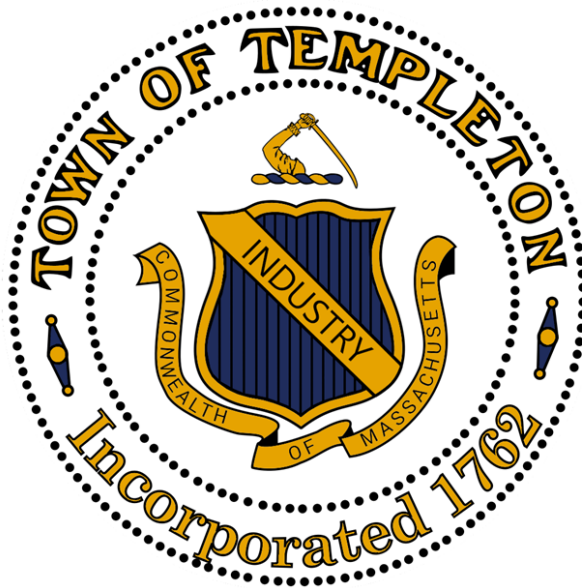


TOWN OF TEMPLETON

FALL TOWN MEETING REPORT

VOTER INFORMATION

November 20, 2019 @ 6:00 PM



**Narragansett Regional Middle School
460 Baldwinville Road, Baldwinville**

<http://www.templetonma.gov>

**TOWN OF TEMPLETON, MA
FALL TOWN MEETING
VOTER INFORMATION**

Templeton has an Open Town Meeting/SelectBoard form of government. While there are many things the SelectBoard can do on a day-to-day basis, there are many things it cannot do. The SelectBoard cannot adopt By-Laws, accept state laws, appropriate money or transfer it between accounts, or buy or sell land and the like. These powers are held by the legislative body.

In our Town the legislative body is the Open Town Meeting; a form of government in which any registered voter can appear, ask questions, speak on matters under consideration, make motions and amendments, and cast their vote as they deem in the best interests of the Town.

Over the past year, the Moderator held a public information meeting, conducted a voter survey, and undertook other consultations as to how we might improve attendance at Town Meeting. While participation was limited at roughly 75 persons in total, this Fall Town Meeting will be giving a trial run to some of those suggestions. For instance, the meeting will start at 6:00 p.m. Also, the SelectBoard will move to approve the articles as published because 39% of survey participants supported waiving the reading of every article and 31% of survey participants supported waiving the reading of lengthy articles in an effort to shorten the amount of time required for the meeting.

This Voter Information Guide provides you with the original warrant articles, the anticipated motions to be made in support of the warrant articles, and a summary of the purpose of the articles and the consequences of the vote. Here is the format:

**Article # and Title
Article Sponsor
Vote Required**

Anticipated Motion: A motion to approve the article as published noting any words to be excepted or amended.

Summary: Why is the article being proposed and what are the consequences.

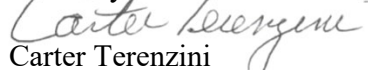
Advisory Committee Recommendation & Additional Comments (if any)

Original Warrant Article: The text of the article as provided in the warrant.

Please feel free to contact me at any time here at Town Hall, by phone at 1.603.498.0958, or by email at caterenzini@templetonma.gov, if you have questions before the meeting.

I look forward to seeing you at the Meeting.

Sincerely Yours



Carter Terenzini

Town Administrator

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Moderator's Rules

On a general note, there are often materials on a display table near the check-in tables for people to use at Town Meeting or that provide general information to Town residents. These materials have been pre-approved by the Moderator prior to placement to ensure they are appropriate to be distributed at this forum. If you would like to make such materials available to Town Meeting members, please submit them to me for approval at least 48 hours before the start of Town Meeting. Only those materials approved by the Moderator will be on the display table. Any unapproved materials will be removed. You should submit any materials you wish to have pre-approved to the Moderator at pawws626@aol.com at least 48 hours before the meeting. I will respond as quickly as possible.

Town Meeting is run by a Town Moderator who is elected by the voters for a one-year term. Our By-Laws require that the most current issue of TOWN MEETING TIME is the general guideline for all procedures of town meetings, except those procedures already provided for by the By-Laws. Subject to change, the Moderator has some additional guidelines including:

- 1.) Call the meeting to order and go over some housekeeping issues such as the location of free exits and asking you to silence cell phones and electronic devices;
- 2.) Recite the Pledge of Allegiance;
- 3.) Read the Constable's return of the Warrant to show that it was properly served and posted;
- 4.) Introduce Special Guests and the like;
- 5.) As each Article is called, a Motion will be read and seconded (generally by the Board of Selectmen unless it is a citizen petition) and shown on a screen behind me unless there is no ability for the room to readily accommodate such a screen;
- 6.) I will then ask for the Recommendation of the Advisory Committee (just the vote).
- 7.) Return to the Motion maker for any explanation.
- 8.) Open the floor for discussion (including first recognizing the Advisory Committee for any particular reasons behind their recommendation).
- 9.) Anyone wishing to speak on any issue must first proceed to a microphone and be recognized by the Moderator. The Moderator will not entertain speaking out of turn and you must use a microphone unless otherwise permitted. You will be asked to state your name and address every time you are given permission to speak. You may also be asked if you are speaking as a resident or on behalf of a board or committee. Any amendments to the main motion must be submitted to me in writing. Anyone unruly or disorderly will be given a warning and advised that they are out of order. If the situation continues, they will be escorted out of the meeting and placed in a convenient place until the meeting is adjourned.
- 10.) If the Moderator is not certain of a voice vote or if a vote declared by the Moderator is immediately questioned by seven (7) or more people standing and or recognized by the Moderator will proceed to a hand count.

Otherwise general parliamentary procedure and common courtesy rule the meeting.

Derek Hall,
Town Moderator

Common Terms of Finance

As you read the warrant articles there will be some terms that are unique to public finance or particular to Massachusetts. Below are some definitions of those terms to help you better understand what the request might be for and how it is to be funded.

Fiscal Year: Most government entities follow a budget year of their choosing, or that is specified by the state, that is different than the January 1 to December 31 calendar year. Templeton follows a Fiscal Year (FY) of July 1 of a year to June 30 of the following year. We always refer to the Fiscal Year as of the year in which it ends (June 30, 2018 is FY '18).

