The Premises is also shown as "Bridgewater Town House" on the Detail taken from the *Plan of Land in Bridgewater, Plymouth County, Massachusetts, 24 Central Square, Assessor's Map 34, Lot 188*, drawn by Anderson Surveys, Inc. Professional Land Surveyors, 500 High Street Hanson, MA 02341-0149, dated June 30, 2022, attached as Exhibit B hereto and incorporated herein by reference.

WHEREAS, the Grantor wishes to impose certain restrictions, obligations and duties upon it as the owner of the Premises and on the successors to its right, title and interest therein, with respect to maintenance, protection, and preservation of the Premises in order to protect the architectural, archaeological and historical integrity thereof; and

WHEREAS, the preservation of the Premises is significant for its architecture, archaeology and/or associations, and was listed in the State Register of Historic Places on February 27, 2001 as a part of the Bridgewater Center Historic District and therefore qualifies for a preservation restriction under M.G.L., Chapter 184, sections 31, 32 and 33 (hereinafter the "Act"); and

WHEREAS, the preservation of the Premises is important to the public for the enjoyment and appreciation of its architectural, archaeological and historical heritage and will serve the public interest in a manner consistent with the purposes of the Act; and a copy of the Town Council Vote that authorized the Town of Bridgewater to enter into this preservation restriction is attached as Exhibit C hereto and incorporated herein by reference; and

WHEREAS, the present appearance, features, historical materials, spaces and conditions of the Premises at the time of the execution of this Agreement are documented in a set of plans and comprehensive photographic depictions attached as Exhibit D hereto and incorporated herein by reference; and

WHEREAS, the Commission is a government body organized under the laws of the Commonwealth of Massachusetts and is authorized to accept these preservation restrictions under the Act;

NOW, THEREFORE, for good and valuable consideration, the Grantor conveys to the Commission the following preservation restrictions, which shall apply in perpetuity to the Premises.

PURPOSE

It is the Purpose of these preservation restrictions to ensure the preservation of those characteristics which contribute to the architectural, archaeological and historical integrity of the Premises which have been listed in the National and/or State Registers of Historic Places, under applicable state and federal legislation. Characteristics which contribute to the architectural, archaeological and historical integrity of the Premises include, but are not limited to, the artifacts, features, materials, appearance, and workmanship of the Premises, including those characteristics which originally qualified the Premises for listing in the National and/or State Registers of Historic Places.

TERMS

The terms of the Agreement are as follows:

1. Maintenance of Premises: The Grantor agrees to assume the total cost of continued maintenance, repair and administration of the Premises so as to preserve the characteristics which contribute to the architectural, archaeological and historical integrity of the Premises in a manner satisfactory to the Commission according to the Secretary of the Interior's "Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings" (36 CFR 67 and 68), as these may be amended from time to time. The Grantor may seek financial assistance from any source available to it. The Commission does not assume any obligation for maintaining, repairing or administering the Premises.
2. Inspection: The Grantor agrees that the Commission may inspect the Premises from time to time upon reasonable notice to determine whether the Grantor is in compliance with the terms of this Agreement.
3. Alterations: The Grantor agrees that no alterations shall be made to the Premises, including the alteration of any interior, unless (a) clearly of a minor nature and not affecting the characteristics which contribute to the architectural, archaeological or historical integrity of the Premises, or (b) the Commission has previously determined that it will not impair such characteristics after reviewing plans and specifications submitted by the Grantor, or (c) required by casualty or other emergency promptly reported to the Commission. Ordinary maintenance and repair of the Premises may be made without the written permission of the Commission. For purposes of this section, interpretation of what constitutes alterations of a minor nature and ordinary maintenance and repair is governed by the Restriction Guidelines which are attached to this Agreement and hereby incorporated by reference.
4. Notice and Approval: Whenever approval by the Commission is required under this restriction, Grantor shall request specific approval by the Commission not less than (30) days prior to the date Grantor intends to undertake the activity in question. A request for such approval by the grantor shall be

reasonably sufficient as a basis for the Commission to approve or disapprove the request. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Commission to make an informed judgment as to its consistency with the purposes of this Preservation Restriction. Within (30) days of receipt of Grantor's reasonably sufficient request for said approval, the Commission shall, in writing, grant or withhold its approval, or request additional information relevant to the request and necessary to provide a basis for its decision. However, should the Commission determine that additional time is necessary in order to make its decision the Commission shall notify the Grantor. The Commission's approval shall not be unreasonably withheld, and shall be granted upon a reasonable showing that the proposed activity shall not materially impair the Purpose of this Agreement. Failure of the Commission to make a decision within sixty (60) days from the date on which the request is accepted by the Commission or notice of a time extension is received by the Grantor shall be deemed to constitute approval of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after the passage of time.

