

# COMMONWEALTH OF MASSACHUSETTS

## TOWN OF TEMPLETON

### WARRANT FOR ANNUAL TOWN MEETING

MAY 15, 16, 21 & 23, 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 Tuesday, May 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 accept the reports of the Town Officers as printed in the 2011 Town Report, or take any other action relative thereto.

On a motion duly made and seconded the town voted to accept the reports of the Town Officers as printed in the 2011 Town Report.

**Passed Unanimously/May 15<sup>th</sup> @ 7:17**

- Article 2. To see if the Town will vote to allow any of the Town Committees to present their reports, or take any other action relative thereto.

On a motion duly made and seconded the town voted to allow any of the Town Committees to present their reports.

**Passed Unanimously/May 15<sup>th</sup> @ 7:19**

- Article 3. To see if the Town will vote to transfer the interest income in the amount of Ten Dollars and Fifty-Two Cents (**\$10.52**) from the Otis G. Rice Fund to the Narragansett Regional School District for school activities, or to take any other action relative thereto.

On a motion duly made and seconded the town voted to transfer the interest income in the amount of Ten Dollars and Fifty-Two Cents (**\$10.52**) from the Otis G. Rice Fund to the Narragansett Regional School District for school activities.

**Passed Unanimously/May 15<sup>th</sup> @ 7:20**

- Article 4. To see if the Town will vote to petition the General Court for special legislation ratifying the February 6, 2012 Special Town Election

notwithstanding the failure to post the warrant for said election as required by law, as set forth below; provided, however, that the General Court shall be authorized to make clerical and editorial changes of form only to said bill unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition, or to take any other action relative thereto.

**AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT A  
SPECIAL TOWN ELECTION IN THE TOWN OF TEMPLETON.**

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. Notwithstanding section 10 of Chapter 39 and sections 63 and 64 of Chapter 54 of the general laws, or of any other general or special law or bylaw to the contrary, all acts and proceedings taken by the Town of Templeton at the special town election held on February 6, 2012, and all actions taken pursuant thereto, are hereby ratified, validated and confirmed to the same extent as if the warrant for that election had been posted in full compliance with law.

SECTION 2. This act shall take effect upon its passage.  
**Submitted by the Board of Selectmen**

On a motion duly made and seconded the town voted to petition the General Court for special legislation ratifying the February 6, 2012 Special Town Election notwithstanding the failure to post the warrant for said election as required by law, as set forth below; provided, however, that the General Court shall be authorized to make clerical and editorial changes of form only to said bill unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition:

**AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT A  
SPECIAL TOWN ELECTION IN THE TOWN OF TEMPLETON.**

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. Notwithstanding section 10 of Chapter 39 and sections 63 and 64 of Chapter 54 of the general laws, or of any other general or special law or bylaw to the contrary, all acts and proceedings taken by the Town of Templeton at the special town election held on February 6, 2012, and all actions taken pursuant thereto, are hereby ratified, validated and confirmed to the same extent as if the warrant for that election had been posted in full compliance with law.

SECTION 2. This act shall take effect upon its passage.  
**Passed Unanimously/May 15<sup>th</sup> @ 7:24**

- Article 5. To see if the Town will vote to amend Town Bylaw, Article II Section 2 to read as follows:  
Section 2. "All business of the Town Meeting, except the election of 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," or to take any other action relative thereto.

**Submitted by the Board of Selectmen**

Main motion.

**Defeated by hand count/ yes-119, no-127/May 15<sup>th</sup> @ 7:34**

- Article 6. 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, 2012, 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.

**Submitted by the Board of Selectmen**

On a motion duly made and seconded the town voted 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, 2012, 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.

**Passed Unanimously/May 15<sup>th</sup> @ 7:37**

- Article 7. 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

**Submitted by the Board of Selectmen**

On a motion duly made and seconded the town voted 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.

**Passed Unanimously/May 15<sup>th</sup> @ 7:40**

- Article 8. 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.

**Submitted by the Board of Selectmen**

On a motion duly made and seconded the town voted 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.

**Passed Unanimously/May 15<sup>th</sup> @ 7:41**

- Article 9. To see if the Town will vote to accept and expend the sum of Three Hundred Forty-Four Thousand, Two Hundred Sixteen Dollars **(\$344,216.00)** 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.

**Submitted by the Board of Selectmen**

On a motion duly made and seconded the town voted to accept and expend the sum of Three Hundred Forty-Four Thousand, Two Hundred Sixteen Dollars **(\$344,216.00)** 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.

**Passed Unanimously/May 15<sup>th</sup> @ 7:43**

- Article 10. To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, and/or eminent domain, for the purpose of repairing, improving or reconstructing Baldwinville Road and/or sidewalks, drainage facilities, and appurtenances related thereto, permanent and temporary easements in, on, and under all or portions of the parcels of land shown on plans entitled "Right of Way Plans of Baldwinville Road in the Town of Templeton Worcester County," prepared by AECOM, which plans are on file with the Town Clerk, and land located within 100 feet of said parcels as

may be shown on said plan as hereinafter revised, and further to raise and appropriate, transfer from available funds and/or borrow a sum of money to pay damages for such acquisitions and any other costs and expenses related thereto, 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 authorize the Board of Selectmen to acquire, by gift, purchase, and/or eminent domain, for the purpose of repairing, improving or reconstructing Baldwinville Road and/or sidewalks, drainage facilities, and appurtenances related thereto, permanent and temporary easements in, on, and under all or portions of the parcels of land shown on plans entitled "Right of Way Plans of Baldwinville Road in the Town of Templeton Worcester County," prepared by AECOM, which plans are on file with the Town Clerk, and land located within 100 feet of said parcels as may be shown on said plan as hereinafter revised.

**Passed Unanimously/May 15<sup>th</sup> @ 7:53**

- Article 11. 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, 2011, for use by the Assessors to reduce the tax rate for the fiscal year ending June 30, 2013, 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 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, 2011, for use by the Assessors to reduce the tax rate for the fiscal year ending June 30, 2013.

**Passed by 2/3 Vote/May 15<sup>th</sup> @ 8:08**

A motion was duly made and seconded to adjourn the Annual Town Meeting to open the Special Town meeting.

**Passed Unanimously/May 15<sup>th</sup> @ 8:08**

- Article 12. To see if the Town will vote to appropriate the sum of Fifty Thousand Dollars (**\$50,000.00**) from the Sewer Enterprise fund to the Town's General Fund, or to take any other action relative thereto.

**Submitted by the Board of Selectmen**

**No Motion**

- Article 13. To see if the Town will vote to appropriate the sum of One Million, Four Hundred Ten Thousand, Six Hundred Forty-Eight Dollars (**\$1,410,648.00**) 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**

On a motion duly made and seconded the town voted to appropriate the sum of One Million, Four Hundred Ten Thousand, Six Hundred Forty-Eight Dollars (**\$1,410,648.00**) to operate the Water Department, which sum is to be raised from water receipts.

**Passed/May 15<sup>th</sup> @ 9:18**

- Article 14. Shall the Town vote to discontinue the practice of fluoridating the town water supply or take any other action relative thereto.  
**Submitted and written by Citizens' Petition**

**A motion was duly made and seconded to move article 47 out of order.**

**Defeated by hand count/yes-84, no-141/May 15<sup>th</sup> @ 9:27**

Main motion.

