

WARRANT

ANNUAL TOWN ELECTION, APRIL 25TH, 2023

ANNUAL TOWN MEETING, MAY 15TH, 2023

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 at Precincts 1, 2, 3, 4, 5, 6 & 7 at the **Galvin Middle School, 525 Main Street** in said Wakefield on **Tuesday, the 25th day of April, 2023 when the polls will be open between the hours of 7:00 AM and 8:00 PM**, then and there to act on the following:

To give their votes to the election of officers on one ballot for the following Town Officers: two (2) Town Council members for three (3) years; two (2) School Committee members for three (3) years; one (1) Town Clerk for three (3) years; three (3) Library Trustees for three (3) years; one (1) Planning Board member for five (5) years; one (1) Board of Health member for three (3) years; one (1) Board of Assessor member for three (3) years; one (1) Municipal Gas & Light Commissioner for three (3) years; one (1) Constable for three (3) years; one (1) Town Moderator for three (3) years

ANNUAL TOWN MEETING MAY 15TH, 2023

All business of said meeting, except the election of such officers and the determination of such matters as by law are required to be elected or determined by ballot, shall be considered at 7:00 PM, on Monday, the 15th day of May, 2023 at the Galvin Middle School Auditorium, 525 Main Street, in said Town, then and there to act on the following articles:

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

ARTICLE 1. To determine how much money the Town will vote to raise and appropriate or transfer from available funds for General Government, Protection of Persons and Property, Human Services, Public Works, Public Service Enterprises, Education, Unclassified, Benefits & Administration and Light Department specifying what appropriation shall be taken from the receipts of a department; or to see what the Town will do about it.

Town Council

ARTICLE 2. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for Capital Outlay; or to see what the Town will do about it.

Capital Outlay Committee

ARTICLE 3. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the Capital Projects/Debt Service Fund, also known as the Debt Service Fund; or to see what the Town will do about it.

Town Council

ARTICLE 4. To see if the Town will vote to authorize the Board of Assessors to use such sum of the balance of the operating fund of the Municipal Gas and Light Department as of June 30, 2022 as the Board of Light Commissioners may vote in computing the tax rate for the fiscal period July 1, 2023 to June 30, 2024; or to see what the Town will do about it.

Municipal Light Commissioners

ARTICLE 5. To see if the Town will vote to raise and appropriate or transfer from available funds including the excess and deficiency account a sum of money to supplement the appropriations of all budgets for the period of July 1, 2022 to June 30, 2023; or to see what the town will do about it.

Town Council

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to indemnify certain police officers and firefighters of the Town for medical, surgical and hospitalization expenses as a result of injuries received by the officers/firefighters in the performance of their duties, as provided for under Section 100, Chapter 41 of Massachusetts General Laws in such amount and to such extent as may be recommended by the Town Council; or to see what the Town will do about it.

Town Council

ARTICLE 7. To see if the Town will vote to authorize the Town Council to accept, or take by eminent domain proceedings, conveyances or easements from time to time, giving the Town the right to construct and maintain drains, sewers, water lines, retaining walls and streets and to raise and appropriate a sufficient sum of money to carry out the purpose of this Article; or to see what the Town will do about it.

Town Council

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the collection, disposal, recycling and composting of refuse; or to see what the Town will do about it.

Town Council

ARTICLE 9. To see if the Town will vote to raise and appropriate from tax levy or transfer from available funds a sufficient sum of money to pay for the services of School Department employees and/or independent contractors to obtain Medicaid reimbursement for certain special education costs and expenses incurred by the Town; or to see what the Town will do about it.

Town Council

ARTICLE 10. To see if the Town will vote to implement collective bargaining agreements between the Town of Wakefield and the Massachusetts Coalition of Police, Wakefield Division for the period of July 1, 2023 to June 30, 2026 and to provide therefor that the Town raise and appropriate or transfer from available funds a sufficient sum of money to carry out the purposes of this Article; or to see what the Town will do about it.

Town Council

ARTICLE 11. To see if the Town will vote to implement collective bargaining agreements between the Town of Wakefield and the Wakefield Police Superior Officers Association for the period of July 1, 2023 to June 30, 2026 and to provide therefor that the Town raise and appropriate or transfer from available funds a sufficient sum of money to carry out the purposes of this Article; or to see what the Town will do about it.

