

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF TEMPLETON  
WARRANT FOR SPECIAL TOWN MEETING  
SEPTEMBER 10, 2002  
7:00 PM

WORCESTER, ss.

To either of the Constables of the Town of Templeton in said County.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the precincts of the Town of Templeton, County of Worcester, qualified to vote in elections and town affairs to meet at the Narragansett Regional Middle School in said Templeton on Tuesday, September 10, 2002 at 7:00 o'clock p.m. then and there to act on the following articles:

Article 1 To see if the Town will vote to raise and appropriate, from available funds or otherwise provide the sum of Two Thousand, Four Hundred Thirty Dollars (\$2,430.00) to the Board of Health Office Salary Account to fulfill contractual obligations with the Director of Public Health, or take any action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Stabilization Account the sum of Two Thousand, Four Hundred Thirty Dollars (\$2,430.00) to the Board of Health Office Salary Account to fulfill contractual obligations with the Director of Public Health, or take any action relative thereto.

**Passed Unanimously**

Article 2 To see if the Town will vote to raise and appropriate, from available funds, or otherwise provide the sum of Twelve Thousand, One Hundred Fifty Three Dollars and Ninety Eight Cents (\$12,153.98) for the annual cost of town employees who are participating in the Early Retirement Incentive Program, or take any action relative thereto.

On a motion duly made and seconded the Town voted to pass over.

**Passed Unanimously**

Article 3 To see if the Town will vote to raise and appropriate, from available funds, or otherwise provide the sum of Four Thousand, Eight Hundred Seventy Dollars and Forty Five Cents (\$4,870.45) to increase the general insurance fund, or take any action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Stabilization Account the sum of Four Thousand, Eight Hundred Seventy Dollars and Forty-Five Cents (\$4,870.45) to increase the General Insurance Fund, or take any action relative thereto.

**Passed Unanimously**

Article 4 To see if the Town will vote to raise and appropriate, from available funds, or otherwise provide the sum of Nine Thousand, Eight Hundred Twelve Dollars (\$9,812.00) to pay a bill for Special Counsel from a prior fiscal year to the Town Counsel Expense account, or take any action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Stabilization account the sum of Nine Thousand, Eight Hundred Twelve Dollars (\$9,812.00) to pay a bill for Special Counsel from a prior fiscal year to the Town Counsel Expense account, or take any action relative thereto.

**Passed by a 9/10 vote**

Article 5 To see if the Town will vote to raise and appropriate, from available funds, or otherwise provide a sum of money to increase the Town Counsel Expense account, or take any action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Stabilization Account the sum of Fifteen Thousand Dollars (\$15,000) to increase the Town Counsel Expense account, or take any action relative thereto.

**Passed Unanimously**

Article 6 To see if the Town will vote to raise and appropriate from available funds, or otherwise provide a sum of money to cover the cost associated with giving the non-union town employees a 5% increase from the amount budgeted at the Annual Town Meeting retroactive to July 1, 2002: or take any other action relative thereto.

Salary	Approved	3%	4%	5%
Moderator Salary	\$242	\$249	\$252	\$254
Selectmen's Salaries	\$22,365	\$23,036	\$23,260	\$23,483
Town Coordinator's Salary	\$46,000	\$47,380	\$47,840	\$48,300

