

TOWN OF TYNGSBOROUGH



FINANCE COMMITTEE REPORT AND THE ANNUAL AND SPECIAL TOWN MEETING GUIDE

SUPPLEMENT

ANNUAL and SPECIAL TOWN MEETINGS

MAY 20, 2014 – 7:00 P.M.

**TYNGSBOROUGH ELEMENTARY SCHOOL
CAFETORIUM
205 WESTFORD ROAD**



TOWN OF TYNGSBOROUGH

SPECIAL TOWN MEETING WARRANT

May 20, 2014

7:30 P.M.

NOTICE

The posted warrant for the May 20, 2014 Special Town Meeting indicated in bold typeset that the meeting is to occur on **May 20, 2014 at 7:30 PM**. The narrative indicates that the meeting is to occur on May 21, 2013 at 7:30 PM.

Article 3 of the warrant for the May 20, 2014 Special Town Meeting indicates that the appropriation of funds is for fiscal year 2015 and reflects reimbursements through June 30, 2014, however the appropriation was intended to be for fiscal year 2014 and reflects reimbursements through June 30, 2013.

Town Counsel has reviewed these matters and is of the opinion that they are scrivener's errors and that the residents have received adequate notice.

ANNUAL TOWN MEETING DRAFT ARTICLES

Article 32. To see if the Town will vote to amend the General Town By-laws, Article IV Public Ways, by adding a section relative to pedestrian safety, or take any other action relative thereto.

Section 5. Public Safety, Pedestrians, Traffic Islands

5.1 Purpose

Traffic islands, also known as traffic medians, regulate the safe flow of motor vehicle traffic and are not designed for persons to stand, sit, or place signs on. The use of such traffic islands for demonstrations, political campaigns, solicitation of monies for charities, religious organizations, and youth organizations, the placing of signs, panhandling, and the like presents safety and public welfare concerns for persons standing or sitting or placing signs on such traffic islands and for motorists who may be distracted by such use.

Consequently, the intent and purpose of this Bylaw is to regulate such use for the safety and public welfare of all such persons or activities, which activities and the like may more safely be exercised on sidewalks and other public places and not by standing, sitting, or placing signs upon traffic islands.

5.2 Notice by Police Officer

No person shall, after given notice and warning by a police officer, persist in walking, standing, or placing any signs on any roadway traffic island, including but not limited to the below specified, except for the purpose of crossing the roadway at an intersection or designated crosswalk or for the purpose of entering or exiting a vehicle at the curb or for repairing or maintaining the traffic island. Any police officer observing any person violating this provision shall first request such person to remove himself or herself and/or the signs from the traffic island and, if such person declines or refuses to do so, shall next give notice and warning and order such person to remove himself or herself and/or the signs from the traffic island and may arrest such person if he or she fails to comply with such request and order.

5.3 Traffic Islands

At Exit 36, (Middlesex Road / entrance to Pheasant Lane Mall),
At Middlesex Road at entrance to Pheasant Lane Mall & Plaza entrance,
At Kendall Road & Middlesex Road intersection,
At Chronopoulos Way & Frost Road,
At Old Pawtucket Boulevard & Frost Road,
At Westford Road at Exit 34, North and Southbound,
At Kendall Road at Exit 35, North and Southbound.

5.4 Penalties and/or Fines

First Offense:	\$ 25.00
Second Offense:	\$ 50.00
Third and Subsequent Offense:	\$100.00

or take any action relative thereto.

Article 34. To see if the Town will vote to amend Article XLII of the Town of Tyngsborough Bylaws, Mandatory Recycling, or take any other action relative thereto.

MANDATORY RECYCLING BYLAW

Section 1. AUTHORITY:

1.1) In accordance with Massachusetts General Law Chapter 40 Section 8H, the Board of Health (Board) of the Town of Tyngsborough (Town) shall be charged with the promulgation and implementation of this By-Law and any regulation adopted under this By-Law.

Section 2. PURPOSE:

2.1) In order to protect the environment, promote recycling, and in compliance with Massachusetts mandated waste bans; the Town hereby establishes mandatory separation of recyclable and compostable yard waste from the solid waste stream.

Section 3. APPLICABILITY

3.1) This applies to all owners, tenants, occupants, and property managers of residential, multifamily, commercial, industrial, municipal, and institutional structures and properties in the Town and to any and all waste haulers duly licensed by the Board.