**Defeated/May 15<sup>th</sup> @ 10:08**

**A motion was duly made and seconded to adjourn town meeting until Wednesday, May 16<sup>th</sup> @ 7:00 p.m.**

**Passed Unanimously/May 15<sup>th</sup> @ 10:08**

**A motion was duly made and seconded to reconsider Article 14.**

**Defeated/May 16<sup>th</sup> @ 7:25**

- Article 15. To see if the Town will vote to appropriate a sum of money from the Commonwealth Sewer Rate Relief Fund, FY'12, established pursuant to General Law Chapter 29, Section 2Z, when received, to pay Sewer Debt Service in fiscal year 2013, 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 appropriate a sum of money from the Commonwealth Sewer Rate Relief Fund, FY'12, established pursuant to General Law Chapter 29, Section 2Z, when received, to pay Sewer Debt Service in fiscal year 2013

**Passed Unanimously/May 16<sup>th</sup> @ 7:29**

- Article 16. To see if the Town will vote to appropriate or to transfer from available funds the sum of Eight Hundred Sixty-Three Thousand, Five Hundred Ninety-One Dollars (**\$863,591.00**) to operate the Sewer Department; said sum is to be apportioned to be used for salaries, operating and 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, sewer enterprise free cash 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 Commission**

On a motion duly made and seconded the town voted to appropriate the sum of Eight Hundred Sixty-Three Thousand, Five Hundred Ninety-One Dollars **(\$863,591.00)** to operate the Sewer Department; said sum is to be apportioned to be used for salaries, operating and 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, sewer enterprise free cash and other fees and monies collected as per Sewer Department Rules by the Town of Templeton Sewer Department,

**Passed Unanimously/May 16<sup>th</sup> @ 7:30**

- Article 17. To see if the Town will vote to transfer the sum of Fifty Thousand Dollars **(\$50,000.00)** from the Sewer Department Reserve Account for the purchase, installation and any and all other costs associated with the installation of an automatic bar screen at the Wastewater Treatment Plant, or to take any other action relative thereto.

**Submitted by the Sewer Commission**

On a motion duly made and seconded the town voted to transfer the sum of Fifty Thousand Dollars **(\$50,000.00)** from the Sewer Department Reserve Account for the purchase, installation and any and all other costs associated with the installation of an automatic bar screen at the Wastewater Treatment Plant

**Passed/May 16<sup>th</sup> @ 7:32**

- Article 18. To see if the Town will vote to transfer the sum of Twenty Thousand Dollars **(\$20,000.00)** from the Sewer Department Reserve account for a sewer rate study, or to take any other action relative thereto.

**Submitted by the Sewer Commission**

On a motion duly made and seconded the town voted to transfer the sum of Twenty Thousand Dollars **(\$20,000.00)** from the Sewer Department Reserve account for a sewer rate study,

**Passed/May 16<sup>th</sup> @ 7:37**

- Article 19. To see if the Town will vote to transfer the sum of Twenty-Five Thousand Dollars **(\$25,000.00)** from the Sewer Department Reserve account for the purchase, installation and any and all other costs associated with a new boiler and fuel oil tanks at the Wastewater Treatment Plant, or to take any other action relative thereto.

**Submitted by the Sewer Commission**

On a motion duly made and seconded the town voted to transfer the sum of Twenty-Five Thousand Dollars (**\$25,000.00**) from the Sewer Department Reserve account for the purchase, installation and any and all other costs associated with a new boiler and fuel oil tanks at the Wastewater Treatment Plant

**Passed/May 16<sup>th</sup> @ 7:38**

- Article 20. To see if the Town will vote to transfer the sum of Fifty Thousand Dollars (**\$50,000.00**) from the Sewer Department Reserve account for the purchase, installation and any and all other costs associated with the installation of a septage metering station at the Wastewater Treatment Plant, or to take any other action relative thereto.

**Submitted by the Sewer Commission**

On a motion duly made and seconded the town voted to transfer the sum of Fifty Thousand Dollars (**\$50,000.00**) from the Sewer Department Reserve account for the purchase, installation and any and all other costs associated with the installation of a septage metering station at the Wastewater Treatment Plant

**Passed/May 16<sup>th</sup> @ 7:44**

- Article 21. 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 2013 amount of 2.65 percent that may be used to increase the exemption granted to certain senior citizens and surviving spouses and minors under MGL, Chapter 59, §5, Clauses 17, 17C, 17C1/2 or 17D. This article was voted for on May 3, 1999, at the Annual Town Meeting, Article #17, and the exemption is partially reimbursable by the Department of Revenue, or to take any other action relative thereto.

**Submitted by the Board of Assessors**

On a motion duly made and seconded the town voted to increase the cost of living adjustment, as provided by the Department of Revenue, to the fiscal year 2013 amount of 2.65 percent that may be used to increase the exemption granted to certain senior citizens and surviving spouses and minors under MGL, Chapter 59, §5, Clauses 17, 17C, 17C1/2 or 17D. This article was voted for on May 3, 1999, at the Annual Town Meeting, Article #17, and the exemption is partially reimbursable by the Department of Revenue

**Passed Unanimously/May 16<sup>th</sup> @ 7:46**

- Article 22 To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Twenty-Five Thousand Dollars (**\$25,000.00**) for the 2016 Triennial Recertification, or to take any other action relative thereto.

**Submitted by the Board of Assessors**



A substitute motion was duly made and seconded to vote to raise and appropriate Twenty-Five Thousand Dollars **(\$25,000.00)** from the Overlay Reserve account for the 2016 Triennial Recertification.

**Defeated/May 16<sup>th</sup> @ 8:07**

**A motion was duly made and seconded to withdraw the article.**

**Passed Unanimously/May 16<sup>th</sup> @ 8:13**

- Article 23. To see if the Town will vote to transfer the sum of Thirty Thousand Dollars **(\$30,000.00)** from the Excess Overlay Reserve account to the Property Revaluation Program account for the 2013 Revaluation Program, or to take any other action relative thereto.

**Submitted by the Board of Assessors**

On a motion duly made and seconded the town voted to transfer the sum of Thirty Thousand Dollars **(\$30,000.00)** from the Excess Overlay Reserve account to the Property Revaluation Program account for the 2013 Revaluation Program,

**Passed/May 16<sup>th</sup> @ 8:19**

- Article 24. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Two Thousand Dollars **(\$2,000.00)** to update the Assessors' maps, or to take any other action relative thereto.

**Submitted by the Board of Assessors**

A substitute motion was duly made and seconded to raise and appropriate the sum of Four Thousand Dollars **(\$4,000.00)** to update the Assessors' maps.

**Passed/May 16<sup>th</sup> @ 8:27**

- Article 25. 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 5<sup>th</sup> 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' including a maintenance contract; or to take any other action relative thereto.

**Submitted by the Board of Assessors**

On a motion duly made and seconded the town voted to raise and appropriate the sum of Thirteen Thousand, Sixty-Five Dollars **(\$13,065.00)** for the 5<sup>th</sup> 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' including a maintenance contract.

**Passed/May 16<sup>th</sup> @ 8:31**

- Article 26. To see if the Town will vote to accept M.G.L. C.59, §21A for the purpose of providing additional compensation for an assessor or an assistant assessor

who has been awarded a certificate by the Association of Massachusetts Assessors as a certified Massachusetts Assessor in an amount equal to 10 percent of annual compensation, but not to exceed \$1,000 per year; and to raise and appropriate or transfer from available funds the sum of One Thousand Dollars (**\$1,000.00**) to an account for said purpose, or to take any other action relative thereto.

**Submitted by the Board of Assessors**

On a motion duly made and seconded the town voted to accept M.G.L. C.59, §21A for the purpose of providing additional compensation for an assessor or an assistant assessor who has been awarded a certificate by the Association of Massachusetts Assessors as a certified Massachusetts Assessor in an amount equal to 10 percent of annual compensation, but not to exceed \$1,000 per year; and to raise and appropriate or transfer from available funds the sum of One Thousand Dollars (**\$1,000.00**) to an account for said purpose

**Passed/May 16<sup>th</sup> @ 8:32**

- Article 27. To see if the Town will vote to accept the provisions of M.G.L. C.59, §5K, Senior Tax Work-Off Program, for taxpayers over 60 years of age. The program shall be implemented in fiscal year 2013, with abatements applied to the fiscal year 2014 actual tax bills provided, however, that such program shall provide a maximum abatement of \$500.00 for each of up to twenty participants with an hourly rate of \$8.00; said abatement(s) of up to a total of \$10,000.00 to be paid from the Excess Overlay Reserve account; or to take any other action relative thereto.

