

TOWN OF TEMPLETON
WARRANT FOR ANNUAL TOWN MEETING
MAY 2, 1994-ELECTIONS
MAY 10, 1994-ANNUAL
COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.

To either of the Constable of the Town of Templeton in
said County.

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby
directed to notify and warn the Inhabitants of the several pre-
cincts 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 TUESDAY, MAY 10, 1994
at 7:00 o'clock P.M. then and there to act on the following art-
icles:

A motion was duly made and seconded to pass over
articles numbered 14 through 19; articles 23 and 24;
articles 26 through 44; and articles 52 through 54,
(inclusive), and that they be taken up at an ad-
journed session of the Annual Town Meeting to be
held on June 21, 1994 at 7 p.m.
Passed

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100

Article 1. To hear the reports of the Town Officers and act thereon.

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

Passed

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 reports of any committees and pass any vote.

Passed

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 voted the money received from the Otis G. Rice Fund be appropriated for the School Department.

Passed

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

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

Passed

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

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, 1993, for use by the Assessors in fixing the tax rate to appropriations made for the fiscal year ending June 30, 1995; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to appropriate the sum of One Hundred Thousand Dollars (\$100,000.00) from surplus funds of the operating account of the Electric Light Department, as of December 31, 1993, for use by the Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 1995.

Passed

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 the deem appropriate.

Passed

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

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 Eighteen Thousand, Eight Hundred Forty Dollars and Thirty Cents (\$18,840.30) from the Reserve for Appropriation Bond Interest Account to the Interest on Long-Term Debt Account.

Passed

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.

On a motion duly made and seconded the Town voted to appropriate and transfer the sum of Twenty-Nine Thousand, Eight Hundred Seventy-Nine Dollars, Sixty-Eight Cents (\$29,879.68) from the Sewer Betterment Available Account to the Maturing Principal on Long-Term Debt Account.

Passed

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 action relative thereto.

On a motion duly made and seconded the Town voted to appropriate and transfer the sum of Twelve thousand nine hundred seventy dollars and eighty-seven cents (\$12,970.87) from the Sewer Betterment Available Account to the Interest on Long-Term Debt Account.

Passed

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.

On a motion duly made and seconded the Town voted 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 Cultural Council on approved arts projects.

Passed

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.

On a motion duly made and seconded the Town voted to Raise and Appropriate the sum of One Hundred Two Thousand, Four Hundred Twenty Dollars and Seventy-four cents (102,420.74) and accept from the Light Department the sum of Thirty-four Thousand, One Hundred Forty Dollars and Twenty-Six Cents (\$34,140.26) for the Worcester County Retirement System making a total sum of One Hundred Thirty-six Thousand, Five Hundred Sixty-one Dollar (\$136,561.00).

Passed

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 Thirty-seven thousand Seven Hundred Thirty-Four Dolalrs and Ninety-four Cents (\$2,537,734.94); and transfer and appropriate the following sums from the accounts indicated: from the General Insurance Expenses Account Nineteen Thousand Dollars (\$19,000.00); from the Group Insurance Expenses Account Five Thousand Dollars (\$5,000.00); from the Sidewalk Repairs Account Three Thousand Nine Hundred Thirty-eight Dollars and Eighty-eight Cents (\$3,938.88); From the Highway Barn Fire Expenses Account Sixteen Thousand Four Hundred Thirty-five Dollars and Sixty Cents (\$16,435.60); from the Preliminary Plans Municipal Landfill Account Six Thousand Three Hundred Thirty-two Dollars (\$6,332.00); from the Hospital Road Acquisition Costs Account One Thousand Five Hundred Twenty-four Dollars and Fifty Cents (\$1,524.50) from the Insurance Recoveries-Highway Garage Building Account Thirty Thousand Two Hundred Fifty-four Dollars and Thirty-four Cents (\$30,254.34); from the Additional Municipal Stabilization Aid Account Eight Thousand Eighty-two Dollars (\$8,082.00); to a total sum of Two Million Six Hundred Twenty-eight Thousand Three Hundred Two Dollars and Twenty-six Cents (\$2,628,302.26) for the town charges for the ensuing year; said appropriation to be distributed according to the recommendations of the Advisory Board report dated June 17, 1994.

