

COMMONWEALTH OF MASSACHUSETTS
TOWN OF TEMPLETON
WARRANT FOR ANNUAL TOWN MEETING
MAY 11, 2010

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 11, 2010, at 7:00 p.m. then and there to act on the following articles:

- Article 1. To see if the Town will vote to accept the reports of the Town Officers as printed in the 2009 Town Report, or take any other action relative thereto.
- Article 2. To see if the Town will vote to allow any of the Town Committees to present their reports, or to take any other action relative thereto.
- Article 3. To see if the Town will vote to transfer the interest income in the amount of One Hundred Eighteen Dollars and Ninety-Five Cents (\$118.95) from the Otis G. Rice Fund to the Narragansett Regional School District for school activities, or to take any other action relative thereto.
- Article 4. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2010, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, or to take any other action relative thereto.
- Article 5. To see if the Town will vote to authorize the Selectmen to apply for and to accept and to expend, consistently with their provisions, any and all State and Federal grants for which no additional appropriation by the Town is required for the ensuing year, and to apply for such other grants, as they deem appropriate, or to take any other action relative thereto.

Article 6. To see if the Town will vote to authorize the Selectmen to accept and to expend without further appropriation, when received, Arts Lottery grant funds not requiring appropriation of additional Town funds and to vote to authorize the Selectmen to accept all other Arts Lottery grant funds, when received. All Arts Lottery grants funds accepted as authorized by this article are to be used by the Templeton Cultural Council (formerly referred to as the Arts Council) on approved arts projects, or to take any other action relative thereto.

Article 7. To see if the Town will vote to accept and expend the sum of Two Hundred Sixty-Four Thousand, Five Hundred Ninety-One Dollars (\$264,591.00) and any additional sum(s) of money that may be available in accordance with the Commonwealth of Massachusetts Chapter 90 program and to authorize the Board of Selectmen to enter into a contract with the Commonwealth of Massachusetts, Department of Public Works, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow in anticipation of 100% reimbursement of said amounts, or to take any other action relative thereto.

Article 8. To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000.00) from the surplus funds of the operating account of the Municipal Lighting Plant as of December 31, 2009, for use by the Assessors to reduce the tax rate for the fiscal year ending June 30, 2011, or to take any other action relative thereto.

Article 9. To see if the Town will vote to appropriate the sum of One Million, Three Hundred Ninety-Two Thousand, Five Hundred Fifty-Four Dollars (\$1,392,554.00) to operate the Water Department, which sum is to be raised from water receipts, or take any other action relative thereto.
Submitted by the Water Department

Article 10. To see if the town will vote to accept a bylaw that states that the Light and Water Department (if formed legally under Ch 93 Acts of 2000) shall do the billing services for sewer customers To include meter reading, processing, distributing and collecting of bills and transferring of said Funds to the Sewer Enterprise account at a yearly set charge to be agreed upon by both governing boards (Light and Water and Sewer Commission), and then to be brought to the citizens of Templeton for approval each year at the Annual Town Meeting.
Submitted and written by Citizen Petition

Article 11. To see if the town will vote to accept a bylaw that states that the Light and Water Department (if formed legally under Ch93 Acts of 2000) shall do the billing services for sewer customers to include meter reading, processing, distributing and collecting of bills and transferring of said funds to the Sewer Enterprise account at a yearly set charge to be agreed upon by both governing boards (Light and Water and Sewer Commission), and to then be brought to the citizens of Templeton for approval each year at Annual Town Meeting. The current billing to revert to the FY2007 rate with future increases to the billing service not to exceed 3% per annum or to take any other action relative thereto.

Submitted and written by Citizen Petition

Article 12. To see if the town will vote to accept a bylaw that states that the Light and Water Departments shall make the Sewer payments of 2009 retroactive on the water meter readings and to abolish the extra fee on homes that have two or more apartments.

Submitted and written by Citizen Petition

Article 13. Vote to see if the town shall authorize the Board of Selectmen to seek special legislation from the general court for the purpose of a full investigation into the legality of Ch93 Acts of 2000 which authorized the town to combine the Light and Water Departments. Included but not limited to this investigation will be the use of municipal funds for the creation of the citizen's petition calling for the Special Legislation by the light department and the use of the law firm Lyons, Fitzgerald and Fitzpatrick or to take any other action thereto.

Submitted and written by Citizen Petition

Article 14. Vote to see if town meeting shall authorize the Board of Selectmen to petition the general court for special legislation to request the Office of Inspector General and or other State Agencies to do a complete investigation into the legal matters surrounding the circumstances which occurred with the legal contract entered into between the Town of Templeton and Baldwinville Products/Erving Paper Mills involving the operation and maintenance of the Town's wastewater treatment plant voted at town meeting January 26 1974 and entered into in March of 1974 including but not limited to legal work done by Kopelman and Paige current town counsel and to investigate possible interference in case 02-2424C heard before Judge Cornetta of the Worcester Superior Court by then Board of Selectmen acting in what may have been a unilateral manner in 2004-2005 and to report the findings of said State Agencies to the town as that information becomes available through the selectmen and town clerk's office who shall make information available to town residents in hard copy and electronic format upon request or to take any other action relative thereto.