**Submitted by Susan Byrne, MAA, Deputy Assessor and Eileen Clarkson, HS-BCP, MS, Notary Public, director of Council on Aging/Senior Center/Food Pantry/Meals on Wheels/Transportation**

On an amended motion duly made and seconded the town voted to accept the provisions of M.G.L. C.59, §5K, Senior Tax Work-Off Program, for taxpayers over 60 years of age. The program shall be implemented in fiscal year 2013, with abatements applied to the fiscal year 2014 actual tax bills, provided however, that such program shall provide a maximum abatement of Five-Hundred Dollars (\$500.00) for each participant earned at an hourly rate of Eight Dollars (\$8.00); said abatement(s) to be paid from the Assessor's Overlay account.

**Passed Unanimously/May 16<sup>th</sup> @ 8:50**

- Article 28. To see if the Town will vote to appropriate a total sum of Four Hundred Ninety-Seven Thousand, Five Hundred Twenty-Three Dollars (**\$497,523.00**) for the Worcester Regional Retirement System assessment; said sum to be provided as follows: the sum of One Hundred Four Thousand, Eight Hundred Twenty-Eight Dollars and Ten Cents (**\$104,828.10**) to be transferred from the Light Department, the sum of Forty-Two Thousand, Seven Hundred Thirty-Seven Dollars and Twenty-

Three Cents (**\$42,737.23**) to be transferred from the Water Department, the sum of Thirty-Eight Thousand, One Hundred Sixty Dollars and One Cent (**\$38,160.01**)-to be transferred from the Sewer Department, and the sum of Three Hundred Eleven Thousand, Seven Hundred Ninety-Seven Dollars and Sixty-Six Cents (**\$311,797.66**) to be raised by taxation and/or transferred from the Stabilization Fund, 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 appropriate a total sum of Four Hundred Ninety-Seven Thousand, Five Hundred Twenty-Three Dollars (**\$497,523.00**) for the Worcester Regional Retirement System assessment; said sum to be provided as follows: the sum of One Hundred Four Thousand, Eight Hundred Twenty-Eight Dollars and Ten Cents (**\$104,828.10**) to be transferred from the Light Department, the sum of Forty-Two Thousand, Seven Hundred Thirty-Seven Dollars and Twenty-Three Cents (**\$42,737.23**) to be transferred from the Water Department, the sum of Thirty-Eight Thousand, One Hundred Sixty Dollars and One Cent (**\$38,160.01**)-to be transferred from the Sewer Department, and the sum of One Hundred Seventy-One Thousand, Seven Hundred Ninety-Seven Dollars and Sixty-Six Cents (**\$311,797.66**) to be raised by taxation and/or transferred from the Stabilization Fund,

**Passed Unanimously/May 16<sup>th</sup> @ 9:15**

- Article 29. 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.

**Submitted by the Board of Selectmen**

On a motion duly made and seconded the town voted to appropriate the sum of One Million, One Hundred Sixty-Three Thousand, Seven Hundred Twenty-Four Dollars (**\$1,163,724.00**) to pay the Town's Maturing Principal and Interest on Long-Term Debt, said sum to be paid as follows:

The Sum of Four Hundred Sixty-Six Thousand, Six Hundred Eight Dollars (**\$466,608.00**) to be transferred from the Municipal Water Enterprise Fund;

The sum of One Hundred Thirty-Five Thousand, Forty-Six Dollars (**\$135,046.00**) to be transferred from the Sewer Betterment Account;

The sum of Fifty-Eight Thousand, Six Hundred Ninety-Seven Dollars (**\$58,197.00**) to be transferred from the Title V Betterment Account;

The sum of Forty-Six Thousand, Six Hundred Thirty-Five Dollars (**\$46,635.00**) to be transferred from the Municipal Sewer Enterprise Fund;

The sum of Four Hundred Fifty-Seven Thousand, Two Hundred Thirty-Eight Dollars (**\$457,238.00**) to be raised by taxation.

**Passed/May 16<sup>th</sup> @ 9:37**

- Article 30. To see if the Town will vote to rescind the vote taken under Article 8 of the Special Town Meeting held on November 7, 2011, creating a Fire Department-Ambulance Receipts Reserved for Appropriation Account for ambulance receipts commencing in FY'13, rescinding this vote will remand ambulance receipts to the General Fund of the Town; or to take any other action relative thereto.

**Submitted by the Board of Selectmen**

Main Motion

**Defeated/May 16<sup>th</sup> @ 9:49**

**A motion was duly made and seconded to adjourn the Annual Town meeting until Monday May 21<sup>st</sup> @ 7:00p.m.**

- Article 31. 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 2013 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, all as set forth in a document entitled "Selectmen Budgets" in the column entitled "Selectmen's Balanced Budget (no prop 2 ½) FY 2013," and further to fund the town charges as indicated in the column entitled "Selectmen's Balanced Budget with prop 2 ½ override" provided, however, that the amounts appropriated under the column entitled "Selectmen's Balanced budget PROP 2 ½ override FY 2013" shall be expressly contingent upon the approval by the voters of a Proposition 2 ½, so called, override ballot question, or to take any other action relative thereto.

**Submitted by the Board of Selectmen**

**A motion was duly made and seconded to divide article 31.**

**Passed/May 21<sup>st</sup> @ 7:07**

On a motion duly made and seconded the town voted to raise and appropriate the sum of Four Million, Four Hundred Sixty-Four Thousand, Three Hundred Sixteen Dollars (**\$4,464,316.00**) and transfer the sum of One Hundred Sixty-Three Thousand, One Hundred Thirty-One Dollars (**\$163,131.00**) from the 2008 MEMA Reimbursement Account to a total sum of Four Million, Six Hundred Twenty-Seven Thousand, Four Hundred Forty-Seven Dollars (**\$4,627,447.00**) to pay town charges for municipal operational expenses for fiscal year 2013 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,

all as set forth in a document entitled “Selectmen Budgets” in the column entitled “Selectmen’s Balanced Budget (no prop 2 ½) FY 2013.”

Moderator Salary	0.00
Moderator Expenses	0.00
Selectmen Salaries	0.00
Town Coordinator	65,333.00
Selectmen’s’ Office Salaries	52,870.00
Selectmen’s’ Office Expenses	16,080.00
Personnel Administration Expenses	600.00
Audit Expense	22,000.00
Grant Writing Fees	0.00
Chairman Advisory Committee Salary	0.00
Advisory Board Clerical Support	0.00
Advisory Committee Expenses	500.00
Town Accountant Salary	30,000.00
SW License Fee	1,000.00
Town Accountant Expenses	400.00
Assessors Salaries	0.00
Assessors Office Salary	60,640.00
Assessors Office Expenses	8,424.00
Assessors Mapping	0.00
Town Treasurer Salary	35,000.00
CMMT Certification	0.00
Assistant Town Treasurer Salary	10,900.00
Town Treasurer Office Expenses	8,726.00
CMMT Certification	0.00
Tax Taking Expenses	2,500.00
Town Collector Salary	35,090.00
Assistant Town Collector Salary	12,260.00
Town Collector Office Expense	11,160.00
CMMT Certification	0.00
Tax Liens Expenses	2,000.00
Town Council Expenses	52,302.00
Town Clerk Salary	37,530.00

Assistant Town Clerk Salary	13,280.00
Town Clerk Office Expense	24,435.00
Conservation Comm. Chairman Salary	0.00
Conservation Comm. Dept. Asst. wages	3,148.00
Conservation Commission Expenses	500.00
Conservation Agent	0.00
Open Space Expenses	0.00
Planning Board Salaries	0.00
Planning Board Dept. Assistant Wages	18,000.00
Planner	0.00
Planning Board Expenses	6,400.00
Board of Appeals Expenses	200.00
Town Building Temp. Office Rent	46,500.00
Town Buildings Expenses	48,000.00
Town Bldg. Repairs & Maintenance	5,400.00
Town Report/Street Listing Wages	0.00
Town Report/Street Listing Expenses	1,500.00
Town Vehicles-Gasoline Exp.	65,000.00
Town Vehicles-Diesel Exp.	65,000.00
Town Vehicles-Fuel Exp.	0.00
Town Travel Expenses	0.00
General Insurance Expenses	194,078.00
Unemployment Comp Ins Expense	23,000.00
Group Insurance Expenses	786,268.00
Town Technology Expenses	7,484.00
Town Telephone Expenses	14,000.00
Town Website Salaries	0.00
Town Website Expenses	200.00
Police Chief Salary	78,876.00
Police Department Salaries	676,067.00
Police Department Expenses	64,746.00
Parking Clerk Stipend	0.00
Parking Clerk Expense	0.00
Fire Chief Salary	49,712.00