Section 4. WASTE HAULERS

- 4.1) Every waste hauler must be duly licensed by the Board on an annual basis to operate within the Town.
- 4.2) Every waste hauler shall provide an integrated waste management service whereby collection of recyclables is provided to all trash collection customers.
- 4.3) Every non-municipal waste hauler shall, upon request, provide the Board with an updated customer list, which includes the names and addresses of customers within the Town, the degree of service, and pick-up schedule. Upon request by the Board, every waste hauler shall also provide educational material to customers.
- 4.4.) Waste haulers may not accept a load of refuse with greater than 5%, by volume, recyclables or compostable yard waste. In addition, every waste hauler shall report, in writing, violations of this provision to the Board or its agent(s).
- 4.5) Waste haulers may not accept compostable yard waste, except on designated dates established by the Board.
- 4.6) Waste haulers shall allow for unannounced inspections of collected refuse or recyclables by the Board or its designated agent(s) where the Waste Hauler is required to demonstrate satisfactory collection procedures.

Section 5: OWNERSHIP OF RECYCLABLES

5.1) Once recyclable materials or compostable yard waste are placed at the curbside or designated collection area these materials shall become property of the Town. No person, business, or other legal entity other than licensed waste hauler and/or

authorized agent(s) of the Town, acting in the course of their employment, may collect or pick up any recyclable materials so placed.

Section 6: SEVERABILITY

6.1) If any section of this By-Law is declared invalid or unenforceable for any reason, said decision shall not affect any other section of this By-Law, which shall remain in full force and effect.

Submitted by: Board of Health

SPECIAL TOWN MEETING DRAFT/REVISED ARTICLES

Article 1. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to supplement various municipal government groups for fiscal year 2014, or take any other action relative thereto.

FROM:

	Free Cash	\$274,755.27
122	Selectmen Salaries & Wages	\$22,980.00
123	Town Administrator Salaries & Wages	\$3,900.00
131	Finance Committee Expenses	\$300.00
136	Annual Audit Expenses	\$2,750.00
145	Treasurer Expenses	\$4,930.28
175	Planning Board Expenses	\$1,000.00
215	Communication Center Salaries & Wages	\$10,000.00
241	Building Inspection Expenses	\$2,600.00
242	Gas Inspection Expenses	\$900.00
243	Plumbing Inspection Expenses	\$900.00
245	Electrical Inspection Expenses	\$1,800.00
410	Engineering Expenses	\$3,000.00
430	Waste Collection and Disposal Expenses	\$4,000.00
491	Cemetery Salaries & Wages	\$5,000.00
543	Veterans Services Expenses	\$30,000.00
940	Other Insurance	\$6,000.00
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		\$374,815.55

TO:

423	Snow and Ice Removal Salaries & Wages	\$93,769.96
423	Snow and Ice Removal Expenses	\$180,985.31
122	Selectmen Expenses	\$300.00
122	Analysis of Town Roads and Parcels	\$3,080.00
132	Reserve Fund	\$10,000.00
135	Accountant Expenses	\$450.00

159	Other Legal Services Expenses	\$9,000.00
160	Town Clerk Salaries & Wages	\$233.00
171	Conservation Salaries & Wages	\$950.00
175	Planning Board Salaries & Wages	\$1,300.00
176	Zoning Board Salaries & Wages	\$200.00
	Public Buildings & Property	
192	Expenses	\$16,000.00
193	Information Technology Expenses	\$9,500.00
	Police Department Salaries &	
210	Wages	\$28,000.00
211	Police Station Salaries & Wages	\$289.00
	Building Inspection Salaries &	
241	Wages	\$20.00
242	Gas Inspection Salaries & Wages	\$950.00
	Plumbing Inspection Salaries &	
243	Wages	\$950.00
	Electrical Inspection Salaries &	
245	Wages	\$2,250.00
	Highway Department Salaries &	
422	Wages	\$1,800.00
424	Street Lighting Expenses	\$13,000.00
	Veterans Services Salaries &	
543	Wages	\$450.00
270-175- 3570-056	Planning 321 Westford Road	\$1,000.00
280-122- 3580-125	Christmas Lighting	\$39.78
280-122- 3580-128	Project Ericson Gas Station	\$298.50
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		\$374,815.55

Submitted by: Board of Selectmen

Article 3. To see if the Town will vote to appropriate by transfer from Free Cash the sum of \$117,494 to supplement the Tyngsborough School Budget for fiscal year 2014 to be expended by the School Committee. Said amount represents reimbursements made through June 30, 2013 from the Municipal Medicaid Program for school services provided to eligible residents, or take any other action relative thereto.

Submitted by: School Committee

Article 4. To see if the Town will vote to appropriate by transfer from Fiscal Year 2014 departmental appropriations the following amounts to prior years' bills, or take any other action relative thereto.

<u>Unpaid Bill</u>	<u>Fiscal Year</u>	<u>Amount</u>	<u>Department</u>
Carbon Colors	2013	\$160.00	Board of Selectmen
Dorothy Giroud	2013	\$66.22	Board of Assessors

Submitted by: Board of Selectmen