Submitted and written by Citizen Petition

- Article 15. To see if the Town will vote to appropriate a sum of money from the Commonwealth Sewer Rate Relief Fund, FY'10, established pursuant to General Law Chapter 29, Section 2Z, when received, to pay Sewer Debt Service in fiscal year 2011, or to take any other action relative thereto.
Submitted by the Sewer Department
- Article 16. To see if the Town will vote to appropriate or to transfer from available funds the total sum of Nine Hundred Sixty-Four Thousand, Five Hundred Eighteen Dollars (\$964,518.00) to operate the Sewer Department; said sum is to be apportioned to be used for salaries, operating, maintenance, legal, engineering and other expenses of the Templeton Sewer Department. Said sum is to be raised from sewer user charges and fees, entrance fees, tipping fees paid by disposal contractors, and other fees and monies collected as per Sewer Department Rules by the Town of Templeton Sewer Department, or to take any other action relative thereto.
Submitted by the Sewer Department
- Article 17. To see if the Town will vote to transfer the sum of Seventy-Five Thousand Dollars (\$75,000.00) from the Sewer Enterprise Reserve account to pay the costs of the Sludge Characterization and Alternatives Evaluation Phase of the abandonment of the wastewater treatment lagoon, or to take any other action relative thereto.
Submitted by the Sewer Department
- Article 18. To see if the Town will vote to increase the cost of living adjustment, as provided by the Department of Revenue, to the fiscal year 2011 percentage amount that may be used to increase the exemption granted to certain senior citizens and surviving spouses and minors under MGL, Chapter 59, Section 5, Clauses 17, 17C, 17C1/2 or 17D. This article was voted for on May 3, 1999, at the Annual Town Meeting, Article #17. This exemption is reimbursable by the Department of Revenue, or to take any other action relative thereto.
Submitted by the Board of Assessors
- Article 19. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Thirteen Thousand, Sixty-Five Dollars (\$13,065.00) for the 3rd year of a five-year contract for the acquisition of real estate tax/excise tax billing and abatement/exemption software for the Tax Collector and the Assessors' office to include a maintenance contract; or to take any other action relative thereto.
Submitted by the Board of Assessors and the Tax Collector

Article 20. To see if the Town will vote to appropriate and/or transfer from available funds a total sum of Four Hundred Thirty-Seven Thousand, Eight Hundred Sixty-One Dollars (\$437,861.00) for the Worcester Regional Retirement System assessment; said sum to be provided as follows: the sum of One Hundred Thousand, Six Hundred Seventy-Eight Dollars and Ninety-Six Cents (\$100,678.96) to be transferred from the Light Department, the sum of Thirty-Seven Thousand, Four Hundred Thirteen Dollars and Forty-Two Cents (\$37,413.42) to be transferred from the Water Department, the sum of Thirty-Three Thousand, Eight Hundred Eighty-Nine Dollars and Eighty-One Cents (\$33,889.81) to be transferred from the Sewer Department, and the sum of Two Hundred Sixty-Five Thousand, Eight Hundred Seventy-Eight Dollars and Eighty-One Cents (\$265,878.81) to be raised by taxation and/or transferred from the Stabilization Fund, or to take any other action relative thereto.

Submitted by the Treasurer and the Board of Selectmen

Article 21. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to pay the Town's Maturing Principal and Interest on Long-term Debt incurred through bonds and notes issued in accordance with Town Meeting votes, or to take any other action relative thereto.

Article 22. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide, a sum of money to pay town charges for municipal operational expenses for fiscal year 2011 and to set the salary and compensation of all Elected and Appointed Officers of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, or to take any other action relative thereto.

Submitted by the Board of Selectmen

Article 23. To see if the Town will vote to amend in the manner set forth below the Personnel Wage and Compensation Plan, a copy of which is on file in the Town Clerk's office, or to take any other action relative thereto:

<u>New Job Title</u>	<u>Old Job Title</u>	<u>Grade changes</u>
Council on Aging Dispatcher/Clerk	COA Secretary/Dispatcher	Grade 2 from Grade 1
Council on Aging Clerk/Bookkeeper	Council on Aging Clerk	Grade 2 same Grade
Sewer Billing Clerk		Grade 2 (new position)
Administrative Assistant/BOS	BOS Secretary	Grade 3 same Grade
Administrative Assistant/Building	Building Dept. Secretary	Grade 3 same Grade
Administrative Assistant/Health	Board of Health Secretary	Grade 3 same Grade
Administrative Assistant/Assessors	Assessors Secretary	Grade 3 same Grade
Administrative Secretary/BOS	BOS Secretary	Grade 3 same Grade
Dept. Assistant-Cemetery/Parks	Cemetery/Parks Secretary	Grade 3 same Grade
Dept. Assistant-Conservation	Conservation Secretary	Grade 3 same Grade
Dept. Assistant-Planning Board	Planning Board Secretary	Grade 3 same Grade
Senior Admin. Assistant-Highway	Highway Secretary	Grade 4 from Grade 3
Senior Admin. Assistant-Police	Police Dept. Admin. Asst.	Grade 4 same Grade