Passed

Town Accountant Salary	\$ 15,750.00
Assistant Town Accountant Salary	7,530.00
Assistant Town Accountant Expenses	2,061.00
Advisory Board Chairman Salary	176.00
Advisory Board Expenses	135.00
SR(Special Reserve)	
Animal Inspector Salary	784.00
Animal Inspector Expense	-0-
Arts Council	66.00
Board of Appeals Expenses	873.00
Board of Assessors Salaries	10,718.00
Assessors' Office Salaries	17,552.00
Assessors Office Expenses	4,375.00
Property Revaluation Program	60,000.00
Boynton Library Salaries	15,349.00
Boynton Library Expense	2,446.00
Building Inspector Salaries	30,969.00
Building Inspector Ofc. Expense	961.00
Cemetery Dept. Salaries	36,271.60
Cemetery Dept. Expense	5,908.00
Repair Lowering Device	500.00
Soldiers/Sailors	516.00
Communications Cms. Salaries	108,458.00
Communication scms. Expense	20,973.00
Conservation Cms. Chairman Salary	822.00
Conservation Cms. Expense	2,389.00
Council on Aging Salaries	9,900.00
Council on Aging Expense	3,950.00
(SR 120.00)	
Dog Officer Salary	5,688.00
Dog Officer Expense	2,879.00
Field driver	500.00
Fire Chief Salary	3,215.00
Deputy Fire Chiefs Salaries	856.00
Fire Dept. Salaries	37,450.00
Fire Dept. Expense	16,002.00
Gas Inspector Salary	202.00
General Insurance	156,000.00
Group Insurance	200,000.00
Board of Health Salaries	5,738.00
Board of Health Office Salary	27,901.00
Board of Health Office Expense	1,945.00
(SR 300.00)	
Highway Dept. Salaries	125,883.00
Highway Dept. Expense	39,824.00
Snow & Ice	80,000.00
Street Lighting	41,799.00
Machinery Maintenance Salaries	29,159.00
Machinery Maintenance Expense	63,843.00
Int Tax Anticipation	5,800.00
(SR 5713.25)	
Interest Long Term Debt.	33,172.11
Interest Bond Anticipated Landfill Closing	16,400.00
Interest Long Term Debt. Landfill Closing	16,225.78
Interest on Temporary Borrowing	5,281.00
Ch 133 Hwy. Funds	
Interest Long Term Debt. IVB Sewer	113,643.09

Principal Long Term Debt IVB Sewer	\$ 92,479.00
Principal Long Term Debt Landfill closing	65,000.00
Principal Long Term Debt.	20,630.00
MEMA/Civil Def. Director Salar	256.00
MEMA/Civil Def. Expense	350.00
(SR 100.00)	
Memorial/Vets Day	989.00
Moderator Salary	193.00
Moderator Expenses	43.00
MRPC Assessment	1,257.88
Parks/Playgrounds Salaries	-0-
Parks/Playgrounds Expense	-0-
Pension Fund	10,000.00
Pest Control	430.00
Planning Board Salary	3,225.00
Planning Board	516.00
Plumbing Inspector Salary	1,364.00
Police Dept. Salaries	339,889.00
(SR 6,000.00)	
Police Dept. Expense	18,295.00
Town Report/Street List Salary	1,200.00
Town Report/Street List Expense	5,376.00
Public Safety Cte. Expense	344.00
(SR 1535.92)	
Recreation Commission Salaries	8,710.00
Recreation Commission Expense	2,290.00
Right to Know	109.00
Landfill Operations Salary	3,854.00
Landfill Operations Expense	63,165.00
School Cte. Sal.	2,445.00
Sealer Wts/Measures	574.00
Sealer Wts/Measures	43.00
Selectmen's Salary	17,861.00
Selectmens' Office Salaries	56,443.00
Selectmens' Office Expense	6,804.00
Sewer Comm. Salary	2,679.00
Sewer Dept. Salaries	118,058.00
Sewer Dept. Expense	27,235.00
Town Clerk Salary	2,861.00
Town Collector Salary	1,321.00
Tax Collector/Clerk Office Salaries	38,056.00
Tax Collector/Clerk Office Expense	20,256.00
Tax Collector - Implement Qtrly Taxes	3,500.00
Tax Liens Expenses	3,000.00
Tax Taking Expenses	600.00
Town Buildings Salaries	4,077.00
Town Buildings Expense	16,444.00
Town Counsel	16,500.00
Town Travel	1,500.00
Town Gasoline Exp.	24,569.00
Trade School	1,000.00
Treasurer Salary	10,780.00
Treasurer Office Salary	2,020.00
Treasurer Expense	10,255.00
Tree Warden Salary	2,020.00
Tree Warden Expense	2,000.00