Town Council

ARTICLE 12. To see if the Town will vote to implement collective bargaining agreements between the Town of Wakefield and the Wakefield Firefighter’s Union Local 1478 International Association of Firefighters, AFL-CIO for the period of July 1, 2023 to June 30, 2026 and to provide therefor that the Town raise and appropriate or transfer from available funds a sufficient sum of money to carry out the purposes of this Article; or to see what the Town will do about it.

Town Council

ARTICLE 13. To see if the Town will vote to authorize the Town Council to apply for, receive and expend without further appropriation a grant from the Massachusetts Water Resources Authority for the purpose of funding the Town’s infiltration / inflow removal program, and further to appropriate a sufficient sum of money to fund the Town’s portion of the costs of the program, and to determine whether to raise this appropriation by borrowing or otherwise; or to see what the Town will do about it.

Town Council

ARTICLE 14. To see if the Town will vote to: 1. Accept the provisions of G.L. c. 44, §55C, to establish a trust to be known as the Wakefield Affordable Housing Trust Fund, whose purpose shall be to provide for the creation and preservation of housing that is affordable in the Town of Wakefield for the benefit of low- and moderate-income households; and 2. Insert a new chapter in the General Bylaws of the Town, to be numbered as Chapter 70 and entitled “Affordable Housing Trust,” as follows: § 70-1. Purpose. Pursuant to the authority of G.L. c. 44, § 55C, there is hereby created a local municipal affordable housing trust to be known as the Wakefield Affordable Housing Trust, hereinafter the “Trust,” whose purpose shall be to provide for the creation and preservation of housing that is affordable in the Town of Wakefield for the benefit of low- and moderate-income households. § 70-2. Membership. There shall be a Board of Trustees of the Wakefield Affordable Housing Trust, hereinafter the “Board of Trustees,” consisting of nine (9) voting members. The voting members shall be appointed by the Town Council and shall include a member of the Town Council, a member of the Planning Board, a member of the Council on Aging, a member of the Housing Authority, a member of the Finance Committee, a member of the Commission on Disabilities, and three other members, each of whom, to the extent possible, shall have a background or interest in affordable housing, finance, law (including land use and zoning law), real estate, and/or real estate development. § 70-3. Term. The Town Council shall appoint the Trustees for a term of two years, except that three of the initial trustee appointments shall be for a term of one year, provided that said Trustees may be re-appointed at the discretion of the Town Council. Any member of the Board of Trustees who at the time of his or her appointment as such was a member of another