Senior Admin. Assistant-Sewer/WW	Sewer Dept. Secretary	Grade 4 from Grade 3
Senior Admin. Assistant/Personnel Admin. BOS Secretary		Grade 5 from Grade 3
Conservation Agent		Grade 10 from Grade 6

Submitted by the Personnel Board

Article 24. To see if the Town will vote to add the following paragraph to the end of the Town of Templeton Personnel Policies and Procedures, Section 11: Compensation Policy, Item B, Step 1:

“Effective January 1, 2011, the foregoing Step 1 language shall be replaced by the following:

Wage and salaries increases shall be based upon meritorious performance and cost-of-living increases. The employee’s Department Head and Supervisor shall evaluate each subordinate employee’s performance on an annual basis and provide the Personnel Board by November 30th of each fiscal year with the result of each evaluation and recommendations as to any wage or salary increases. An employee who receives a satisfactory or better rating on a performance evaluation will advance to the next step on the compensation schedule within the employee’s job grade, subject to the approval procedure detailed in Step 2.”

or to take any other action relative thereto.

Submitted by the Personnel Board

Article 25. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum off money, effective January 1, 2011, for wage step increases for non-union, non-contracted eligible employees pursuant to the “Compensation Plan for the Town of Templeton” and the “Wage Classification Plan” approved at the Annual Town Meeting of May 11 and 17, 2005 and on file in the Town Clerk’s office; said step wage increases are as indicated on the document titled “Proposed Wage Step Increases per Classification,” effective 1/1/ 2011, on file in the Town Clerk’s office; or to take any other action relative thereto.

Submitted by the Personnel Board

Article 26. To see if the Town will vote to add the following position to the “Personnel Compensation and Classification Plan,” a copy of which is on file in the Town Clerk’s office:

Full-time firefighter Grade 7

or to take any other action relative thereto.

Submitted by the Fire Chief

Article 27. To see if the Town will vote to reclassify the Animal Control Officer to Grade 3 in the Wage and Compensation Classification Plan or to take any other action relative thereto.

Submitted and written by Citizen Petition

Article 28. By Law Article XLVII – Personnel By-Law
To see if the Town will vote to amend the following By-Law:

The Board of Selectmen shall act as the Personnel Board until such a time as the Town adopts a Town Administrator or Town Manager form of government.

Submitted and written by Citizen Petition

Article 29. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money for the Town's share of the Narragansett Regional School District assessment for the fiscal year 2011, or to take any other action relative thereto. **Submitted by the Narragansett Regional School District Committee**

Article 30. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Thirteen Thousand, Five Hundred Sixty-Seven Dollars (\$13,567.00) for payment of the Narragansett Regional School District's fiscal year 2011 Teachers' Deferral Assessment, or to take any other action relative thereto.
Submitted by the Narragansett Regional School District Committee

Article 31. To see if the Town will vote to raise and appropriate the sum of Four Hundred Three Thousand, Nine Hundred Ninety-Four Dollars (\$403,994.00) for payment of the long-term debt for the expansion and renovation of the Narragansett Regional High School/Narragansett Middle School to include roof repairs in accordance with debt exclusions voted on January 22, 1996 and September 10, 2007, or to take any other action relative thereto.
Submitted by the Narragansett Regional School District Committee

Article 32. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money for repairs and/or maintenance at any or all of the Town's elementary schools: Baldwinville Elementary, Templeton Center Elementary, and the East Templeton Elementary Schools, or to take any other action relative thereto
Submitted by the Narragansett Regional School District Committee

Article 33. To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, eminent domain or otherwise, a portion of a parcel of land owned by John L. Brooks and Doris R. Brooks, located on Baldwinville Road, and described in a deed recorded with the Worcester South District Registry in Book 8036, Page 264, on such terms and conditions as the Board of Selectmen shall determine to be appropriate, for the purpose of the

construction of an elementary school, which portion is approximately bounded and described as follows:

Commencing at a point in the westerly line of Baldwinville Road at a corner of land of Arthur R. Nelson, Jr. et ux; thence S. 14° 30' W., by the westerly line of said road, 171.3 feet to a corner at land now or formerly of one Sillers; thence N. 88 ° 30' W., about 322 feet to a corner; thence S. 16 ° 15' E., about 136 feet to an iron pipe; thence

S. about 8 ° 40' E., 193 feet to an iron pipe in line of land now or formerly of Urho Nykanen, the preceding three (3) courses being by said Sillers land; thence

S. 68 ° 15' W., partly by a stone wall, by said Nykanen land, 995 feet to a corner of walls; thence

N. 36 ° E., by a stone wall, by land now or formerly of one Lorandean, 660 feet to an angle of said wall; thence

N. 59 ° E., by a stone wall, by said Lorendean land, 627 feet to an angle in said wall; thence

S. 79 ° 19' 38" E., by land of John L. Brooks et ux, 476.33 feet to a drill hole in a wall at the southwesterly corner of land of said Nelson; thence

S. 85 ° 49' 33" E., by said Nelson land, 381.73 feet to the place of beginning. or take any other action relative thereto.

