

COMMONWEALTH OF MASSACHUSETTS
TOWN OF TEMPLETON
WARRANT FOR SPECIAL TOWN MEETING
December 1, 2008

WORCESTER, ss.

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

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 in the Narragansett Regional Middle School, 460 Baldwinville Road, Baldwinville, in said Templeton on Monday, December 1, 2008, 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 allow the Board of Selectmen to present a report on the Town's status to date regarding the Town's matters with Casella Waste Systems, Inc., or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to allow the Board of Selectmen to present a report on the Town's status to date regarding the Town's matters with Casella Waste Systems, Inc.

Passed Unanimously/ Dec. 1st @ 7:03

Article 2. To see if the Town will vote to transfer from the Town Telephone Expenses account the sum of Three Thousand, Five Hundred Dollars (**\$3,500.00**) to fund the wages of the New Elementary School Building Committee secretary and the expenses of said committee; and to transfer said funds to the Narragansett Regional School District, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Town Telephone Expenses account the sum of Three Thousand, Five Hundred Dollars (**\$3,500.00**) to fund the wages of the New Elementary School Building Committee secretary and the expenses of said committee; and to transfer said funds to the Narragansett Regional School District.

Passed Unanimously/ Dec. 1st @ 7:06

Article 3. To see if the Town will vote to transfer from the Reserve for Appropriation

Insurance Reimbursements account the sum of One Hundred Eighty-Three Thousand, Three Hundred Ninety-Six Dollars and Fifteen Cents **(\$183,396.15)** for the reconstruction and/or repair of various town roads and/or sidewalks, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Reserve for Appropriation Insurance Reimbursements account the sum of One Hundred Eighty-Three Thousand, Three Hundred Ninety-Six Dollars and Fifteen Cents **(\$183,396.15)** for the reconstruction and/or repair of various town roads and/or sidewalks.

Passed/ Dec. 1st @ 7:11

Article 4. To see if the Town will vote to transfer from available funds or otherwise provide a sum of money to supplement the Town Vehicles Fuel expense account for fiscal year 2009, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Property Revaluation Program account the sum of Five Thousand, Four Hundred Dollars **(\$5,400.00)** and to transfer from the Highway Department Software account the sum of Four Thousand, Six Hundred Dollars **(\$4,600.00)** for a total sum of Ten Thousand Dollars **(\$10,000.00)** to supplement the Town Vehicles Fuel expense account for fiscal year 2009.

Passed/ Dec. 1st @ 7:15

Article 5. To see if the Town will vote to transfer from the Sewer Enterprise Fund the sum of Four Thousand, Three Hundred Fifty Dollars **(\$4,350.00)** to fund the payment of \$75 each to 58 residents listed on a document entitled "Taxpayers who paid the \$75.00 to have liens released prior to the group release," prepared by Deputy Assessor, Susan Byrne and on file in the Town Clerk's office. Residents listed made individual payments to the Worcester County Registry of Deeds to release liens placed on properties prior to the Registrar of Deeds releasing liens for multiple assessed owners as one document with one \$75.00 recording fee; provided, further, that the Board of Selectmen shall be authorized to adopt a policy relative to distribution of such funds, or to take any other action relative thereto.

A motion was duly made and seconded to let Luanne Royer speak.

Passed Unanimously/Dec. 1st @ 7:24

A motion was duly made and seconded to move the question.

Passed/Dec. 1st @ 7:38

On a motion duly made and seconded the Town voted to transfer from the Sewer Enterprise Fund the sum of Four Thousand, Three Hundred Fifty Dollars

(\$4,350.00) to fund the payment of \$75 each to 58 residents listed on a document entitled "Taxpayers who paid the \$75.00 to have liens released prior to the group release," prepared by Deputy Assessor, Susan Byrne, and on file in the Town Clerk's office to reimburse such residents for individual payments to the Worcester County Registry of Deeds to release liens placed on properties prior to the Registrar of Deeds releasing liens for multiple assessed owners as one document with one \$75.00 recording fee; provided, further, that the Board of Selectmen shall be authorized to adopt a policy relative to distribution of such funds.

Passed by hand count/yes-54 no 18/ Dec. 1st @ 7:42

Article 6. To see if the Town will vote to transfer the sum of Eight Thousand, Eight Hundred Twenty-Eight Dollars and Twenty-Nine Cents **(\$8,828.29)** from the Sewer Enterprise account to pay the balance owed on a fiscal year 2008 invoice to the Water Department, or to take any other action relative thereto.