5. Assignment: The Commission may assign this Agreement to another governmental body or to any charitable corporation or trust among the purposes of which is the preservation of buildings or sites of historical significance only in the event that the Commission should cease to function in its present capacity.

6. Validity and Severability: The invalidity of M.G.L. c. 184 or any part thereof shall not affect the validity and enforceability of this Agreement according to its terms. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement.

7. Recording: The Grantor agrees to record this Agreement with the appropriate Registry of Deeds and file a copy of such recorded instrument with the Commission.

8. Archaeological Activities: The conduct of archaeological activities on the Premises, including without limitation, survey, excavation and artifact retrieval, may occur only following the submission of an archaeological field investigation plan prepared by the Grantor and approved in writing by the State Archaeologist of the Massachusetts Historical Commission (M.G.L. Ch.9, Section 27C, 950 CMR 70.00).

9. Enforcement: The Commission shall have the right to prevent and correct violations of the terms of this preservation restriction. If the Commission, upon inspection of the Premises, finds what appears to be a violation, it may exercise its discretion to seek injunctive relief in a court having jurisdiction. Except where the Commission determines that an ongoing or imminent violation will irreversibly diminish or impair the cultural, historical and/or architectural importance of the Premises, the Commission shall give the Grantor written notice of the violation and allow thirty (30) calendar days to correct the violation before

taking any formal action, including, but not limited to, legal action. If a court, having jurisdiction, determines that a violation exists or has occurred, the Commission may seek to obtain an injunction to stop the violation, temporarily or permanently. A court may also issue a mandatory injunction requiring the Grantor to restore the Premises to a condition that would be consistent with the preservation purposes of the grant from the Massachusetts Preservation Projects Fund and the Massachusetts Historical Commission. In any case where a court finds that a violation has occurred, the court may require the Grantor to reimburse the Commission and the Commonwealth's Attorney General for all the Commonwealth's expenses incurred in stopping, preventing, and/or correcting the violation, including, but not limited to, reasonable attorney's fees. The failure of the Commission to discover a violation or to take immediate action to correct a violation shall not bar it from doing so at a later time.

10. Other Provisions: None applicable.

The burden of these restrictions enumerated in paragraphs 1 through 10, inclusive, shall run with the land and is binding upon future owners of an interest therein.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 20__.

Town of Bridgewater

By: _____

Mathew Rushton
President, Bridgewater Town Council

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of _____, 20__, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that s/he signed it voluntarily for its stated purposes as _____.

Notary Public
My Commission Expires _____

APPROVAL BY THE MASSACHUSETTS HISTORICAL COMMISSION

The undersigned hereby certifies that the foregoing preservation restrictions have been approved pursuant to Massachusetts General Laws, Chapter 184, Section 32.

MASSACHUSETTS HISTORICAL COMMISSION

By _____
Brona Simon
Executive Director and Clerk
Massachusetts Historical Commission

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this ____ day of _____, 20__, before me, the undersigned notary public, personally appeared Brona Simon, proved to me through satisfactory evidence of identification, which was (~~a current driver's license~~) (~~a current U.S. passport~~) (my personal knowledge of the identity of the principal), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purposes as Executive Director and Clerk of the Massachusetts Historical Commission.

Notary Public

My Commission Expires _____

RESTRICTION GUIDELINES

The purpose of the Restriction Guidelines is to clarify Paragraph Three of the Terms of the Preservation Restriction Agreement, which deals with alterations to the Premises. Under this Paragraph, prior permission from the Massachusetts Historical Commission is required for any major alteration. Alterations of a minor nature, which are part of ordinary maintenance and repair, do not require the Commission's prior review.

In an effort to explain what constitutes a minor alteration and what constitutes a major change, which must be reviewed by the Commission, the following list has been developed. By no means is this list comprehensive: it is only a sampling of some of the more common alterations, which may be contemplated by building owners.

PAINT

Minor - Exterior or interior hand scraping and repainting of non-decorative and non-significant surfaces as part of periodic maintenance.

Major - Painting or fully stripping decorative surfaces or distinctive stylistic features including murals, stenciling, wallpaper, ornamental woodwork, stone, decorative or significant original plaster.

WINDOWS AND DOORS

Minor - Regular maintenance including caulking, painting and necessary reglazing. Repair or in-kind replacement of existing individual decayed window parts.

Major - Wholesale replacement of units; change in fenestration or materials; alteration of profile or setback of windows as well as any level of stained glass window conservation/restoration. The addition of storm windows is also considered a major change; however, with notification it is commonly acceptable.

EXTERIOR

Minor - Spot repair of existing cladding and roofing including in-kind replacement of clapboards, shingles, slates, etc.