Submitted by the Board of Selectmen

- Article 34. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Four Hundred Twenty-Five Thousand, Forty-Three Dollars (\$425,043.00) for the Montachusett Regional Vocational Technical School District for the fiscal year 2011, or to take any other action relative thereto.

Submitted by the Montachusett Regional Vocational Technical School Committee

- Article 35. To see if the Town will vote to raise and appropriate the sum of \$12,500 to be used with other funds to defray the costs of the Town's 250th Anniversary Celebration.

Submitted and written by Citizen Petition

- Article 36. To see if the town will vote to enact a bylaw that states. That all votes necessary or regarding items on the board of selectman's agenda, shall be made after discussion has ended and before moving to the next item, and that no votes shall be taken after reaching the end of the posted agenda.

Submitted and written by Citizen Petition

Article 37. To see if the town will vote to enact a bylaw that states. That the board of selectman shall be required to follow the established procedure for all other boards, and vote on their own requests for town meeting articles prior to the established dead line.

Submitted and written by Citizen Petition

Article 38. By Law Article III- Town Officers

To see if the Town will vote to adopt the following By-Law:

Section 4. In event of a vacancy on The Board of Selectmen that would last longer than four (4) months, The Board of Selectmen shall call for a special election to fill said vacancy.

Submitted and written by Citizen Petition

Article 39. By Law Article II – Town meetings

To see if the Town will vote to amend Town By-Law Article II – Town Meetings; section 2 to read as follows:

All business of the Annual Town Meeting, except for the election of such officers and the determination of such matters as are required by law to be elected or determined by ballot, shall be considered at an adjournment of such meeting to be held on the second **Saturday**, thereafter at a time and place designated by the Board of Selectmen.

Submitted and written by Citizen Petition

Article 40. By Law Article II – Town meetings

To see if the Town will vote to adopt the following By-Law:

All intermunicipal agreements must be approved by a vote at Town meeting or Special Town meeting.

Submitted and written by Citizen Petition

Article 41. By Law Article II – Town meetings

To see if the Town will vote to adopt the following By-Law:

All Warrant articles regarding any action on Special Legislation shall only be brought forward at the Annual Town Meeting.

Submitted and written by Citizen Petition

Article 42.

By Law Article II – Town meetings

To see if the Town will vote to amend Town By-Law Article II – Town Meetings ; section 5 to read as follows:

Warrants for Annual Town Meeting shall be open for a minimum of 45 days before closing and posting the warrants.

The Board of Selectmen shall announce and vote the Opening and Closing dates of the all Warrants at a publicly posted meeting of the Board of Selectmen

Submitted and written by Citizen Petition

Article 43. Vote to see if town meeting will rescind amendments made on 5-13-03 to Section I of the Article IV-Advisory Committee and restore original language as follows to Section I. There shall be an Advisory Committee consisting of nine legal voters of the town who shall be appointed by the Moderator as herein after provided. No elective or appointive town officer or town employee shall be eligible to serve on said on said committee or to take any other relative action thereto.

Submitted and written by Citizen Petition

Article 44. To see if the Town will adopt a By-Law to annually vote to appropriate twenty per cent of Free Cash to the Capital Stabilization Account or to take any other action thereto.

Submitted and written by Citizen Petition

Article 45. To see if the Town will vote to form a Government Study Committee as follows:

The Town moderator will appoint a 7 member committee to explore the options of Templeton moving to a Town Administrator form of government. This committee will review the roles, duties and responsibilities of a Town Administrator and seek input from any and all Boards, Commissions and Committees in the Town of Templeton.

The Board of Selectmen shall help the Government Study Committee, by supplying meeting space, photocopying, legal advice when necessary.

The Government Study Committee shall report and present their findings at the next Annual Town Meeting. **Submitted and written by Citizen Petition**

Article 46.

Chapter 59 Acts of 2009

To see if the Town will vote to request Special Legislation to repeal Chapter 59 Acts of 2009 or take any other action relative thereto.

Submitted and written by Citizen Petition

Article 47.

By Law Article VII – Legal Affairs

To see if the Town will vote to amend Town By-Law Article VII – Legal Affairs; section 4 to read as follows:

They shall likewise fill any vacancies in said office for the unexpired term and may employ special counsel whenever, in their judgment, necessity therefore arises.

Submitted and written by Citizen Petition

Article 48.

By Law Article VII – Legal Affairs

To see if the Town will vote to amend Town By-Law Article VII – Legal Affairs; section 4 to read as follows:

At the Annual Town Meeting, the Selectmen shall bring forth three qualified law firms, who are members of the bar in good standing, as candidates for Town Counsel. Town meeting shall vote to appoint one candidate as Town Counsel who shall serve for the term of one year from the first day of July following until a successor is appointed and enters upon the performance of their duties. The Board of Selectmen shall fill any vacancies in said office for the unexpired term, and may employ special counsel, whenever, in their judgment, necessity therefore arises.

Submitted and written by Citizen Petition

Article 49.