Free Cash: Most budgets assume you collect every dollar - and spend every dollar - you think you will. That never really happens. There are often variations. Free Cash is defined as the remaining, unrestricted funds from operations of the previous fiscal year (i.e. after any liabilities or potential variances you cannot account for) including unexpended free cash from the prior year. In simplest terms, it is actual receipts in excess of revenue estimates and unspent amounts in the appropriation line items. Free cash is not available for appropriation until certified by the Department of Revenue (DOR) Director of Accounts.

Generally Accepted Accounting Principles (GAAP): This is a collection of accounting standards and common practices that have developed over many years to summarize an organization's accounting records and disclose supporting information such that anyone reading the financial statements of multiple companies has a reasonable basis for comparison.

Governmental Accounting Standards Board (GASB): This independent, private-sector organization establishes accounting and financial reporting standards for state and local governments that follow GAAP. We are not required to follow their rules, but we cannot get a "clean" audit without having done so. Such audits are important to how the bonding agencies view us.

Government Finance Officers Association (GFOA): An association of public finance officials throughout the United States and Canada with more than 20,000 members planning, financing, and implementing thousands of governmental operations in each of their jurisdictions.

Other Post-Employment Benefits (OPEB): We promise the people we hire (under certain conditions) that we will give them other benefits (health, dental, and life insurance) beyond just their pensions when they retire. We are required to calculate how much money it would take to pay for those other benefits and to develop a plan to set that money aside to cover this promise.

Overlay: This is an account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve is not established by the normal appropriation process, but raised on the tax rate recapitulation sheet (Recap). If more monies are built up in this account than are needed, the Assessors declare it "surplus" and it becomes available for appropriation.

Recap: This is the set of forms issued by the DOR for us to use in seeking their approval of the annual tax rate. It is shorthand for their Tax Recapitulation Sheet.

Retained Earnings: This is the phrase used for free cash of an enterprise fund such as the Sewer fund.

Stabilization Fund: The state allows the Town to set up funds in which it can set aside monies in anticipation of paying for allowable, generally unforeseen (i.e. think “rainy day” funds) or high cost items expenditures. Generally speaking, it takes a majority vote to put money into these funds and a 2/3 vote to withdraw money from them. The Town has two such funds.

Capital Expense (CAPEX): This covers replacement or major repair of our equipment or facilities such as Town Hall and the like.

Operating (OPEX): This provides monies to get through major economic downturns without having to devastate services, high cost unforeseen assessments the state or others might require of us, and the like.

**TOWN OF TEMPLETON
WARRANT FOR FALL TOWN MEETING
November 20, 2019**

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:

Wednesday, November 20, 2019, at 6:00 p.m.

Then and there to act on the following articles:

<p>ARTICLE 1 Payment of Late Bills Submitted by the Board of Selectmen 9/10ths Vote Required</p>
--

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: All bills for a fiscal year must be processed by July 15th following the end of a fiscal year (i.e. July 15, 2019 for the year ending June 30, 2019) or the Department must encumber funds to be held over to pay a bill once it is received. Despite our best efforts, we inevitably end up with a vendor who fails to submit their bills in a manner timely enough for proper processing. Payment of any bills received outside of those protocols must be approved by a Town Meeting. The vote required at an Annual Town Meeting is 4/5ths. Otherwise a 9/10ths vote is required.

Advisory Committee recommends in favor of this article by a 6-0 vote

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to authorize the payment of late bills from prior fiscal years from the FY ‘20 budgets of the following departments in the following amounts:

Highway Department	\$240.00
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Or take any other action related thereto.

ARTICLE 2
MART Dial A Ride Promotion
Submitted by the Board of Selectmen
Majority Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: State law requires so-called “ride-share” services to assess a 10¢ fee on every pick up to be distributed to the Town in which the pick-up occurred. We may then use the monies to support non-traditional transportation efforts (think bicycle paths, car-pooling, MART and the like). In this case we will print brochures helping to promote our MART Dial A Ride service run out of the Senior Center.

Advisory Committee recommends in favor of this article by a 6-0 vote.

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to appropriate the sum of Thirty Seven Dollars and Ten Cents (\$37.10) to an account entitled MART Dial A Ride and to meet said appropriation by a transfer from the revenues received from the Transportation Network Community Fee Assessment.

Or take any other action related thereto.

ARTICLE 3
Fiscal 2020 General Fund Operating Budget Supplements
Submitted by the Board of Selectmen
Majority Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto” and further by striking the column entitled “Notes”.

Summary: We have had notable expenses occur early on in the FY '20 that we did not anticipate. The Town Clerk had to support the several school district meetings and publish a lengthy legal opinion of the Attorney General related to the Town Meeting adoption of amendments to the zoning By-Laws. The Fire/EMS Department had an ambulance involved in a motor vehicle accident which was not fully insured.

Advisory Committee recommends in favor of this article by a 6-0 vote.

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to appropriate the sum of Five Thousand Dollars and No Cents (\$5,000.00) for supplemental appropriations to the Fiscal Year 2020 Operating Budget as follows:

Department	Amount	Notes
Town Clerk	\$3,250	1
Fire & EMS	\$1,750	2

And to meet said appropriation by a transfer of said sum from certified free cash.

Or take any other action related thereto.

Submitted by the Board of Selectmen Majority Vote Required

¹ To backfill expenses incurred in supporting the school district meetings and the unexpected publishing of the Attorney General's opinion on certain by-law changes.

² To backfill uninsured expenses in repairing ambulance #2 damaged in a motor vehicle accident.

<p style="text-align: center;">ARTICLE 4 Technical Amendments to By-Laws Re: Open Alcohol Container Submitted by the Board of Selectmen Majority Vote Required</p>
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Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase "To see if the Town will vote to..." and the phrase "Or take any other action related thereto."

Summary: We are required to submit all By-Law adoptions and amendments to the Office of the Attorney General for review and approval. This technical amendment will address one of three sections it objected to with its concern all centered on the same issue. When using non-criminal disposition to deal with violations of its By-Laws, the Town must set specific amounts for the fines. The Town's language had set this fine at "not more than \$300". This will establish a fixed fine of \$300 for violation of this By-Law.

Advisory Committee recommends in favor of this article by a vote of 5-1.