Major - Large-scale repair or replacement of cladding or roofing. Change involving inappropriate removal or addition of materials or building elements (i.e., removal of chimneys or cornice detailing; installation of architectural detail which does not have a historical basis); altering or demolishing building additions; spot repointing of masonry. Structural stabilization of the Premises is also considered a major alteration.

LANDSCAPE/OUTBUILDINGS

Minor - Routine maintenance of outbuildings and landscape including lawn mowing, pruning, planting, painting, and repair.

Major - Moving or subdividing buildings or Premises; altering of Premises; altering or removing significant landscape features such as gardens, vistas, walks, plantings; ground disturbance affecting archaeological resources.

WALLS/PARTITIONS

Minor - Making fully reversible changes (i.e., sealing off doors in situ, leaving doors and door openings fully exposed) to the spatial arrangement of a non-significant portion of the building.

Major - Creating new openings in walls or permanently sealing off existing openings; adding permanent partitions which obscure significant original room arrangement; demolishing existing walls; removing or altering stylistic features; altering primary staircases.

HEATING/AIR CONDITIONING/ELECTRICAL/PLUMBING SYSTEMS

Minor - Repair of existing systems.

Major - Installing or upgrading systems which will result in major appearance changes (i.e., dropped ceilings, disfigured walls or floors, exposed wiring, ducts, and piping); the removal of substantial quantities of original plaster or other materials in the course of construction.

Changes classified as major alterations are not necessarily unacceptable. Under the Preservation Restriction, such changes must be reviewed by the Commission and their impact on the historic integrity of the Premises assessed.

It is the responsibility of the owner of the Premises (Grantor) to notify the Commission in writing when any major alterations are contemplated. Substantial alterations may necessitate review of plans and specifications.

The intent of the Preservation Restriction is to enable the Commission to review proposed alterations and assess their impact on the integrity of the Premises, not to preclude future change. Commission staff will attempt to work with Grantors to develop mutually satisfactory solutions, which are in the best interests of the Premises.

EXHIBIT A

Boundary Description from Deeds
Plymouth County Registry of Deeds
Book 208, Page 237.2

...beginning at a stake in the intersection of the road leading from the Academy to the Rev. Mr. Doggett's Meeting House, and the road leading from the Hotel to the Normal School House; thence by the first mentioned road south $61\frac{1}{2}$ degrees east seven rods and two links to a stake & stones; thence north $41\frac{3}{4}$ degrees east five rods and eight links to a stake; thence north $47\frac{1}{2}$ degrees west six rods and two links to a stake by the road; thence by the road south $48\frac{1}{2}$ degrees west seven rods to the bound first mentioned.

EXHIBIT B

Detail from Plan of Land in Bridgewater, Plymouth County,
Massachusetts, 24 Central Square, Assessor's Map 34, Lot
188, by Anderson Surveys, Inc. Professional Land Surveyors
June 30, 2022