To see if the Town will vote to authorize Revolving Funds for certain Town departments in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 53E1/2, for fiscal year 2011 as follows, or to take any other action relative thereto:

- a) Revolving Fund for the Council on Aging: to deposit fees charged from the use of the Council on Aging Van and to authorize the director to expend such funds for wages and expenses for operation of the van, provided that the amount to be expended in fiscal year 2011 shall not exceed Five Thousand Dollars (\$5,000.00);

- b) Revolving Fund for the Cemetery Department: to deposit fees charged for weekend burials, and to authorize the Cemetery Commissioners to expend such funds for wages associated with such burials and to expend such funds for Cemetery capital improvements provided that the amount to be expended in fiscal year 2011 shall not exceed Eight Thousand Dollars **(\$8,000.00)**;
- c) Revolving Fund for the Board of Appeals: to deposit application fees and to authorize the Board of Appeals to expend such funds to pay for expenses and salaries related to hearings and applications. Fees collected by the Chair or the designee may be deposited to this account, provided that the amount to be expended for fiscal year 2011 shall not exceed Three Thousand Dollars **(\$3,000.00)**;
- d) Revolving Fund for the Board of Health: to deposit receipts collected from the sale of recycling equipment and disposal of recyclable goods and to authorize the Board of Health to expend such funds to expand the recycling program, provided that the amount to be expended in fiscal year 2011 shall not exceed Ten Thousand Dollars **(\$10,000.00)**;
- e) Revolving Fund for the Animal Control Officer: to deposit fees collected for adoption, spay and neutering deposits, the town's portion of dog licensing, pick-up fees, donations, and kenneling fees and to authorize the Animal Control Officer to expend such funds collected for expenses incurred in the care of animals in the animal shelter, provided that such sum for fiscal year 2011 shall not exceed Ten Thousand Dollars **(\$10,000.00)**.

Article 50. To see if the Town will vote to establish for the use of the Conservation Commission a Conservation Fund pursuant to the provisions of the Conservation Commission Act (M.G.L. Ch. 40 §8C; the "Act"). As described and authorized in the Act, the Treasurer shall be the custodian of said Conservation Fund (the "Fund"), shall make deposits to the Fund, invest proceeds, and credit to the Fund the income derived therefrom. The Conservation Commission shall have the sole authorization, except as may be otherwise directed by the Town Meeting for any appropriation to the Fund requiring Town Meeting approval, to make expenditures from the Fund for any purpose authorized by the Act, except that no expenditure for a taking by eminent domain shall be made unless such expenditure has been approved in accordance with the Act. Town meeting may appropriate money to the Conservation Fund in any year. The Fund may receive gifts and donations, or to take any other action relative thereto.

Submitted by the Conservation Commission

Article 51. To see if the Town will vote to transfer the care, custody, control, and management of the following parcel of land from the Board of Selectmen to the Conservation Commission for conservation purposes pursuant to the provisions of M.G.L. Chapter 40, Section 8C, or to take any other action relative thereto:

<u>Assessors' Map and Parcel</u>	<u>Street Address</u>	<u>Size (Ac)</u>	<u>Deed Book/Page</u>
5-14-0026	Whitney Street	40.00+	43578/36

Submitted by the Conservation Commission

Article 52. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2011 Community Preservation budget and, pursuant to G.L. c.44B, §6, to appropriate or reserve from the Community Preservation FY2011 estimated annual revenues a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Committee for Fiscal Year 2011 and reserve for future appropriation from Community Preservation estimated annual revenues a sum of money for open space, historic resources, and community housing purposes, as well as a sum of money to be placed in the FY2011 Budgeted Reserve for general Community Preservation Act purposes as recommended by the Community Preservation Committee, with each item to be considered a separate appropriation:

Appropriations:

- a. A sum of \$11,800.00 from FY'2011 estimated annual revenues for Committee Administrative expenses (5%).

Reserves:

- a. A sum of \$23,600.00 from FY'2011 estimated annual revenues for Historic Resources Reserve, (10%)
- b. A sum of \$23,600.00 from FY'2011 estimated revenues for Community Housing Reserve. (10%)
- c. A sum of \$23,600.00 from FY'2011 estimated annual revenues for Open Space Reserve. (10%)
- d. A sum of \$153,400.00 from FY'2011 estimated annual revenues for Budgeted Reserve. (65%)

or take any other action relative thereto.

Submitted by the Community Preservation Committee.

Article 53. To see if the Town will vote to appropriate a sum of money from the Open Space Reserve to make a grant to Rebecca Graves for the purchase of an Agricultural Preservation Restriction (APR) in property in Templeton identified as Assessors' Map Parcel 2-9-7, and further to authorize the Board of Selectmen or Conservation Commission to acquire a conservation restriction on the portion of the property not covered by the APR, as allowed by the Community Preservation Act, and for all expenses necessary and related to both transactions, and to authorize appropriate Town officials to take all action necessary to effectuate the vote taken hereunder, or take any other action relative thereto. **Submitted by the Community Preservation Committee and the Conservation Commission**

Article 54. To see if the Town will vote to appropriate and transfer the sum of Fifteen Thousand Dollars (\$15,000.00) from the Community Preservation Fund for Open Space Preservation purposes to the Conservation Fund, to be expended by the Conservation Commission with the approval of the Community Preservation Committee, and Open Space Committee, consistent with the guidelines set forth in the Templeton Community Preservation Plan, for the purpose of the acquisition of land or rights therein, or full or partial interest(s) in land by gift, purchase, charitable donation, eminent domain or otherwise; and to take all other actions relating thereto including, without limitation, engaging counsel, obtaining or preparing plans, surveys, studies, assessments, title reports or other instruments or documents, obtaining appraisals, and conducting test and studies, including environmental and feasibility studies and funding all such fees and costs arising therefrom; provided further, however, that this article shall be moved only if Town Meeting creates a Conservation Fund, or to take any other action relative thereto.