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to amend §107-2 of the General By-Laws by making certain additions (in bold italic) or deletions (in strikethrough) to the existing By-Law, to read as follows:

§107-2. Possession of open containers in vehicles prohibited; enforcement; violations and penalties.
[Added 5-15-2019 ATM by Art. 9]

- A. No person shall, upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees, possess an open container of alcohol in the passenger area of any motor vehicle.
- B. A person who violates this section shall be punished by a civil penalty of ~~not more than~~ \$300.
- C. For purposes of this section, “open container” shall mean that the package containing alcohol has its seal broken or from which the contents have been partially consumed and “passenger area” shall mean the area designated to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or passenger while in a seated position; provided, however, that the passenger area shall not include a motor vehicle’s trunk, locked glove compartment or the living quarters of a house coach or house trailer, or if a motor vehicle is not equipped with a trunk, the area behind the last upright seat or an area not normally occupied by the driver or passenger.

Or take any other action related thereto.

ARTICLE 5
Technical Amendments to By-Laws Re: Marijuana Open Container
Submitted by the Board of Selectmen
Majority Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: We are required to submit all By-Law adoptions and amendments to the Office of the Attorney General for review and approval. This technical amendment will address one of three sections it objected to with its concerns all centered on the same issue. When using non-criminal disposition to deal with violations of its By-Laws, the Town must set specific amounts for the fines. The Town’s language had set this fine at “not more than \$300”. This will establish a fixed fine of \$300 for violation of this By-Law.

Advisory Committee recommends in favor of this article by a vote of 4-2

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to amend §190-6 of the General By-Laws by making certain additions (in bold italic) or deletions (in strikethrough) to the existing By-Law, to read as follows:

§190-6. Possession of marijuana in motor vehicles.
[Added 5-15-2019 ATM by Art. 10]

- A. No person shall, upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees,

possess an open container of marijuana or marijuana products in the passenger area of any motor vehicle.

- B. A person who violates this section shall be punished by a civil penalty of ~~not more than~~ \$300.
- C. For purposes of this section, “open container” shall mean that the package containing marijuana or marijuana products has its seal broken or from which the contents have been partially removed or consumed, and “passenger area” shall mean the area designated to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or passenger while in a seated position; provided, however, that the passenger area shall not include a motor vehicle’s trunk, locked glove compartment or the living quarters of a house coach or house trailer, or if a motor vehicle is not equipped with a trunk, the area behind the last upright seat or an area not normally occupied by the driver or passenger.

Or take any other action related thereto.

<p style="text-align: center;">ARTICLE 6 Technical Amendments to By-Laws Re: Non-Criminal Disposition of Violations Submitted by the Board of Selectmen Majority Vote Required</p>
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Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: We are required to submit all By-Law adoptions and amendments to the Office of the Attorney General for review and approval. This technical amendment will address one of three sections it objected to with its concerns all centered on the same issue. When using non-criminal disposition to deal with violations of its By-Laws, the Town must set specific amounts for the fines. The Town’s language had set this fine at “not more than \$300”. This will carry forth any fines established in the By-Law itself, if one were set in the individual section(s) into the omnibus listing of the several fines established.

Advisory Committee recommends in favor of this article by a vote of 5-1.

Advisory Committee Comment: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to amend §1-7 of the General By-Laws by making certain additions (in bold italic) and deletions (in strikethrough) to the existing By-Law, to read as follows:

§1-7. Schedule of civil assessments.

A. Board of Health

- d. Wells (Chapter 272).
Fine Allowed: \$100 for each offense. Every day past 30
days of notice of violation shall be a separate violation.
Enforcing Agent: Board of Health or designee.*

G. Police Department

- 13. ~~(Reserved)~~ Open Container of Alcohol (§107-2).
Fine Allowed: \$300 for each offense.
Enforcing Agent: Police Department or designee.*
- 14. ~~(Reserved)~~ Open Container of Marijuana (§190-6).
Fine Allowed: \$300 for each offense.
Enforcing Agent: Police Department or designee.*

Or take any other action related thereto.

ARTICLE 7
Amendments to By-Laws Re: Presentation of the Budget
Submitted by the Board of Selectmen
Majority Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: The By-Laws establish that the budget is to be prepared by the Town Administrator “in conjunction with the Board of Selectmen”. Notwithstanding a legal opinion that it is the responsibility of these two parties to submit the annual budget at Town Meeting, some parties continue to assert that it is the responsibility of the Advisory Committee to do so. This amendment is intended to resolve that question.

Advisory Committee recommends in favor of this article by a vote of 5-1.

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to amend §28-7 of its General By-Laws by making certain additions (in bold italic) and deletions (in strikethrough) to the existing By-Law, to read as follows:

§ 28-7. Preparation by Administrator and Board.
[Amended 5-19-2014]

It shall be duty of the Town Administrator, in conjunction with the Board of Selectmen (Board), to consider expenditures and develop a budget for the ensuing fiscal year of the several boards, officers and committees of the Town, as prepared by them in such form and detail as prescribed by the Town Administrator, *and further to present and defend the same throughout the review process and to the Town Meeting for action.*

ARTICLE 8
Amending By-Laws Re: Overlay District for Cannabis
Submitted by the Planning Board
Two-Thirds Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: The Town has received active interest from cultivators to locate their facilities right here in Town; however, the current zoning By-Law needs to be updated as it is extremely restrictive to a few parcels allowing for cannabis cultivation. This update would let the Town bring in economic development through the cannabis industry. The proposed By-Law amendment would establish special zoning allowing cannabis cultivation by special permit to the added uses in the designated zones which include Overlay District A and B. Overlay District A includes Use District Highway-Business and Overlay District B includes certain parcels on School Street and the old Baldwinville Elementary School. Finally, these zoning amendments come with a unanimous favorable recommendation from the Templeton Planning Board.

Advisory Committee recommends in favor of this article by a vote of 6-0.

Advisory Committee Comments: N/A.

Original Warrant Article in its Entirety

See Exhibit A & B Maps on Pages 26 & 27 Re: Location of Districts

To see if the Town will vote to amend its Zoning By-Laws as follows:

1. By inserting in Article II, Definitions, Section 300-7, the following in appropriate alphabetical order:

CANNABIS – See MARIJUANA.