Deputy Fire Chiefs Salaries	2,005.00
Captain, Lieutenant Salary	3,700.00
Fire Department Salaries	80,000.00
Fire Department Expenses	60,000.00
Maint & update Fire Equip.(ISO)	6,000.00
Forestry Equipment	0.00
Fire Dept/EMS Division Expenses	175,000.00
Building Inspector Salaries	31,471.00
Building Inspector Clerk	21,400.00
Building Inspector Expenses	1,520.00
Plumbing/Gas Inspector	4,900.00
Electrical Inspector	4,900.00
Affordable Housing Coordinator	0.00
Affordable Housing Expenses	0.00
Sealer of Weights & Measures Expenses	1,800.00
Animal Inspector Salary	0.00
Animal Inspector Expense	0.00
Mema/Civil Defense Director Salary	0.00
Mema Deputy Director Salary	0.00
Mema/Civil Defense Expenses	2,025.00
Animal Control Officer Salary	14,508.00
Animal Control Officer Expenses	8,700.00
Assistant Animal Control Salary	0.00
Tree Warden Salaries	1,000.00
Tree Warden Expenses	6,000.00
Communication Commission Wages	222,995.00
Communication Commission Expenses	22,314.00
Communication Commission Training	7,200.00
Cell Phone Expenses	5,000.00
Field Driver Salary	0.00
Pest Control Expenses	1,500.00
Right To Know Law Expense	500.00
Highway Superintendent	58,360.00
Highway Department Salaries	286,725.00

Highway Department Expenses	87,129.00
Unknown Overtime Allowance	1,200.00
Mechanic's Salary	44,036.00
Unknown Overtime Allowance	800.00
Town Vehicle/Machinery Maint. Exp.	94,600.00
Snow & Ice Removal Expense	125,000.00
Street Lighting Expense	26,679.00
Solid Waste Disposal Expense	6,360.00
Cemetery Comm. Salary	0.00
Cemetery Supt. Salary	54,726.00
Cemetery/Parks Dept. Salaries	94,000.00
Cemetery/Parks Dept. Assistant's Wages	14,512.00
Cemetery/Parks Dept. Expenses	46,000.00
Cemetery Dept. Sold/Sail Grave	600.00
Cemetery Firefighter Flag Exp.	600.00
Board of Health Salaries	0.00
Board of Health Agent	55,145.00
Board of Health Office Salaries	23,415.00
Board of Health Office Expenses	7,560.00
Landfill Monitoring Salary	0.00
Landfill Monitoring Expense	10,000.00
B.O.H. Hazardous & Bulky Waste	5,000.00
Council on Aging Director	17,259.00
Council on Aging Salaries	54,245.00
Council on Aging Expenses	4,000.00
Veterans Services District	20,600.00
Veterans Benefits	35,000.00
Boynton Library Salaries	43,295.00
Boynton Library Expenses	11,000.00
Recreation Commission Salaries	17,000.00
Recreation Commission Expenses	14,063.00
Arts Council Expenses	100.00
Historical Commission Expenses	100.00
Cable Commission Expenses	0.00



Memorial/Veterans Day Expenses	1,500.00
Fees & Interest on Short-Term Debt	23,000.00
Mont. Reg. Planning Commission	2,291.00
School Committee Salaries	0.00
<b>TOTAL TOWN CHARGES</b>	<b>4,627,447.00</b>

**Passed Unanimously/May 21<sup>st</sup> @ 8:05**

**No motion was made on seconded part of Article 31.**

- Article 32. 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>Job Title</u>	<u>Grade change</u>
Assistant Health Agent	Grade 8 from Grade 10
<b>Submitted by the Personnel Board</b>	

On a motion duly made and seconded the town voted 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:

<u>Job Title</u>	<u>Grade change</u>
Assistant Health Agent	Grade 8 from Grade 10
<b>Passed/May 21<sup>st</sup> @ 8:08</b>	

- Article 33. To see if the Town will vote to add the following positions to the "Personnel Compensation and Classification Plan," a copy of which is on file in the Town Clerk's office, or to take any other action relative thereto:

Congregate Meal Site Coordinator	Grade 4
Activities Coordinator	Grade 4
Outreach Worker	Grade 5
<b>Submitted by the Personnel Board</b>	

On a motion duly made and seconded the town voted to add the following positions to the "Personnel Compensation and Classification Plan," a copy of which is on file in the Town Clerk's office:

Congregate Meal Site Coordinator	Grade 4
Activities Coordinator	Grade 4
Outreach Worker	Grade 5
<b>Passed/May 21<sup>st</sup> @ 8:09</b>	

- Article 34. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Four Million, Four Hundred Thirty-Nine Thousand, Seven Hundred Twenty-Eight Dollars (**\$4,439,728.00**) for

the Town's share of the Narragansett Regional School District assessment for the fiscal year 2013, and further, to vote to appropriate an additional Two Hundred Twenty-Four Thousand Dollars, **(\$224,000.00)** to fully fund the Town's share of said District budget as requested by the Narragansett Regional School District Committee with the appropriation of such additional amount to be expressly contingent upon approval by the voters of an override ballot question pursuant to Proposition 2 ½, so called, or to take any other action relative thereto.

**Submitted by the Narragansett Regional School District Committee**

**An amended motion was duly made and seconded to divide Article 34 to address the balanced budget separate from the override.**

**Passed/May 21<sup>st</sup> @ 8:25**

On a motion duly made and seconded the town voted to raise and appropriate the sum of Four Million, Four Hundred Thirty-Nine Thousand, Seven Hundred Twenty-Eight Dollars **(\$4,439,728.00)** for the Town's share of the Narragansett Regional School District assessment for the fiscal year 2013.

**Passed/May 21<sup>st</sup> @ 8:26**

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

**Passed by hand count/yes 126-no 85, May 21<sup>st</sup> @ 8:44**

On a motion was duly made and seconded the town voted to appropriate Two Hundred Twenty-Four Thousand Dollars **(\$224,000.00)** to additionally fund the Town's share of the Narragansett Regional School District budget as requested by the Narragansett Regional School District Committee with the appropriation of such additional amount to be expressly contingent upon approval by the voters of an override ballot question pursuant to Proposition 2 ½, so called.

**Passed by hand count/yes 104-no 99, May 21<sup>st</sup> @ 8:52**

**A motion was duly made and seconded to reconsider Article 34.**

**Defeated/May 21<sup>st</sup> @ 8:55**

Article 35. To see if the Town will vote to raise and appropriate the sum of Four Hundred Thirty-Seven Thousand, Four Hundred Eighty Dollars **(\$437,480.00)** for payment of the long-term debt for the expansion and renovation of the roof repairs and for the roof repairs at the Narragansett Middle School in accordance with debt exclusions voted on January 22, 1996, September 10, 2007, and January 11, 2011, or to take any other action relative thereto.

