

TOWN OF TEMPLETON  
WARRANT FOR ANNUAL TOWN MEETING  
MAY 3, 1993-ELECTIONS  
MAY 12, 1993-ANNUAL  
COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.

To either of the Constables of the Town of Templeton in said  
County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the several precincts of the Town of Templeton, County of Worcester, qualified to vote in elections and Town affairs to meet in the Narragansett Regional High School in said Templeton on Wednesday, May 12, 1993 and June 23, 1993 at 7:00 P.M. then and there to act on the following articles:

A motion was duly made and seconded to pass over articles numbered 13 through 17 and 25 through 39 (inclusive) and that they be taken up at an adjourned session of the Annual Town Meeting to be held on June 23, 1993 at 7:00 P.M.  
Passed unanimously

A motion was duly made and seconded to pass over article numbered 24 until an adjourned session to be held on June 23, 1993 at 7:00 P.M.  
Passed unanimously

Article 1. To see if the Town vote to accept the reports of the Town Officers as printed in the Town report and to include a supplement for the School Department Salaries, Birth, Death and Marraiges.

On a motion duly made and seconded the Town voted to accept the reports of the Town Officers as Amended and printed in the Town report and to include a supplement for the School Department Salaries, Births, Death and Marraiges.  
Passed unanimously

Article 2. To see if the Town will vote to hear the reports of any committees and pass any vote; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to accept the the reports of any committees and pass any vote.  
Passed unanimously

Article 3. To see what disposition the Town will vote to make use of the income from the Otis G. Rice Fund; or to take any other action relative thereto.

On a motion duly made and seconded the Town moved that the money received from the Otis G. Rice Fund be appropriated for the School Department.  
Passed unanimously

Article 4. To see if the Town will vote to authorize the Town Collector to use the same means for collecting taxes as the Town Treasurer,

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when appointed Collector, may use; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to authorize the Town Collector, to use the same means for collecting taxes as the Town Treasurer.

Passed unanimously

- Article 5. To see if the Town will vote to transfer any money received as a grant under Chapter 132, Section 26D, of the General Laws, as amended by Chapter 657 of the Acts of 1956, to the Dutch Elm Disease Account; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to transfer any money received as a grant under Chapter 132, Section 26D, of the General Laws, as amended by Chapter 657 of the Acts of 1956, to the Dutch Elm Disease Account and authorize its expenditure by the Board of Selectmen.

Passed unanimously

- Article 6. To see if the Town will vote to appropriate any part of the surplus funds of the operating account of the Electric Light Department, as of December 31, 1992, for use by the Assessors in fixing the tax rate to appropriations made for the fiscal year ending June 30, 1994; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to appropriate the sum of Seventy-Five Thousand Dollars (\$75,000.00) from surplus funds of the operating account of the Electric Light Department, as of December 31, 1992, for use by the Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 1994.

Passed unanimously

- Article 7. To see if the Town will vote to authorize the Selectmen to apply for, accept and 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.

On a motion duly made and seconded the Town voted to authorize the Selectmen to apply for, accept and 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

- Article 8. To see if the Town will vote to appropriate and transfer a sum of money from the Reserve for Appropriation Bond Principal Account to the Maturing Principal on long-Term Debt. Account; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to appropriate and transfer the sum of Twenty-Five Thousand, One Hundred Twenty Dollars and Thirty-two Cents (\$25,120.32) from the Reserve for Appropriation Bond Principal Account to the Maturing Principal on Long-Term Debt Account.

Passed unanimously

Article 9. To see if the Town will vote to appropriate and transfer a sum of money from the Reserve for Appropriation Bond Interest Account to the Interest on Long-Term Debt Account; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to appropriate and transfer the sum of Twenty Thousand, Ninety-six Dollars and Twenty Cents (\$20,096.20) from the Reserve for Appropriation Bond Interest Account to the Interest on Long-Term Debt Account.  
Passed unanimously

Article 10. To see if the Town will vote to appropriate and transfer a sum of money from the Sewer Betterment Available Account to the Maturing Principal on Long-Term Debt Account; or to take any other action relative thereto.

Move that the Town vote to appropriate and transfer the sum of Twenty Thousand, Six Hundred Thirty Dollars (\$20,630.00) from the Sewer Betterment Available Account to the Maturing Principal on Long-Term Debt Account.  
Passed unanimously

Article 11. To see if the Town will vote to appropriate and transfer a sum of money from the Sewer Betterment Available Account to the Interest on Long-Term Debt Account; or to take any other section relative thereto.

