

**TOWN OF TEMPLETON
WARRANT FOR SPECIAL TOWN MEETING
NOVEMBER 15, 2012**

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 Thursday, November 15, 2012 at 7:00 p.m., then and there to act on the following articles:

Article 1 To see if the Town will vote to place the proceeds from the sale of excess property items stored at East Templeton Elementary School and 690 Patriots Road, to be sold or auctioned for fair value, into the Stabilization Fund, with the express purpose for said funds to be used for the maintenance and improvement of the East Templeton Elementary School; or to take any other action relative thereto.

Submitted by the Advisory Board

No Motion was made.

Article 2 To see if the Town will vote to transfer the sum of **\$135,000** from the Sewer Enterprise Reserve account to the sewer commission general expense line item to pay for the costs of additional sludge characterization, the corrective action alternatives analysis, and the project evaluation form for the State revolving fund loan application necessary for the abandonment of the wastewater treatment lagoon; or to take any other action relative thereto.

Submitted by the Board of Sewer Commissioners

On a motion duly made and seconded the town voted that **\$135,000** be hereby transferred from the Sewer Enterprise Reserve account to the sewer commission general expense line item to pay for the costs of additional sludge characterization, the corrective action alternatives analysis, and the project evaluation form for the State revolving fund loan application necessary for the abandonment of the wastewater treatment lagoon.

Passed/Nov. 15th @ 7:18

Article 3 To see if the Town will vote to accept M.G.L. Ch. 40 Sec. 13D entitled: "Reserve fund for future payment of accrued liabilities for compensated absences due an employee or officer of town upon termination of employment." as set forth below, or take any other action relative thereto;

“Section 13D. Reserve fund for future payment of accrued liabilities for compensated absences due an employee or officer of town upon termination of employment.

Any city, town or district which accepts the provisions of this section by majority vote of its city council, the voters present at a town meeting or district meeting or by majority vote of a regional school committee may establish, appropriate or transfer money to a reserve fund for the future payment of accrued liabilities for compensated absences due any employee or full-time officer of the city or town upon the termination of the employee's or full-time officer's employment. The treasurer may invest the monies in the manner authorized by section 54 of chapter 44, and any interest earned thereon shall be credited to and become part of the fund. The city council, town meeting or district meeting may designate the municipal official to authorize payments from this fund, and in the absence of a designation, it shall be the responsibility of the chief executive officer of the city, town or district...” or to take any other action relative thereto.

Submitted by the Board of Selectmen

On a motion duly made and seconded the town voted that M.G.L. Ch. 40 Sec. 13D be hereby accepted by the town.

Passed Unanimously/Nov. 15th @ 7:21

Article 4 To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to pay for unpaid prior year's bills, or take any other action relative thereto.

Submitted by the Board of Selectmen

On a motion duly made and seconded the town voted that the following amounts be appropriated for unpaid bills from Fiscal Year 2012:

From the appropriation voted pursuant to Article 31 of the 2012 Annual Town Meeting for Fiscal Year 2013 Selectmen's Office Expense, **\$585.00** to pay an electric bill for the Town Offices at 690 Patriots Road.

From the appropriation voted pursuant to Article 31 of the 2012 Annual Town Meeting for Fiscal Year 2013 Selectmen's Office Expense, **\$122.59** to pay for printer/toner cartridges purchased for the Town Offices at 690 Patriots Road.

Passed/Nov. 15th @ 7:24

A second motion was duly made and seconded to see if the town will vote that the following amounts be appropriated for unpaid bills from Fiscal Year 2012:

From the appropriation voted pursuant to Article 31 of the 2012 Annual Town Meeting for Fiscal Year 2013 Town Counsel Expense, \$ **4,442.04** to pay for services rendered in Fiscal Year 2012 by Kopelman & Paige.

Defeated/Nov. 15th @ 7:30

Article 5 To see if the town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money and /or further to amend by increase, decrease or otherwise adjusting the annual appropriations voted at the May 15, 2012 Annual Town meeting for the several municipal town departments and agencies for Fiscal Year 2013, or take any other action relative thereto. **Submitted by the Board of Selectmen**

On a motion duly made and seconded the town voted that the following financial transfers occur for Fiscal Year 2013:

\$ 10,000 from the Communications Salary account appropriation voted pursuant to Article 31 of the 2012 Annual Town Meeting for Fiscal Year 2013 to the Town Vehicle/Machinery Maintenance Expense account.

\$ 30,000 from the Communications Salary account appropriation voted pursuant to Article 31 of the 2012 Annual Town Meeting for Fiscal Year 2013 to the Police Department Expense account.

\$ 10,000 from the Communications Salary account appropriation voted pursuant to Article 31 of the 2012 Annual Town Meeting for Fiscal Year 2013 to the Police Department Salary account.

Passed/Nov. 15th @ 7:38

A second motion was duly made and seconded that the town vote that the following financial transfers occur for Fiscal 2013:

For the purchase of new general ledger accounting software, an amount not to exceed **\$ 23,000** transferred from the Stabilization Fund to the Town Accountant SW License Fee account.

Passed by 2/3 vote/Nov. 15th @ 7:43

Article 6 To see if the Town will vote to amend the motion voted pursuant to Article 47 of the Annual Town Meeting of May15, 2012 by deleting the word "Recreation" and inserting the word "Parks"; or to take any other action relative thereto.
Submitted by the Board of Selectmen

On a motion duly made and seconded the town voted to amend the motion voted pursuant to Article 47 of the Annual Town Meeting of May15, 2012 by deleting the word "Recreation" and inserting the word "Parks".