Submitted by the Community Preservation Committee and the Conservation Commission

Article 55. To see if the Town will vote to recodify Article XXI of the Town of Templeton Bylaws, "Zoning" as a separate publication entitled "Templeton Zoning Bylaw" and to create a New Table of Contents, make clerical and grammatical corrections, eliminate redundancies, and reorganize the Zoning Bylaws for purposes of clarity all as set forth in the document titled "Zoning Bylaw Reorganization," on file with the Town Clerk, or to take any other action relative thereto.

Submitted by the Planning Board

Article 56. To see if the citizens of the town of templeton will vote to adopt and amend the zoning bylaw in the town of templeton to allow for senior housing planned community manufactured home park bylaw attached hereto and made a part hereof

SENIOR HOUSING PLANNED COMMUNITY

MANUFACTURED HOME PARKS

In ALL Residential District – RA1, RA2, &RA5

Purpose and Intent

This section of the zoning ordinance is established in order to encourage the development and maintenance of attractive and filling sites for Manufactured Homes, so called; to protect and foster the health, safety, and welfare of the residents of Manufactured Home Developments, and in general, preservation of the environment and appearance of the areas within which such parks are established and maintained. It is the intent of the Town that Manufactured Home Parks serve the needs of elderly and retired population of moderate means, who no longer need or can maintain a larger home. In order to provide a quiet, safe, and convenient environment for the elderly residents of Manufactured Home Parks, the Special Permit Granting Authority shall, as a

condition of a special permit, provide for occupancy of Manufactured Home Parks by persons fifty-five (55) years of age and older and by members of their families. All Manufactured Home Parks granted a Special Permit may be required to be licensed by the Board of Health as provided by M.G.L. Chapter 140, Section 32.

Special Permit Granting Authority

Special Permit Granting Authority shall be solely the responsibility of the Planning Board.

Special Conditions

Except as otherwise provided herein, or in a particular special permit, the design and construction of a Manufactured Home Park shall be in general conformity with the Rules and Regulations of the Templeton Planning Board under the Subdivision Control Law, so far as the SPGA shall deem appropriate and applicable, but dimensional and use regulations of the Zoning Ordinance shall not apply, except as specified herein. However, Waivers may be granted from Rules and Regulations as deemed appropriate.

No home occupations, commercial, or other non-residential uses shall be permitted as either principal or accessory uses in Manufactured Home Parks, except for service or recreation facilities for the residents thereof.

Area

No Manufactured Home Park shall be less than Twenty (20) acres in area, including the roads and the area provided for recreation, service, and other permanent installations.

Utilities

All Manufactured Home Parks shall require public water systems.

Where an existing public sewer or water service is to be utilized, the applicant shall present such evidence as will show that such utilization is acceptable to the applicable Departments for the Town of Templeton.

When a sewage system is proposed, the applicant shall present such evidence as will show that his waste treatment system is approved by the appropriate Department of the Town.

Density of Use

There shall be no more than Eight (8) Manufactured home units with accessories per acre, however, no more than 30% of the gross land mass shall be developed for a Manufactured Home Park. Said 70% land mass shall be designated as open space and reserved for recreational purposes

Manufactured homes shall not be located closer than ten (10) feet to the nearest Manufactured home or park street.

Each Manufactured home shall be located with at least a forty (40) foot set back from any park property boundary abutting a public street or highway.

Parking

At least two off street parking space shall be provided for each Manufactured home.

Each Manufactured home within a Manufactured Home Park shall have direct access to a park street; no Manufactured home shall be located more than thirty (30) feet from the park street to which it has a direct access.

Street and Services

The street system shall conform to construction standards set forth in the rules and regulations relative to the construction and paving of streets in subdivisions in the Town of Templeton, and shall have direct connection to a public street or highway sufficient to satisfy the safety requirements for the Highway Department, the Chief of the Fire Department and the rules and regulations of the Planning Board. The maintenance of these streets shall be the responsibility of the Manufactured Home Park owner.

There shall be provided central facilities for recreation, open space and services which shall be available to all Manufactured Home Park residents.

Buffer Zones and Open Space

The developer shall provide for a buffer zone of at least forty (40) feet between the Manufactured Home Park and any adjacent property and shall establish at least a forty (40) foot buffer zone where such a Manufactured home park shall be adjacent to main highways, roads, and provide appropriate vegetation in the buffer zone between the Manufactured Home Park and that passageway.