**Submitted by the Narragansett Regional School District Committee**

On a motion duly made and seconded the town voted to raise and appropriate the sum of Four Hundred Thirty-Seven Thousand, Four Hundred Eighty Dollars (**\$437,480.00**) for payment of the long-term debt for the expansion and renovation of the roof repairs and for the roof repairs at the Narragansett Middle School in accordance with debt exclusions voted on January 22, 1996, September 10, 2007, and January 11, 2011.  
**Passed/May 21<sup>st</sup> @ 9:03**

- Article 36. To see if the Town will vote to authorize the Board of Selectmen to raze the Templeton Center School on Town-owned land located at 17 South Road, Templeton, and described in detail in a deed recorded with the Worcester South District Registry in Book 2784/Page 347, on such terms and conditions as the Board of Selectmen shall determine to be appropriate for the purpose of construction of an elementary school, and as funding therefore, to raise and appropriate, transfer from available funds or borrow a sum of money for such purposes and to authorize the Board of Selectmen to exercise instruments and to take such other action as may be necessary to effectuate the purpose of this vote, or to take any other action relative thereto.  
**Submitted by the Templeton Elementary School Building Committee**

**No Motion**

- Article 37. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Five Hundred Thirty Thousand, Seven Hundred Fourteen Dollars (**\$530,714.00**) for the Montachusett Regional Vocational Technical School District for the fiscal year 2013, or to take any other action relative thereto.  
**Submitted by the Montachusett Regional Vocational Technical School Committee**

On a motion duly made and seconded the town voted to raise and appropriate the sum of Five Hundred Thirty Thousand, Seven Hundred Fourteen Dollars (**\$530,714.00**) for the Montachusett Regional Vocational Technical School District for the fiscal year 2013.  
**Passed/May 21<sup>st</sup> @ 9:04**

- Article 38. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Two Thousand Five Hundred Dollars (**\$2,500.00**) for the purpose of awarding scholarships to eligible applicants from the Town of Templeton, 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 raise and appropriate the sum of Two Thousand Five Hundred Dollars (**\$2,500.00**) for the purpose of awarding scholarships to eligible applicants from the Town of Templeton.  
**Passed Unanimously/May 21<sup>st</sup> @ 9:05**

Article 39. 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 2013 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 2013 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 2013 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 2013 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 2013 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 2013 shall not exceed Ten Thousand Dollars (**\$10,000.00**).

On a motion duly made and seconded the town voted 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 2013 as follows:

- 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 2013 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 2013 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 2013 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 2013 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 2013 shall not exceed Ten Thousand Dollars (**\$10,000.00**).

**Passed/May 21<sup>st</sup> @ 9:18**

Article 40. To see if the Town will vote to appropriate or reserve from the Community Preservation Annual revenues, which include the amount to be collected as a surcharge on real property, and the October 2012 State match as recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects, and other FY'13 expenses, with each item to be considered a separate appropriation:

### **Appropriations:**

- a. A sum of \$11,856.00 of the FY'2013 revenues and state match for Committee Administrative expenses.

### **Reserves:**

- a. A sum of \$23,713.00 of the FY'2013 revenues and match for Historic Resources Reserve, (10%)
- b. A sum of \$23,713.00 of the FY'2013 revenues and match for Community Housing Reserve. (10%)

- c. A sum of \$23,713.00 of the FY'2013 revenues and match for Open Space Reserve. (10%)
- d. A sum of \$154,135.00 of the FY'2013 revenues and match for Budgeted Reserve. (65%)

or to take any other action relative thereto.

**Submitted by the Templeton Community Preservation Committee**

On a motion duly made and seconded the town voted to appropriate or reserve from the Community Preservation Annual revenues, which include the amount to be collected as a surcharge on real property, and the October 2012 State match as recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects, and other FY'13 expenses, with each item to be considered a separate appropriation:

### **Appropriations:**

- a. A sum of \$11,856.00 of the FY'2013 estimated annual revenues and match for Committee Administrative expenses.

### **Reserves:**

- a. A sum of \$23,713.00 of the FY'2013 revenues and match for Historic Resources Reserve, (10%)
- b. A sum of \$23,713.00 of the FY'2013 revenues and match for Community Housing Reserve. (10%)
- c. A sum of \$23,713.00 of the FY'2013 revenues and match for Open Space Reserve. (10%)
- d. A sum of \$154,135.00 of the FY'2013 revenues and match for Budgeted Reserve. (65%)

**Passed Unanimously/May 21<sup>st</sup> @ 9:35**

- Article 41. To see if the Town will vote to appropriate from the Community Preservation Act General Reserve fund as a grant to the Narragansett Historical Society a total sum of Forty Thousand, Eight Hundred Dollars (**\$40,800.00**); the sum of Thirty-Six Thousand, Three Hundred Dollars (**\$36,300.00**) for preservation efforts at the Narragansett Historical Society's historic Templeton Grange Building, located at 9 Hubbardston Road, described in detail in a deed recorded with the Worcester South District Registry in Book 15734/Page 335; which work shall include, but not be limited to, eastern and northern end works to assure the walls are weather-tight and painted as well as installation of a replacement brick and mortar chimney on the southern end of the building, and Four Thousand, Five Hundred Dollars (**\$4,500.00**) to prepare, submit, modify, record and take any required action necessary to secure an historic preservation restriction on said property in accordance with Massachusetts Historic Commission requirements, or to take any other action relative thereto.

**Submitted by the Templeton Community Preservation Committee**

On a motion duly made and seconded the town voted to appropriate from the Community Preservation Act General Reserve fund as a grant to the Narragansett Historical Society a total sum of Forty Thousand, Eight Hundred Dollars (**\$40,800.00**); the sum of Thirty-Six Thousand, Three Hundred Dollars (**\$36,300.00**) for preservation efforts at the Narragansett Historical Society's historic Templeton Grange Building, located at 9 Hubbardston Road, described in detail in a deed recorded with the Worcester South District Registry in Book 15734/Page 335; which work shall include, but not be limited to, eastern and northern end works to assure the walls are weather-tight and painted as well as installation of a replacement brick and mortar chimney on the southern end of the building, and to authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into a grant agreement with said Historical Society on such terms and conditions as the Board of Selectmen shall deem appropriate, requiring that the Historical Society provide the Town with an historical preservation restriction meeting the requirements of G.L. c.44B, 12, limiting the use of the funds to the purposes as set forth herein and requiring the return of any such funds not used to the project; and further, to appropriate from the Community Preservation General Reserve fund the sum of Four Thousand, Five Hundred Dollars (**\$4,500.00**) to prepare, submit, modify, record and take any required action necessary to secure an historic preservation restriction on said property in accordance with Massachusetts Historic Commission requirements and to authorize the Board of Selectmen to accept such historic Preservation restriction on behalf of the Town.

**Passed/May 21<sup>st</sup> @ 9:38**

Article 42. To see if the Town will vote to amend the Town of Templeton by-laws Article II-Town Meetings by the addition of the need for a quorum as follows:

**Quorum**

The number of voters necessary to constitute a quorum at any town meeting shall be not less than one hundred fifty (150) persons then registered as voters of the Town of Templeton; provided, however, that a number less than quorum may, from time to time, adjourn the meeting.

**Submitted and written by Citizens' Petition**

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

**Passed/May 21<sup>st</sup> @ 9:48**

Main motion

**Defeated by hand count, yes-69, no-94/May 21<sup>st</sup> @ 9:54**

**A motion was duly made and seconded to reconsider Article 42.**

**Defeated/May 21<sup>st</sup> @ 9:55**

Article 43. 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, or to take any other relative thereto:

As stated in the provisions of Chapter 39 Section 10 of the general laws or of any general or special law to the contrary, The Town of Templeton Board of Selectmen shall insert in the warrant for the Annual meeting all subjects the insertion of which shall be requested of them in writing by ten (10) or more registered voters of the Town.

**Submitted and written by Citizens' Petition**

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

**Passed/May 21<sup>st</sup> @ 10:06**

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, or to take any other relative thereto:

As stated in the provisions of Chapter 39 Section 10 of the general laws or of any general or special law to the contrary, The Town of Templeton Board of Selectmen shall insert in the warrant for the Annual meeting all subjects the insertion of which shall be requested of them in writing by ten (10) or more registered voters of the Town.