Unemployment	\$ 10,000.00
Vets Benefits	8,600.00
Vets Services Dist.	4,777.00
Water Dept. Salaries	59,652.00
Water Dept. Expense	121,341.00
Wiring Inspector Salary	2,022.00
Wiring Inspector Expense	205.00
 TOTAL	 \$2,628,302.26

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 three hundred eighty-four thousand One Hundred Eight Dollars (1,384,108.00) for the Narragansett Regional School District for the ensuing year.

Passed YES 99, NO 97, BLANKS 1

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-One Thousand Dollars Nine Hundred One (\$141,901.00) for the Montachusett Regional Vocational Technical School District for the ensuing year.

Passed

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 Raise and Appropriate or transfer from Available Funds therefor; or to take any other action relative thereto.

No Motion

Article 18. To see if the Town will vote to Raise and Appropriate or transfer from Available funds a sum of money for the seventh 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 seventh 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 the former Town employee, Byrl D. Leonard.

Passed

- Article 19. To see if the Town will vote to transfer from Available Funds a sum of money for the purpose of conducting a Hazardous Waste Day for the residents of Templeton; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to Transfer from Preliminary Plans and Design Account the sum of Six Thousand, Three Hundred Thirty-two Dollars (\$6,332.00) for the purpose of conducting a Hazardous Waste Day for the residents of Templeton.

Passed

- Article 20. To see if the Town will vote to establish a Revolving Fund pursuant to Chapter 44, s53E 1/2 under the jurisdiction of the Board of Health, to establish a Board of Health Enterprise Fund, for the recycling program, the receipts to be credited to this account shall be from the sale of recyclable goods, the receipts can be expended for the purpose of continuing and expanding the recycling program provided, however, that the limit to be expended from this fund shall be one thousand dollars (\$1,000.00); or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to establish a Revolving Fund pursuant to Chapter 44, s53E 1/2 under the jurisdiction of the Board of Health, for the recycling program, the receipts to be credited to this account shall be from the sale of recyclable goods, the receipts can be expended for the purpose of continuing and expanding the recycling program provided, however, that the limit to be expended from this fund shall be One thousand Dollars (\$1,000.00).

Passed

Article 21. To see if the Town will vote to adopt Massachusetts General Laws, Chapter 40, Section 21-D; or to take any other action relative thereto.

On a motion made and duly and seconded the Town voted to adopt Massachusetts General Laws, Chapter 40, Section 21D.

Passed

Article 22. To see if the Town will vote to adopt a By-Law regarding Non-Criminal Disposition of By-Law Violations:

NON-CRIMINAL DISPOSITION OF BY-LAW VIOLATIONS

Section 1: Scope Authority-This By-Law provides for a non-criminal disposition of a violation of any Town By-Law or any rule or regulation of which is subject to a penalty not to exceed \$300.00. This By-Law is enacted in accordance with General Laws, Chapter 40, Section 20-D, as it may be amended from time to time (herein called Section 21-D).

Section 2: Enforcing Person-"Enforcing Person" used in this By-Law shall mean any regular Police Officer of the Town of Templeton; the Building Inspector; Fire Chief; Board of Health Agent; Dog Officer; or any such other Official as the Board of Selectmen may from time to time designate, each with respect to violation of By-Laws or rules and regulations within their respective jurisdiction over a given authority to adopt rules and regulations for the enforcement of this By-Law within respective areas of their jurisdiction.

Section 3: Violation-An Enforcing Person taking cognizance of a violation of any By-Law rule or regulation may, as an alternative to instituting criminal proceedings, give the offender a written notice to appear before the clerk of the Gardner District Court for non-criminal disposition of the violation, accordance with Section 21-D. The provisions of Section 21-D are incorporated by reference herein.

Section 4: Proceedings-Proceedings pursuant to this By-Law and Section 21-D shall not be deemed to be criminal proceedings.