Passed/Nov. 15th @ 7:50

Article 7 To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation, substantially in the form as set forth below, relating to the Board of Selectmen receiving authority to issue an additional off-premises alcoholic beverages license; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public's objectives of this petition:

“AN ACT AUTHORIZING THE TOWN OF TEMPLETON TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK OFF THE PREMISES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The Town of Templeton shall be granted one (1) additional All Alcoholic Beverages Package Store liquor license for Bubba's Market Inc. dba Cote's Market 317 State Road, Baldwinville, MA 01436. Notwithstanding any general or special law or any rule or regulation to the contrary, the local licensing authority shall not approve the transfer of said license to any other location. Said license may be re-issued by the local alcohol licensing authority at the same location if an applicant for said license files with said authority a letter in writing from the Department of Revenue indicating that said license is in good standing with said Department and that any and all applicable taxes have been paid.

If the license granted under this section is cancelled, revoked or no longer in use, such license shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the local alcohol licensing authority.

Notwithstanding section 17 of Chapter 138 of the General Laws, or any other general or special law to the contrary, the local alcohol licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.” or to take any other action relative thereto.

Submitted by Citizen's Petition

On a motion duly made and seconded the town voted that the Board of Selectmen be hereby authorized to petition the General Court for special legislation, substantially in the form as set forth below, relating to the Board of Selectmen receiving authority to issue an additional off-premises alcoholic beverages license; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public's objectives of this petition:

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Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1) The Town of Templeton shall be granted one (1) additional All Alcoholic Beverages Package Store liquor license for Bubba’s Market Inc. dba Cote’s Market 317 State Road, Baldwinville, MA 01436. Notwithstanding any general or special law or any rule or regulation to the contrary, the local licensing authority shall not approve the transfer of said license to any other location. Said license may be re-issued by the local alcohol licensing authority at the same location if an applicant for said license files with said authority a letter in writing from the Department of Revenue indicating that said license is in good standing with said Department and that any and all applicable taxes have been paid.

If the license granted under this section is cancelled, revoked or no longer in use, such license shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the local alcohol licensing authority. Notwithstanding section 17 of Chapter 138 of the General Laws, or any other general or special law to the contrary, the local alcohol licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

Section 2) This Act shall take effect upon passage.”

Passed/Nov. 15th @ 7:54

Article 8 To see if the Town will vote to petition the General Court for special legislation as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto:

An Act Relative to Request an Investigation by the Attorney General into the Following Incidents in the Town of Templeton.

The citizens of the Town of Templeton hereby request an investigation by the Attorney General into the following incidents:

An investigation into the activities of the Municipal Building Committee to include all transactions regarding the purchase of the 252 Baldwinville Road property and the USDA loan application process.

An investigation into the procedures and activities to allow the settlement and return of a gift of \$369,681.40 to Casella Waste Systems on November 13, 2008.

An investigation into the activities of the Templeton Board of Selectmen and the Templeton Municipal Light Department to enact Chapter 93 Acts of 2000.

An investigation into the activities and actions of legal counsel, Kopelman & Paige, regarding case 02-2424C heard before Judge Cornetta of Worcester Superior Court as well as the settlement of the Templeton Waste Water Treatment plant lawsuit and the Writs of Attachment.

Submitted by Citizen's Petition

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

Passed/Nov. 15th @ 8:13

On a motion duly made and seconded the town voted to petition the General Court for special legislation as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto:

An Act Relative to Request an Investigation by the Attorney General into the Following Incidents in the Town of Templeton.

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An investigation into the activities of the Templeton Board of Selectmen and the Templeton Municipal Light Department to enact Chapter 93 Acts of 2000.

An investigation into the activities and actions of legal counsel, Kopelman & Paige, regarding case 02-2424C heard before Judge Cornetta of Worcester Superior Court as well as the settlement of the Templeton Waste Water Treatment plant lawsuit and the Writs of Attachment.

Passed/Nov. 15th @ 8:14

A motion was duly made and seconded to dissolve the Special Town meeting.

Passed/Nov. 15th @ 8:15

And you are hereby directed to serve this warrant by posting attested copies thereof in each precinct; namely at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville, at Cote's Market in Otter River, and at the Town Office Buildings at 4 Elm Street, Baldwinville, and at 690 Patriots Road, Templeton, and by delivering a copy to each of the Precinct Clerks fourteen (14) days at least before the time of holding said meeting and by causing notice of the same to be published once in the Gardner News, a newspaper published in said County, in the City of Gardner.

Given under our hands this 30th day of October in the year AD 2012.

BOARD OF SELECTMEN

Christopher Stewart, Chairman

Jeffrey Bennett, Vice Chairman

Virginia Wilder, Clerk

Julie Farrell, Member

Patrick Mullins, Member

A True Copy: ATTEST

Randy Brown
Constable of Templeton

Officer's Return

Worcester, ss

November 1, 2012

This is to certify that I have served the within warrant by posting attested copies thereof in each precinct; namely at the Post Office in Templeton, the Post Office in East Templeton, the Post Office in Baldwinville, at Cote's Market in Otter River, and at the Town Office Buildings at 4 Elm Street, Baldwinville, and at 690 Patriots Road, Templeton, and by delivering a copy to

each of the Precinct Clerks fourteen (14) days at least before the time of holding said meeting and by causing notice of the same to be published once in the Gardner News, a newspaper published in said County, in the City of Gardner.

Randy L. Brown

Constable of Templeton

Meeting Attendance 11-15-2012

Voters Total 128