COMMISSION—Means the Cannabis Control Commission

CRAFT MARIJUANA COOPERATIVE – Means a Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited

liability partnership, or cooperative corporation under the laws of the Commonwealth, and which is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers.

MARIJUANA – Means marijuana as defined in MGL c.94G, §1, and 935 CMR 500 et seq.

MARIJUANA CULTIVATOR – Means an entity licensed to cultivate, process and package marijuana, to transfer marijuana to Marijuana Establishments, but not to consumers.

MARIJUANA ESTABLISHMENT – Means a Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Marijuana Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a Medical Marijuana Treatment Center.

MARIJUANA ESTABLISHMENT AGENT – Means a board member, director, employee, executive, manager, or volunteer of a Marijuana Establishment, who is 21 years of age or older. Employee includes a consultant or contractor who provides on-site services to a Marijuana Establishment related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.

MARIJUANA FOR ADULT USE – Means Marijuana and Marijuana products that are not designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as defined in 935 CMR 500 et seq.

MARIJUANA TESTING LABORATORY – Means either an independent testing laboratory or a standard testing laboratory that is licensed by the Cannabis Control Commission to test cannabis or marijuana products in compliance with 935 CMR 500.

MARIJUANA MICRO-BUSINESS — Means a colocated Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, in compliance with the Cannabis Control Commission’s operating procedures for each license; provided, however, that a Micro-Business that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments.

MARIJUANA PRODUCT MANUFACTURER — Means an entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers.

MARIJUANA RESEARCH FACILITY – Means an entity licensed to engage in research projects by the Commission.

MARIJUANA RETAILER – Means an entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers.

MARIJUANA TRANSPORTER – Means an entity that is licensed to purchase, obtain, and possess cannabis or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not to consumers. Marijuana Transporters may be an Existing Licensee Transporter or Third Party Transporter.

MEDICAL MARIJUANA TREATMENT CENTER – Means a Medical marijuana treatment center as defined in MGL c.94I and 935 CMR 501.000.

MEDICAL USE OF MARIJUANA – Means the acquisition, cultivation, possession, processing, including development of related products such as food, tinctures, aerosols, oils or ointments, transfer, transportation, sale, distribution, dispensing or administration of marijuana for the benefit of registered qualifying patients in the treatment of debilitating medical conditions or the symptoms thereof.

2. By inserting in Article III “Use Districts” Section 300-8(A) the following use allowed by right:

(8) Marijuana Establishment and Medical Marijuana Treatment Center.

3. By inserting in Article III “Use Districts” Section 300-9(A) the following use allowed by right:

(8) Marijuana Establishment and Medical Marijuana Treatment Center.

4. By inserting the following Sections in Article IV “Overlay Districts”:

§300-17.A. Marijuana Overlay Districts

§300-17.A.1. Purposes

- A. To provide for Marijuana Establishments and Medical Marijuana Treatment Centers in suitable locations and under strict conditions.
- B. To regulate the siting, design, placement, operation, safety, monitoring, modification and removal of any Marijuana Establishment and Medical Marijuana Treatment Center that may be located within the Overlay Districts.
- C. To minimize the adverse impacts of any Marijuana Establishment and Medical Marijuana Treatment Center on the Town, nearby properties, residential neighborhoods, schools and other places where minors congregate, local historic districts, and other land uses incompatible with said establishments.

§300-17.A.2. Applicability.

- A. The commercial cultivation, production, processing, manufacturing, packaging, testing, retail or wholesale trade, distribution, transporting, dispensing, researching and studying of Marijuana for Adult Use is prohibited in the Overlay Districts unless permitted as a Marijuana Establishment under this Article IV, Section 300-17.A et seq.

- B. The Medical Use of Marijuana is prohibited unless permitted as a Medical Marijuana Treatment Center under this Article IV, Section 300-17.A et seq.
- C. Nothing in this Article IV, Section 300-17.A et seq. shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs; nor shall any special permit issued pursuant to this Article IV, Section 300-17.A et seq. supersede federal, state or local laws.
- D. Where not expressly defined in Section 300-7, all terms used herein shall be as defined in MGL c. 94G and 935 CMR 500 et seq., M.G.L.c.94I and 935 CMR 501 et seq., or 935 CMR 502 et seq.

§300-17.A.3. Siting.

- A. The Marijuana Use Overlay District-A (which includes Use District Highway-Business) and the Marijuana Use Overlay District-B (which includes certain parcels on School Street) are hereby established as overlay districts as shown on the maps entitled “Adult Use Marijuana Establishment Overlay District-A” dated August 26, 2019, and “Adult Use Marijuana Establishment Overlay District-B” dated August 26, 2019, respectively, both on file with the Town Clerk and hereby made a part of this chapter. Marijuana Establishments and Medical Marijuana Treatment Centers that are sited within these Overlay Districts are subject to all of the provisions of this Article IV, Section 300-17.A et seq.
- B. The following classes of Marijuana Establishments and Medical Marijuana Treatment Centers, if sited within the Marijuana Use Overlay District-A, will be subject to all of the provisions of this Article:
 - (1) Marijuana Retailer;
 - (2) Marijuana Cultivator;
 - (3) Craft Marijuana Cooperative;
 - (4) Marijuana Product Manufacturer;
 - (5) Marijuana Research Facility;
 - (6) Marijuana Testing Laboratory;
 - (7) Marijuana Transporter;
 - (8) Marijuana Micro-business; and
 - (9) Medical Marijuana Treatment Centers engaged in cultivating, processing, manufacturing and/or dispensing.
- C. The following classes of Marijuana Establishments, if sited within the Marijuana Use Overlay District-B, will be subject to all of the provisions of this Article:
 - (1) Marijuana Cultivator;
 - (2) Craft Marijuana Cooperative;
 - (3) Marijuana Product Manufacturer;
 - (4) Medical Marijuana Treatment Centers engaged in cultivating, processing and/or manufacturing of Medical Use Marijuana only.

§300-17.A.5. Administration and Procedure.