On a motion duly made and seconded the Town voted to adopt a By-Law regarding Non-Criminal Disposition of By-Law Violations:

NON-CRIMINAL DISPOSITION OF BY-LAW VIOLATIONS

Section 1: Scope Authority - This By-Law provides for a non-criminal disposition of a violation of health related Town By-Laws or any rules or regulations adopted by the Board of Health of which is subject to a penalty not to exceed \$300.00.

This By-Law is enacted in accordance with General Laws, Chapter 40, Section 21-D, as it may be amended from time to time (herein called Section 21-D).

Section 2: Enforcing Person - "Enforcing Person" used in this By-Law shall mean the Board of Health, Board of Health Agent or other designee, each with respect to violation of By-Laws or rules and regulations within their respective jurisdiction over a given authority to adopt rules and regulations for the enforcement of this By-Law within respective areas of their jurisdiction.

Section 3: Violation - An Enforcing Person taking cognizance of a violation of said By-Law, rules or regulations may, as an alternative to instituting criminal proceedings, give the offender a written notice to appear before the clerk of the Gardner District Court for non-criminal disposition of the violation, accordance with Section 21-D. The provisions of Section 21-D are incorporated by reference herein.

Section 4: Proceedings - Proceedings pursuant to this By-Law and Section 21-D shall not be deemed to be criminal proceedings.

Passed



Article 23. To see if the Town will vote to transfer the remaining amount in the Preliminary Landfill Plans and Design Account to the Landfill Closure Account.

On a motion duly made and seconded the Town voted to transfer the sum of thirteen thousand six hundred sixty-eight dollars (\$13,668.00) in the Preliminary Landfill Plans and Design Account to the Landfill Closure Account.

Passed

Article 24. 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 sixteen (16) windows and vinyl siding installed at the Otter River Fire Station; or to take any other action relative thereto.

No motion

Article 25. To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 59, s.57C to establish a quarterly system of property tax payments beginning in Fiscal year 1996; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to accept the provisions of Massachusetts General Laws, Chapter 59, s.57C to establish a quarterly system of property tax payments beginning in Fiscal Year 1996.

Passed

Article 26. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to replace the 1969 Cemetery Department Case Backhoe; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to Raise and Appropriate Forty-Five Thousand Dollars (\$45,000.00) to replace the 1969 Cemetery Department Case Backhoe.

Defeated Un

Article 27. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money for the fourth year of the lease to purchase John Deere Rubber Tired Excavator; or to take any other action relative thereto.



On a motion duly made and seconded the Town voted to transfer from Stabilization Fifteen Thousand, Five Hundred Eleven Dollars and Forty-Three Cents (\$15,511.43) for the fourth year of the lease to purchase a John Deere Rubber Tired Excavator.

Passed

Article 28. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to purchase an new or used Road Sweeper; 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 lease a Road Sweeper with a Purchase Agreement for said vehicle; 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 to combine Truck H-10, 1986 GMC (One) 1 Ton and H-14, the burnt 1986, One (1) Ton GMC Dump Truck, into one small Dump Truck to replace H-14 wich burnt in Town Garage fire; or to take any other action relative thereto.

Defeated

Article 31. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to purchase a Used Bucket Truck, or tottake 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 to Rebuild and/or Replace the Baldwinville Road and/or Depot Road Booster/Reduction Valves and Appurtenances; or to take any other action relative thereto.

Defeated

Article 33. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to purchase Twenty-Five (25) water meters; or to take any other action relative thereto.

No motion

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Article 34. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to conduct a study of Electrical and Telemetry System of the Maple Street Well; 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 to purchase an Auxiliary Engine to run the Otter River Water Pumping Station during an emergency, when no electrical power is available; 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 for Mixing 1000 tons of 50/50 mix to be used on various roads for leveling and rideability; 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 to purchase Asphaltic Oil, Sand, or Stone for the purpose of sealing roads, 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 to be used for Repair and Reconstruction of Town sidewalks, or to take any other action relative thereto.

No motion

Article 39. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds, or borrow under the Provision of Chapter 44, or otherwise, the sum of One hundred sixty-four thousand, three hundred sixty-dollars (\$164,360), to be used for Highway purposes under 34 (2) (a), said funds being the Town's first allocation of funds pursuant to the 1993 Transportation and Bond Bill apportioned by the State Department of Highways and Department of Revenue as Available Funds for Appropriation by the Town. Reimbursement of Expenditures to the Town will be made following Receipt of Appropriate documentation that costs for the approved project have been incurred; or to take any other action relative thereto.