A motion was duly made and seconded to move the question.

Passed/Dec. 1st @ 7:50

On a motion duly made and seconded the Town voted to transfer the sum of Eight Thousand, Eight Hundred Twenty-Eight Dollars and Twenty-Nine Cents **(\$8,828.29)** from the Sewer Enterprise account to pay the balance owed on a fiscal year 2008 invoice to the Water Department.

Passed by hand count/yes-44 no-15/ Dec. 1st @ 7:52

A motion was duly made and seconded to reconsider Article 5.

Defeated/Dec. 1st @ 7:53

Article 7. To see if the Town will vote to transfer from the Communications Commission Salaries account the sum of Thirty Thousand Dollars **(\$30,000.00)** to supplement the Police Department Salaries account for fiscal year 2009, or to take any other action relative thereto.

Submitted by the Police Chief

On a motion duly made and seconded the Town voted to transfer from the Communications Commission Salaries account the sum of Thirty Thousand Dollars **(\$30,000.00)** to supplement the Police Department Salaries account for fiscal year 2009.

Passed Unanimously/ Dec. 1st @ 7:56

Article 8. To see if the Town will vote to transfer from the Town Building Repairs account the total sum of Seventeen Thousand, One Hundred Sixty-Four Dollars **(\$17,164.00)** to supplement the Fire Department Expenses account, the Police Department Expenses Account, the Cemetery/Parks Department Expenses

account, and the Highway Department Expenses account for the fiscal year 2009 to provide for the increased cost of heating oil, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Town Building Repairs account the total sum of Seventeen Thousand, One Hundred Sixty-Four Dollars (**\$17,164.00**) to supplement the Fire Department Expenses account, the Police Department Expenses Account, the Cemetery/Parks Department Expenses account, and the Highway Department Expenses account for the fiscal year 2009 to provide for the increased cost of heating oil; said sum to be allocated to the specific accounts as follows:

Fire Department Expenses account	\$8,410.00
Police Department Expenses account	\$2,056.00
Cemetery/Parks Department Expenses account	\$1,993.00
Highway Department Expenses account	\$4,705.00

Passed Unanimously/ Dec. 1st @ 8:03

Article 9. To see if the Town vote to appropriate the sum of *four hundred thousand dollars (\$400,000.00)* for the purpose of financing the repair, replacement, and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof, as defined in Section 1 of Chapter 29C of the General Laws of Massachusetts; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow *four hundred thousand dollars (\$400,000.00)*, and issue bonds or notes therefore under Chapter 44, Chapter 111, Section 127B ½ , and/or Chapter 29C of the General Laws of Massachusetts, or any other enabling authority; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or the financing thereof; and that the board of Selectmen, Board of Public Works, or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects, and to take any other action necessary to carry out the projects, or to take any other action relative thereto.

Submitted by the Board of Health

On a motion duly made and seconded the Town voted appropriate the sum of *four hundred thousand dollars (\$400,000.00)* for the purpose of financing the repair, replacement, and/or upgrade of septic systems, pursuant to agreements

with the Board of Health and residential property owners, including without limitation all costs thereof, as defined in Section 1 of Chapter 29C of the General Laws of Massachusetts; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow *four hundred thousand dollars (\$400,000.00)*, and issue bonds or notes therefore under Chapter 44, Chapter 111, Section 127B ½ , and/or Chapter 29C of the General Laws of Massachusetts, or any other enabling authority; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or the financing thereof; and that the board of Selectmen, Board of Public Works, or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects, and to take any other action necessary to carry out the projects.

Passed Unanimously/ Dec. 1st @ 8:12

Article 10. To see if the Town will vote to transfer from available funds, borrow, or otherwise provide a sum of money for the purchase of a building for use as a municipal building and police station to include architectural services, conversion costs and any other related costs; provided, however, that no funds shall be borrowed unless and until the Town shall have voted to exclude the amounts required to repay any borrowing pursuant to this vote from the limitations of Chapter 59, Section 21C, of the General Laws(Proposition 2 ½), or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to indefinitely postpone Article 10.