Units for Sale

Manufactured homes shall not be stored or displayed on park premises except when mounted on a pad on a lot. New Manufactured homes displayed for sale by the park owner or operator must be sold for use within that new park.

Used Manufactured homes offered for sale by individual Manufactured home owners must be displayed on a pad on a lot within that park, but may be sold either for use within that park to an individual, the park owner or operator, or for use outside that park. The park owner or operator may also display those units on a pad on a lot for resale within that park premises. Nothing in this section shall be construed as permitting the storage of unoccupied units in any park, for sale in the ordinary course of business, or as inventory, or the sale of such units except in those districts, as determined by the Zoning Ordinance,

wherein such commercial activity is permissible with or without permits from the proper authority. **Submitted and written by Citizen Petition**

Article 57. To see if the Town will vote to amend the Stormwater Bylaw, Article XLIX Governing Illicit Connections and Discharges to the Storm Drain System, as follows:

(i) Amend Section 8, Exemptions, first paragraph, to read as follows (new text is shown in **bold**):

The following non-stormwater discharges or flows are exempt from the prohibition of nonstormwaters provided that the source is not a significant contributor of a pollutant to the municipal storm drain system and that any discharges to the public storm drain shall conform to the standards set forth in the DEP administered regulations: **314 CMR 9.00 (401 Water Quality Certification), 314 CMR 3.00 (Surface Water Discharge Permit Program), 314 CMR 4.00 (Surface Water Quality Standards, and 314 CMR 5.00 (Groundwater Discharge Permit Program, as currently in effect.**

(ii) Insert the following under the second paragraph, subsection (3), "Uncontaminated groundwater discharge from a sump pump":

- a. The connection of the building sump pump to the public storm drain shall conform to the requirements of the building and plumbing code and/or other applicable rules and regulations of the Town. The portion of a private drain connection that is located within the applicant's own property is privately owned, while the portion that is constructed within the public way becomes the property of the Town, with all costs of construction, connection, and repair borne by the applicant. A dual backflow preventer or other device that makes it possible for the Town to shut off the flows from the private drain connection into the storm drain if conditions of the permit are violated will be made a part of the drain system.
- b. The applicant for the building drain permit shall notify the Board of Selectmen when the drain is ready for inspection and connection to the public storm drain. No connection shall be put to use and no backfilling is allowed until all appropriate inspections are made by the Board's representative inspector(s).
or to take any other action relative thereto.

Submitted by the Stormwater Committee

Article 58. To see if the Town will vote to accept 95% grant funding in the amount of Forty-Three Thousand, Five Hundred Ten Dollars (\$43,510.00) received by the Templeton Fire Department under the Federal Assistance to Firefighter Grant Program for firefighting equipment, or to take any other action relative thereto.

Submitted by the Fire Chief

Article 59. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the total sum of Forty-Nine Thousand, Nine Hundred Ten Dollars (\$49,910.00) to fund the lease agreements for the following capital items for fiscal year 2011, or to take any other action relative thereto:

One (1) Backhoe Loader for the Cemetery Department:
5th year lease payment of a five (5)-year lease @ \$12,410.00.

Submitted by the Cemetery Department

One (1) Ambulance for the Fire Department
4th year lease payment of a four (4)-year lease @ \$37,500.00.

Submitted by the Fire Department

Article 60. To see if the Town will vote to lease/purchase a one-ton dump truck with plow for the Cemetery Department and to authorize the Board of Selectmen to enter into an agreement for a period of time up to or in excess of three years for such lease/purchase and further, to vote transfer the sum of Eleven Thousand, One Hundred Three Dollars and Sixty-Eight Cents (\$11,103.68) from the Capital Stabilization Fund for the first year's lease payment. The following years' payments are planned to be requested through Town appropriation, or to take any other action relative thereto.

Submitted by the Cemetery Department and the Capital Planning Committee

Article 61. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) for drainage and reconstruction of various town roads and sidewalks provided, however, the appropriation authorized hereunder shall be expressly contingent upon the approval by the voters of a Capital Expenditure Exclusion ballot question pursuant to a Proposition 2 ½, so called, or to take any other action relative thereto.

Submitted by the Highway Superintendent and the Capital Planning Committee

Article 62. To see if the Town will vote to raise and appropriate, borrow, or otherwise provide the sum of Three Hundred Ninety-Eight Thousand, Five Hundred Dollars (\$398,500.00) to purchase and equip a new pumper/engine truck for the Fire Department to replace a 1981 Ford pumper truck and all costs incidental or related thereto, and to authorize the Board of Selectmen to apply for, accept and expend any grants or loans in connection therewith and to take all actions necessary or convenient to effectuate this vote, provided, however, the appropriation authorized hereunder shall be expressly contingent upon the approval by the voters of a Debt Exclusion ballot question pursuant to Proposition 2 ½, so called, or to take any other action relative thereto.

Submitted by the Fire Chief and the Capital Planning Committee

Article 63. To see if the Town will vote to transfer from the Capital Stabilization Fund the sum of Thirty-One Thousand, Six Hundred Fifty-Three Dollars (\$31,653.00) to purchase and equip a new police cruiser to include an extended 100,000 mile warranty, or to take any other action relative thereto.

