

TOWN OF WILMINGTON, MASSACHUSETTS



WARRANT

ANNUAL TOWN MEETING AND ELECTION

TO: EITHER OF THE CONSTABLES OF THE TOWN OF WILMINGTON:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts and in the manner prescribed in the By-laws of said Town, you are hereby directed to notify and warn the inhabitants of the Town qualified to vote in Town affairs to meet and assemble at the Boutwell School (Precincts 1, 2 and 3) and the Town Hall Auditorium (Precincts 4, 5 and 6), Saturday the twenty-second day of April, A.D. 2023 at 7:45 o'clock in the forenoon, the polls to be opened at 8:00 a.m. and shall be closed at 8:00 p.m. for the election of Town Officers:

**ARTICLE 1.** To bring in your votes on one ballot respectively for the following named offices to wit: Two Select Board Members for the term of three years, two members of the School Committee for the term of three years and one member of the Housing Authority for the term of five years.

You are also hereby further required and directed to notify and warn the said inhabitants of the Town of Wilmington who are qualified to vote on elections and Town affairs therein to assemble subsequently and meet in the Town Meeting at the Wilmington High School Joanne M. Benton Auditorium, Church Street, in said Town of Wilmington on Saturday the twenty-ninth day of April, A.D. 2023 at 9:00 a.m., then and there to act on the following articles:

**ARTICLE 2.** To hear reports of Committees and act thereon.

**Select Board**

**ARTICLE 3.** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute a sum of money for the purpose of paying unpaid bills of previous years; or take any other action related thereto.

**Select Board**

**ARTICLE 4.** To see if the Town will vote to authorize the Treasurer/Collector, with the approval of the Select Board, to enter into an agreement, under the provisions of Chapter 44, Section 53F of the Massachusetts General Laws, with one or more banks doing business in the Commonwealth of Massachusetts during Fiscal Year 2024 for a term not to exceed three years, which will permit the Town of Wilmington to maintain funds on deposit with such institutions in return for said institutions providing banking services; or take any other action related thereto.

**Select Board**

**ARTICLE 5.** To see how much money the Town will appropriate for the expenses of the Town and the salaries of several Town Officers and Departments and determine how the same shall be raised, whether by taxation, transfer from available funds, or otherwise; or take any other action related thereto.

**Select Board**

**ARTICLE 6.** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute a sum of money for the purchase and equipping of new and/or replacement capital equipment, including but not limited to the following items, including any incidental or related expenses, and further to authorize the sale, trade-in, conveyance or other disposition of any equipment being so replaced, such funds to be spent by the Town department, so indicated, with the approval of the Town Manager and, to the extent set forth in Chapter 592 of the Acts of 1950, the Select Board, as follows:

Police Department

Purchase of four (4) replacement police cruisers.

Fire Department

Purchase of one (1) replacement fire prevention vehicle.

Department of Public Works

Purchase of one (1) heavy duty ¾ ton pickup truck with plow to be assigned to the Cemetery Division.

Purchase of one (1) heavy duty dump truck with plow and swappable dump body, flatbed and sander to be assigned to the Highway Division.

Purchase of one (1) heavy duty winged field mower to be assigned to the Parks and Grounds Division.

School Department

Purchase of one (1) replacement Handicap Accessible Wheelchair Minivan.

or take any other action related thereto.

**Select Board**

**ARTICLE 7.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to comply with the Municipal Separate Storm Sewer Systems (MS4) requirements as part of the National Pollutant Discharge Elimination System (NPDES), including design and engineering costs and any other incidental and related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 8.** To see if the Town will vote to appropriate the sum of \$4,649.20, or such other amount as Town Meeting may approve, from the Transportation Infrastructure Receipts Reserve Account for the purpose of Roadway Surface Crack Sealing, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 9.** To see if the Town will vote to appropriate from the PEG Access and Cable Related Special Revenue Fund a sum of money to be expended under the direction of the Select Board for PEG access services pursuant to the provisions of M.G.L Chapter 44, Section 53F3/4; or take any other action related thereto.

**Select Board**

**ARTICLE 10.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the funding of a Fourth of July celebration, or take any other action related thereto.

**Select Board**

**ARTICLE 11.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the observance of Memorial Day and Veterans' Day; or take any other action related thereto.