Passed/ Dec. 1st @ 8:17

Article 11. To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift or eminent domain, for senior center purposes, and on such terms and conditions and subject to such restrictions as the Selectmen shall deem appropriate, the parcel of land described below from The Hospital Cottages for Children, and further to transfer from available funds or otherwise provide a sum of money for the purpose of acquiring said land, including, without limitation, engineering and surveying costs, and other costs incidental and related thereto, said land being described as follows:

A parcel of land located on the southerly side of Bridge Street, Templeton, containing three (3) acres, more or less, and approximately bounded and described as follows:

Beginning at a point being the southerly corner of lands of Swift Water Associates, limited partnership, recorded at Worcester County Registry of Deeds, Book 11090, Page 129, Plan Book 591, Plan 61;

Thence N. 68° 18' 52" E. 267.13 feet along the lands of Swift Water Associates to a point;

Thence turning N. 21° 41' 08" W. 143.20 feet along lands of Swift Water Associates to the southerly corner of the lands of Roger J. and Isabelle B. Kershaw;

Thence N. 68° 18' 52" E. 70.00 feet along the lands of Kershaw;

Thence S. 21° 41' 08" E. 544.97 feet, S. 68° 18' 52" W. 307.71 feet, N. 25° 52' 27" W. 233.77 feet along the lands of Hospital Cottages for Children;

Thence on a curve with a radius of 65.00 feet and a length of 201.39 feet, and a curve with a radius of 45.00 feet and a length of 58.26 feet, to the point of beginning, the previous 2 courses being along a proposed public street. Said parcel contains 3.00 acres (130,680 square feet), more or less.

Said parcel is to be conveyed with the benefit of an access and utility easement in a right of way approximately bounded and described as follows:

Beginning at a point in the southerly line of Bridge Street, said point marking the north east corner of the Town of Templeton (Green Lawn Cemetery); thence N. 68° 18' 52" E. 77.03 feet along Bridge Street; thence on a curve with a radius of 25.00 feet for a length of 41.00 feet along the lands of Swift Water Associates; thence S. 25° 52' 27" E. 317.22 feet along lands of Swift Water Associates to the corner of the above-described parcel; thence along said parcel on a curve with a radius of 45.00 feet and a length of 58.26 feet to a point; thence continuing along the above-described parcel on a curve with a radius of 65.00 feet and a length of 201.39 feet to the corner of said parcel; thence on a curve with a radius of 65.00 feet and a length of 86.96 feet, along lands of Hospital Cottages for Children, to a point along the lands of the Town of Templeton (Green Lawn Cemetery); thence along the lands of the Town of Templeton N. 25° 52' 27" W. 453.61 feet to the point of beginning. Containing approximately 0.780 acres (33,982 feet);
or to take any action relative thereto.

On a motion duly made and seconded the Town voted to authorize the Board of Selectmen to acquire, by gift or eminent domain, for senior center purposes, and on such terms and conditions and subject to such restrictions as the Selectmen shall deem appropriate, the parcel of land described below from The Hospital Cottages for Children, and further to transfer from the Trout Brook Condo Project account the sum of Ten Thousand Dollars (**\$10,000.00**) for the purpose of acquiring said land, including, without limitation, engineering and surveying costs, and other costs incidental and related thereto, said land being described as

printed in the warrant.

Passed by 2/3/ Dec. 1st @ 8:22

Article 12. To see if the Town will vote to reclassify, effective July 1, 2009, the following position on the "Personnel Compensation and Classification Plan," a copy of which is on file in the Town Clerk's office:

Cemetery and Parks Superintendent - from current Grade 8 to Grade 9,
or to take any other action relative thereto

On a motion duly made and seconded the Town voted to reclassify, effective July 1, 2009, the following position on the "Personnel Compensation and Classification Plan," a copy of which is on file in the Town Clerk's office:

Cemetery and Parks Superintendent - from current Grade 8 to Grade 9.

Passed/ Dec. 1st @ 8:26

Article 13. To see if the Town will vote to accept as a public way the roadway known as School House Road Extension, as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled "Layout Plan of School House Road Extension Templeton, MA," dated December 30, 2005, prepared by Szoc Surveyors, on file with the Town Clerk, and to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift, eminent domain or otherwise, an easement to use said School House Road Extension for all purposes for which public ways are used in the Town of Templeton and associated easements; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to accept as a public way the roadway known as School House Road Extension, as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled "Layout Plan of School House Road Extension Templeton, MA," dated December 30, 2005, prepared by Szoc Surveyors, on file with the Town Clerk, and to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift, eminent domain or otherwise, an easement to use said School House Road Extension for all purposes for which public ways are used in the Town of Templeton and associated easements.