- A. Marijuana Establishments and Medical Marijuana Treatment Centers (hereinafter collectively referred to as “Marijuana Uses”) may be allowed in locations set forth in this Article IV, Section 300-17.A et seq. by special permit from the Planning Board (the “SPGA”) in accordance with M.G.L. c.40A, §9, only subject to the procedures, regulations, requirements, conditions and limitations set forth herein.
- B. Marijuana Uses may be co-located at the same site, subject to compliance with all applicable requirements in M.G.L. c.94G and 935 CMR 500 et seq., M.G.L. c.94I and 935 CMR 501 et seq. and 935 CMR 502 et seq.
- C. Applicants for a special permit pursuant to this Article IV, Section 300-17.A et seq. are required to meet with the SPGA at a public meeting to discuss the proposed application and to discuss in general terms of the proposed Marijuana Use prior to the formal submission of an application.
- D. In addition to the standard Special Permit Application form, an applicant for a special permit under this Article shall also submit the following:
 - (1) A copy of the final, executed Host Community Agreement (“HCA”) between the applicant and the Town of Templeton.
 - (2) A written description of the status of its application or applications to the Cannabis Control Commission relative to the establishment at issue, or a copy of such license, as applicable.
 - (3) A list of any waivers of regulations that the applicant seeks to obtain from the Cannabis Control Commission, or a copy of any such waivers that the Commission has issued to the applicant, as applicable.
 - (4) Copies of all policies and procedures approved by the Cannabis Control Commission including without limitation the applicant’s operating and safety procedures, or copies of such policies and procedures that the applicant intends to submit to the Commission, as applicable.
 - (5) For applications for a Marijuana Cultivator, a Craft Marijuana Cooperatives, Marijuana Micro-Business, or Medical Marijuana Treatment Center engaged in cultivation, information demonstrating that the applicant has considered the following factors in its design and its operating plan:
 - i. Identification of potential energy use reduction opportunities (such as natural lighting and energy efficiency measures), and a plan for implementation of such opportunities;
 - ii. Consideration of opportunities for renewable energy generation, including, where applicable, submission of building plans showing where energy generators could be placed on the site, and an explanation of why the identified opportunities were not pursued, if applicable;
 - iii. Strategies to reduce electric demand (such as lighting schedules, active load management, and energy storage); and
 - iv. Engagement with energy efficiency programs offered pursuant to M.G.L. c.25, §21.
 - v. Identification of potential water recycling opportunities (such as implementation of water recapture methods including the use of HVAC condensate).

- (6) The quantity and source or sources of all marijuana and marijuana products that will be sold at the proposed Marijuana Establishment and/or Medical Marijuana Treatment Center, as applicable.
- (7) The quantity of marijuana and marijuana products that will be cultivated, processed, manufactured, packaged, transported, tested, or studied at the Marijuana Establishment and/or Medical Marijuana Treatment Center, as applicable.
- (8) Written statement confirming that no marijuana or marijuana products will be smoked, burned, vaped, aerosolized or consumed on the premises as part of the cultivation, manufacturing, testing or researching operations, as applicable, or a statement explaining how any such uses have been authorized by the Commission.
- (9) Names and addresses of each owner of the Marijuana Establishment and/or Medical Marijuana Treatment Center, and where the owner is a business entity, the names and address of each owner of that establishment.
- (10) If applicable, a copy of the Applicant's Articles of Organization, a current Certificate of Legal Existence from the Commonwealth, and the most recent annual report.
- (11) Copies of all licenses and permits issued to the Applicant by the Commonwealth of Massachusetts and any of its agencies.
- (12) Evidence that the applicant has site control and the right to use the proposed site as a Marijuana Establishment and/or Medical Marijuana Treatment Center. Such evidence shall be in the form of a deed, purchase and sale agreement, lease, or other legally binding document.
- (13) In addition to what is otherwise required to be shown on a site plan pursuant to Article VIII, Administration and Procedures, Section 300-32(C), the applicant shall provide details showing all exterior proposed security measures for the premises, including but not limited to lighting, fencing, gates and alarms to ensure the safety of employees and patrons and to protect the premises from theft or other criminal activity. The site plan shall further delineate various areas of the site (indoors and outdoors) such as public access areas, employee only access areas, storage, cultivation, preparation, waste disposal, administrative, transportation, loading and parking areas. Site plans and/or application narrative shall contain sufficient information so that the SPGA can evaluate the design and operational standards contained in this Article IV, Section 300-17.A.5.
- (14) Certification to the SPGA that the applicant has filed copies of the special permit application as required by §300-17.A.5(D).

E. Upon the filing of the special permit application with the SPGA, the Applicant shall simultaneously deliver copies of the full application to the Board of Selectmen, the Building Commissioner, the Board of Health, the Police Department and the Fire Department.

§300-17.A.6. Special Permit Requirements.

- A. No Marijuana Establishment or Medical Marijuana Treatment Center shall be located within 500 feet of a preexisting public or private school providing education in kindergarten or any of grades one through 12. This distance shall be measured in a straight line from the nearest point of the building containing the Marijuana Establishment or the Medical Marijuana Treatment Center to the nearest point of the property line of the lot containing the school.
- B. Any Marijuana Use that seeks to expand or alter its operations so as to come within a new class or sub-class of Marijuana Establishment, as identified 935 CMR 500.050(1)(d), or a Medical

Marijuana Treatment Center seeking to engage in a permissible activity not previously permitted, shall obtain a new special permit prior to undertaking such expansion or alteration.

- C. No smoking, burning, vaping, aerosolization or consumption of any marijuana product shall be permitted at any Marijuana Establishment or Medical Marijuana Treatment Center, except as may be authorized by 935 CMR 500 et seq. or 935 CMR501 et seq.
- D. All shipping and receiving areas shall serve the Marijuana Establishment and/or Medical Marijuana Treatment Center exclusively.
- E. The use shall have adequate water supply, stormwater systems, sewage disposal, and surface and subsurface drainage.
- F. Adequate lighting, including night lighting that provides for monitoring or building and site security, including those measures to prevent diversion of marijuana and marijuana products cultivated outdoors.
- G. The Marijuana Use shall provide and keep up to date contact information as required by the Chief of Police and Building Commissioner such as name, telephone number and electronic mail address of a contact person who must be available 24 hours a day, seven days a week.
- H. No special permit shall be issued unless the applicant has executed a Host Community Agreement with the Town in accordance with M.G.L. c.94G, §3.

§300-17.A.7. Special Permit Approval Criteria.

