

**TOWN OF TEMPLETON
WARRANT FOR SPECIAL TOWN MEETING
May 12, 2009**

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 Tuesday, May 12, 2009 at 8:00 p.m., then and there to act on the following articles:

Article 1. To see if the Town will vote to transfer the sum of Ninety-Seven Thousand Dollars (**\$97,000.00**) from the following accounts to be used as another financing source in the general fund for FY'09:

<u>Budget</u>	<u>Amount</u>
General Insurance account	\$22,000
Open Space Expense	7,000
Grant Writing Fees	6,000
Insurance Deductibles account	4,000
Communication Commission Salaries	<u>58,000</u>
Total.....	\$97,000

or to take any other action relative thereto.

On a motion duly made and seconded the Town voted transfer the sum of Ninety-Seven Thousand Dollars (**\$97,000.00**) from the following accounts to be used as another financing source in the general fund for FY'09:

<u>Budget</u>	<u>Amount</u>
General Insurance account	\$22,000
Open Space Expense	7,000
Grant Writing Fees	6,000
Insurance Deductibles account	4,000
Communication Commission Salaries	<u>58,000</u>
Total.....	\$97,000

Passed Unanimously/May 12th @ 8:09

Article 2. To see if the Town will vote to appropriate the sum of Fifty Thousand Dollars (**\$50,000.00**) from the surplus funds of the operating account of

the Municipal Lighting Plant as of December 31, 2007, to be used as another financing source in the general fund for FY'09, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to appropriate the sum of Fifty Thousand Dollars **(\$50,000.00)** from the surplus funds of the operating account of the Municipal Lighting Plant as of December 31, 2007, to be used as another financing source in the general fund for FY'09.

Passed Unanimously/May 12th @ 8:12

- Article 3. To see if the Town will appropriate a sum of money to pay costs associated with the Ice Storm of December, 2008, and to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

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

Passed/ May 12th @ 8:32

On a motion duly made and seconded the Town voted that the sum of Six Hundred Twenty Thousand Dollars **(\$620,000.00)** be and hereby is appropriated to pay costs associated with the Ice Storm of December, 2008, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 8(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; provided, however that no funds shall be borrowed or expended hereunder 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 1/2).

Passed by 2/3/May 12th @ 8:33

- Article 4. To see if the Town will vote to transfer from available funds or otherwise provide the sum of Seventeen Thousand, Two Hundred Six Dollars and Fifty-Five Cents **(\$17,206.55)** to fund 653 hours of accrued sick time contractually due a Police Sergeant upon his separation from the Town, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the principal on WPAT Title V Account the sum of Seventeen Thousand, Two Hundred Six Dollars and Fifty-Five Cents **(\$17,206.55)** to fund 653 hours of accrued sick time contractually due a Police Sergeant upon his separation from the Town.

Passed Unanimously/May 12th @ 8:37

Article 5. To see if the Town will vote to transfer from available funds or otherwise provide the sum of Five Thousand Dollars **(\$5,000.00)** 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 Highway Department Salaries account the sum of Five Thousand Dollars **(\$5,000.00)** to supplement the Town Vehicles – Fuel Expense account for fiscal year 2009.
Passed Unanimously/May 12th @ 8:39

Article 6. To see if the Town will vote to transfer from available funds in the Sewer Enterprise Reserve Account or otherwise provide the sum of Twenty-Five Thousand Dollars **(\$25,000.00)** to pay for the start up costs and implementation of a Sewer User Billing System, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to transfer from the Sewer Enterprise Reserve Account the sum of Twenty-Five Thousand Dollars **(\$25,000.00)** to pay for the start up costs and implementation of a Sewer User Billing System.
Passed/May 12th @ 8:44

Article 7. To see if the Town will vote to transfer the sum of One Thousand Dollars **(\$1,000.00)** from the Treasurer CMMT Certification account to the Treasurer's Expense account, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to transfer the sum of One Thousand Dollars **(\$1,000.00)** from the Treasurer CMMT Certification account to the Treasurer's Expense account.
Passed Unanimously/May 12th @ 8:45

