

# WARRANT

## REGULAR TOWN MEETING - NOVEMBER 19<sup>th</sup>, 2022

MIDDLESEX COUNTY, SS

TO ANY OF THE CONSTABLES OF THE TOWN OF WAKEFIELD IN THE COUNTY OF MIDDLESEX,

*Greetings:*

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wakefield qualified to vote in elections and in Town affairs to meet in the auditorium at the **Galvin Middle School, 525 Main Street** in said Wakefield on **Saturday, the 19<sup>th</sup> day of November, 2022 at Nine o'clock in the morning**, then and there to act on the following:

***Subsequent Days. If there is business remaining, the Moderator will consider a motion to adjourn to a subsequent session.***

**ARTICLE 1.** To see if the Town will hear and accept a report of the Fiscal Year 2022 budget; or to see what the Town will do about it.  
**Town Administrator**

**ARTICLE 2.** To see if the Town will vote to authorize the Board of Assessors to use such free cash as may be in the Treasury or any part thereof in computing the tax rate for the fiscal period ending June 30, 2023; or to see what the Town will do about it.  
**Town Council**

**ARTICLE 3.** To see if the Town will vote to amend the appropriation under Article 2 of the Annual Town Meeting of 2022 to read as follows: "That the town vote to raise and appropriate from tax levy the amount of \$2,100,000.00 and transfer the amount of \$862,000.00 from the sewer retained earnings account to the sewer department capital outlay account and the sum of \$875,000.00 from the water retained earnings account to the water department capital outlay account to carry out the purposes of this Article."; or to see what the Town will do about it.  
**Town Council**

**ARTICLE 4.** To see if the Town will vote to authorize the Town Council, on behalf of the Town, to petition the Legislature for passage of special legislation substantially as provided below, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition: AN ACT AUTHORIZING THE TOWN OF WAKEFIELD TO ESTABLISH A MEANS TESTED SENIOR CITIZEN PROPERTY TAX EXEMPTION. SECTION 1. With respect to each qualifying parcel of real property classified as class one, residential in the town of Wakefield there shall be an exemption from the property tax in an amount to be set annually by the board of assessors as provided in section 3. The exemption shall be applied to the domicile of the taxpayer only. For the purposes of this act, "parcel" shall be a unit of real property as defined by the board of assessors under the deed for the property and shall include a condominium unit. The exemption provided for herein shall be in addition to any and all other exemptions allowed by the General Laws. SECTION 2. The board of assessors may deny an application if they find the applicant has excessive assets that place the applicant outside the category of intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption under section 1 if all of the following criteria are met: (a) The qualifying real property is owned and occupied by a person whose prior year's income would make the person eligible for the circuit breaker income tax credit under section 6(k) of chapter 62 of the General Laws; (b) The qualifying real property is owned by a single applicant age 65 or older at the close of the previous year or jointly by persons either of whom is age 65 or above at the close of the previous year and if the joint applicant is 60 years of age or older; (c) The qualifying real property is owned and occupied by the applicant or joint applicants as their domicile; (d) The applicant or at least 1 of the joint applicants has been domiciled and owned a home in the town of Wakefield for at least 10 consecutive years before filing an application for the exemption; (e) The assessed value of the domicile is no greater than the prior year's maximum assessed value for qualification for the circuit breaker income tax credit under section 6(k) of chapter 62 of the General Laws as adjusted annually by the Department of Revenue; and (f) The board of assessors has approved the application. SECTION 3. The board of assessors shall annually set the exemption amount provided for in section 1, provided that the amount of the exemption shall be between 100% and 150% of the amount of the circuit breaker income tax credit under section 6(k) of chapter 62 of the General Laws for which the applicant qualified in the previous year as determined by the board of assessors. The total amount exempted by this act shall be allocated proportionally within the tax levy on all residential taxpayers. SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption. SECTION 5. No exemption shall be granted under this act until the Department of Revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy. SECTION 6. This act shall expire after 3 years of implementation of the exemption; or to see what the Town will do about it.  
**Town Council**