The SPGA may issue a special permit for a Marijuana Use only if it finds that the project satisfies the requirements of §300-31, this Article IV, Section 300-17.A et seq., and the following additional special permit criteria:

- A. The Marijuana Use is fully permitted by all applicable agencies within the Commonwealth of Massachusetts and is in compliance with all State laws and regulations; provided, however, that issuance of a valid license pursuant to M.G.L. c.94G and/or M.G.L. c.94I, as applicable, may be a condition of the special permit.
- B. The proposed use is designed to minimize any adverse impacts on the on the residents of the Town.
- C. The Marijuana Use adequately addresses issues of vehicular and pedestrian traffic, circulation and parking, especially during peak periods at the facility, and adequately mitigates the impacts of vehicular and pedestrian traffic on neighboring uses.

§300-17.A.8. Special Permit Conditions.

- A. In addition to compliance with M.G.L. c.94G and 935 CMR 500 et seq., M.G.L. 94I and 935 CMR 501 et seq. and 935 CMR 502 et seq., as applicable, the SPGA may impose reasonable conditions to improve site design, traffic flow, public safety, water quality, air quality, protection

of significant environmental resources and the preservation of community character of the surrounding area including, without limitation, the following:

- (1) Minimization of the impacts of increased noise and traffic.
- (2) Imposition of security precautions related to the high value of products and case transactions.
- (3) Deterring the presence of unauthorized or ineligible persons at, or near, the Marijuana Use.
- (4) Imposition of measures to prevent diversion of marijuana and marijuana products.
- (5) Conditions related to the design and construction of the facility to improve safety, security and conformance with community character.
- (6) Conditions, consistent with the State Building Code, relating to energy efficiency and conservation.

B. The SPGA shall include conditions concerning the following in any special permit granted pursuant to this Article:

- (1) Hours of operation, including dispatch for any home delivery.
- (2) Compliance with the Host Community Agreement.
- (3) The submission of a copy of the license from the Cannabis Control Commission with the SPGA and the Building Commissioner prior to the issuance of a building permit, certificate of occupancy, or commencement of use, whichever occurs first.
- (4) The reporting of any incidents to the Building Commissioner as required pursuant to applicable Cannabis Control Commission regulations within 24 hours of their occurrence. Such reports may be redacted as necessary to comply with any applicable state or federal laws or regulations and shall be provided to the Chief of Police and the Board of Selectmen.
- (5) The reporting of any cease and desist order, quarantine order, suspension order, limiting sales order, notice of hearing or final action by the Cannabis Control Commission or the Division of Administrative Law Appeals, as applicable, regarding the Marijuana Use to the Building Commissioner within 48 hours of the applicant's receipt.
- (6) Copies of all reports submitted to any state agency, including, but not limited to, the reports required by applicable Cannabis Control Commission describing the establishment's liability insurance coverage and the annual security system audits shall be submitted to the SPGA within 5 business days of submission to the State. Such reports may be redacted as necessary to comply with any applicable state or federal laws or regulations.
- (7) Documentation to the SPGA that each Marijuana Establishment Agent and/or Medical Marijuana Treatment Center Agent has completed training regarding the proper handling of marijuana prior to performing job functions. Such documentation must be provided to the Board within 5 business days of the completion of such training. Annually, the establishment shall provide documentation to the SPGA and the Board of Selectmen that all Marijuana Establishment Agents and/or Medical Marijuana Treatment Center Agents have received at least eight hours of on-going training.

C. The issuance of a special permit pursuant to this Article shall also be subject to the following:

- (1) The holder of a special permit shall annually file an affidavit with the Building Commissioner demonstrating that it is in good standing with respect to its license from the Cannabis Control Commission and any other applicable State licenses.
- (2) The holder of a special permit shall notify the Building Commissioner and the SPGA in writing within 48 hours of the cessation of operation of the Marijuana Use or the expiration or termination of the permit holder's license from the Cannabis Control Commission.

Or take any other action related thereto.

ARTICLE 9
Capital Budget & Special Articles Re: Sewer Fund
Submitted by the Board of Sewer Commissioners
Majority Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase "To see if the Town will vote to..." and the phrase "Or take any other action related thereto."

Summary: The Sewer Department's truck is more than 10 years old with 170,000+ miles on it. It is not anticipated it can continue as a front-line vehicle until the time it can be replaced at the Annual Town Meeting. This Article is paid for with the Sewer Fund's retained earnings.

Advisory Committee recommends in favor of this article by a vote of 6-0.

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to appropriate the sum of Forty Five Thousand Dollars and No Cents (\$45,000.00) for various capital activities and special articles as generally described below:

Department	Amount
Sewer – Pick-Up Truck	\$45,000

And to meet said appropriation by a transfer of said sum from retained earnings of the Sewer Enterprise Fund.

Or take any other action related thereto.

ARTICLE 10
Capital Budget & Special Articles Re: General Fund
Submitted by the Board of Selectmen
Majority Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: There are three items that we believe need attention as soon as possible.

The Main Street Bridge was narrowed earlier this year from two lanes to a one-way bridge earlier this year as the result of a MA DOT safety inspection. The estimated cost to replace it is \$2.25^{+/-} Million depending upon the funding source and the results of the initial design and survey work. There are limited sources of funding (MA Works, FHWA, and the Town). The monies requested should allow us to get to a 75% level of design and permitting by early Summer of 2020 which may allow us to apply for a grant from the MA Works program.

The Baldwinville Elementary School has been declared surplus by the school district and become our responsibility. We had hoped to dispose of it at this Meeting. Unfortunately, the developer withdrew their interest. We now have to winterize it, carry the insurance on it and maintain it until such time as we can dispose of it.

The Tax Title Account uses nearly \$6k of the \$10k annual budget to advertise and lien delinquent properties. The remaining budget is not sufficient to make substantial progress in foreclosing the right of redemption and offering the properties for sale thus returning them to the tax rolls. The funds we seek will allow us to be more aggressive in trying to and return them to the tax rolls by pursuing upwards of 20 additional properties this fiscal year alone.

Advisory Committee recommends in favor of this article by a vote of 6-0.