Move that the Town vote to appropriate and transfer the sum of Forty-seven Thousand, Four Hundred Eighty-eight Dollars and Fifty-four Cents (\$47,488.54) from the Sewer Betterment Available Account to the Interest on Long-Term Debt Account.  
Passed unanimously

Article 12. To see if the Town will vote to authorize the Selectmen to accept and 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 grant funds accepted as authorized by this article are to be used by the Templeton Arts Council on approved arts projects; or to take any other action relative thereto.

Move that the Town vote to authorize the Selectmen to accept and 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 grant funds accepted as authorized by this article are to be used by the Templeton Arts Council on approved arts projects.  
Passed unanimously

Article 13. To see if the Town will vote to Raise and Appropriate a sum of money and accept from the Light Department a sum of money for the Worcester County Retirement System; or to take any other action relative thereto.

Move that the Town vote to Raise and Appropriate the sum of Ninety-nine Thousand, Nine Hundred Eighty-seven Dollars and Twelve Cents (\$99,987.12) and accept from the Light Department the sum of Thirty-one Thousand, Five Hundred Seventy-four Dollars and Eighty-eight Cents (\$31,574.88) for the Worcester County Retirement System making a total sum of One Hundred Thirty-one Thousand, Five Hundred Sixty-two Dollars (\$131,562.00). Passed unanimously

Article 14. To see what sum of money the Town will vote to Raise and Appropriate or transfer from Available Funds for Town Charges for the ensuing year: 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 Two Million, Five Hundred Eleven Thousand, Eight Hundred Sixty Dollars and Sixty-Five cents (\$2,511,860.65) to pay Town Charges for the ensuing year as follows:

Town Accountant Salary	\$ 15,000.00
Assistant Town Accountant Expenses	2,061.00
Assistnat Town Accountant Salaries	7,455.00
Advisory Committee Expenses	-0-
Animal Inspector Expenses	776.00
Arts Council	66.00
Board of Appeals Expenses	873.00
Assessors Office Expenses	4,582.00
Assessors Office Salaries	17,378.00
Boynton Library Expenses	2,446.00
Boynton Library Salaries	15,197.00
Building Inspector Expenses	961.00
Building Inspector Salaries	30,662.00
Cemetery Department Expenses	5,908.00
Cemetery Department Salaries	41,432.00
Cemetery Department-Soldiers/Sailors Graves	516.00
Communication Commission Expense	15,973.00
Communication Commission Salaries	83,458.00
Conservation Commission Expenses	2,389.00
Council on Aging Expenses	2,406.00
Council on Aging Salaries	11,427.00
Dog Officer Expenses	2,879.00
Dog Officer Salary	5,800.00
Field Driver Expenses	500.00
Fire Department Expenses	16,002.00
Fire Department Salaries	37,080.00
Gas Inspector Expenses	200.00
General Insurance Expenses	156,000.00
Group Insurance Expenses	200,000.00
Board of Health Office Expenses	2,254.00
Board of Health Office Salaries	27,625.00
Highway Department Expenses	40,024.00
Highway Department Salaries	165,883.00
Highway Department-Snow & Ice Removal Expense	80,000.00
Highway Department-Street Lighting Expense	42,135.00
Highway Department-Town Vehicle Machinery Maintenance Expense	63,843.00
Highway Department-Town Vehicle Machinery Maintenance Salaries	28,870.00