Passed Unanimously/ Dec. 1st @ 8:29

The moderator stepped down due to a possible conflict of interest and the assistant moderator, Paul Quattrociocchi, stepped in for Article 14.

Article 14. To see if the Town will vote to authorize the Board of Selectmen to accept, on behalf of the Town, an affordable housing restriction on the property located at 15 Riverside Road, Templeton, meeting the requirements of M.G.L. c.184, §§ 31-33 and the Department of Housing and Community

Development, and further to authorize the Board of Selectmen to sign any instruments and take any other action necessary to carry out this vote, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to authorize the Board of Selectmen to accept, on behalf of the Town, an affordable housing restriction on the property located at 15 Riverside Road, Templeton, meeting the requirements of M.G.L. c.184, §§ 31-33 and the Department of Housing and Community Development, and further to authorize the Board of Selectmen to sign any instruments and take any other action necessary to carry out this vote.

Passed Unanimously/ Dec. 1st @ 8:31

Article 15. To see if the Town will vote to increase the income limit for the senior tax exemption granted under the Massachusetts General Laws, Chapter 59, Section 5, Clause 41C, from \$13,000 for single and \$15,000 for married to an amount not to exceed \$20,000 for single and \$30,000 for married to take effect in FY'2009, or to take any other action relative thereto.

Submitted by the Board of Assessors

On a motion duly made and seconded the Town voted to increase the income limit for the senior tax exemption granted under the Massachusetts General Laws, Chapter 59, Section 5, Clause 41C, from \$13,000 for single and \$15,000 for married to an amount not to exceed \$20,000 for single and \$30,000 for married to take effect in FY'2009.

Passed Unanimously/ Dec. 1st @ 8:34

Article 16. To see if the Town will vote to increase the asset limit for the senior tax exemption granted under the Massachusetts General Laws, Chapter 59, Section 5, Clause 41C, from \$28,000 for single and \$30,000 for married to an amount not to exceed \$37,721 for single and \$40,415 for married to take effect in FY'09, or to take any other action relative thereto.

Submitted by the Board of Assessors

On a motion duly made and seconded the Town voted increase the asset limit for the senior tax exemption granted under the Massachusetts General Laws, Chapter 59, Section 5, Clause 41C, from \$28,000 for single and \$30,000 for married to an amount not to exceed \$37,721 for single and \$40,415 for married to take effect in FY'09.

Passed Unanimously/ Dec. 1st @ 8:37

Article 17. To see if the Town will vote to charge for each written demand issued by a

collector a fee of \$30.00 to be added to and collected as part of the tax, as authorized by Massachusetts General Laws, Chapter 60, Section 15, effective as of December 1, 2008, or to take any other action relative thereto.

Submitted by the Town Collector

On a substitute motion that was duly made and seconded the Town voted charge for each written demand issued by a collector a fee of \$10.00 to be added to and collected as part of the tax, as authorized by Massachusetts General Laws, Chapter 60, Section 15, effective as of December 1, 2008.

Passed/Dec. 1st @ 8:43

Main motion was defeated/Dec. 1st @ 8:45

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, at Cote's Market in Otter River, and at the Town Office Buildings at 4 Elm Street, Baldwinville, and at 690 Patriots Road, Templeton, and by delivering a copy to each of the 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 published 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 13th day of November in the year AD 2008.

BOARD OF SELECTMEN

John Henshaw, Chairman

Patrick E. Dunlavey, Vice Chairman

Julie Farrell, Clerk

Gerald Skelton, Member

Dennis O'Brien, Member

A True Copy, ATTEST

Randy L. Brown
Constable of Templeton

WORCESTER, ss.

November 13, 2008

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, at Cote's Market in Otter River, and at the Town Office Buildings at 4 Elm Street, Baldwinville, and at 690 Patriots Road, Templeton, and by delivering a copy to each of the 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 published in said County, in the City of Gardner.

Randy L. Brown
Constable of Templeton

Meeting Attendance 12-1-2008

Voters Total 83