**Select Board**

**ARTICLE 12.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute the sum of \$750.00 each (a total of \$1,500) for the purpose of renewing under the authority of Section 9 of Chapter 40 of the General Laws as amended, the lease of:

- a. Veterans of Foreign Wars Clubhouse for the purpose of providing suitable headquarters for the Nee-Ellsworth Post 2458 of the Veterans of Foreign Wars of the United States;
- b. American Legion Clubhouse, Inc. for the purpose of providing suitable headquarters for the Wilmington Post 136 of the American Legion;

or take any other action related thereto.

**Select Board**

**ARTICLE 13.** To see if the Town will vote to determine the spending limits for revolving accounts established pursuant to Section 53E½ of Chapter 44 of the General Laws and Section 5 of Chapter 73 of the Town of Wilmington Inhabitant By-Laws for the fiscal year beginning July 1, 2023 and ending on June 30, 2024 as follows; or take any other action related thereto.

<u>Revolving Fund Account</u>	<u>Spending Authority Limit</u>	<u>Fiscal Year</u>
Compost Bin Revolving Fund	\$ 4,500	Fiscal Year 2024
Subsurface Sewage Disposal Upgrade Revolving Fund	\$ 200,000	Fiscal Year 2024

**Select Board**

**ARTICLE 14.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the purchase of three (3) cardiac monitors to be used by the Fire Department, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 15.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the Information Technology Department to continue the replacement of a Voice Over Internet Protocol (VOIP) phone systems at all municipal buildings and the public safety building, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 16.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the purchase of four (4) mobile computers, antennas and appropriate mounting to be installed in Police Vehicles/Cruisers, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 17.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the purchase of one (1) stainless steel salter for the Highway Division, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 18.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the purchase of one (1) laser grader attachment for the Highway Division, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 19.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the purchase of one (1) leaf box attachment to be assigned to the Parks and Grounds Division, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 20.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement of the existing playground at the Boutwell School, including design and engineering costs, site preparation and construction costs, and any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 21.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for engineering services to replace the high school turf field carpet, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 22.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to resurface the existing tennis courts at the Boutwell School, including design and engineering costs, site preparation and construction costs, and any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 23.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to replace three hundred twenty (320) feet, more or less, of existing four (4) foot high chain link fence between 175 and 171 Middlesex Avenue, at the Wilmington Memorial Library's southwest property line, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 24.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the continued phased cemetery development, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 25.** To see if the Town will vote to raise and appropriate or transfer from department receipts or user fees a sum of money to operate the Department of Public Works Sewer Division Enterprise; or take any other action related thereto.

**Select Board**

**ARTICLE 26.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for a replacement pump at the Pilcher Drive Pump Station, including design and engineering costs and any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 27.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement of approximately 19,124 square feet of roofing at the West Intermediate School, including design and engineering costs, site preparation and construction costs, and any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 28.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the design phase to replace windows and exterior doors at the West Intermediate School, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 29.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the design phase and replacement or restoration of historical windows at the Harnden Tavern Museum, including any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 30.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the design and replacement of roofing at the Harnden Tavern Museum Carriage House, including construction costs and any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 31.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the design, engineering and replacement of roofing at the Harnden Tavern, including construction costs and any incidental or related costs and expenses; or take any other action related thereto.

**Select Board**

**ARTICLE 32.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to renovate sections of the Wilmington Middle School to accommodate the relocation of Wildwood Early Childhood Center staff and students, and for relocation costs and furnishings and equipment including design and engineering costs, site preparation and construction costs, and any incidental or related costs and expenses; or take any other action related thereto.

**School Committee**

**ARTICLE 33.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement and upgrade of Public Address (PA) systems at the Early Childhood Centers, Elementary and Intermediate Schools, including any incidental or related expenses; or take any other action related thereto.

**School Committee**

**ARTICLE 34.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the School Department for the replacement of a Voice Over Internet Protocol (VOIP) phone system at all school buildings, including any incidental or related costs and expenses; or take any other action related thereto.

**School Committee**

**ARTICLE 35.** To see if the Town will vote, pursuant to the provisions of General Law Chapter 40, Section 5B, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund, which may be expended for all of the purposes allowed by law, including those outlined in applicable opioid-litigation settlement documents, a document prepared by the Substance Abuse Bureau of the Commonwealth's Office of Health and Human Services Department, found at <https://www.mass.gov/doc/massachusetts-abatement-terms/download> entitled "Abatement Strategies", and consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; and further, to adopt the last paragraph of said §5B and dedicate to such

fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town; and further, to transfer from available funds a sum of money equal to that previously received by the Town from opioid litigation settlements resulting from the Town's participation in the national Opioid Multi-District Litigation into said Opioid Settlement Stabilization Fund; or take any other action related thereto.