Historical Commission Expenses	\$ 500.00
Interest on Tax Anticipation Notes	1.00
Interest on Long-Term Debt	1,310.73
*Interest on Bond Anticipation Notes-Sanitary Landfill Closing	15,500.00*
*Interest on Long-Term Debt Sanitary Landfill Closing	19,750.00*
Interest on Temporary Borrowing Chapter 133 State Reimbursed Roadway Projects (Chapter 90)	6,463.47
*Interest on Long-Term Debt Phase IVB Sewer Project	119,921.89*
*Maturing Principal on Long-Term Debt Phase IVB Sewer Project	92,479.00*
*Maturing Principal on Long-Term Debt Sanitary Landfill Closing	65,000.00*
Maturing Principal on Long-Term Debt Expenses Mass. Emergency Management Agency (Civil Defense) Expenses	29,879.68
Memorial/Veterans Day Activities Expenses	86.00
Moderator Expenses	989.00
Montachusett Regional Planning Commission Assessment Expenses	43.00
Parks, Playgrounds & Commons Expenses	1,257.88
Parks, Playgrounds & Commons Salaries	4,343.00
Pension Fund Expenses	15,132.00
Pest Control Expenses	10,000.00
Planning Board Expenses	430.00
Plumbing Inspector Expenses	516.00
Police Department Expenses	1,350.00
Police Department Salaries	18,801.00
Printing Town Report, Valuation Book & Street List Expenses	317,542.00
Printing Town Report, Valuation Book & Street List Salaries	5,376.00
Public Safety Committee	1,200.00
Recreation Commission Expenses	344.00
Recreation Commission Salaries	2,290.00
Right to Know Law Expenses	8,710.00
Sanitary Landfill Operating Expenses	108.00
Sanitary Landfill Operating Salaries	56,313.00
Sealer of Weights & Measures Expenses	3,816.00
Selectmen's Office Expenses	43.00
Selectmen's Office Salaries	6,804.00
Sewer Department Expenses	55,884.00
Sewer Department Salaries	27,235.00
Tax Collector and Town Clerk Office Expenses	116,889.00
Tax Collector and Town Clerk Office Salaries	16,790.00
Tax Liens Expenses	37,679.00
Tax Taking Expenses	3,000.00
Town Buildings-Expenses	1,500.00
Town Buildings-Salaries	16,444.00
Town Counsel Expenses	4,115.00
Town Travel Expenses	15,000.00
Town Vehicle-Gasoline Expenses	1,500.00
	24,569.00

Trade School Expenses	1,000.00
Treasurer Expenses	10,255.00
Treasurer Salaries	2,000.00
Tree Warden Expenses	1,800.00
Tree Warden Salaries	2,500.00
Unemployment Compensation Insurance Expenses	9,000.00
Veterans Benefits Expenses	8,600.00
Veterans Services District	4,730.00
Water Department Expenses	121,941.00
Water Department Salaries	92,864.00
Wiring Inspector Expenses	205.00
<b>TOTAL</b>	<b>\$2,511,860.65</b>

\* Debt. Exclusions

Article 15. To see what sum of money the Town will vote to Raise and Appropriate or transfer from Available Funds for the Narragansett Regional School District for the ensuing year: 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 One Million, Five Hundred Sixty Five Thousand, Four Hundred Eighty Three Dollars (\$1,565,483.00) for the Narragansett Regional School District for the ensuing year. Passed unanimously

Article 16. To see what sum of money the Town will vote to Raise and Appropriate or transfer from Available Funds for the Montachusett Regional Vocational Technical School District for the ensuing year; 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 One Hundred Forty Six Thousand, Four Hundred One Dollars (\$146,401.00) for the Montachusett Regional Vocational Technical School District for the ensuing year. Passed unanimously

Article 17. To see if the Town will vote to fix 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, and Appropriate or transfer from Available Funds therefor; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to fix the compensation for all elected officials and to Raise and Appropriate the sum of Sixty-Three Thousand, Nine Hundred Sixty-Seven Dollars (\$63,967.00) for the compensation of all elected and appointed officers of the Town as provided by the Massachusetts General Laws for the ensuing year as follows:

Chairman Advisory Committee Salary	\$ 174.00
Assessors Salaries	10,612.00
Board of Appeals Salaries	-0-
Board of Health Salaries	5,681.00
Conservation Commission Chairman Salary	814.00
Fire Chief Salary	3,183.00
Deputy Fire Chiefs Salaries	848.00
Light Commissioners (Paid by Light Dept)	1,500.00

Mass Emergency Management Agency (Civil Defense) Director Salary	253.00
Moderator Salary	191.00
Planning Board Salaries	3,193.00
School Committee Salaries	2,421.00
Sealer of Weights & Measures Salary	568.00
Selectmen's Salaries	17,684.00
Sewer Commissioners Salaries	2,652.00
Town Clerk Salary	2,833.00
Town Collector Salary	1,309.00
Treasurer Salary	9,549.00
Wiring Inspector Salary	2,002.00
 Total	 \$63,967.00