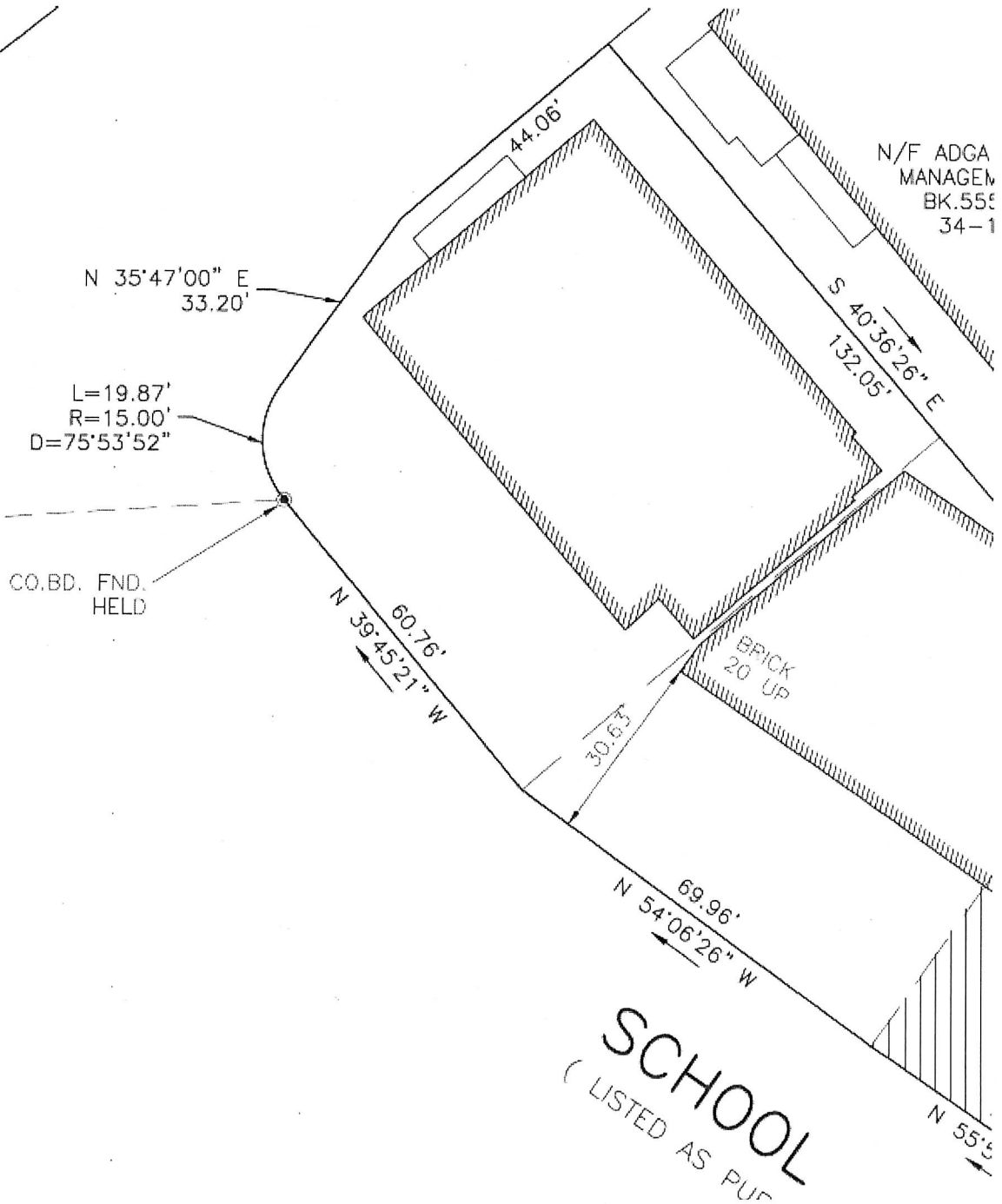


EXHIBIT C

Town of Bridgewater
Certified Copy of Vote to Enter Into a
preservation restriction for the
Bridgewater Town House



Bridgewater Town Council

In Town Council, Tuesday, March 1, 2022

Council Order: O-FY22-050

RECEIVED
TOWN CLERKS OFFICE
BRIDGEWATER, MA.

2022 MAR 17 A 7:34

Introduced By:	Councillor Colombatos
Date Introduced:	March 1, 2022
First Reading:	March 1, 2022
Second Reading/Hearing:	March 15, 2022
Amendments Adopted:	
Third Reading:	
Date Adopted:	March 15, 2022
Date Effective:	April 15, 2022

Order O-FY22-050

Town Council Acceptance of TOWN HOUSE PRESERVATION RESTRICTION AGREEMENT

Whereas, the Town commissioned a feasibility study to review future use of the old Town Hall (also known as the Town House), and;

Whereas, the firms of Arts Market and Epstein Joslin Architects completed the feasibility study and delivered a thorough report outlining recommended improvements for the future adaptive re-use of the old Town Hall as a cultural and arts center, and;

Whereas, the Town Manager has appointed an Ad Hoc Committee to apply the study's findings and solidify the proposals into a plan for execution, and;

Whereas, the Ad Hoc Committee has expressed immediate concern over the condition of the roof and has expressed concern over possible damage to the interior of the building if the roof were to fail, and;

Whereas, the Ad Hoc Committee has identified a state grant through the Massachusetts Historical Commission which could offset the cost of a new roof by up to fifty percent, and;

Whereas, the grant application is due to the state funding agency on March 18, 2022, and;

Whereas, the grant requires that the building, including the exterior and interior, have a preservation restriction attached, and;

Whereas, the building is currently on the Massachusetts Cultural Resource Information System as part of the Central Square Historic District and has benefitted from local Community Preservation Act funding for historic properties,

Now therefore,

ORDERED, in accordance with MGL c. 184, sec. 31, 32, and 33 and 950 CMR 70, that the Town Council assembled vote to accept the placement of a preservation restriction on the old Town Hall (Town House), and authorize the Town Manager to execute a preservation restriction substantially similar to the attached Massachusetts

ROLL-CALL VOTE: REQUIRES MAJORITY OF THOSE PRESENT AND VOTING

Historical Commission standard preservation restriction and arrange for the recording of this permanent restriction with the Plymouth County Registry of Deeds.



