

**THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF DUNSTABLE
WARRANT
ANNUAL TOWN MEETING - May 8, 2023**



Middlesex, ss.

To either of the Constables of the Town of Dunstable in the County of Middlesex:

GREETINGS

IN THE NAME OF the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and town affairs, to meet at Swallow Union Elementary School, 522 Main Street in said Dunstable on Monday, May 8, 2023, at 7:00 PM, and thereafter continuing from day to day until completed, with a back-up date of May 15, 2023, at 7:00 PM in the event that inclement weather or other circumstances require a postponement, then and there to act on the following articles:

REPORTS

ARTICLE 1 - Reports: To hear and act upon the reports of Town Officers, Boards, Committees, Commissioners, and Trustees, or take any action in relation thereto.

FISCAL YEAR 2022

ARTICLE 2 - Unpaid Bills of FY22: To see if the Town will vote to appropriate from Free Cash (Surplus Revenue) a sum of money for the purpose of paying unpaid bills of FY2022, including the following, or take any action in relation thereto.

Sponsored by the Board of Selectmen
Requires a 4/5ths Vote

FISCAL YEAR 2023

ARTICLE 3 – Transfer to Water Enterprise Fund: To see if the Town will vote to appropriate or transfer from available funds to the Water Enterprise Fund or Capital account a sum of money for the purpose of funding operating expenses or other purposes as deemed necessary by the Board of Water Commissioners for FY2023 or take any action in relation thereto.

Sponsored by the Advisory Board

FISCAL YEAR 2024

ARTICLE 4 - Operating Budget: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, or any combination thereof, to fund the various departments, boards, committees, commissions, and other operating expenses of the Town for Fiscal Year 2024 beginning July 1, 2023, or take any action in relation thereto.

Sponsored by the Advisory Board

ARTICLE 5 - Free Cash Transfer for FY24: To see what sum the Town will vote to appropriate from Free Cash (Surplus Revenue) to meet the appropriations of Fiscal Year 2024, beginning July 1, 2023, or to authorize the Assessors to utilize said transfer in order to reduce the tax rate, or take any action in relation thereto.

Sponsored by the Advisory Board

ARTICLE 6 - Revolving Fund Expenditure Limits: To see if the Town will vote pursuant to Massachusetts General Laws Chapter 44, Section 53E½, to set the annual expenditure limits for Fiscal Year 2024 for all revolving funds established by the General Bylaws, as follows, or take any action in relation thereto:

Cemetery	\$8,500
Recreation	\$7,000
COA Transport	\$3,500
Permit Application Fees	\$5,000
Approval Not Required Plans	\$15,000
Transfer Station	\$155,400

Sponsored by the Advisory Board

ARTICLE 7 – Establishment of Regional School District Stabilization Fund for the Greater Lowell Regional Vocational Technical School District: To see if the Town will vote to authorize the Greater Lowell Regional Vocational Technical School District to establish a Regional School District Stabilization Fund in accordance with Chapter 71, Section 16G1/2, of the Massachusetts General Laws, or take any action in relation thereto.

Sponsored by School Committee, Greater Lowell Regional Technical High School

ARTICLE 8 - Community Preservation Committee Recommendations: To see what transfers or other actions the Town may vote with respect to any recommended action of the Community Preservation Committee or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 9 – Removal of Invasive Weeds at Lake Massapoag: To see if the Town will vote to transfer from available funds, including CPA funds, a sum of money for the continued removal of invasive weeds in Lake Massapoag, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 10 – Acquisition of Morgan’s Pond on Mill Street: To see if the Town will vote to transfer from available funds, including CPA funds, a sum of money for the purchase of Morgan’s Pond on Mill Street, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee and Conservation Commission

ARTICLE 11 – Drew’s Landing Boardwalk Construction: To see if the Town will vote to transfer from available funds, including CPA funds, a sum of money for the construction of a Boardwalk at Drew’s Landing, and to authorize the Board of Selectmen and the Community Preservation Committee to enter into any grant agreement or other agreements related to such appropriation, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee and Conservation Commission

ARTICLE 12 – Improvements to Storage Sheds at Larter Field: To see if the Town will vote to transfer from available funds, including CPA funds, a sum of money to make improvements to the storage sheds at Larter Field, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 13 – Reallocate CPA Funds Appropriated for Rehabilitating Existing Tennis Courts: To see if the Town will vote to amend the vote taken under Article 15 of the July 30, 2020, Town Meeting, to transfer the \$152,000 previously appropriated from the Community Preservation Undesignated Reserve account and \$30,000 previously appropriated from the Open Space Reserve account thereunder for the purpose of rehabilitating the existing tennis courts, for the new purpose of constructing new tennis courts at Larter Field, including all costs incidental and related thereto, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 14 – Renovation of Wells at Larter Field: To see if the Town will vote to transfer from available funds, including CPA funds, a sum of \$33,600 for the renovation of wells at Larter Field, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 15 – Woodward’s Mill Dam Improvements: To see if the Town will vote to transfer from available funds, including CPA funds, the sum of \$61,308 for consulting services to conduct and complete a Phase II assessment of Woodward's Mill Dam, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 16 – Union School Building Restoration and Rehabilitation Planning: To see if the Town will vote to transfer from available funds, including CPA funds, the sum of \$25,000 for consulting services to work with the Town to develop a plan to restore and rehabilitate the Union School Building, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 17 - Chapter 90 Funds: To see if the Town will vote to appropriate any sums of money received by the Town under provisions of Massachusetts General Laws Chapter 90 for the purposes authorized by Chapter 90 or take any action in relation thereto.