Article 18. To see if the Town will vote to accept and transfer without further appropriation equal educational opportunity grant (EEOG) funds for fiscal year 1994 to the Narragansett Regional School District, pursuant to the provisions of Massachusetts General Laws, Chapter 70A, Section 5, for the purpose of assisting school districts where per pupil costs are below 85% of the State average; said funds to be expended by the School Committee for direct student service expenditures; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to accept and transfer without further appropriation equal educational opportunity grant (EEOG) funds for fiscal year 1994 to the Narragansett Regional School District, pursuant to the provisions of Massachusetts General Laws, Chapter 70A, Section 5, for the purpose of assisting school districts where per pupil costs are below 85% of the State average; said funds to be expended by the School Committee for direct student service Expenditures  
Passed unanimously

Article 19. To see if the Town will vote to accept and transfer without further appropriation equal educational opportunity grant (EEOG) funds for fiscal year 1994 to the Montachusett Regional Vocational Technical School District, pursuant to the provisions of Massachusetts General Laws, Chapter 70A, Section 5, for the purpose of assisting school districts where per pupil costs are below 85% of the State average; said funds to be expended by the School Committee for direct student service expenditures; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to accept and transfer without further appropriation equal educational opportunity grant (EEOG) funds for fiscal year 1994 to the Montachusett Regional Vocational Technical School District, pursuant to the provisions of Massachusetts General Laws, Chapter 70A, Section 5, for the purpose of assisting school districts where per pupil costs are below 85% of the State average; said funds to be expended by the School Committee for direct student service expenditures.  
Passed unanimously

Article 20. To see if the Town will vote to petition the Massachusetts General Court to enact legislation as follows:

"Notwithstanding any General or Special Law to the contrary, the Town of Templeton is authorized to appropriate funds in an amount not to exceed \$5,000.00 per individual in order to pay for the reasonable funeral and burial expenses of any Town employee who meets the definition of employee as found in Chapter 32B, Section 2(d) of the General Laws, or of any Rescue Squad personnel, if such persons are not otherwise eligible under Chapter 41, Section 100G 1/4, and are killed in the performance of duty."

or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to petition the Massachusetts General Court to enact legislation as follows:

"Notwithstanding any General or Special Law to the contrary, the Town of Templeton is authorized to appropriate funds in an amount not to exceed \$5,000.00 per individual in order to pay for the reasonable funeral and burial expenses of any Town employee who meets the difinition of employee as found in Chapter 32B, Section 2(d) of the General Laws, or of any Rescue Squad personnel, if such persons are not otherwise eligible under Chapter 41, Section 100G 1/4, and are killed in the performance of duty."  
Passed unanimously

Article 21. To see if the Town will vote to amend Article XXI-"Zoning," Section 5. B., Third Sentence, of the Town of Templeton By-Laws as follows, which would change the number of associate members on the Board of Appeals from one to three. A and C of said Section 5 remain the same:

Section 5. Administration and Enforcement

"B.....The Salectmen shall also appoint three (3) associate members for a term of five years each to serve in case of absence, inability to act or conflict of interest on the part of any regular member....."

or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to amend article XXI-"Zoning," Section 5. B., Third Sentence, of the Town of Templeton By-Laws as follows, which would change the number of associate members on the Board of Appeals from one to three. A and C of said Section 5 remain the same:

Section 5. Administration and Enforcement

"B.....The Selectmen shall also appoint three (3) associate members for a term of five years each to serve in case of absence, inability to act or conflict of interest on the part of any regular member....."  
Passed unanimously

Article 22. To see if the Town will vote to adopt a by-law regarding street numbers attached to each building as follows:

STREET NUMBERS

"Street numbers shall be attached to each dwelling, business, industry and other buildings in the Town of Templeton.

- A. The number shall be made of permanent, weather-proof materials, in contrasting color, shall be at least three (3) inches in height, and shall be clearly visible from the street or roadway upon which the structure fronts.
- B. Any structure that is not visible from the street or roadway shall have the assigned number posted on a suitable support at the entrance to the driveway that services such structure.
- C. The numbers posted shall be those assigned to each structure by the Board of Assessors. The said Board shall advise the owners of the property of the assigned or reassigned number in writing at the property's tax address.
- D. It shall be the responsibility of each property owner in the Town to obtain, display, and maintain the assigned street number within ninety (90) days of passage of this By-Law.
- E. This By-Law shall be enforced by either the Police department or Fire Department. Failure to comply with this By-Law shall subject property owners to a fine of not more than twenty dollars (\$20.00) for each offense. Each day shall constitute a separate offense."

or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to adopt a by-law regarding street numbers attached to each building as follows:

STREET NUMBERS

"Street numbrs shall be attached to each dwelling, business, industry and other buildings in the Town of Templeton.