public body which is required by § 70-2, above, to be represented on the Board of Trustees (i.e., the Town Council, Planning Board, Council on Aging, Housing Authority, Finance Committee or Commission on Disabilities) shall be deemed to have vacated his or her position on the Board of Trustees upon ceasing to serve as a member of such other public body. Vacancies shall be filled by the Town Council for the remainder of the unexpired term. Any member of the Board of Trustees may be removed by the Town Council for cause after the opportunity of a hearing. § 70-4. Declaration of Trust. The Town Council is hereby authorized to execute a Declaration of Trust and Certificate of Trust for the Wakefield Affordable Housing Trust to be recorded with the Middlesex Registry of Deeds and filed with the Middlesex Registry District of the Land Court. § 70-5. General Duties. The Board of Trustees shall have the following powers, all of which shall be carried on in furtherance of the purposes set forth in G.L. c. 44, §55C, except that any exercise of the powers described in subsections (a), (b), (c), (d) and (k), below, shall require a two-third (2/3) vote of the Board of Trustees and prior approval of the Town Council: a. To accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any by-law or any general or special law or any other source; b. To purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income; c. To sell, lease, exchange, transfer, or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Board of Trustees deems advisable notwithstanding the length of any such lease or contract; d. To execute, acknowledge, and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements, and other instruments sealed or unsealed, necessary, proper, or incident to any transaction in which the Board of Trustees engages for the accomplishment of the purposes of the Trust; e. To employ advisors, consultants, and agents, including, but not limited to accountants, appraisers, and lawyers as the Board of Trustees deems necessary; f. To pay reasonable compensation and expenses to all advisors, consultants, and agents and to apportion such compensation between income and principal as the Board of Trustees deems advisable; g. To apportion receipts and charges between incomes and principal as the Board of Trustees deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation, depletion or otherwise; h. To participate in any reorganization, recapitalization, merger, or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person; i. To deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board of Trustees may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Board of Trustees may deem necessary and appropriate; j. To carry property for accounting purposes other than acquisition date values; k. To borrow money on such terms and conditions and from such sources as the Board of Trustees deems advisable, to mortgage and pledge Trust assets as collateral; any debt incurred by the Board of Trustees shall not constitute a pledge of the full faith and credit of the Town of Wakefield and all documents related to any debt shall contain a statement that the holder of any such debt shall have no recourse against the Town of Wakefield with an acknowledgement of said statement by the holder; l. To make distributions or divisions of principal in kind; m. To comprise, attribute, defend, enforce, release, settle, or otherwise adjust claims in favor of or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of G.L. c. 44, § 55C, to continue to hold the same for such period of time as the Board of Trustees may deem appropriate; n. To manage or improve real property; o. To abandon any property which the Board of Trustees determines not to be worth retaining; p. To hold all or part of the Trust property uninvested for such purposes and for such time as the Board of Trustees may deem appropriate; q. To make recommendations on proposals to Town Meeting, subject to approval by the Town Council, when such proposals create or support affordable housing for low- and moderate-income households; and r. To extend the time for payment of any obligation to the Trust. § 70-6. Discharges and Releases. Notwithstanding any provision hereof to the contrary, the Chair of the Board of Trustees is hereby authorized to execute and deliver discharges and releases of mortgages held by the Trust without a specific authorizing vote of the Board of Trustees provided that sufficient proof has been made to him or her that all underlying obligations have been paid in full without any amount remaining owed to the Trust, and any person may rely upon the Chair’s notarized signature on such a discharge or release. § 70-7. Custodian of funds. The Town of Wakefield Treasurer shall be the custodian of the funds of the Trust. Any income or proceeds received from the investment of funds shall be credited to and become part of the fund. The Board of Trustees shall provide for an annual audit of the books and records of the Trust. Such audit shall be performed by an independent auditor in accordance with accepted accounting practices and may be part of the Town’s annual financial audit. Upon receipt of the audit by the Board of Trustees, a copy shall be provided forthwith to the Town Council; or to see what the Town will do about it.

Town Council

ARTICLE 15. To see if the Town will vote to amend Chapter 1 of the General Bylaws, entitled “Interpretation and Penalties”, by revising: a. § 1-4, entitled “Licenses and permits”, as follows: “When in a bylaw anything is prohibited from being done without the license or permission of a certain officer, ~~officers or board, or public body~~, such officer, ~~officers or board or public body~~ shall have the power to license or permit such thing to be done.”; b. § 1-5, entitled “Word usage”, by: i. striking subsections A and C and re-lettering the remaining subsections; ii. revising current subsection D to read as follows: “The word ‘person’ shall mean and include natural persons and other legal entities, unless the context clearly requires otherwise.”; iii. adding to the end of current subsection E: “and vice versa”; and iv. revising current subsection F as follows: “Words importing ~~the masculine any~~ gender may apply to ~~the feminine any and all~~ genders.”; c. § 1-8, entitled “Refusal to comply with order”, by replacing “board or town officers” with “public body”; and d. § 1-10, entitled “Disposition of fines and penalties”, by replacing “board” with “public body”; or to see what the Town will do about it.

Bylaw Review Committee

ARTICLE 16. To see if the Town will vote to amend Chapter 9 of the General Bylaws, entitled “Boards, Committees and Commissions”, by revising: a. § 9-6, entitled “Vacancies”, by deleting “; and if any member absents himself from five consecutive meetings, the member may be dropped and the vacancy filled”; b. § 9-11, entitled “Procedures and reports”, by deleting the words “to include” from the first sentence and replacing them with “, including”; c. § 9-14, entitled “Membership; terms”, by deleting from subsection D thereof the words “Board or”; d. § 9-15, entitled “Notice to be posted and published prior to appointment or reappointment”, by adding at the end of subsection A.2, “and posted such notice on the Town’s website for a period of at least two weeks prior to such appointment”; e. § 9-23, entitled “Location and Posting of Meetings”, by adding at the end of the first sentence: “, or shall be conducted remotely, by electronic means, in accordance with applicable law”; and f. § 9-24, entitled “Minutes of Meetings”, by i. adding after the first occurrence of the word “Chair” the words “(or his or her designee)” and after the second such occurrence the words “(or designee)”; and ii. striking the final sentence and replacing it with: “If a multiple member body has a website, all minutes and draft minutes required to be sent to the Town Clerk shall also be posted to that website no later than one week after transmittal to the Town Clerk, provided that nothing herein shall require any multiple member body to create a website.”; or to see what the Town will do about it.

