



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

April 12, 2024

TO: Select Board

RE: Non-Union Personnel COLA

As July 1 is fast approaching and it is typically the time Cost of Living Adjustments (COLAs) are made, I sought an opinion from Attorney Joseph Fair of KP Law. My concern with setting the COLA for non-union personnel is that I will benefit from the adjustment once I return to my position of Director of Veterans' Services.

Attorney Fair has advised that there are two options to proceed. The first option is that I, in my capacity as Temporary Town Manager, set the COLA after filing of the non-disclosure form and the Board's determination that my interest is not so substantial to as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee. The second option is to avoid potential conflict and not participate in the discussion or decision. In this case I would defer any recommendation on a non-union wage increase for Fiscal Year 2025 to the Select Board.

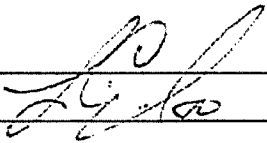
Please be advised that this will be a Board to Consider at your April 22, 2024 meeting.

Louis Cimaglia, IV
Temporary Town Manager

Attachment

**DISCLOSURE BY NON-ELECTED MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L. c. 268A, § 19**

MUNICIPAL EMPLOYEE INFORMATION	
Name:	
Title or Position:	Temporary Town Manager
Municipal Agency:	Town Of Wilmington, MA
Agency Address:	121 Glen Road Wilmington, MA 01887
Office Phone:	(978)658-3311
Office E-mail:	lcimaglia@wilmingtonma.gov
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
PARTICULAR MATTER	
Particular matter E.g., a judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, or finding.	I am requesting an exemption under Section 19(b)(1) to the Select Board to approve an exemption in advance for me making any recommendation on the wage increase for non-union personnel.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	Recommending a wage increase for non-union personnel.
FINANCIAL INTEREST IN THE PARTICULAR MATTER	
Write an X by all that apply.	<input checked="" type="checkbox"/> I have a financial interest in the matter. <input type="checkbox"/> My immediate family member has a financial interest in the matter. <input type="checkbox"/> My business partner has a financial interest in the matter. <input type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter.

	<input type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.
Financial interest in the matter	Please explain the financial interest and include a dollar amount if you know it.
Employee signature:	
Date:	04/11/2024

DETERMINATION BY APPOINTING OFFICIAL

APPOINTING AUTHORITY INFORMATION	
Name of Appointing Authority:	
Title or Position:	
Agency/Department:	
Agency Address:	
Office Phone:	
Office E-mail	
DETERMINATION	
Determination by appointing authority:	As appointing official, as required by G.L. c. 268A, § 19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.
Appointing Authority signature:	
Date:	
Comment:	

Attach additional pages if necessary.

The appointing authority shall keep this Disclosure and Determination as a public record.

RONALD M. DIGIORGIO & ASSOCIATES
CONSTABLE SERVICE
~~11 MARRETT ROAD~~
BURLINGTON, MA 01803
SUPERIOR COURT OFFICER (RETIRED)

PROSERVE1@VERIZON.NET

RCVD TOWN MANAGER
24 MAR 7 PM 2:22

781 229-5677

FAX 781-229-0444

To the Board of Selectman
Town of Wilmington

3/3/2024

Please reappoint me as Constable for the Town of Wilmington , Ma. I have been a Constable in Wilmington since August 26,1992. My Bond is current and I am still at the same address for 51 years ~~11 Marrett Road~~ Burlington, Ma 01803. I Retired as a Superior Court Officer from Middlesex Superior Court after 28 years, having 4 years added on for being a Vietnam Veteran Serving in the United States Air Force from May 1,1961 Honorably Discharged April 30th 1967 gave me the 32 years to retire. I now will be doing Constable work full time to supplement my Court Officers pension. I am also Bonded as a Constable in Woburn, and Cambridge.

I will abide by your request and not solicit client's in Wilmington, but have authority to serve Civil Process in Wilmington. My New Bond is valid until August 31, 2025

Thank you for your consideration.

Sincerely,

Ronald M. D. Giorgio



Town of Wilmington
Office of the Town Manager
121 Glen Road
Wilmington, MA 01887-3597

PHONE: (978) 658-3311

FAX: (978) 658-3334

TTY: (978) 694-1417

WWW.WILMINGTONMA.GOV

February 12, 2024

Jay Donovan, Chairman
Democratic Town Committee
~~19 Milk Road~~
Wilmington, MA 01887-3347

Dear Mr. Donovan:

I am writing to you on behalf of the Select Board and in compliance with M.G.L. Chapter 51, Section 15 as it pertains to the appointment of a member to the Board of Registrars. The individual whose term expires at the end of April is one of two representatives from the Democratic Party. Therefore, the Select Board is seeking nominations from both the Republican Town Committee and the Democratic Town Committee.