**Passed/May 21<sup>st</sup> @ 10:07**

**A motion was duly made and seconded to reconsider article 43.**

**Defeated/May 21<sup>st</sup> @ 10:08**

Article 44. To see if the Town will vote to disband the Municipal Building Committee. The citizens of the Town of Templeton request the following public documents:

Signed Purchase and Sale agreement  
Signed Settlement Statement/Settlement Agreement  
Identification of Real estate broker for this transaction  
Appraisal of the building  
Documentation of building inspection prior to purchase  
Documentation of soil testing  
Documentation of air quality testing  
Documentation that all liens including back taxes were paid to the Town of Templeton  
Or to take any other relative thereto.  
**Submitted and Written by Citizens' Petition**

On an amended motion duly made and seconded the town voted to disband the Municipal Building Committee. The citizens of the Town of Templeton request the following public documents:



Signed Purchase and Sale agreement  
Signed Settlement Statement/Settlement Agreement  
Identification of Real estate broker for this transaction  
Appraisal of the building  
Documentation of building inspection prior to purchase  
Documentation of soil testing  
Documentation of air quality testing  
Documentation that all liens including back taxes were paid to the Town of Templeton.

**Passed/May 21<sup>st</sup> @ 10:16**

**A motion was duly made and seconded to adjourn the meeting to  
Wednesday, May 23<sup>rd</sup> @ 7:00 p.m.**

**Passed/May 21<sup>st</sup> @ 10:18**

### ***CAPITAL ITEMS Articles 45 - 56***

- Article 45. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of Eleven Thousand, Forty-Four Dollars and Forty-Seven Cents (**\$11,044.47**) to fund the third year of the five-year lease/purchase agreement for the Cemetery Department one-ton dump truck with plow, or to take any other action relative thereto.

**Submitted by the Cemetery Commissioners and the Capital Planning Committee**

On a motion duly made and seconded the town voted to transfer the sum of Eleven Thousand, Forty-Four Dollars and Forty-Seven Cents (**\$11,044.47**) from the Capital Stabilization Fund to fund the third year of the five-year lease/purchase agreement for the Cemetery Department one-ton dump truck with plow.

**Passed Unanimously/May 23<sup>rd</sup> @ 7:05**

- Article 46. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Forty-Four Thousand, Three Hundred Dollars (**\$44,300.00**) for engineering, architectural plans, and any and all other costs related thereto for the completion of Pine Grove Cemetery, or to take any other action relative thereto.

**Submitted by the Cemetery Commissioners and the Capital Planning Committee**

**No Motion**

- Article 47. To see if the Town will vote to transfer the sum of One Hundred Fifty Thousand Dollars (**\$150,000.00**) from the Pajari Capital Stabilization fund for use by the Cemetery and Recreation Department to fund needed capital improvements to Gilman Waite field, or to take any other action relative thereto.

**Submitted and written by Citizens' Petition**

**An amended motion was duly made and seconded to see if the town will vote to transfer the sum of \$75,000.00 from the Pajari Capitalization Stabilization fund for use by the Cemetery and Recreation Department to fund needed Capital Improvements to Gilman Waite Field and to keep the remainder in the Pajari Fund for future emergency need.  
Defeated/May 23<sup>rd</sup> @ 7:15**

**An amended motion was duly made and seconded to see if the town will vote to transfer the sum of One Hundred Fifty Thousand dollars (\$150,000.00) from the Pajari Capital Stabilization fund for use by the Cemetery and Recreation Department to fund needed Capital Improvements to any of the town's recreation facilities.  
Defeated/May 23<sup>rd</sup> @ 7:22**

On a motion duly made and seconded the town voted to transfer the sum of One Hundred Fifty Thousand Dollars (**\$150,000.00**) from the Pajari Capital Stabilization fund for use by the Cemetery and Recreation Department to fund needed capital improvements to Gilman Waite field.  
**Passed by 2/3 vote/May 23<sup>rd</sup> @ 7:28**

- Article 48. 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 the Baldwinville Elementary School and the Templeton Center School, or to take any other action relative thereto.  
**Submitted by the Narragansett Regional School District Committee**

**No Motion**

- Article 49. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Eleven Thousand, Five Hundred Fifty Dollars (**\$11,550.00**) for the first year of a multiple year lease/purchase for a new, one-ton pick-up truck with utility body and 9 ft. snow plow for the Highway Department provided, however, that the appropriation 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, under the provisions of G.L. c.59 §21c(i1/2), or to take any other action relative thereto.  
**Submitted by the Highway Superintendent and the Capital Planning Committee**

On a motion duly made and seconded the town voted to raise and appropriate the sum of Eleven Thousand, Five Hundred Fifty Dollars (**\$11,550.00**) for the first year of a multiple year lease/purchase for a new, one-ton pick-up truck with utility body and 9 ft. snow plow for the Highway Department provided, however, that the appropriation 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, under the provisions of G.L. c.59 §21c(i1/2).

**Passed/May 23<sup>rd</sup> @ 7:30**

- Article 50. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of Thirty Thousand Dollars **(\$30,000.00)** for the first year of a multiple year lease/purchase for a new front-end loader for the Highway Department, provided, however, that the appropriation hereunder shall be expressly contingent upon the approval by the voters of a Proposition 2 ½ , so called, Capital Expenditure Exclusion ballot question, pursuant to the provisions of G.L. c. 59 §21c(i1/2), or to take any other action relative thereto.

**Submitted by the Highway Superintendent and the Capital Planning Committee**

On a motion duly made and seconded the town voted to raise and appropriate the sum of Thirty Thousand Dollars **(\$30,000.00)** for the first year of a multiple year lease/purchase for a new front-end loader for the Highway Department, provided, however, that the appropriation hereunder shall be expressly contingent upon the approval by the voters of a Proposition 2 ½ so called, Capital Expenditure Exclusion ballot question, pursuant to the provisions of G.L. c.59 §21c(i1/2).

**Passed/May 23<sup>rd</sup> @ 7:42**

- Article 51. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of One Hundred Thousand Dollars **(\$100,000.00)** 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 Proposition 2 ½ , so called, or to take any other action relative thereto.

**Submitted by the Highway Superintendent and the Capital Planning Committee**

On a motion duly made and seconded the town voted to raise and appropriate the sum of One Hundred Thousand Dollars **(\$100,000.00)** 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 Proposition 2 ½, so called, Capital Expenditure Exclusion ballot question pursuant to the provisions of G.L. c.59 §21c(i1/2).

**Passed/May 23<sup>rd</sup> @ 7:45**

- Article 52. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Thirty-Two Thousand, Six Hundred Thirty Dollars **(\$32,630.00)** to purchase and equip a 2013 Ford Sedan Police Interceptor 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**

**No Motion**

- Article 53. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Twelve Thousand Eight Hundred Thirty Dollars (**\$12,830.00**) to refurbish a 2007 Crown Victoria police cruiser, or to take any other action relative thereto.

**Submitted by the Police Chief and the Capital Planning Committee**

On a motion duly made and seconded the town voted to transfer the sum of Twelve Thousand, Eight Hundred Thirty Dollars (**\$12,830.00**) from the Capital Stabilization Fund to refurbish a 2007 Crown Victoria police cruiser.

**Passed by 2/3 vote/May 23<sup>rd</sup> @ 7:48**

- Article 54. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of Thirty-Seven Thousand, Ninety-One Dollars (**\$37,091.00**) for payment of the first year of a five-year lease/purchase of a transport ambulance for the Fire 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 said lease/purchase, provided, however that the appropriation hereunder shall be expressly contingent upon the approval by the voters of a proposition 2 ½ , so called, Capital Expenditure Exclusion ballot question pursuant to the provisions of G.L.c.59 §21c(i1/2), or to take any other action relative thereto

**Submitted by the Fire Chief and the Capital Planning Committee**

**No Motion**

- Article 55. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Eighty-Six Thousand, Eight Hundred Thirty-Six Dollars and Forty-Four Cents (**\$86,836.44**) to fund the first year of a five-year lease/purchase agreement for a fire engine/pumper truck for the Fire 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 said lease/purchase, provided, however that the appropriation hereunder shall be expressly contingent upon the approval by the voters of a proposition 2 ½, so called, Capital Expenditure Exclusion ballot question pursuant to the provisions of G.L. c.59 §21c(i1/2), or to take any other action relative thereto.