Selectmen's Office Salaries	\$42,358	\$43,629	\$44,052	\$44,476
Advisory Cmte Chair Salary	\$231	\$238	\$240	\$243
Advisory Board Clerical	\$600	\$618	\$624	\$630
Assessors' Salaries	\$13,420	\$13,823	\$13,957	\$14,091
Assessors' Office Salaries	\$23,073	\$23,765	\$23,996	\$24,227
Town Treasurer Salary	\$29,224	\$30,101	\$30,393	\$30,685
Asst. Town Treasurer Salary	\$4,366	\$4,497	\$4,541	\$4,584
Town Collector Salary	\$30,763	\$31,686	\$31,994	\$32,301
Assistant Town Collector	\$9,631	\$9,920	\$10,016	\$10,113
Town Clerk Salary	\$33,145	\$34,139	\$34,471	\$34,802
Assist. Town Clerk Salary	\$16,249	\$16,736	\$16,899	\$17,061
Conscom Clerk	\$2,080	\$2,142	\$2,163	\$2,184
Conservation Agent	\$8,000	\$8,240	\$8,320	\$8,400
Planning Board Salaries	\$4,038	\$4,159	\$4,200	\$4,240
Planning Board Secretary	\$10,833	\$11,158	\$11,266	\$11,375
Fire Chief Salary	\$22,011	\$22,671	\$22,891	\$23,112
Deputy Fire Chief Salary	\$1,125	\$1,159	\$1,170	\$1,181
Fire Department Salaries	\$42,000	\$43,260	\$43,680	\$44,100
Building Inspector Salary	\$27,000	\$27,810	\$28,080	\$28,350
Building Inspector Clerk	\$16,366	\$16,857	\$17,021	\$17,184
Sealer of Weights & Meas.	\$755	\$778	\$785	\$793
Animal Inspector	\$1,029	\$1,060	\$1,070	\$1,080
Emergency Management	\$337	\$347	\$350	\$354
Animal Control Officer	\$7,478	\$7,702	\$7,777	\$7,852
Assist. Animal Control	\$500	\$515	\$520	\$525
Tree Warden Salary	\$3,500	\$3,605	\$3,640	\$3,675
Communication Commission	\$188,756	\$194,419	\$196,306	\$198,194
Field Driver Salary	\$450	\$464	\$468	\$473
Highway Dept. Salary	\$263,741	\$265,992	\$266,742	\$267,493
Cemetery Commissioners	\$850	\$876	\$884	\$893
Cemetery/Parks Salaries	\$115,216	\$118,672	\$119,825	\$120,977
Cemetery/Parks Secretary	\$10,837	\$11,162	\$11,270	\$11,379
Board of Health Office Salary	\$65,504	\$68,524	\$68,720	\$68,911
Board of Health Members	\$7,200	\$7,416	\$7,488	\$7,560
Council on Aging Salaries	\$25,477	\$26,241	\$26,496	\$26,751
Boynton Library Salaries	\$31,307	\$32,246	\$32,559	\$32,872
Rec. Commission Salary	\$12,086	\$12,449	\$12,569	\$12,690

School Committee Salaries	\$3,062	\$3,154	\$3,184	\$3,215
Total	\$1,143,205	\$1,172,895	\$1,181,980	\$1,191,062
Needed to fund 3%	\$29,690			
Needed to fund 4%	\$38,775			
Needed to fund 5%	\$47,857			

On an amended motion duly made and seconded the Town voted to transfer from the Stabilization Account the sum of Thirty Three Thousand, Three Hundred Forty Four Dollars (\$33,344.00) to cover the cost associated with giving the non-union town employees a 4% increase from the amount budgeted at the Annual Town Meeting retroactive to July 1, 2002, or take any other action relative thereto.

Salary	Approved	3%	4%	5%
Moderator Salary	\$242	\$249	\$252	\$254
Selectmen's Salaries	\$22,365	\$23,036	\$23,260	\$23,483
Town Coordinator's Salary	\$46,000	\$47,380	\$47,840	\$48,300
Selectmen's Office Salaries	\$42,358	\$43,629	\$44,052	\$44,476
Advisory Cmte Chair Salary	\$231	\$238	\$240	\$243
Advisory Board Clerical	\$600	\$618	\$624	\$630
Assessors' Salaries	\$13,420	\$13,823	\$13,957	\$14,091
Assessors' Office Salaries	\$23,073	\$23,765	\$23,996	\$24,227
Town Treasurer Salary	\$29,224	\$30,101	\$30,393	\$30,685
Asst. Town Treasurer Salary	\$4,366	\$4,497	\$4,541	\$4,584
Town Collector Salary	\$30,763	\$31,686	\$31,994	\$32,301
Assistant Town Collector	\$9,631	\$9,920	\$10,016	\$10,113
Town Clerk Salary	\$33,145	\$34,139	\$34,471	\$34,802
Assist. Town Clerk Salary	\$16,249	\$16,736	\$16,899	\$17,061
Conscom Clerk	\$2,080	\$2,142	\$2,163	\$2,184
Conservation Agent	\$8,000	\$8,240	\$8,320	\$8,400
Planning Board Salaries	\$4,038	\$4,159	\$4,200	\$4,240
Planning Board Secretary	\$10,833	\$11,158	\$11,266	\$11,375
Fire Chief Salary	\$22,011	\$22,671	\$22,891	\$23,112
Deputy Fire Chief Salary	\$1,125	\$1,159	\$1,170	\$1,181
Fire Department Salaries	\$42,000	\$43,260	\$43,680	\$44,100
Building Inspector Salary	\$27,000	\$27,810	\$28,080	\$28,350
Building Inspector Clerk	\$16,366	\$16,857	\$17,021	\$17,184
Sealer of Weights & Meas.	\$755	\$778	\$785	\$793