Explanation: This order accepts the placement of a preservation restriction on the old Town Hall (aka Town House) and authorizes the Town Manager to execute and arrange for the recording of such restriction. The restriction is substantially similar to the one placed on the Memorial Building in 2000. It is being requested now in order to qualify for a MHC Preservation Projects Fund grant.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•

This Order was not referred to any committee. 14 days has elapsed, therefore it may be finally considered this evening.

In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, March 15, 2022, to approve the Order by a Roll Call vote of 9-0.

A TRUE COPY ATTEST:

A handwritten signature in dark ink, appearing to read "Debra A. Ward", is written over a horizontal line.

Debra A. Ward
Town Council Clerk

A True Copy Attest:

A handwritten signature in dark ink, appearing to read "Marilee Kenney Hunt", is written over a horizontal line.

Marilee Kenney Hunt
Town Clerk

Source: Town of Bridgewater

EXHIBIT D
Baseline Documentation
Plan of Photos and Photos

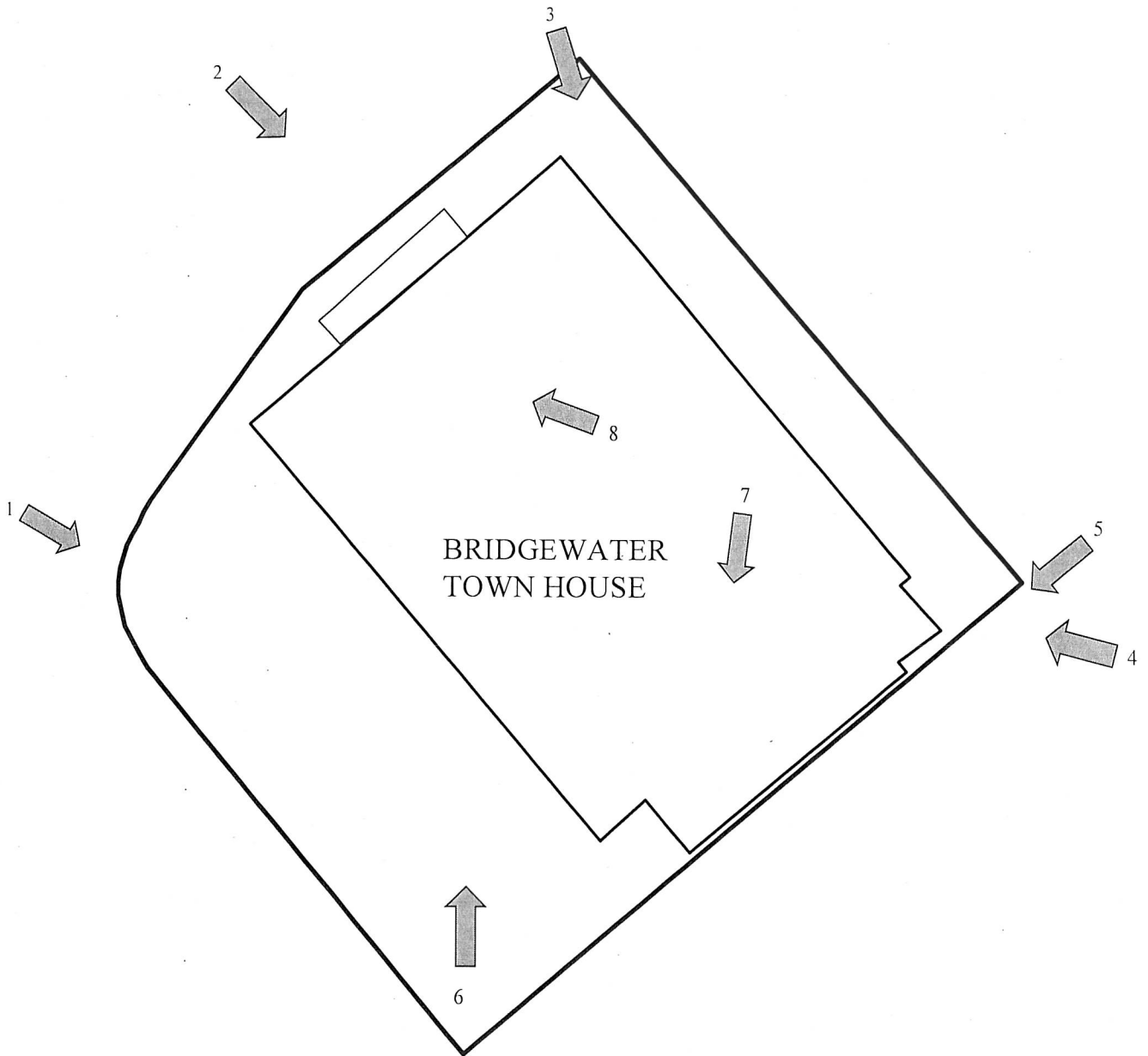




Photo 1 – 1880 Photo from School Street

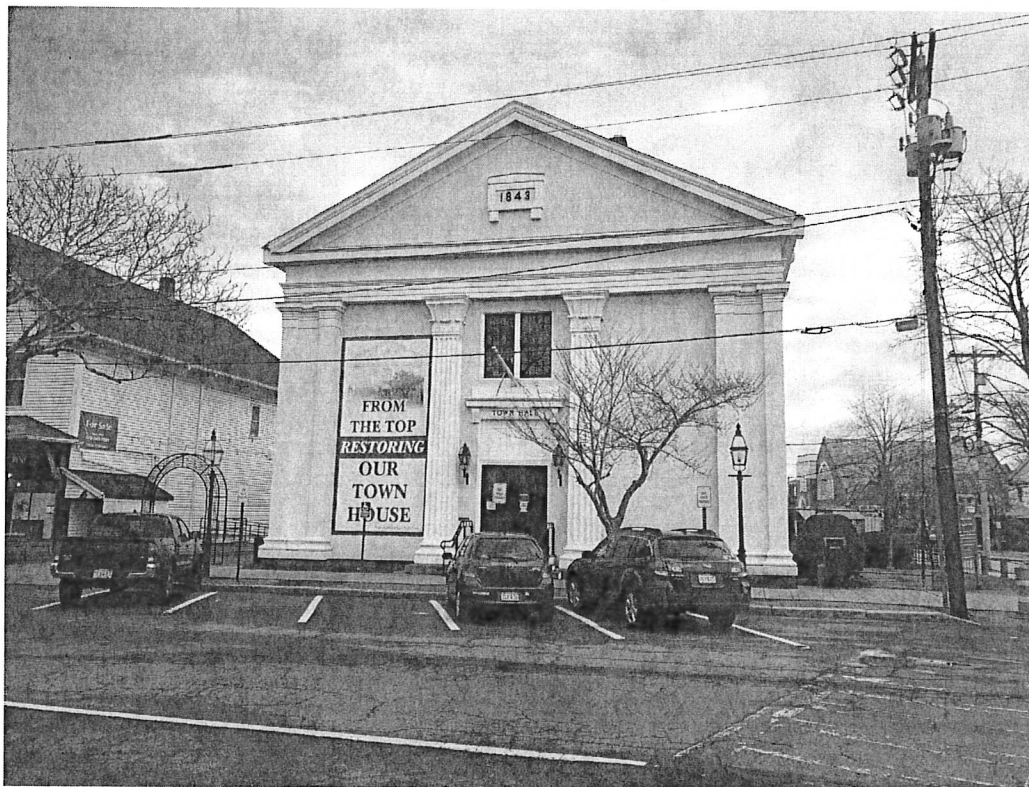


Photo 2 – Front Façade from Town Common

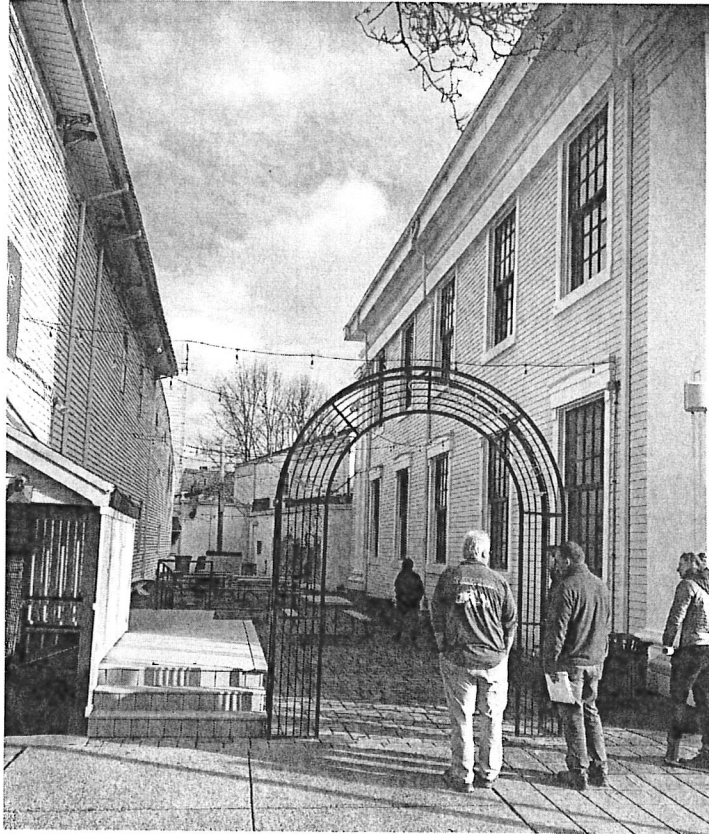


Photo 3 – Alley Façade

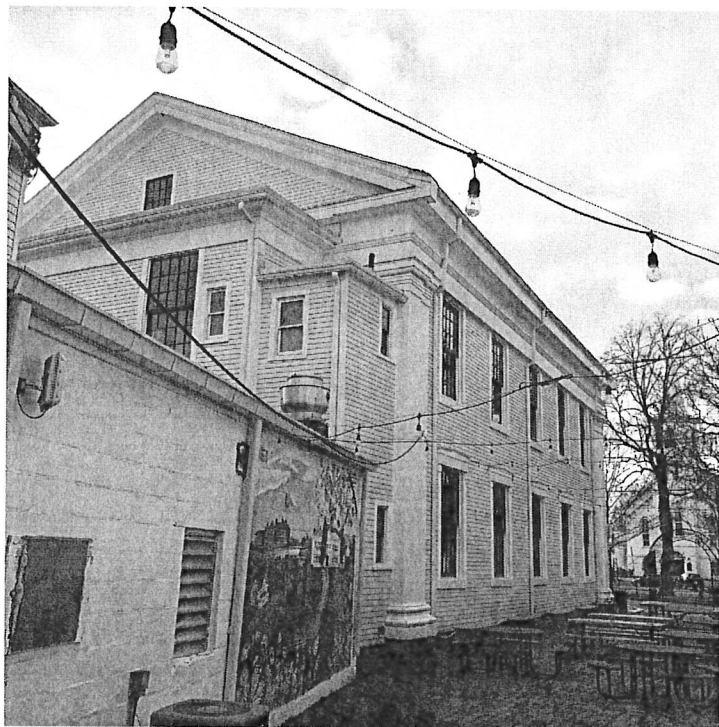


Photo 4 – Alley and Rear Facades



Photo 5 – Gap between Town House and Old Fire Station