- A. The number shall be made of permanent, weather-proof materials, in contrasting color, shall be at least three (3) inches in height, and shall be clearly visible from the street or roadway upon which the structure fronts.
- B. Any structure that is not visible from the street or roadway shall have the assigned number posted on a suitable support at the entrance to the driveway that services such structure.
- C. The numbers posted shall be those assigned to each structure by the Board of Assessors. The said Board

shall advise the owners of the property of the assigned or reassigned number in writing at the property's tax address.

- D. It shall be the responsibility of each property owner in the Town to obtain, display, and maintain the assigned street number within ninety (90) days after the effective date of this By-Law.
  - E. This By-Law shall be enforced by the Police Department. Failure to comply with this By-Law shall subject property owners to a fine of not more than twenty dollars (\$20.00) for each offense. Each day shall constitute a separate offense."
- Passed unanimously

Article 23. To see if the Town will vote to amend Article XXI-"Zoning" Section 4, Non-conforming use, by deleting the second paragraph and replacing said paragraph as follows:

"Alteration and Enlargement-a non-conforming building or structure may be altered or enlarged provided that such alteration or enlargement conforms to applicable yard, building height and lot coverage requirements, but no non-conforming extension or alteration of a non-conforming structure shall be permitted unless there is a finding by the Board of Appeals that such change, extension, or alteration shall not be substantially more detrimental than the existing non-conforming use to the neighborhood."

or to take any other action thereto.

On a motion duly made and seconded the Town voted to amend Article XXI-"Zoning" Section 4, Non-conforming use, of the Zoning By-Law, by deleting the second paragraph and replacing said paragraph as follows:

"Alteration and Enlargement-a non-conforming building or structure may be altered or enlarged provided that such alteration or enlargement conforms to applicable yard, building height and lot coverage requirements, but no non-conforming extension or alteration of a non-conforming structure shall be permitted unless there is a finding by the Board of Appeals that such change, extension, or alteration shall not be substantially more detrimental than the existing non-conforming use to the neighborhood."

Passed unanimously

Article 24. To see if the Town will vote pursuant to G.L. c.40, Section 8H to adopt a by-law regarding Mandatory Recycling, as follows:

MANDATORY RECYCLING

Article 1. Purpose

This by-law will significantly reduce the amount of municipal solid waste that will need to be landfilled in Templeton, thus reusing natural resources and preserving landfill space for nonreusable goods, as well as meet

Article II. Definitions

- A. "Commercial Hauler" shall mean any person licensed by the Board of Health who, for a fee, collects and/or hauls solid waste that is generated within the Town of Templeton.
- B. "Solid Waste" shall mean any household, residential, or commercial solid waste.
- C. "Composting" shall mean a process of accelerated biodegradation and stabilization of organic material under controlled conditions yielding a product which can be safely used.
- D. "Designated Material" shall mean those recyclable goods including but not limited to types and grades of metal, paper, glass or plastic and those compostable materials including but not limited to types and grades of leaves, yard waste and food waste designated by the Department of Environmental Protection pursuant to regulations to be source separated.
- E. "Disposal" shall mean the dumping, landfilling or placement of solid waste into or on any land or water or the incineration of solid waste for energy recovery or otherwise.
- F. "Person" shall mean any individual, partnership, association, firm, company, corporation, department, agency, group or public body generating solid waste.
- G. "Recycle" shall be construed to mean the diversion of material, product, or byproduct from disposal to: (a) reuse, or (b) employ as an ingredient or feedstock in an industrial or manufacturing process to make a marketable end product, or (c) employ in a particular function or application as an effective substitute for a commercial product or commodity. Recycle does not mean to recover energy from the combustion of designated materials.
- H. "Source Separate" shall be construed to mean the separation of designated recyclable or compostable materials from solid waste at the place where the materials or waste are generated through the use or consumption of goods.