**Select Board**

**ARTICLE 36.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to deposit in the Other Post Employment Liability Trust Fund established in accordance with M.G.L. Chapter 32B, Section 20; or take any other action related thereto.

**Select Board**

**ARTICLE 37.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to deposit in the "Capital Stabilization Fund" as established by vote on Article 23 at the April 27, 1991 Annual Town Meeting; or take any other action related thereto.

**Select Board**

**ARTICLE 38.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to pay the Middlesex Retirement System in addition to the annual assessment; or take any other action related thereto.

**Select Board**

**ARTICLE 39.** To see what sum the Town will vote to transfer into various line items of the Fiscal Year 2023 budget from other line items of said budget and from other available funds; or take any other action related thereto.

**Select Board**

**ARTICLE 40.** To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain or otherwise all or a portion of the property or any interest therein located at 333 Andover Street and shown on Assessors Map R1 as Lot 21A, including any structures and improvements thereon, for municipal purposes including but not limited to location of a fire/police substation and various active and passive recreational uses, as determined by the Select Board to be in the best interest of the Town; and further, to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the acquisition of such property and structures and improvements thereon, including all costs incidental and related thereto; and further to authorize the Select Board to take such actions and execute such documents and agreements as are necessary to effectuate the purposes of this article; or take any other action related thereto.

**Select Board**

**ARTICLE 41.** To see if the Town will vote, pursuant to Chapter 64, Section 64-1 of the Inhabitant By-laws, to rename the second floor conference room at the Wilmington Memorial Library the Christina Stewart Room, and to have a sign installed to commemorate the same; or take any other action related thereto.

**Library Trustees**

**ARTICLE 42.** To see if the Town will vote to authorize the transfer of the care, custody, management and control of a certain parcel of land owned by the Town of Wilmington hereafter described to the Selectmen of the Town of Wilmington, said land having been determined to be no longer needed for any municipal purpose, and for the express purpose of conveying the same, all in accordance with Massachusetts General Laws Chapter 30B; and further that the Selectmen be and hereby authorized to grant and convey such interest in the land as is owned by the Town of Wilmington and for the express purpose of constructing a municipal turnaround for Polk Street (formerly Cedar Street) upon such terms

and conditions as shall be determined by the Selectmen in accordance with Chapter 3, Section 16 of the By-laws of the Inhabitants of the Town of Wilmington Revised. Said parcels and interest is described as a portion of Map 6, Parcels 33 and 34; more particularly described as lots 281, 282, 283, 2284 as shown on a plan of land entitled "Wilmington Gardens Addition" recorded with the Middlesex North Registry of Deeds Plan Book 26, Plan 36 and containing approximately 10,000 square feet of land for a sum no less than \$5,000; or take any other action related thereto.

**As Petitioned for by Mark Nelson and others**

**ARTICLE 43.** To see if the Town will vote to request the State Legislature authorize Joanne Ricardelli have her results for the 2022 and 2023 Massachusetts Civil Service Firefighter Exam be allowed for employment without regard to the applicants age as a Firefighter in the town of Wilmington.

Notwithstanding the provisions of the general laws, rules, regulations to the contrary regulating the age of the applicant; provided she meets all other requirements; she shall be eligible for certification and appointed to the Wilmington Fire Department by the appointing authority regardless of her age; or take any other action related thereto.

**As Petitioned for by Joanne Ricardelli and others**

**ARTICLE 44.** To see if the Town will vote to accept the following: That the police department range and firearms training facility located in North Wilmington on a parcel of town-owned land known as Abigail's Island be named the "Officer Lawrence L. Redding Firearms Training Facility". Larry Redding is a 1964 graduate of Wilmington High School, a decorated US Army Special Forces Veteran of the Viet Nam War, a former Massachusetts State Police trooper, a retired Wilmington Police Officer and former longtime resident of the town. Officer Redding, during his tenure with the police department, was a fierce advocate of specialized training for police officers in the fields of tactics, officer safety, firearms and physical fitness. He was instrumental in transitioning the police department from revolvers to semi-automatic sidearms in 1986, one of the first department's in the Commonwealth to do so. The following year he was the driving force in the department obtaining its first firearms range. Simultaneously to his time as a Wilmington Police Officer, he was also a decorated member of the Northeast Massachusetts Law Enforcement Council's regional Tactical Police Force and founding member of its Special Operations Unit. Officer Redding retired in 1999 after suffering a traumatic line of duty injury in 1997 that was brought about and exacerbated by a previous, unrelated line of duty injury. This being done in recognition of Officer Redding's many years of dedicated service to the Town of Wilmington; or take any other action related thereto.