The filling of vacancies on the Board of Registrars is prescribed by Massachusetts General Law Chapter 51, Section 15 which states in pertinent part:

Every such appointment shall be made in a town by the selectmen or the appointing authority from a list to be submitted to them by the town committee of the political party from the members of which the position is to be filled, containing the names of three enrolled members of such party resident in the town, selected by a majority vote of a duly called meeting, at which a quorum was present, of such committee; and every member of a Board of Registrars of Voters shall serve until the expiration of his term and until his successor has qualified; provided, however, if the chairman of the town committee has not submitted said list to the selectmen or the appointing authority within forty-five days after a notification to said chairman by certified mail, the selectmen or the appointing authority shall make said appointment without reference to such list.

When compiling your list for the Select Board, you are reminded that, pursuant to Section 5 of Chapter 55 of the General Laws, "The state secretary, a city or town clerk, or a member of a board of registrars of voters or election commission in any city or town shall not serve as the chairman, treasurer, or other principal officer of any political committee, ..."

Your attention to this matter is greatly appreciated.

Sincerely,

Louis Cimaglia, IV
Temporary Town Manager

cc: Select Board
Elizabeth Lawrenson, Town Clerk

CERTIFIED MAIL RETURN RECEIPT REQUESTED



Town of Wilmington
Office of the Town Manager
121 Glen Road
Wilmington, MA 01887-3597

PHONE: (978) 658-3311

FAX: (978) 658-3334

TTY: (978) 694-1417

WWW.WILMINGTONMA.GOV

February 12, 2024

Robert A. Fasulo, Jr., Chairman
Republican Town Committee
~~28 Marjorie Road~~
Wilmington, MA 01887-1314

Dear Mr. Fasulo:

I am writing to you on behalf of the Select Board and in compliance with M.G.L. Chapter 51, Section 15 as it pertains to the appointment of a member to the Board of Registrars. The individual whose term expires at the end of April is one of two representatives from the Democratic Party. Therefore, the Select Board is seeking nominations from both the Republican Town Committee and the Democratic Town Committee.

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Your attention to this matter is greatly appreciated.

Sincerely,

Louis Cimaglia, IV
Temporary Town Manager

cc: Select Board
Elizabeth Lawrenson, Town Clerk

CERTIFIED MAIL RETURN RECEIPT REQUESTED



RCVD TOWN MANAGER
'24 MAR 1 AM 10:48

Wilmington Democratic Town Committee

February 29, 2024

Louis Cimaglia, IV, Temporary Town Manager
Town of Wilmington
121 Glen Road
Wilmington, MA 01887-3597

Dear Lou,

In response to your letter dated February 12, 2024, the Wilmington Democratic Town Committee approved the reappointment of Mary H. Osgood at our February 27th meeting to the Board of Registrars position. Mary has been quite active with the Board of Registrars since her reappointment by the Board of Selectmen in April 2021 and has added value to the functioning of the Board of Registrars. We have been quite pleased with her performance in upholding the electoral process in the Town of Wilmington and believe her experience will continue to benefit the community. Mary does not hold a position as an officer for the Wilmington Democratic Town Committee.

Please let me know if you would like me or someone else from the Wilmington Democratic Town Committee to attend the Board of Selectmen's meeting when this position is on their agenda. We believe that Mary has earned reappointment to the position.

Thank you,

Jay J. Donovan

Chair

Wilmington Democratic Town Committee

cc: Mary H. Osgood

Elizabeth Lawrenson, Town Clerk

Massachusetts Department of Revenue Division of Local Services

Geoffrey E. Snyder, Commissioner

Sean R. Cronin, Senior Deputy Commissioner of Local Services

4/16/2024

NOTIFICATION OF FREE CASH APPROVAL - Town of Wilmington

Based upon the un-audited balance sheet submitted, I hereby certify that the amount of available funds or "free cash" as of July 1, 2023 for the Town of Wilmington is:

General Fund \$29,880,633.00

Enterprise Fund SEWER \$209,208.00

This certification is in accordance with the provisions of G. L. Chapter 59, §23, as amended.

Certification letters will be emailed to the mayor/manager, board of selectmen, prudential committee, finance director and treasurer immediately upon approval, provided an email address is reported in DLS' Local Officials Directory. Please forward to other officials as you deem appropriate.