Article III. Use of Landfill/Recycling Center

Any person using the Landfill/Recycling Center must first obtain a permit issued by the Board of Health and sign an agreement stating that they have received a copy of the recycling regulations. A small fee will be charged to cover the printing of the permits and regulations. Any person wishing to use only the Recycling Center may do so at no cost.

Article IV. Use of Landfill/Recycling Center by Commercial Haulers.

Any commercial hauler using the Landfill/Recycling Center must also obtain a sticker issued by the Board of Health and agree to provide source separated pick-up for their customers. The list of recyclables commercial haulers must pick up will be limited by regulation of the Board of Health to no more than six (6) types of material in order to prevent implementation from becoming an impossible task.

Article V. Recycling of Designated Materials

- (a) After January 1, 1994, no person and no commercial hauler shall place solid waste in the Templeton Landfill unless the following designated materials have been source separated from the solid waste prior to placement or delivery of the waste for disposal: leaves, yard waste, newspaper, magazines, cardboard, recyclable paper, aluminum, metal, glass containers, scrap metal, batteries and white goods.
- (b) After July 1, 1994, no person and no commercial hauler shall place solid waste in the Templeton Landfill unless, in addition to the materials designated pursuant to Article V Section (a), the following designated materials have been source separated from the solid waste prior to placement or delivery of the waste for disposal: single polymer plastics.

The Board of Health may from time to time, by regulation, redesignate the types of materials required to be recycled.

All recyclable material must be separated from all other solid waste. It must be clean. Food and beverage containers must be rinsed out. Materials must be placed in their designated areas at the Recycling Center. The elderly and handicapped will be assisted by an attendant.

- (c) All separated recyclable materials deposited at the Recycling Center shall become the sole property of the Town of Templeton.

All separated recyclable materials being brought to the Recycling Center shall be brought at hours designated by the Board of Health.

Article VI. Disposal

No person who collects, transports, disposes or otherwise manages solid waste or designated material shall mix, commingle, or otherwise contaminate source separated designated materials with solid waste or other contaminants.

Article VII. Supervision

The Landfill/Recycling Center attendant shall inspect any and all solid waste presented for disposal. No person shall dispose of any designated materials other than as set forth in this by-law. Persons in violation of this by-law shall be notified of such violations in writing by the Board of

Health, which writing shall include the date of such violation, the nature of such violation, the penalty imposed thereby, and shall inform the violator of the right to request a hearing as set forth below. Anyone violating this by-law shall be fined \$25,00 for the first violation and \$50.00 for the second violation. All such fines shall be paid within ten (10) days of receipt of said written notice. Failure to pay such fine or any subsequent violation may, in the discretion of the Board of Health, result in the revocation of the violator's permit to use the Landfill/Recycling Center.

A person in receipt of a notice of violation may, within (10) days of receipt of such notice, request a hearing before the Board of Health (Board). Such request shall be made in writing and shall state any reasons why the penalty set forth in the notice of violation should not be imposed. Within fourteen (14) days of receipt of such request for hearing, the Board shall schedule such hearing and notify the person requesting the hearing of the date and time thereof. The Board shall have the authority to waive or reduce the penalty stated in the notice of violation if it finds good cause following such hearing. The Board of Health shall make its decision within fourteen (14) days of such hearing and shall notify the person requesting such hearing of its decision, in writing, within fourteen (14) days thereof. The Board's decision shall be final."

or to take any other action relative thereto.

On a motion duly made and seconded the Town voted pursuant to G.L. c. 40, Section 8H to adopt a by-law regarding Mandatory Recycling, as follows:

#### MANADATORY RECYCLING

##### Article 1. Purpose

This by-law will significantly reduce the amount of municipal solid waste that will need to be landfilled in Templeton, thus reusing natural resources and preserving landfill space for nonreusable goods, as well as meet the state's 25% recycling requirement set down at 310 CMR 19.038 (2) (d).

##### Article II. Definitions

A. "Commercial Hauler" shall mean any person licensed by the Board of Health who, for a fee, collects and/or hauls solid waste that is generated within the Town of Templeton.

B. "Solid Waste" shall mean any household, residential, or commercial solid waste.

C. "Composting" shall mean a process of accelerated biodegradation and stabilization of organic material under controlled conditions yielding a product which can be safely used.