**As Petitioned for by Paul L. Chalifour and others**

**ARTICLE 45.** To see if the Town will vote to amend the action taken under Article 3 of the Special Town Meeting held on November 19, 2022 to appropriate the sum of Thirty-Six Million Eight Hundred Eighty Thousand Seven Hundred Sixty-Six Dollars (\$36,880,766), more or less, by reducing the overall approved funds by not less than One Million Five Hundred Thousand Dollars (\$1,500,000), reducing total funds available to construct the Town Hall School Administration building to Thirty-Five Million Three Hundred Eighty Thousand Seven Hundred Sixty-Six Dollars (\$35,380,766), or less; or take any other action related thereto.

**As Petitioned for by Michael Bergeron and others**

**ARTICLE 46.** To see if the Town will vote to appropriate the sum of One Million Five-Hundred Thousand dollars (\$1,500,000), more or less, to be expended under the direction of the Superintendent of Schools in consultation with the School Committee, Wildwood School Building Committee and the Town Manager for the purpose of constructing a safe and conducive learning environment including site preparation, design costs, costs to retrofit and or build age appropriate restrooms for Pre-K and Kindergarten students, costs to build age appropriate play structures, equipping and furnishing classrooms for Pre-K and Kindergarten students to be educated at the Wilmington Middle School, and all such costs incidental and related thereto to provide a safe and conducive learning environment; with funding for said appropriation anticipated as follows:



Raise by Taxation	\$0.00
Transfer from Free Cash	\$1,500,000.00
Transfer from Stabilization	\$0.00
Borrow	\$0.00
Other	\$0.00

or take any other action related thereto.

**As Petitioned for by Michael Bergeron and others**

**ARTICLE 47.** To see if the Town will vote to amend Section 4.1.9 of the Wilmington Zoning Bylaw, which currently reads as:

**“4.1.9 Fairs, Bazaars, Antique Shows and Carnivals –** In all districts, any building or premises owned or operated by a municipal or religious organization or private lodge or club may be used with the owner’s permission for fairs, bazaars, antique shows, or similar events. In all districts, open-air carnivals on premises owned by a municipal or religious organization or private lodge or club may be authorized by special permit from the Board of Appeals provided such uses are limited to appropriate restrictions on the number of days and hours of operation.”

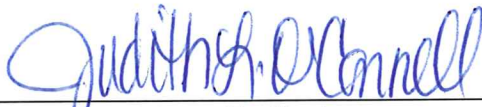
to, as amended, read as follows:

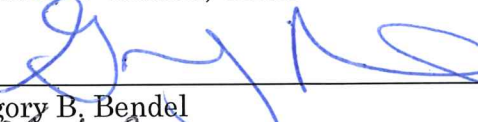
**“4.1.9 Fairs, Bazaars, Antique Shows and Carnivals –** In all districts, any building or premises owned or operated by a municipal or religious organization or private lodge or club may be used with the owner’s permission for fairs, bazaars, antique shows, or similar events. In all districts, open-air carnivals on premises owned by a municipal or religious organization or private lodge or club may be authorized by the Select Board, provided such use is limited to appropriate restrictions on the number of days and hours of operations.”

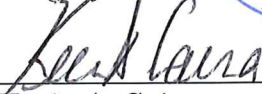
or take any other action related thereto.


**As Petitioned for by Patrick Giroux and others**

Hereof fail not and make due return of this Warrant, or a certified copy thereof with your doings thereon to the Town Clerk as soon as may be and before said meeting, GIVEN OUR HAND AND SEAL OF SAID TOWN THIS 13<sup>TH</sup> day of **March**, A.D., Two Thousand Twenty-Three.

  
Judith L. O'Connell, Chair

  
Gregory B. Bendel

  
Kevin A. Cairra

  
Gary B. DePalma

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Lilia Maselli