Article 8. To see if the Town will vote to rescind borrowing authority for water main extensions in the amount of Two Hundred Twenty-Eight Thousand, One Hundred Forty-Five Dollars **(\$228,145.00)** authorized by the May 14, 2002 Annual Town Meeting, Article 26, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to rescind borrowing authority for water main extensions in the amount of Two Hundred Twenty-Eight Thousand, One Hundred Forty-Five Dollars **(\$228,145.00)** authorized by the May 14, 2002 Annual Town Meeting, Article 26.
Passed Unanimously/May 12th @ 8:47

Article 9. To see if the Town will vote to authorize the Board of Selectmen to lease, to a provider of telecommunications services for the installation and maintenance of

telecommunications antennae, facilities, and related equipment, a portion of the land located off of Johnson Avenue, identified on Assessors Map 4-10 as Parcel 64 and described more particularly in a deed recorded with the Worcester South District Registry of Deeds in Book 3239, Page 551, which portion is shown on a sketch plan on file with the Town Clerk, upon such terms and conditions, and for such consideration, as the Board of Selectmen shall determine to be appropriate, such lease to be for a term of up to twenty (20) years; and to authorize the Selectmen to grant such non-exclusive easements to utility companies as the Selectmen deem appropriate under such lease to provide utility service to such facilities; and further to authorize the Selectmen to execute a lease and any other documents to effectuate the foregoing; or take any other action relative thereto

On a motion duly made and seconded the Town voted to authorize the Board of Selectmen to lease, to a provider of telecommunications services for the installation and maintenance of telecommunications antennae, facilities, and related equipment, a portion of the land located off of Johnson Avenue, identified on Assessors Map 4-10 as Parcel 64 and described more particularly in a deed recorded with the Worcester South District Registry of Deeds in Book 3239, Page 551, which portion is shown on a sketch plan on file with the Town Clerk, upon such terms and conditions, and for such consideration, as the Board of Selectmen shall determine to be appropriate, such lease to be for a term of up to twenty (20) years; and to authorize the Selectmen to grant such non-exclusive easements to utility companies as the Selectmen deem appropriate under such lease to provide utility service to such facilities; and further to authorize the Selectmen to execute a lease and any other documents to effectuate the foregoing.

Passed Unanimously/May 12th @ 8:52

Article 10. To see if the Town will vote to amend the vote taken under Article 11 of the December 1, 2008 Special Town Meeting and authorize the Board of Selectmen to acquire from The Hospital Cottages for Children, by gift or eminent domain, the fee simple interest, rather than an access and utility easement, in a right-of-way located off of Bridge Street on such terms and conditions as the Selectmen shall deem appropriate, including acquiring said right-of-way subject to a permanent access and utility easement reserved by The Hospital Cottages for Children, which right-of-way is 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); then 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 of 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 amend the vote taken under Article 11 of the December 1, 2008 Special Town Meeting and authorize the Board of Selectmen to acquire from The Hospital Cottages for Children, by gift or eminent domain, the fee simple interest, rather than an access and utility easement, in a right-of-way located off of Bridge Street on such terms and conditions as the Selectmen shall deem appropriate, including acquiring said right-of-way subject to a permanent access and utility easement reserved by The Hospital Cottages for Children, which right-of-way is 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); then 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 of 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).

Passed Unanimously/May 12th @ 8:57

Article 11. To see if the Town will vote to authorize the Board of Selectmen to acquire from The Hospital Cottages for Children, by gift or eminent domain, the fee simple interest in a parcel of land adjoining and to be become a part of the Greenlawn Cemetery, with the care and protection of such land to be in the charge of the Cemetery Commissioners for cemetery purposes, which parcel of land is situated off the southerly side of Bridge Street, on the southerly line of land of the Greenlawn Cemetery, and bounded and described as follows:

Beginning at an iron pin at the southeasterly corner of land of the Greenlawn Cemetery, and being South 25° 52' 27" East 590.50 feet from Bridge Street as measured along the line between Greenlawn Cemetery and land of Hospital Cottages for Children; thence South 25° 52' 27" East by Hospital Land 10.10 feet; thence South 61° 31' 40" West by Hospital land 542.38 feet to a stone post at land of