Animal Inspector	\$1,029	\$1,060	\$1,070	\$1,080
Emergency Management	\$337	\$347	\$350	\$354
Animal Control Officer	\$7,478	\$7,702	\$7,777	\$7,852
Assist. Animal Control	\$500	\$515	\$520	\$525
Tree Warden Salary	\$3,500	\$3,605	\$3,640	\$3,675
Communication Commission	\$188,756	\$194,419	\$196,306	\$198,194
Field Driver Salary	\$450	\$464	\$468	\$473
<b>Highway Dept. Salary</b>	<b>\$263,741</b>	<b>\$263,741</b>	<b>\$263,741</b>	<b>\$263,741</b>
Cemetery Commissioners	\$850	\$876	\$884	\$893
Cemetery/Parks Salaries	\$115,216	\$118,672	\$119,825	\$120,977
Cemetery/Parks Secretary	\$10,837	\$11,162	\$11,270	\$11,379
<b>Board of Health Office Salary</b>	<b>\$65,504</b>	<b>\$68,524</b>	<b>\$66,290</b>	<b>\$68,911</b>
Board of Health Members	\$7,200	\$7,416	\$7,488	\$7,560
Council on Aging Salaries	\$25,477	\$26,241	\$26,496	\$26,751
Boynton Library Salaries	\$31,307	\$32,246	\$32,559	\$32,872
Rec. Commission Salary	\$12,086	\$12,449	\$12,569	\$12,690
School Committee Salaries	\$3,062	\$3,154	\$3,184	\$3,215
Total	\$1,143,205	\$1,172,895	<b>\$1,176,548</b>	\$1,191,062
Needed to fund 3%	\$29,690			
Needed to fund 4%	<b>\$33,343</b>			
Needed to fund 5%	\$47,857			

**Passed Unanimously**

Article 7 To see if the Town will vote to transfer from Stabilization Account, the sum of Fifty Two Thousand, Seven Hundred Thirty Five Dollars (\$52,735.00) to fund the following capital items for FY 2003, or take any action relative thereto:

- 1 (one) 1-ton truck with related equipment for the Templeton Parks & Cemetery Department: 2<sup>nd</sup> year lease payment of a three year lease @ \$14,825.00
- 1 (one) Street Sweeper for the Templeton Highway Department: 2<sup>nd</sup> year lease payment of a seven year lease @ \$15,503.00
- 1 (one) Municipal Tractor for the Templeton Highway Department: 2<sup>nd</sup> year lease payment of a five year lease @\$22,407.00

On a motion duly made and seconded the Town voted to transfer from the Stabilization Account the sum of Fifty Two Thousand, Seven Hundred

Thirty Five Dollars (\$52,735.00) to fund the following capital items for FY 2003:

- 1 (one) 1-ton truck with related equipment for the Templeton Parks & Cemetery Department: 2<sup>nd</sup> year lease payment of a three year lease @ \$14,825.00
- 1 (one) Street Sweeper for the Templeton Highway Department: 2<sup>nd</sup> year lease payment of a seven year lease @ \$15,503.00
- 1 (one) Municipal Tractor for the Templeton Highway Department: 2<sup>nd</sup> year lease payment of a five year lease @\$22,407.00

**Passed**

Article 8 To see if the Town will vote to accept Michaels Lane as a public way, as laid out on an As-Built Plan dated July 31, 2002, or take any other action relative thereto.

On a motion duly made and seconded the Town voted to accept Michaels Lane as a public way, as laid out on an As-Built Plan dated July 31, 2002, or take any other action relative thereto.

**Passed Unanimously**

Article 9 To see if the Town will vote to amend the Town's General Bylaws by adopting a new Section XXXXI entitled "Water Use Restriction Bylaw," the text of which is on file in the office of the Town Clerk and is printed below, or take any other action thereto.

### WATER USE RESTRICTION BY-LAW

#### **Section 1. Authority**

This By-law is adopted by the Town under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and its powers pursuant to M.G.L. c.40, §§21 et seq. and implements the Town's authority to regulate water use pursuant to M.G.L. c. 41, §69B. This by-law also implements the Town's authority under M.G.L. c. 40, §41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

#### **Section 2. Purpose**

The purpose of this by-law is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Massachusetts Department of Environmental Protection.

#### **Section 3. Definitions**

**Agriculture** shall mean farming in all its branches and agriculture, as defined at G.L. c. 128, § 1A.

**Board** shall mean the Board of Light and Water Commissioners.

**Department** shall mean the Massachusetts Department of Environmental Protection.

**Outdoor watering** shall mean any residential, municipal, industrial, or commercial watering of decorative lawns, trees or shrubbery.

**Person** shall mean any individual, corporation trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

**State of Water Supply Emergency** shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c.21G, §15-17.

**State of Water Supply Conservation** shall mean a State of Water Supply Conservation declared by the Town pursuant to section 4 of this by-law.

**Water Users or Water Consumers** shall mean all persons using water from the Town's public water source irrespective of that person's responsibility for billing purposes for use of the water.

#### **Section 4. Declaration of a State of Water Supply Conservation**

The Town, acting through its Board of Light and Water Commissioners, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists of such a degree that conservation measures are appropriate to ensure an adequate supply of water to all water consumers. Public notice of a State of Water Conservation shall be given under Section 6 of this by-law before it may be enforced.