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to appropriate the sum of Two Hundred Thirty Thousand Dollars and No Cents (\$230,000.00) for various capital activities and special articles as generally described below:

Department	Amount
DPW – Highway: Main Street Bridge	\$200,000
DPW – B&G: BES Closure/Maintenance	\$15,000
Treas/Coll – Tax Title Work	\$15,000

And to meet said appropriation by a transfer of said sum from certified free cash.
Or take any other action related thereto.

ARTICLE 11
Community Preservation Act Appropriation
Submitted by the Board of Selectmen for the
Community Preservation Committee
Majority Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: The Community Preservation Committee (CPC) seeks an appropriation for a variety of projects as explained in the footnotes for each item. In the case of Stone Bridge, which would no longer be a full vehicular bridge due to cost estimates in the \$750K^{+/-} range, it will give the Town better construction estimates with which to seek grants from others or the CPC for the \$275k^{+/-} option to be further developed. Under the CPC statute, the amounts sought for each item may be decreased but the amounts cannot be increased.

Advisory Committee recommends in favor of this article by a vote of 6-0.

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to appropriate the sum of One Hundred Ninety Thousand Eight Hundred Dollars and No Cents (\$190,800.00) for various activities and special articles as follows:

Item	Agent to Expend	Amount	Purpose	CPA Fund/Source
1.)	Selectmen	\$35,000	Stone Bridge ¹	Open Space & Recreation
2.)	Selectmen	\$50,000	Scout Hall ²	Undesignated Fund
3.)	Narragansett Historical Society	\$43,400	Grange Hall ³	Historic Resources
4.)	North County Land Trust	\$26,500	Dwelly Farm ⁴	Open Space & Recreation
5.)	North County Land Trust	\$35,900	Dwelly Farm ⁵	Open Space & Recreation

¹ Preparation of 75% design plans, permits, & legal work for the re-use of the Stone Bridge on Stone Bridge Road for Open Space and Recreational use.

² Continued rehabilitation of Scout Hall, a town-owned historic building in East Templeton.

³ Continued rehabilitation and preparation of design documents of Grange Hall, a historic building in Templeton contingent upon the demonstration of public benefit by continued free admission to public events held at said Grange Hall for Templeton residents.

⁴ Creation of Open Space at the Dwelly Farm on Barre Road, Templeton by clearing lands for field creation contingent upon the demonstration of public benefit by free admission to public events held at said Dwelly Farm for Templeton residents as well as continued monitoring of the existing conservation restriction on the property.

⁵ Creation of Open Space and Passive Recreation at the Dwelly Farm on Barre Road, Templeton by removal of invasive plants contingent upon the demonstration of public benefit by free admission to public events held at the Dwelly Farm for Templeton residents as well as continued monitoring of the existing conservation restriction on the property.

ARTICLE 12
Contributions to General Fund Stabilization & OPEB Accounts
Submitted by the Board of Selectmen
Majority Vote Required

Anticipated Motion: I move to waive the reading and approve the article as published, excepting the phrase “To see if the Town will vote to...” and the phrase “Or take any other action related thereto.”

Summary: This article will make contributions to the Town’s several reserve funds from our certified free cash in keeping with the Town’s Financial Management Policy. The formula is as follows:

- (a) first deduct an amount anticipated to be needed at the Annual Town Meeting to meet unanticipated operating deficits such as snow and ice;
- (b) then deduct for extraordinary or unplanned needs which have arisen since the annual town meeting with a target of having a remainder of no less than fifty percent of the certified free cash;
- (c) The remainder shall be, subject to rounding factors, used for contributions to reserves and as working capital for the balance of the fiscal year, provided that it shall be available for appropriation for capital needs at the annual town meeting, as follows:

50%	Reserved for Working Capital
35%	Transferred to the General Stabilization Fund
10%	Transferred to the Capital Stabilization Fund
5%	Transferred to the OPEB reserve

This allocation follows that formula.

After the proposed transfers we will have roughly \$705,000 on deposit in the OPEX reserve, \$170,000 in the CAPEX reserve and \$175,000 in the OPEB Reserve. Roughly \$1,030,000 will remain for the FY '20 Snow & Ice deficits, budgetary backfills, and working capital until the Annual Town Meeting as well as the FY '21 capital program, Advisory Committee recommends in favor of this article by a vote of 6-0.

Advisory Committee Comments: N/A

Original Warrant Article in its Entirety

To see if the Town will vote to appropriate the sum of One Hundred Ninety Thousand Dollars and No Cents (\$190,000.00) to make deposits into its Operations (OPEX) and Capital (CAPEX) stabilization accounts and the OPEB reserve account as follows:

OPEX	\$132,500
CAPEX	\$37,500
OPEB	\$20,000

And to meet said appropriation by a transfer of said sum from free cash.

Or take any other action related thereto.

Exhibit A

Showing Overlay B (top) & Overlay A (highlighted in yellow areas)