D. "Designated Material" shall mean those recyclable goods including but no limited to types and grades of metal, paper, glass or plastic and this compostable materials including but not limited to types and grades of leaves,

yard waste and food waste designated by the Department of Environmental Protection pursuant to regulations to be source separated.

E. "Disposal" shall mean the dumping, landfilling or Placement of solid waste into or on any land or water or the incineration of solid waste for energy recovery or otherwise.

F. "Person" shall mean any individual, partnership, association, firm, company, corporation, department, agency, group or public body generating solid waste.

G. "Recycle" shall be construed to mean the diversion of material, product, or byproduct from disposal to: (a) reuse, or (b) employ as an ingredient or feedstock in an industrial or manufacturing process to make a marketable end product, or (c) employ in a particular function or application as an effective substitute for a commercial product or commodity. Recycle does not mean to recover energy from the combustion of designated materials.

H. "Source Separate" shall be construed to mean the separation of designated recyclable or compostable materials from solid waste at the place where the materials or waste are generated through the use or consumption of goods.

#### Article III. Use of Recycling Center

Any person using the recycling Center must first obtain a permit issued by the Board of Health and sign an agreement stating that they have received a copy of the recycling regulations. A reasonable fee will be set by the Board of Health for use of The Recycling Center.

#### Article IV. Use of Recycling Center by Commercial Haulers

Any commercial hauler using the Recycling Center must also obtain a sticker issued by the Board of Health and agree to provide source separated pick-up for their customers. The list of recyclables commercial haulers must pick up will be limited by regulation of the Board of Health to no more than six (6) types of material in order to prevent implementation from becoming an impossible task.

#### Article V. Recycling of Designated Materials

(a) After January 1, 1994, no person and no commercial hauler shall place solid waste in the Templeton Landfill unless the following designated materials have been source separated from the solid waste prior to placement or delivery of the waste for disposal: leaves, yard waste, newspaper, magazines, cardboard, recyclable paper, aluminum, metal, glass containers, scrap metal, batteries and white goods.

(b) After July 1, 1994, no person and no commercial hauler shall place solid waste in the Templeton Landfill unless, in addition to the materials designated pursuant to Article V Section (a), the following designated materials have been source separated from the solid waste prior to placement or delivery of the waste for disposal: single polymer plastics.

(c) The Board of Health may from time to time, by regulation, redesignated the types of materials required to be recycled.

The recyclable material must be separated from all other solid waste. It must be clean. Food and beverage containers must be rinsed out. Materials must be placed in their designated areas at the Recycling Center. An attendant will be available to assist during regular hours.

All separated recyclable materials deposited at the Recycling Center shall become the sole property of the Town of Templeton.

All separated recycable materials being brought to the Recycling Center shall be brought at hours designated by the Board of Health.

Article VI. Disposal

No person who collects, transports, disposes or otherwise manages solid waste or designated materials shall mix, commingle, or otherwise contaminate source separated designated materials with solid waste or other contaminants.

Article VII. Supervision

The Recycling center attendant shall inspect any and all solid waste presented for disposal. No person shall dispose of any designated materials other than as set forth in this by-law. Persons in violation of this by-law shall not be allowed to dispose of said materials at the site. Futher, they shall be notified of such violations in writing by the Board of Health, which writing shall include the date of such violations, the nature of such violator of the right to request a hearing as set forth below. Anyone violating this by-law shall be fined \$25.00 for the first violation and \$50.00 for the second violation. All such fines shall be paid within ten (10) days of receipt of said written notice. Failure to pay such fine or any subsequent violation may, in the discretion of the Board of Health, result in the revocation of the violator's permit to use the Recycling Center.

A person in receipt of a notice of violation may, within ten (10) days of receipt of such notice, request a hearing before the Board of Health (Board). Such request shall be made in writing and shall state any reasons why the penalty set forth in the notice of violation should not be imposed. Within fourteen (14) days of receipt of such request for hearing, the Board shall schedule such hearing and notify the perosn requesting the hearing of the date and time thereof. The Board shall have the authority to waive or reduce the penalty stated in the notice of violation if it finds good cause following such hearing. The Board of Health shall make its decision within fourteen (14) days of such hearing and shall notify the person requesting such hearing of its decision, in writing, within fourteen (14) days thereof. The Board's decision shall be final.