No motion

Article 40. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to replace the small equipment and hand tools destroyed in the fire at the town garage; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to Transfer from the Insurance Recoveries Receipts Reserved for Appropriation Account, Twenty-Nine Thousand, Five Hundred Twenty-Nine Dollars and Fifteen Cents (\$29,529.15) to replace the small equipment and hand tools destroyed in the fire at the town garage.

Passed

Article 41. 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.

Defeated

Article 42. 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 a portable trailer to be placed at the East Templeton Elementary School; or to take any other action relative thereto.

Defeated

Article 43. 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 cruiser package; or to take any other action relative thereto.

No motion

Article 44. To see if the Town will vote to Raise and Appropriate or transfer from Available Funds a sum of money to purchase bulletproof vests for the police Department; or to take any other action relative thereto.

No motion

Article 45. To see if the Town will vote to adopt Article XXI-"Zoning", Section 2C-"Public Water Supply Protection" as follows:

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Section 1. The purpose of this By-Law is to promote the health, safety and general welfare of the residents, institutions and businesses of The Town of Templeton by ensuring adequate quality and quantity of drinking water by preventing the pollution of the community's public drinking water.

Section 2. There is created hereby a "Water Supply Protection District" which is defined to include all lands within the Town of Templeton as located within a half-mile (2,640 feet) radius of a public water supply well. This district is shown on a plan entitled "Water Supply Protection District Plan for the Town of Templeton" prepared by Szoc Surveyors, which plan is on file with the Town of Templeton Town Offices and the Town of Templeton Water Department Office. This plan shall be considered a zoning map for purposes of establishing the district under this section.

If the location of the boundary of the Water Supply Protection District in relation to a particular parcel of land is in doubt, the burden of proff shall be upon the owner(s) of the parcel of land in question to show where the bounds should be located properly.

Section 3. The following land uses are prohibited in the Water Supply Protection District:

- A. Landfills and open dumps as defined in 310 CMR 19.006;
- B. Landfilling and storage of septage and sludge as defined in 310 CMR 32.05;
- C. Automobile graveyards and junkyards as defined in M.G.L., Chapter 140B, Section 1;
- D. Stockpiling and disposal of snow or ice that contains deicing chemicals, if brought in from outside the wellhead protection area;
- E. Storage and use of hazardous materials, as defined in M.G.L., Chapter 21E, unless in a free standing container within a building or above ground with secondary containment large enough to hold the entire contents of the container;

- F. Facilities that generate, treat, store of dispose of hazardous materials and/or waste subject to M.G.L., Chapter 21C and 310 CMR 30.00;
- G. Industrial and commercial uses which discharge process waste water on site that contains contaminants hazardous wastes;
- H. Wastewater treatment facilities subject to 314 CMR 5.00, except for the replacement or repair of an existing facilities with a system of equal or less design capacity;
- I. Storage of deicing chemicals, animal manures and commercial fertilizers and soil conditioners (as defined in M.G.L. Chapter 128, Section 64) unless such storage is within a structure that prevents the generation and escape of contaminated runoff or leachate;
- J. Land uses that result in impervious surfaces covering greater than 25% of any lot, unless artificial recharge from runoff is provided. (Note: the following should not be part of the By-Law, for example, runoff from a roof allowed to fall to the ground or rain gutter downspouts directed to grassy areas).

Section 4. Any non-conforming uses hereunder not used continuously for a period of one year shall be considered abandoned and any re-use must conform to the provisions of this By-Law.

Section 5. The provisions of this Article shall be enforced by the Building Inspector, who may obtain the advise of the Board of Health. Whoever violates any of the provisions of this Article shall accrue a separate offense for each day the violations exists.

Section 6. No variances within the Water Supply Protection District will be allowed through the Zoning Board of Appeals without a written advisory report from the Board of Health. Review and recommendation of the Planning Board shall also be considered in granting of any variance;

or to taken any other action relative thereto.