Submitted by the Police Chief and the Capital Planning Committee

Article 64. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money for the purchase and renovation of a building located a 252 Baldwinville Road, Baldwinville, to include architectural services and all costs incidental or related thereto; and to meet such appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44, section 7, or any other enabling authority, and to authorize the Board of Selectmen to apply for, accept and expend any grants or loans in connection therewith and to take all actions necessary or convenient to effectuate this project, or to take any other action relative thereto.

Submitted by the Municipal Building Committee and the Board of Selectmen

Article 65. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money for the purpose of constructing and equipping a senior center on a three-acre parcel of land located on the southerly side of Bridge Street, and the roadway leading to said parcel, which parcel and roadway are to be donated to the Town by The Hospital Cottages for Children and accepted by the Selectmen under the authority granted by Article 11 of the December 1, 2008 Town Meeting and under Article 12 of the May 12, 2009 Special Town Meeting, including all costs incidental or related thereto, and to meet such appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44, section 7, or any other enabling authority, and to authorize the Board of Selectmen to apply for, accept and expend any grants or loans in connection therewith and to take all actions necessary or convenient to effectuate this project; provided, however, that the borrowing authorized hereunder shall be expressly contingent upon approval by the voters of a Proposition 2 1/2 , so-called, debt exclusion question; or take any other action relative thereto.

Submitted by Senior Center Oversight Committee

Article 66. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money for the purpose of constructing and equipping a senior center on a three-acre parcel of land located on the southerly side of Bridge Street, and the roadway leading to said parcel, which parcel and roadway were donated to the Town by The Hospital Cottages for Children and accepted by the Selectmen under the authority granted by Article 11 of the December 1, 2008 Town Meeting and under Article 12 of the May 12, 2009 Special Town Meeting, including all costs incidental and related thereto and to meet such appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44, section 7, or any other enabling authority, and to authorize the Board of Selectmen to apply for any grants or loans in connection therewith and to take all actions necessary to effectuate this project; provided, however, that the borrowing authorized hereunder shall be

expressly contingent upon approval by the voters of a Proposition 2 1/2 , so-called, debt exclusion question; or take any other action relative thereto.

The required sum of money is 1,500,000 to be raised through a five year debt exclusion

Submitted by Doug Morrison

Submitted and written by Citizen Petition

Article 67. To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, **eminent domain** or otherwise a portion of the parcel of land owned by Baldwinville Nursing Home described at numerous Special and annual town meetings for the purpose of building a Senior Center, which portion is approximately bounded and described as follows:

EXACT WORDING WILL BR BROUGHT TO TOWN MEETING.

or to take any other action relative thereto

Submitted and written by Citizen Petition

Article 68. To see if the Town will vote to authorize the Board of Selectmen, in order to secure a clean title, to take by eminent domain the three-acre parcel of land located on the southerly side of Bridge Street, and the roadway leading to said parcel, which parcel and roadway were donated to the Town by The Hospital Cottages for Children for senior center purposes. Said land and roadway were accepted by the Selectmen under the authority granted by Article 11 of the December 1, 2008 Town Meeting and under Article 12 of the May 12, 2009 Special Town Meeting.

Submitted and written by Citizen Petition

Article 69. To see if the Town will vote to transfer from the Stabilization Fund the the sum of Fifty Thousand Dollars (\$50,000.00) to the Capital Stabilization Fund, or to take any other action relative thereto.

Submitted by the Capital Planning Committee

Article 70. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money for the Stabilization Fund, or to take any other action relative thereto.

Submitted by Board of Selectmen

Article 71. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Twenty Thousand Dollars (\$20,000.00) for the Reserve Fund, or to take any other action relative thereto.

Article 72. To see if the Town will vote transfer from the Reserve for Appropriation Insurance Reimbursements account the sum of Two Hundred Thirty-Three Thousand, Five Hundred Thirty-Eight Dollars (\$233,538.00) to be used by the Board of Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 2011, or to take any other action relative thereto.


Article 73. To see if the Town will vote to appropriate from available funds in the treasury, a sum of money to be used by the Board of Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 2011, or to take any other action relative thereto.

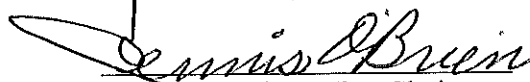
And you are hereby directed to serve this warrant by posting attested copies thereof in each precinct; namely, at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville, and at Cote's Market in Otter River, and at the Town Office Buildings at 4 Elm Street in Baldwinville and at 690 Patriots Road in Templeton and by delivering a copy to each of the Precinct Clerks seven (7) 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 21th day of April in the Year AD 2010.

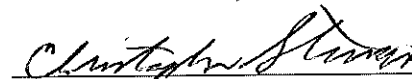
BOARD OF SELECTMEN


Gerald Skelton, Chairman

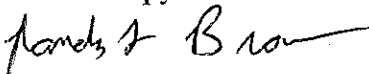

Dennis O'Brien, Vice Chairman


Julie Farrell, Clerk


Robert Columbus, Member


Christopher Stewart, Member

A True Copy: ATTEST



Randy L. Brown
Constable of Templeton