**ARTICLE 5.** To see if the Town will vote to authorize the Town Council (1) to grant a perpetual, exclusive easement for no consideration to the Wakefield Municipal Gas & Light Department on a one-acre portion of certain town-owned land shown on Town of Wakefield Assessors Map No. 40A as Parcel 010-26A (title reference: Middlesex South District Registry of Deeds Book 8526, Page 287), as shown on a plan of land entitled "Easement Area Sketch Plan, Wakefield, Mass." Dated August 3, 2022, drawn by Thomas F. Winslow, P.L.S., Hayes Engineering, Inc., which plan is on file with the Town Clerk, to construct and operate a micro-grid in the form of an energy park which would include, but not necessarily be limited to, battery/energy storage, solar generation, natural gas generation and related equipment, and (2) to authorize the Town Council to petition the state legislature to permit the said grant of easement under Article 97 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts; or to see what the Town will do about it.  
**Town Council**

**ARTICLE 6.** To see if the Town will vote to adopt a new Article V of Chapter 175 of the General Bylaws, to be entitled "Street Names and Numbers," and to include within it the following: "§ 175-11. Street Name Changes. Any person proposing to change the name of an existing street shall follow the procedures set forth in this Bylaw, which applies to all ways within the Town (whether public or private) that are open to use by the public or approved by the Planning Board through the subdivision of land process. This Bylaw shall be construed and applied consistently with Massachusetts statutory procedure for street naming as set forth in G.L. c. 85, §§ 3, 3A & 3B. a. Eligible Streets and Names. No street shall be renamed if it has been initially named, or if its name has been changed, within the preceding 25 years. Proposed names must not be identical or confusingly similar to that of any existing way in Town. No proposed street name shall be used to honor any living person or any business entity. Proposed street names shall not have more characters than set by the DPW regulations. b. Application Process. The proponent of a street name change shall file a written application with the Town Clerk, together with a filing fee of \$800. The application need not follow any particular format, but shall at a minimum (i) identify the existing way that is proposed to be renamed; (ii) state the proposed new street name; and (iii) be signed by the proponent, whose name and address must be clearly legible. The Town Clerk shall, within 10 days after receipt of the application and fee, forward a copy to the Fire Chief, Police Chief, Town Engineer, and Town Assessors' Office. The Town Assessors' Office shall assemble a list of the names and addresses of all owners of property abutting the way in question and of all persons residing at such properties. The Town Clerk shall forward the list together with the application to the Planning Board for a public hearing. c. Public Hearing. The Planning Board shall conduct a public hearing on the application for a street name change within 30 days after receiving the application and list of abutting owners and residents from the Town Clerk. The Planning Board shall give notice of such hearing by publication in a newspaper published in the Town once in each of two successive weeks, the last publication to be at least two days before the hearing, and by mailing notice to all owners and residents forwarded by the Town Clerk at least one week before the hearing. Notice of the hearing shall also be sent by email to the Fire Department, Police Department, Town Engineer, Zoning Board of Appeals, Municipal Gas and Light Department, Public Works Director, Board of Assessors, Historical Commission and Postmaster. Prior to the public hearing, the Fire Chief, Police Chief and Town Engineer shall each give his or her written report and recommendation to the Planning Board with respect to the proposed change. The Planning Board shall vote on whether to recommend the proposed name change to the Town Council within 30 days after the opening of the public hearing and shall forward its recommendation to the Town Council forthwith following such vote. d. Action by Town Council. The Town Council shall promptly review and act on the recommendation by the Planning Board with respect to the proposed street name change. If the Town Council declines to make the name change, it shall so inform the applicant and the Town Clerk. If the Town Council approves the name change, in addition to notifying the applicant and the Town Clerk, it shall request payment from the applicant to cover the cost of changing and installing all applicable signage, and sending notice of the change by certified mail, return receipt requested, to all persons residing on the affected street or owning property thereon. No action shall be taken on the name change until such payment is received."; or to see what the Town will do about it.  
**Planning Board**

And to transact such other business as may properly come before this meeting,

And you are directed to serve this warrant by causing the same to be published in two issues of the Wakefield Daily Item, and by posting attested copies thereof at the official polling places and at the Police and Fire Stations in said Town, two consecutive Sabbaths, at least, the first time being not less than seven days at least before the time of holding said meeting.

*Hereof fail not*, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this twenty-fourth day of October, two thousand and twenty-two.

A true copy attest:  
Kevin Lopes  
Constable

Mehreen N. Butt, Chair  
Jonathan P. Chines, Vice Chair  
Anne P. Danehy  
Edward F. Dombroski, Jr.  
Michael J. McLane  
Julie Smith-Galvin  
Robert E. Vincent II  
**TOWN COUNCIL**