On a motion duly made and seconded the Town voted to amend Article XXI-"Zoning", by adding Section 2C-"Public Water Supply Protection" as follows:

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Section 1. The purpose of this By-Law is to promote the health, safety and general welfare of the residents, institutions and businesses of the Town of Templeton by ensuring adequate quality and quantity of drinking water by preventing the pollution of the community's public drinking water.

Section 2. There is created hereby a "Water Supply Protection District" which is defined to include all lands within the Town of Templeton as located within a half-mile (2,640 feet) radius of a public water supply well. This district is shown on a plan entitled "Water Supply Protection District Plan for the Town of Templeton" prepared by Szoc Surveyors, which plan is on file with the Town of Templeton Town Offices and the Town of Templeton Water Department Office. This plan shall be considered a zoning map for purposes of establishing the district under this section.

If the location of the boundary of the Water Supply Protection District in relation to a particular parcel of land is in doubt, the burden of proof shall be upon the owner(s) of the parcel of land in question to show where the bounds should be located properly.

Section 3. The following land uses are prohibited in the Water Supply Protection District:

- A. Landfills and open dumps as defined in 310 CMR 19.006;
- B. Landfilling and storage of septage and sludge as defined in 310 CMR 32.05;
- C. Automobile graveyards and junkyards as defined in M.G.L., Chapter 140B, Section 1;
- D. Stockpiling and disposal of snow or ice that contains deicing chemicals, if brought in from outside the wellhead protection area;
- E. Storage and use of hazardous materials, as defined in M.G.L., Chapter 21E, unless in a free standing container within a building or above ground with secondary containment large enough to hold the entire contents of the container;
- F. Facilities that generate, treat, store or dispose of hazardous materials and/or waste subject to M.G.L., Chapter 21C and 310 CMR 30.00;

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- G. Industrial and commercial uses which discharge process waste water on site that contains contaminants hazardous wastes;
 - H. Wastewater treatment facilities subject to 314 CMR 5.00, except for the replacement or repair of an existing facilities with a system of equal or less design capacity;
 - I. Storage of deicing chemicals, animal manures and commercial fertilizers and soil conditioners (as defined in M.G.L. Chapter 128, Section 64) unless such storage is within a structure that prevents the generation and escape of contaminated runoff or leachate;
 - J. Land uses that result in impervious surfaces covering greater than 25% of any lot, unless artificial recharge from runoff is provided. (Note: the following should not be part of the By-Law, for example, runoff from a roof allowed to fall to the ground or rain gutter downspouts directed to grassy areas).

Section 4. Any non-conforming uses hereunder not used continuously for a period of one year shall be considered abandoned and any re-use must conform to the provisions of this By-Law.

Section 5. The provisions of this Article shall be enforced by the Building inspector, who may obtain the advise of the Board of Health. Whoever violates any of the provisions of this Article shall accrue a separate offense for each day the violations exists.

Section 6. No variances within the Water Supply Protection District will be allowed through the Zoning Board of Appeals without a written advisory report from the Board of Health. Review and recommendation of the Planning Board shall also be considered in granting of any variance;

Passed

Article 46. 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

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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 relative 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 Enlargemnet - 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

Article 47. To see if the Town will vote to adopt the provisions Massachusetts General Laws, Chapter 44, Section 53F 1/2, to establish a Water Department Enterprise Fund beginning with Fiscal year 1996, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted the provisions Massachusetts General Laws, Chapter 44, Section 53F 1/2, to establish a Water Department Enterprise Fund beginning with Fiscal year 1996.

Passed

Article 48. To see if the Town will vote to adopt the provisions Massachusetts General Laws, Chapter 44, Section 53F 1/2, to establish a Sewer Department Enterprise Fund beginning with Fiscal year 1996, or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to adopt the provisions Massachusetts General Laws, Chapter 44, Section 53F 1/2, to establish a Sewer Department Enterprise Fund beginning with Fiscal Year 1996.

Passed

Article 49. To see if the Town will vote to adopt the provisions Massachusetts General Laws, Chapter 41, Section 69B, to establish a Water Surplus Account beginning in Fiscal Year 1995; or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to adopt the provisions Massachusetts General LaWS, Chapter 41, Section 69B, to establish a Water Surplus Account beginning in Fiscal Year 1995.