Bylaw Review Committee

ARTICLE 17. To see if the Town will vote to amend Chapter 4 of the General Bylaws, entitled “Appropriations”, and Chapter 5 of the General Bylaws, entitled “Revolving Funds”, by revising: a. § 4-1, entitled “Disposition of appropriations not expended”, by replacing the words “financial year” with “fiscal year (~~i.e.~~ July 1 to June 30)”; b. § 5-1, entitled “Purpose”, § 5-2, entitled “Expenditure limitations”, § 5-4, entitled “Procedures and reports”, and § 5-5, entitled “Authorized revolving funds”, by replacing the words “board, committee” wherever they appear with the words “public body”; and c. § 5-5, entitled “Authorized revolving funds”, by deleting the column in the table in subsection D thereof entitled “Maximum Expenditure”; or to see what the Town will do about it.

Bylaw Review Committee

ARTICLE 18. To see if the Town will vote to amend Chapter 21, Article I of the General Bylaws, entitled “Surplus Supplies”, by deleting from § 21-1, entitled “Disposition”, the word “Councilors” and replacing it with the word “Council”; or to see what the Town will do about it.

Bylaw Review Committee

ARTICLE 19. 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 the applicable Massachusetts statutory procedure for street naming as set forth in G.L. c. 85, §§ 3, 3A & 3B, including the appellate rights set forth in the said §3. **“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 twenty-five (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. **“b. Application Process.** The proponent of a street name change shall file a written application with the Town Clerk, together with a minimum filing fee of \$800. The fee shall be adjusted by the Town Clerk to reflect the anticipated cost of notification of the owners and residents of, and businesses located on, properties affected by the proposed change. The filing fee shall not apply to any change proposed by a public body of the Town. 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; (iii) explain the rationale of the change; and (iv) be signed by the proponent, whose name and address must be clearly legible. The Town Clerk shall, within ten (10) days after receipt of the application and any applicable fee, forward a copy to the Fire Chief, Police Chief, Town Engineer, and Town Assessor’s Office. The Town Assessor’s Office shall assemble and send to the Town Clerk a list of the names and addresses of all persons known to own or reside at, and all businesses known to be located on, properties abutting the way in question. 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 sixty (60) days after receiving the application and the list of abutting owners, residents and businesses from the Town Clerk. The Planning Board shall give notice of such hearing by publication in a newspaper of general circulation 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, residents and businesses on the list forwarded by the Town Clerk at least one week before the hearing. Notice of the hearing shall also be posted on multifamily properties and on the Town’s website, and shall be sent 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. If the actual cost of notice exceeds the fee previously paid, the Town Clerk shall demand payment of the difference in advance before the Planning Board commences any mailing with respect to proposals not made by public bodies of the Town. 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 name change. The Planning Board shall vote on whether to recommend the proposed name change to the Town Council within thirty (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 mail to all persons residing on the affected street or owning property thereon, and all businesses located there. No action shall be taken on the name change until such payment is received. Any street name change approved by the Town Council shall become effective on a date to be set by the Town Council, such date to be not less than one hundred twenty (120) days and not more than three hundred sixty-five (365) days after the vote by the Town Council. **“e. Appeal Rights.** Any person aggrieved by a street name change effected hereunder is advised of his appellate rights under G.L. c. 85, § 3, which permits an appeal to the Massachusetts Department of Transportation by petition of at least twenty-five (25) inhabitants of the Town within thirty (30) days following such change.”; 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 tenth day of April, two thousand and twenty-three.

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
WAKEFIELD TOWN COUNCIL

A true copy attest:
Kevin Lopes
Constable