Sponsored by the Board of Selectmen

ARTICLE 18 – Reallocate Funds for Police Station Improvements: To see if the Town will vote to amend the vote taken under Article 9 of the July 30, 2020, Town Meeting, to transfer the sum of \$15,000 previously appropriated thereunder for the purpose of replacing the Police Department computer server, for the new purposes of paying for capital improvements and operations of the Police Department including all costs incidental and related thereto.

Sponsored by the Board of Selectmen and Advisory Board

ARTICLE 19 – Revenue Dedication of Opioid Settlements to Special Purpose Stabilization Fund: To see if the Town will vote pursuant to Chapter 40, Section 5B, of the Massachusetts General Laws, to establish a special purpose stabilization fund, known as the Opioid Settlement Stabilization Fund, for the money received from judgments or settlements in litigation or claims against the opioid manufacturers or distributors, to be expended for all of the purposes allowed by law, including those outlined in applicable opioid litigation settlement documents consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation

settlement funds; and further, to see if the Town will vote to accept the provisions of the fourth paragraph of said Section 5B to dedicate all or a percentage, which may not be less than 25 percent, of the money received from judgments or settlements in litigation or claims against opioid manufacturers or distributors to the special purpose stabilization fund established under this article, effective for Fiscal Year 2024, beginning on July 1, 2023; and further to transfer from free cash the amount of such judgments and settlements received by the Town before July 1, 2023 to the special purpose stabilization fund established under this article; or to take any other action in relation thereto.

Sponsored by the Board of Selectmen

GENERAL BYLAW AMENDMENTS

ARTICLE 20 – Right-of-Way Bylaw: To see if the town will vote to amend the General Bylaws by adding a new Right-of-Way Bylaw as follows:

Right-of-Way Bylaw

Section 1. Purpose

The purpose of this bylaw is to ensure public safety and visibility along the Town’s public ways.

Section 2. Improvements in Rights-of-Way Prohibited

- a. For the purposes of this bylaw, the term “improvement” includes, but is not limited to, structures, fences, walls, railings, trees, shrubs, landscaping features, and sprinkler systems.
- b. For the purposes of this bylaw, the term “right-of-way” means any area of real property under the care, custody, or control of the Town of Dunstable through a fee interest, easement, or otherwise, for public way purposes, regardless of whether such area is paved or contains any infrastructure.
- c. No improvement shall be installed or maintained within the right-of-way of any Town public way without the approval of the Town’s Board of Road Commissioners, subject to the requirements of the Scenic Roads Bylaw.
- d. Mailboxes may be located within the right-of-way of a Town public way if installed and maintained in accordance with the rules and regulations of the U.S. Postal Service and any rules and regulations of the Town’s Board of Road

Commissioners.

- e. Abutting property owners, or their agents, may perform mowing and weed removal in vegetated areas within the right-of-way of any Town public way between the pavement and boundary of the right-of-way in order to maintain a well-kept appearance.

Section 3. Enforcement

- a. This bylaw shall be enforced by the Board of Road Commissioners or its designated agent. In addition to any other means of enforcement provided by law, this bylaw may also be enforced at the election of the Board of Road Commissioners by non-criminal disposition in accordance with the Non-Criminal Disposition Bylaw and Section 21D of Chapter 40 of the General Laws.
- b. Any person who installs an improvement within the right-of-way of any Town public way after December 31, 2022, shall be subject to a fine of \$100. Each day that any violation is allowed to continue shall constitute a separate violation of this bylaw.
- c. Any improvement within the right-of-way of any Town public way installed prior to January 1, 2023 may be subject to removal in accordance with Section 3 and Section 4 of Chapter 86 of the General Laws.
- d. The Board of Road Commissioners is authorized to adopt rules and regulations to carry out its duties under this bylaw.

And further, by amending the Non-Criminal Disposition Bylaw by inserting in § 5 the following:

Right-of-Way Bylaw

Board of Road Commissioners

or take any action in relation thereto.

Sponsored by the Planning Board and Board of Road Commissioners

And furthermore, in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of Dunstable who are qualified to vote in Town affairs, to meet at the Dunstable Public Library on Tuesday, May 16, 2023, between the hours of 12:00 o'clock noon to 8:00 PM, to cast their ballots for the following officers and ballot questions:

Board of Selectmen, one position for three years; Board of Assessors, one position for three years; Board of Health, one position for three years; Tree Warden, one position for three years; Board of Road Commissioners, one position for three years; Constables, two positions for one year; Cemetery Commissioners, one position for three years; Board of Water Commissioners, one position for three years; Planning Board, one position for five years; Commissioners of Trust Funds, one position for three years; Advisory Board, two positions for three years; GDRSD School Committee, one position for three years, Library Trustees, one position for three years.

Question 1:

Shall the town of Dunstable be allowed to assess an additional \$301,162 in real estate and personal property taxes for the purposes of supplementing the Town's General Government operating budget for the fiscal year beginning July first 2023?

Yes _____

No _____

And you are hereby directed to serve this warrant, by posting attested copies thereof, one at the Post Office and one at the Town Hall in said Dunstable seven days at least before the time of holding such Town 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 the meeting as aforesaid.

Given under our hands this _____ day of _____, two thousand and twenty-three.

DUNSTABLE BOARD OF SELECTMEN

Kieran Meehan

Leah D. Basbanes

Ron Mikol

A true copy.

Attest:

Ellen Faiella, Town Clerk

DATE: _____, 2023

I have served this warrant by posting attested copies thereof, one at the Post Office and one at the Town Hall _____ days before said meeting.

Date

Constable