**Submitted by the Fire Chief and the Capital Planning Committee**

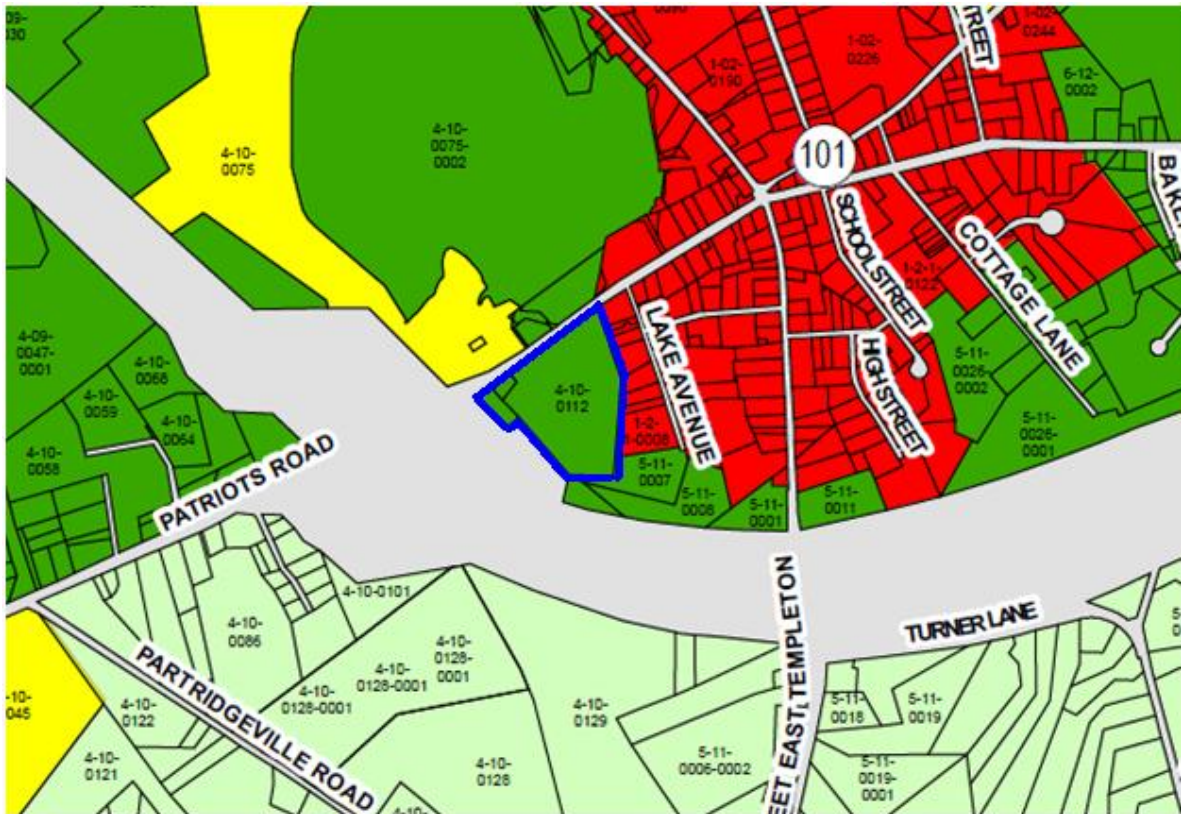
**No Motion**

- Article 56. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of Fifty-Two Thousand, Three Hundred Sixty-Three Dollars and Sixty-Eight Cents (**\$52,363.68**) to fund the first year of a five year lease/purchase agreement for a cascade/rescue truck for the Fire Department and to authorize the Board of Selectmen to enter into an

**Submitted by the Fire Chief and the Capital Planning Committee**

Article 57. To see if the Town will vote to amend the Templeton Zoning Map, parcels 109, 112 and 112, on Map 4-10, from the **Residential-Agricultural-1** to **Highway Business** or to take any other action relative thereto.

**Submitted by the Planning Board**



Passed by 2/3 vote/May 23<sup>rd</sup> @ 7:54

Article 58. To see if the Town will vote to amend the Zoning Bylaw by adopting a new bylaw entitled “Large Scale Ground Mounted Solar Photovoltaic Installations Bylaw”, as set forth below, or take any other action relative thereto.

Submitted by the Planning Board.

## **7.8 Large-Scale Ground-Mounted Solar Photovoltaic Installations**

### **7.8.1 Purpose and Applicability**

The purpose of this bylaw is to promote the creation of new large-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.

This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

### **7.8.2 Definitions**



*Large-Scale Ground-Mounted Solar Photovoltaic Installation:* A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 50 kW DC.

*On-Site Solar Photovoltaic Installation:* A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur.

*Rated Nameplate Capacity:* The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

*Solar Photovoltaic Array:* an arrangement of solar photovoltaic panels.

### **7.8.3 Use Standards**

Large-Scale Ground-Mounted Solar Photovoltaic Installations are hereby allowed by right in the following districts Commercial-Industrial-A, Commercial-Industrial-B, and Highway Business; and allowed by Special Permit in the following districts Village, Residential (RA1, RA2, RA5) Districts, and the Airport District.

### **7.8.4 General Standards**

#### **A. Permit Granting Authority**

It is hereby established under this bylaw that the Planning Board will be the permit granting authority under this section.

#### **B. Site Plan and Special Permit Requirements**

Ground-mounted large scale solar photovoltaic installations with 250 kW or larger of rated nameplate capacity shall undergo either Site Plan Review or Special Permit review process contingent on the location of proposed project prior to construction, installation or modification as provided in this section.

##### **1. General**

All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

##### **2. Required Documents**

Pursuant to the site plan review process, the project proponent shall provide the following documents:

- (a) A site plan showing:
  - i. Property lines and physical features, including roads, for the project site;
  - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
  - iii. Drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures
  - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;

- v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- vi. Name, address, and contact information for proposed system installer;
- vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
- viii. The name, contact information and signature of any agents representing the project proponent; and
- (b) Documentation of actual or prospective access and control of the project site;
- (c) An operation and maintenance plan (see also Section 7.8.12);
- (d) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
- (e) Proof of liability insurance; and
- (f) Description of financial surety that satisfies Section 7.8.16.

### **3. Waiver**

The Planning Board may waive documentary requirements as it deems appropriate.

## **7.8.5 Compliance with Laws, Bylaws and Regulations**

The construction and operation of all large scale solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

### **7.8.6 Utility Notification**

No large-scale ground-mounted solar photovoltaic installation shall be constructed until written evidence has been given to the Planning Board that Templeton Light and Water has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

### **7.8.7 Building Permit**

No large scale solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

### **7.8.8 Fees**

At the time of an application submittal an Administration Fee will be required. (See the Planning Board Fee Schedule for the amount required.)

A Review Fee will be determined by the Planning Board before the Public Hearing by acquiring an estimate from the peer review engineer appointed by the Planning Board to review the project.



### **7.8.9 Design Standards**

#### **A. Dimension and Density Requirements**

##### **Setbacks**

For large - scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:

- (1) Front yard: The front yard depth shall be at least 30 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
- (2) Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
- (3) Rear yard. The rear yard depth shall be at least 30 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.

#### **B. Lighting**

Lighting of solar photovoltaic installations shall be consistent any state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

#### **C. Signage**

Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.

#### **D. Utility Connections**

Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

### **7.8.10 Safety, Emergency Services and Environmental Standards**

- A. The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the fire chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

#### **B. Land Clearing, Soil Erosion and Habitat Impacts**

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large – scale ground-mounted solar photovoltaic installation. Any Land disturbance including earth removal or moving, and land clearing greater than 1 (one) acre of land will be subject to the Town of Templeton’s Stormwater Management Bylaw within the General Bylaws – Article LIII.