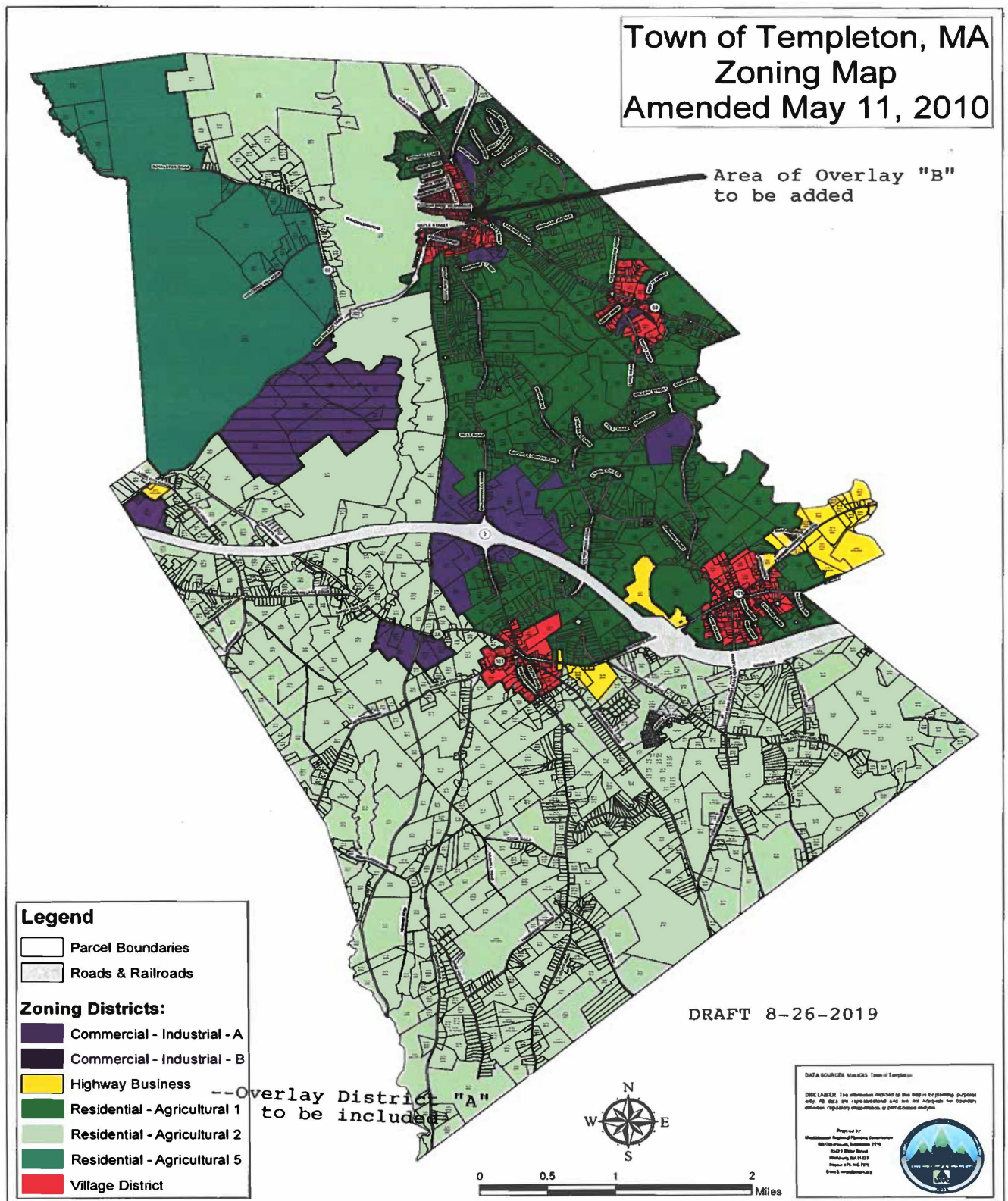
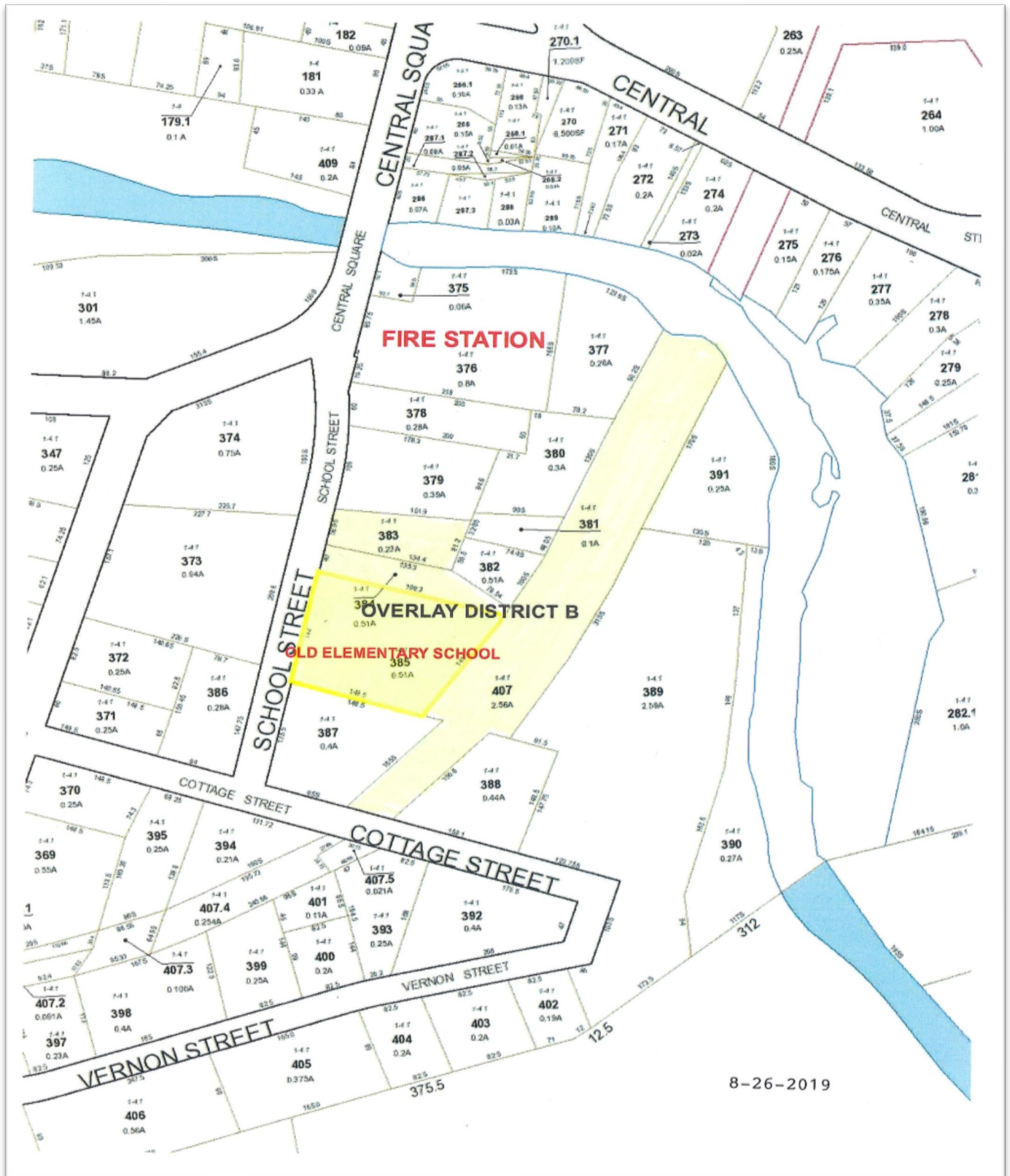


Exhibit B

Showing Overlay B (middle, yellow) Enlarged for better view



NOTES

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