Passed

Article 50. To see if the Town will adopt Article XXXIII of the Towns By-Laws "Compensation to Incapacitated Call and Volunteer Firefighters and Rescue Squad Volunteers" as follows:

"A Call Firefighter, a member of the Town's Volunteer Fire Department, or a member of the Templeton Rescue Squad, who is disabled or incapacitated because of injuries sustained in the performance of his/her duties, without fault of his/her own, and is thereby unable to perform the usual duties of his/her regular occupation at the time such injury of incapacitation was incurred, shall receive during the period of his/her incapacity an amount equal to the compensation paid to a permanent member of the fire force for the first year of service therein, or if there are no regular or permanent members of the fire force, at a rate of three thousand dollars (\$3,000.00) per annum, as provided under G.L. Chapter 32, s 85H."

or to take any other action relative thereto.

On a motion duly made and seconded the Town voted to adopt a new Article to be Article XXXIII of the Town's By-Laws "Compensation to Incapacitated Call and Volunteer Firefighters and Rescue Squad Volunteers" as follows:

"A Call Firefighter, a member of the Town's Volunteer Fire Department, or a member of the Templeton Rescue Squad, who is disabled or incapacitated because of injuries sustanied in the performance of his/her duties, without fault of his/her own, and is thereby unable to perform the usual duties of his/her regular occupation at the time such injury of incapacitation was incurred, shall receive during the period of his/her incapacity an amount equal to the compensation paid to a permanent member of the fire force for the first year of service therein, or if there are no regular or permanent members of the fire force, at a rate of Three Thousand Dollars (\$3,000.00) per annum, as provided under G.L. Chapter 32, s 85H."

Passed

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Article 51.

To see if the Town will authorize the Board of Selectmen to petition the General Court for a passage of the following provision relative to "Compensation for Incapacitated Call and Volunteer Firefighters;

"Notwithstanding the provisions of Section 85H (Eighty-five H) of Chapter 32 (thirty-two), Section 111F (One-hundred eleven F) of Chapter 41 (forty-one) of the General Laws or any other general or special law to the contrary, the Town of Templeton is hereby authorized to make payments, in the event that one or more of its Volunteer or Call Firefighters is injured and disabled, or killed, in the line of duty, at the levels which would otherwise be authorized as authorized by law assuming and as if such firefighters salary were that of a full time entry level permanent firefighter in Worcester County, such amount to be the average of the three such salaries in the City of Gardner, Towns of Ashburnham and Westminster at the time pertinent, and the Town is also hereby authorized to provide such compensation directly or through insurance."

or to take any ohter action relative thereto.

On a motion duly made and seconded the Town voted to authorize the Board of Selectmen to petition the General Court for a passage of the following provision relative to "Compensation for Incapacitated Call and Volunteer Firefighters:

"Notwithstanding the provisions of Section 85H (eighty-five H) of Chapter 32 (thirty-two), Section 111F (One hundred eleven F) of Chapter 41 (forty-one) of the General Laws or any other general or special law to the contrary, the Town of Templeton is hereby authorized to make payments, in the event that one or more of its Volunteer or Call Firefighters is injured and disabled, or killed, in the line of duty, at the levels which would otherwise be authorized as authorized by law assuming and as if such firefighters salary were that of a full time entry level permanent firefighter in Worcester County such amount to be the average of the three such salaries in the City of Gardner, Towns of Ashburnham and Westminster at the time pertinent, and the Town is also hereby authorized to provdie such compensation directly or through insurance."

Passed

Article 52.

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

No motion

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Article 53. 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 \$40,000.00 for the Special Reserve Account)Advisory Board).

Passed

Article 54. 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, 1995; 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 \$178,811 to be used by the Board of Assessors in fixing the tax rate to meet appropriations made for the fiscal year ending June 30, 1995.

Passed

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 25th day of April in the year A.D/ 1994.

SELECTMEN OF TEMPLETON

Gladys I. Salame, Chairman

Mary Ann Bourgeois, Vice Chairman

Patrick E. Dunlavey

Joseph A. Caisse, Member

Dana G. Putnam, Member

A True Copy, ATTEST:

BNeil A. Cullen
Constable of Templeton

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OFFICER'S RETURN

WORCESTER, ss.

April 25, 1994

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.

neil A. Cullen
Constable of Templeton

A True Copy ATTEST:

Sheila R. Tallman
Town Clerk of Templeton