#### **7.8.11 Accessory Buildings**

All appurtenant structures to large- scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

#### **7.8.12 Operation and Maintenance Plans**

- A. The project proponent shall submit a plan for the operation and maintenance of the installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- B. The large - scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

#### **7.8.14 Modifications**

- A. All material modifications to a Solar Energy Collection System installation made after approval of the site plan shall require a modification of the approval. B. The Planning Board shall review each site plan at intervals of not less than five years and may, after public notice and hearing, modify the approved plan to insure the public safety and compliance with the town bylaws and regulations.

#### **7.8.15 Abandonment**

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. The Municipal Light and Water shall have the right of first refusal as to whether they will choose to assume responsibly for the solar operation. If the Municipal Light and Water Co. chooses to forgo the operation and the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

#### **7.8.16 Financial Surety**

Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety either through the Planning Board or Templeton Municipal Light and Water Company before construction. If setting up a surety with the Planning Board the form of surety must be either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

#### **7.8.17 Severability**

If any section or provision of this bylaw is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of any other section or provision of this Bylaw.

On a motion duly made and seconded the town voted to amend the Zoning Bylaw by Adopting a new bylaw entitled “Large Scale Ground Mounted Solar Photovoltaic Installations Bylaw”, as set forth below.

### **7.8 Large-Scale Ground-Mounted Solar Photovoltaic Installations**

#### **7.8.1 Purpose and Applicability**

The purpose of this bylaw is to promote the creation of new large-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.

This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

#### **7.8.2 Definitions**

*Large-Scale Ground-Mounted Solar Photovoltaic Installation:* A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 50 kW DC.

*On-Site Solar Photovoltaic Installation:* A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur.

*Rated Nameplate Capacity:* The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

*Solar Photovoltaic Array:* an arrangement of solar photovoltaic panels.

#### **7.8.3 Use Standards**

Large-Scale Ground-Mounted Solar Photovoltaic Installations are hereby allowed by right in the following districts Commercial-Industrial-A, Commercial-Industrial-B, and Highway Business; and allowed by Special Permit in the following districts Village, Residential (RA1, RA2, RA5) Districts, and the Airport District.

#### **7.8.4 General Standards**

##### **C. Permit Granting Authority**

It is hereby established under this bylaw that the Planning Board will be the permit granting authority under this section.

##### **D. Site Plan and Special Permit Requirements**

Ground-mounted large scale solar photovoltaic installations with 250 kW or larger of rated nameplate capacity shall undergo either Site Plan Review or Special Permit review process contingent on the location of proposed project prior to construction, installation or modification as provided in this section.

###### **1. General**

All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

###### **2. Required Documents**

Pursuant to the site plan review process, the project proponent shall provide the following documents:

- (g) A site plan showing:
  - i. Property lines and physical features, including roads, for the project site;
  - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
  - iii. Drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures
  - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices;
  - v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
  - vi. Name, address, and contact information for proposed system installer;
  - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
  - viii. The name, contact information and signature of any agents representing the project proponent; and
- (h) Documentation of actual or prospective access and control of the project site;
- (i) An operation and maintenance plan (see also Section 7.8.12);

- (j) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
- (k) Proof of liability insurance; and
- (l) Description of financial surety that satisfies Section 7.8.16.

### **3. Waiver**

The Planning Board may waive documentary requirements as it deems appropriate.

#### **7.8.5 Compliance with Laws, Bylaws and Regulations**

The construction and operation of all large scale solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

#### **7.8.6 Utility Notification**

No large-scale ground-mounted solar photovoltaic installation shall be constructed until written evidence has been given to the Planning Board that Templeton Light and Water has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

#### **7.8.7 Building Permit**

No large scale solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

#### **7.8.8 Fees**

At the time of an application submittal an Administration Fee will be required. (See the Planning Board Fee Schedule for the amount required.)

A Review Fee will be determined by the Planning Board before the Public Hearing by acquiring an estimate from the peer review engineer appointed by the Planning Board to review the project.

#### **7.8.10 Design Standards**

### **E. Dimension and Density Requirements**

#### **Setbacks**

For large - scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:

- (1) Front yard: The front yard depth shall be at least 30 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.

- (2) Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
- (3) Rear yard. The rear yard depth shall be at least 30 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.

#### **F. Lighting**

Lighting of solar photovoltaic installations shall be consistent any state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

#### **G. Signage**

Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.

#### **H. Utility Connections**

Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

#### **7.8.10 Safety, Emergency Services and Environmental Standards**

- C. The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the fire chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

#### **D. Land Clearing, Soil Erosion and Habitat Impacts**

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large – scale ground-mounted solar photovoltaic installation. Any Land disturbance including earth removal or moving, and land clearing greater than 1 (one) acre of land will be subject to the Town of Templeton's Stormwater Management Bylaw within the General Bylaws – Article LIII.

#### **7.8.11 Accessory Buildings**

All appurtenant structures to large- scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot

area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

#### **7.8.12 Operation and Maintenance Plans**

- A. The project proponent shall submit a plan for the operation and maintenance of the installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- B. The large - scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

#### **7.8.14 Modifications**

- A. All material modifications to a Solar Energy Collection System installation made after approval of the site plan shall require a modification of the approval. B. The Planning Board shall review each site plan at intervals of not less than five years and may, after public notice and hearing, modify the approved plan to insure the public safety and compliance with the town bylaws and regulations.

#### **7.8.15 Abandonment**

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. The Municipal Light and Water shall have the right of first refusal as to whether they will choose to assume responsibly for the solar operation. If the Municipal Light and Water Co. choose to forgo the operation and the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

#### **7.8.16 Financial Surety**

Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety either through the Planning Board or Templeton Municipal Light and Water Company before construction. If setting up a surety with the Planning Board the form of surety must be either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal,

prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

#### **7.8.17 Severability**

If any section or provision of this bylaw is found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of any other section or provision of this Bylaw.

**Passed by 2/3 vote/May 23<sup>rd</sup> @ 8:33**

Article 59. 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 the Board of Selectmen**

On a motion duly made and seconded the town voted to raise and appropriate the sum of One Hundred Seven Thousand, Two Hundred Twenty-Seven Dollars (**\$107,227.00**) for the Stabilization Fund.

**Passed by 2/3 vote/May 23<sup>rd</sup> @ 8:38**

Article 60. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of Fifteen Thousand Dollars (**\$15,000.00**) for the Reserve Fund, or to take any other action relative thereto.

On a motion duly made and seconded the town voted to raise and appropriate the sum of Fifteen Thousand Dollars (**\$30,000.00**) for the Reserve Fund.

**Passed Unanimously/May 23<sup>rd</sup> @ 8:39**

Article 61. To see if the Town will vote to appropriate from available funds in the treasury, the sum of One Hundred Eighty-Nine Thousand, Eighty-One Dollars (**\$189,081.00**) to be used by the Board of Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 2013, or to take any other action relative thereto.

On a motion duly made and seconded the town voted to appropriate from available funds in the treasury, the sum of One Hundred Eighty-Nine Thousand, Eighty-One Dollars (**\$189,081.00**) to be used by the Board of Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 2013.

**Passed/May 23<sup>rd</sup> @ 8:40**

**A motion was duly made and seconded to dissolve the Annual Town Meeting.**

**Passed Unanimously/May 23<sup>rd</sup> @ 8:47**



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 1st day of May in the Year AD 2012.

BOARD OF SELECTMEN

---

Robert Columbus, Chairman

---

Christopher Stewart, Vice Chairman

---

Virginia Wilder, Clerk

---

Jeffrey Bennett, Member

---

Patrick Mullins, Member

**A True Copy Attest:**

Randy L. Brown, Constable of Templeton

**OFFICER'S RETURN**

WORCESTER, SS

May 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, 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.

---

Randy L. Brown  
Constable of Templeton

A True Copy, ATTEST:

Carol A. Harris  
Town Clerk of Templeton

Meeting Attendance 05-15-2012

Voters Total 291

Meeting Attendance 05-16-2012

Voters Total 238

Meeting Attendance 05-21-2012

Voters Total 228

Meeting Attendance 05-23-2012

Voters Total 159