Passed unanimously

Article 25. To see if the Town will vote to Raise and Appropriate or transfer from Available funds a sum of money for the sixth of eight payments to the State; pursuant to the provisions of Chapter 32, Section 59A, of the Massachusetts General Laws, a portion of the Town's share of past pension liability in connection with former Town employee, Byrl D. Leonard; 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 Eight Thousand, Five Hundred Twenty-seven Dollars (\$8,527.00) for the sixth of eight payments to the State, pursuant to the provisions of Chapter 32, Section 59A, of the Massachusetts General Laws, a portion of the Town's share of past pension liability in connection with former Town employee, Byrl D. Leonard.  
Passed unanimously

Article 26. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to fulfill the essential changes pursuant to the implementation of the Enhanced 9-1-1 emergency telecommunications system; or to take any other action thereto.

No Motion

Article 27. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money for the third year's lease payment for the 1991 John Deere excavator; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to Appropriate from the Stabilization Fund the sum of Fifteen Thousand, Five Hundred Eleven Dollars and Forty-three cents (\$15,511.43) for the third year's lease payment for the 1991 John Deere excavator.  
Passed unanimously

Article 28. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds or borrow under the provisions of Chapter 44, or otherwise, a sum of money to purchase or lease or lease with the option to purchase a front-end loader for the Highway and Water Department and to further authorize the Board of Selectman to enter into a lease purchase agreement in excess of three (3) years; or to take any other action relative thereto.

No Motion

Article 29. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to refurbish the Highway Department 1972 Galion grader (H-4); or to take any other action relative thereto.

No Motion

Article 30. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money for the purchase of a certified trench shield box to be used in accordance with State Department of Public Safety Regulations; or to take any other action relative thereto.

No Motion

Article 31. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to be used for repair and/or reconstruction of Town sidewalks; or to take any other action relative thereto.

No Motion

Article 32. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money for the installation of curbing and for landscaping the upper Baldwinville Common; or to take any other action relative thereto.

No Motion

Article 33. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money for the purchase and installation of an auxiliary engine to run the Otter River Water Pump Station during an emergency; or to take any other action relative thereto.

No Motion

Article 34. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds or borrow under the provisions of Chapter 44, or otherwise, a sum of money to coat the interior and exterior of the Ladder Hill Standpipe (Water Tank) and for the rehabilitation of said tank; or to take any other action relative thereto.

No Motion

Article 35. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money for the purchase and installation of thirty (30) aluminum replacement windows at the Templeton Center Elementary School; or to take any other action relative thereto.

No Motion

Article 36. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to purchase and equip a new full-size four (4)-door sedan police cruise package; or to take any other action relative thereto.

No Motion

Article 37. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money for the Stablization Fund; or to take any other action relative thereto.

No Motion

Article 38. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money for the Special Reserve Account (Advisory Board); 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 Twenty-Five Thousand Dollars (\$25,000.00) for the Special Reserve Account (Advisory Board).  
Passed unanimously

Article 39. To see if the Town will vote to appropriate from Available Funds in the Treasury a sum of money to be used by the Board of Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 1994; 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 Three Hundred Twenty Thousand, Two Hundred Seventy-one Dollars (\$320,271.00) to be used by the Board of Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 1994. Passed unanimously

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 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 at the time and place of said meeting.

Given under our hands this 15th day of April in the year A.D. 1993

SELECTMEN OF TEMPLETON

\_\_\_\_\_  
Linda J. Parviainen, Chairman

\_\_\_\_\_  
Gladys I. Salame, Vice Chairman

\_\_\_\_\_  
Joseph A. Caisse, Clerk

\_\_\_\_\_  
Mary Ann Bourgeois, Member

\_\_\_\_\_  
Patrick E. Dunlavey, Member

A True Copy, ATTEST:

Neil A. Cullen  
\_\_\_\_\_  
Constable of Templeton

OFFICER'S RETURN

WORCESTER, ss.

April 20, 1993

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 and the Post Office in East Templeton, the Post Office in Baldwinville, and at Cote's Market in Otter River, and by delivering a copy to each of the Precincts 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.

causing notice of the same to be published once in the Gardner News, a newspaper in said County, in the City of Gardner.

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Neil A. Cullen

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Constable of Templeton

A True Copy, ATTEST:

Dana G. Putnam

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Town Clerk of Templeton