#### **Section 5. Restricted Water Uses**

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply except as provided in Section 11. The applicable restrictions, conditions or requirements shall be included in the public notice required under Section 6.

- a) ***Odd/Even Day Outdoor Watering: Outdoor watering on property having an odd numbered address is restricted to odd numbered days. Outdoor watering on property having an even numbered address is restricted to even numbered days.***
- b) ***Off-Peak Outdoor Watering: Outdoor watering is limited to between particular hours on particular days as specified in the notice.***
- c) **Outdoor Watering Method Restriction:** Outdoor watering is restricted to bucket, can or hand held hose watering with automatic shutoff nozzle.
- d) **Outdoor Watering Ban:** Outdoor watering is prohibited.
- e) **Outdoor Watering Hours:** Outdoor watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.
- f) **Swimming Pool Filling Prohibition:** Filling and topping off of swimming pools is prohibited.
- g) **Automatic Sprinkler Use Prohibition:** The use of automatic sprinkler systems is prohibited.

h) Car Washing Prohibition: Car or vehicle washing is prohibited.

**Section 6. Public Notification of a State of Water Supply Conservation and State of Water Supply Emergency; Notification of Department**

Notification of any provision, including any restriction, requirement or condition imposed by the Town as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Notification of a State of Water Supply Emergency declared by the Department shall be provided by furnishing a copy of the Notice to radio and television stations serving the area served by the public water system as soon as possible, but no later than 48 hours after the public water system receives notice of the Department's declaration. Any restriction imposed under Section 5 of this by-law or in the Department's declaration of emergency or Order shall not be effective until such notification is provided. Notification of the State of Water Supply Conservation shall also be provided to the Department at the same time that public notice is given.

**Section 7. Termination of a State of Water Supply Conservation; Notice**

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Light and Water Commissioners upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required for notice of the Town's declaration of its State of Water Supply Conservation.

**Section 8. State of Water Supply Emergency; Compliance with Department Orders**

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency. The notice prescribed by this section shall be in writing and shall be published once in a newspaper of general circulation within the town where it is to be effective. Such notice shall summarize the provisions of the Declaration of Water Supply Emergency and the requirements and conditions thereof. Notice as prescribed by this section shall be sufficient for enforcement of the requirements of such Declaration on and after the date following newspaper publication.

**Section 9. Penalties**

The Town, through its Board of Light and Water Commissioner, the manager of the Municipal Light and Water Plant, or local police may enforce this by-law. Any person violating this by-law shall be liable to the Town in the amount of \$ 50.00 for the first violation and \$ 100.00 for each subsequent violation. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws.

**Section 10. Severability**

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

**Section 11. Exemptions**

The water use restrictions adopted under this by-law shall not apply to the specific uses outlined below provided the user meets applicable eligibility criteria as determined by the Board of Light and Water Commissioners.

- a. Commercial agriculture;

- b. Water to sustain animal life;
- c. Swimming pools used as a primary means of exercise, therapy or rehabilitation located at a medical or rehabilitation facility;
- d. Commercial car or vehicle washing facilities.

On a motion duly made and seconded the Town voted to amend the Town's General Bylaws by adopting a new Section XXXXI entitled "Water Use Restriction Bylaw," as printed.

**Passed Unanimously**

And you are hereby directed to serve this warrant by posting attested copies thereof in each Precinct; namely at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville and at Cote's Market in Otter River, by delivering a copy to each Precinct Clerks fourteen (14) days at least before the time of holding said meeting and by causing notice of the same to be published once in the Gardner News, a newspaper in said County, in the City of Gardner.

Hereof, fail not, and make due return of this warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 22nd day of August in the Year AD 2002

BOARD OF SELECTMEN

Gladys I. Salame, Chairman  
Thomas Martin, Vice Chairman  
Randy Brown, Clerk  
Patrick E. Dunlavey, Member  
Neil Cullen, Member

A True Copy, ATTEST:

Neil A. Cullen  
Constable of Templeton

OFFICER'S RETURN

WORCESTER, ss.

August 27, 2002

This is to certify that I have served the within warrant by posting attested copies thereof in each precinct, namely; at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville and at the Town Office Building in Otter River, Cote's Market in Otter River, fourteen (14) days at least before the time of holding said meeting and by causing notice of the same to be published once in the Gardner News, a newspaper published in said county in the City of Gardner, and by delivering a

copy to each of the Precinct Clerks fourteen (14) days at least before the time of holding said meeting.

Neil A. Cullen  
Constable of Templeton

A True copy, ATTEST:

Sheila R. Tallman  
Town Clerk of Templeton

Meeting Attendance 9-10-2002  
81 Voters Total