Sincerely,

Deborah A. Wagner
Director of Accounts
Massachusetts Department of Revenue

Free Cash Certification
Free Cash Calculation - Fiscal Year 2024

Begin:

Unreserved Undesignated Fund Balance 38,494,796.00

Subtract:

Personal Property Tax Receivable 814,315.00

Real Estate Tax Receivable 1,273,297.00

Other Receivables in Deferred Revenue

Deferred RE Tax Receivable 110,249.00

Total 110,249.00

Other Receivables, Overdrawn Accounts, Deficits

PP receivable variance 77.00

RE receivable variance 222.00

SR: IDEA SPED 240 19,831.00

SR: SPED program improvement 274 3,012.00

SR: Title I 305 2,814.00

SR: Safe & support action plans 335 5,730.00

SR: Safe & supportive 337 2,158.00

SR: EMPG grant 9,500.00

SR: Bulletproof vests 4,943.00

SR: Lowell DEA 42,265.00

SR: Massworks 1,105.00

CP: WHS project 1,548,821.00

Cash variance 245,662.00

Total 1,886,140.00

Free Cash Voted from Town Meeting Not Recorded 0.00

Add:

Circuit Breaker, Other Closed Accounts, Adjustments:

0.00

Total 0.00

Deferred Revenue (Credit Balance+, Debit Balance-) -4,530,162.00

Free Cash Calculation for 2023 29,880,633.00

Free Cash Certification
Free Cash Calculation - Fiscal Year 2024

Reviewed By: Bobbi Colburn
Certified On: 4/16/2024

Free Cash Certification
Retained Earnings Calculation - SEWER - Fiscal Year 2024

Enterprise Fund Number A-2(1ST)
 Type of Enterprise Fund Sewer
 Name of Enterprise Fund/Statutory Reference SEWER

Part I Cash 448,782.00

Current Liabilities, Designations of Fund Balance:

Accounts Payable	0.00
Payroll Payable	0.00
Warrants Payable	1,984.00
Encumbrances	0.00
Expenditures	0.00
Continuing Appropriations	237,590.00

Other Liabilities

0.00

Total 239,574.00

Cash less Current Liabilities 209,208.00

Part II Retained Earnings, Undesignated 209,208.00

Accounts Receivable (net):

User Fees 0.00

Other Accounts Receivable

0.00

Total 0.00

Undesignated Retained Earnings Less Accounts Receivable 209,208.00

Fixed Assets

Debits:

0.00

Total 0.00

Credits:

0.00

Total 0.00

Free Cash Certification
Retained Earnings Calculation - SEWER - Fiscal Year 2024

Fixed Assets Variance (Debits - Credits)	<u>0.00</u>
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Wilmington Lowell Owner LLC
c/o National Development
2310 Washington Street
Newton Lower Falls, MA 02462

Dogwood TAC+ PropCo MA II, LLC
c/o TPG Real Estate
345 California Street, Suite 300
San Francisco, CA 94104

April 16, 2024

VIA UPS OVERNIGHT DELIVERY

Town of Wilmington
121 Glen Road
Wilmington, MA 01887
Attn: Town Manager

Town of Wilmington
121 Glen Road
Wilmington, MA 01887
Attn: Select Board

Re: Ground Lease – 175 Lowell Street, Wilmington, Massachusetts (the “Property”)

Ladies and Gentlemen:

Reference is made to the Lease Agreement and Grant of Right of First Opportunity dated August 29, 2023, by and between Wilmington Lowell Owner LLC, a Delaware limited liability company (the “**Original Landlord**”), as landlord, and the Town of Wilmington, as tenant, relating to a portion of the Property (the “**Ground Lease**”).

You are hereby informed that, effective as of April 16, 2024, Original Landlord has sold the Property and has assigned its interest as landlord under the Ground Lease to Dogwood TAC+ PropCo MA II, LLC, a Delaware limited liability company (the “**New Landlord**”). All future notices and communications under the Ground Lease should hereafter be directed to New Landlord at the following addresses:

Dogwood TAC+ PropCo MA II, LLC
c/o TPG Real Estate
345 California Street, Suite 300
San Francisco, CA 94104
Attn: Ty Newell
Email: tnewell@tpg.com

And

Dogwood TAC+ PropCo MA II, LLC
c/o Dogwood Industrial
22 Boston Wharf Road, 7th Floor
Boston, MA 02210
Attn: Christopher Williams
Email: cwilliams@dogwoodindustrial.com

With a copy to:

Dogwood TAC+ PropCo MA II, LLC
Morris, Manning & Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, GA 30326
Attn: Mark A. Block, Esq.
Email: mblock@mmlaw.com

Updated payment instructions will be sent to you shortly after this notice letter from the New Landlord.

[Signature Pages Follow]

Very truly yours,

WILMINGTON LOWELL OWNER LLC,
a Delaware limited liability company

By: 
Name: Stephen A. Kinsella
Title: Authorized Officer

[Signature Page Continues on Next Page]

DOGWOOD TAC+ PROPCO MA II, LLC,
a Delaware limited liability company

By: 

Name: John Kosciulek

Title: Manager