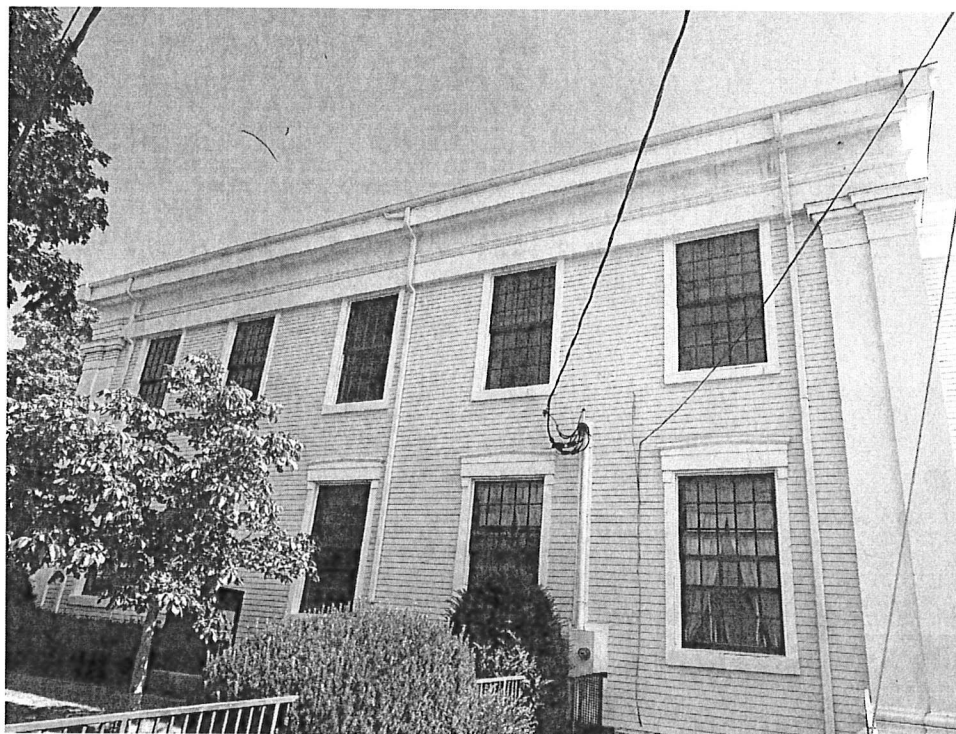


Photo 6 – School Street Facade

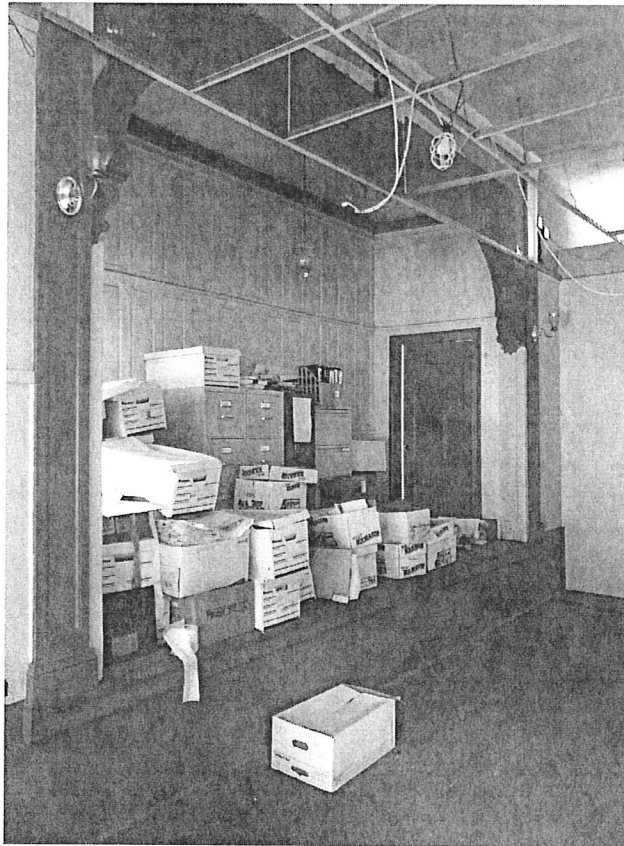


Photo 7 – Second Floor Auditorium Stage

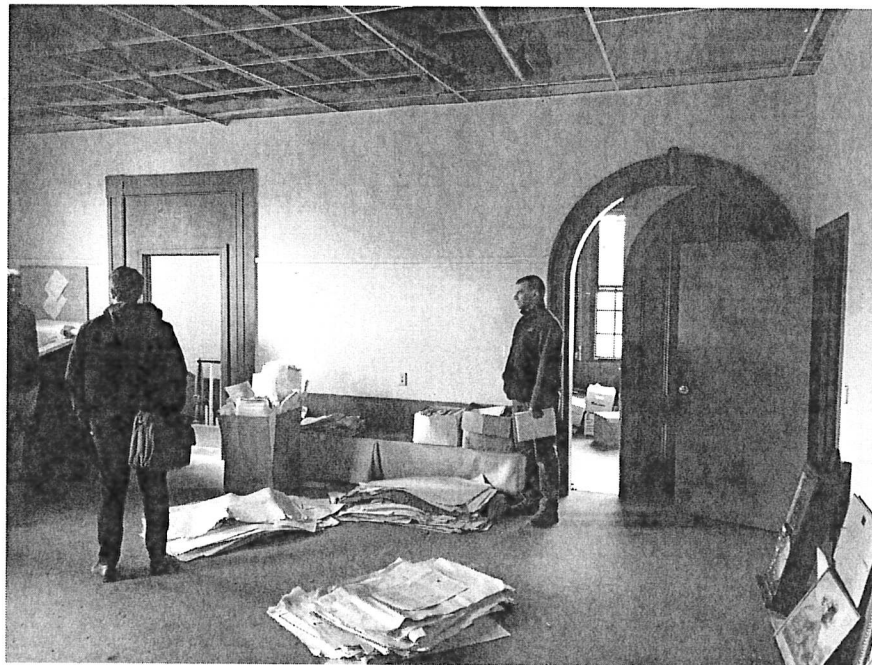


Photo 8 – Second Floor Auditorium towards School Street Lobby

Certificate of Authorization for Preservation Restriction

Note: If subject property is owned by a Municipality, then only one signer is required. If subject property is owned by a Non-Profit, then two signers will need to be identified - the president or vice president AND treasurer or assistant treasurer, or equivalents.

The Directors of _____, on
Name of Organization/Municipality

_____ at which a quorum was present, the following resolution was adopted:

Date of vote or election

VOTED: That

Name of First Signer

His/Her Title and

Name of Second Signer

His/Her Title

of this corporation are hereby authorized to execute a preservation restriction with MHC.

A true copy. ATTEST:

Signature of Clerk/Secretary of Corporation (in blue pen)

Address

Signing Date

I hereby certify that I am the Clerk/Secretary of the _____, that
Name of Organization

_____ is the duly elected
Name of First Signer

_____ of said corporation, and that
His/Her Title

_____ is the duly elected
Name of Second Signer

_____ of said corporation, and that the above vote has not
His/Her Title
been amended or rescinded and remains in full force and effect as of the date of this application.

Signature of Clerk/Secretary of Corporation (in blue pen)