Greenlawn Cemetery; thence North 17° 05' 13" East by Cemetery land 34.61 feet to a stone post; thence North 69° 22' 27" East by Cemetery land 101.00 feet to a stone post; thence North 61° 34' 33" East 418.07 feet to an iron pin and the point of beginning. Containing 6,322 square feet or 0.145 acres; 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 acquire from The Hospital Cottages for Children, by gift or eminent domain, the fee simple interest in a parcel of land adjoining and to be become a part of the Greenlawn Cemetery, with the care and protection of such land to be in the charge of the Cemetery Commissioners for cemetery purposes, which parcel of land is situated off the southerly side of Bridge Street, on the southerly line of land of the Greenlawn Cemetery, and bounded and described as follows:

Beginning at an iron pin at the southeasterly corner of land of the Greenlawn Cemetery, and being South 25° 52' 27" East 590.50 feet from Bridge Street as measured along the line between Greenlawn Cemetery and land of Hospital Cottages for Children; thence South 25° 52' 27" East by Hospital Land 10.10 feet; thence South 61° 31' 40" West by Hospital land 542.38 feet to a stone post at land of Greenlawn Cemetery; thence North 17° 05' 13" East by Cemetery land 34.61 feet to a stone post; thence North 69° 22' 27" East by Cemetery land 101.00 feet to a stone post; thence North 61° 34' 33" East 418.07 feet to an iron pin and the point of beginning. Containing 6,322 square feet or 0.145 acres.

Passed Unanimously/May 12th @ 8:58

Article 12. To see if the Town will vote to transfer the care, custody, management and control of the following parcels of land from the Board of Selectmen for the purposes for which they are currently held to the Conservation Commission for conservation purposes pursuant to the provisions of M.G.L. Chapter 40, Section 8C:

- (a) two parcels of land on Patriots Road, and the easement appurtenant thereto, being the same premises described in an Order of Taking recorded with the Worcester South District Registry of Deeds in Book 8334, Page 253, and identified by the Assessors as Parcels 1-2-1-150-01 (containing .11 acres, more or less) and 1-2-1-150-02 (containing .20 acres, more or less);
- (b) a parcel of land on North Main Street, containing 0.83 acres, more or less, being the same premises described in a deed recorded with said Deeds in Book 10002, Page 400, and identified by the Assessors as Parcel 1-02-0182-0011;
- (c) a parcel of land on North Main Street, containing 1.852 acres, more or less, being the same premises described in an Order

of Taking recorded with said Deeds in Book 4520, Page 531, and identified by the Assessors as Parcel 1-02-0180; and

- (d) a parcel of land on North Main Street, containing 3.7 acres, more or less, being the same premises described in an Order of Taking recorded with said Deeds in Book 8334, Page 251, and identified by the Assessors as Parcel 5-10-0061-01;

and further to authorize the Board of Selectmen to file a home rule petition for approval of said transfers under Article 97 of the Amendments to the Massachusetts Constitution, if such approval is deemed by the Board of Selectmen to be needed, or to take any action relative thereto.

On a motion duly made and seconded the Town voted to transfer the care, custody, management and control of the following parcels of land from the Board of Selectmen for the purposes for which they are currently held to the Conservation Commission for conservation purposes pursuant to the provisions of M.G.L. Chapter 40, Section 8C:

- (a) two parcels of land on Patriots Road, and the easement appurtenant thereto, being the same premises described in an Order of Taking recorded with the Worcester South District Registry of Deeds in Book 8334, Page 253, and identified by the Assessors as Parcels 1-2-1-150-01 (containing .11 acres, more or less) and 1-2-1-150-02 (containing .20 acres, more or less);
- (b) a parcel of land on North Main Street, containing 0.83 acres, more or less, being the same premises described in a deed recorded with said Deeds in Book 10002, Page 400, and identified by the Assessors as Parcel 1-02-0182-0011;
- (c) a parcel of land on North Main Street, containing 3.7 acres, more or less, being the same premises described in an Order of Taking recorded with said Deeds in Book 8334, Page 251, and identified by the Assessors as Parcel 5-10-0061-01;

and further to authorize the Board of Selectmen to file a home rule petition for approval of said transfers under Article 97 of the Amendments to the Massachusetts Constitution, if such approval is deemed by the Board of Selectmen to be needed.

Passed Unanimously/May 12th @ 9:02

**A motion was duly made and seconded to dissolve the Special Town Meeting.
Passed Unanimously/May 12th @ 9:03**

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.

Given under our hands this 23rd day of April in the year AD 2009.

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

Officer's Return

Worcester, ss

April 23, 2009

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 05-12-2009
Voters Total 246