

THE COMMONWEALTH OF MASSACHUSETTS
NOVEMBER 15, 2016
MOTION CARDS

ARTICLE 1: I move to pass over this article.

ARTICLE 2: I move that the Town vote to amend the Fiscal Year 2017 operating budget as voted under Article 3 of the 2016 Annual Town Meeting by transferring the total sum of Sixty-seven thousand six hundred fifteen dollars (\$67,615.00) from Free Cash to the line items and in the amounts as specified in the warrant and as set forth on the screen in the auditorium.

ARTICLE 3: I move that the Town vote to raise and appropriate the sum of One hundred thousand dollars (\$100,000.00), to the Other Post-Employment Benefits Liability Trust Fund established under Article 42 of the 2011 Annual Town Meeting, to meet the Town's obligations under the Government Accounting Standards Board (GASB) Statement 45 to fund the Town's future obligations for the cost of other post-employment benefits identified by the GASB 45 Report.

ARTICLE 4: I move that the Town vote authorize the Board of Selectmen to petition the General Court for special legislation to amend Chapter 263 of the 1989 Acts and Resolves that established a Department of Public Works in the Town of Upton, by amending section 1 of the Act to enable the Hiring Authority to enter into a contract with the Public Works Director for a period not to exceed three years, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

ARTICLE 5: I move that the Town vote to transfer from Free Cash the sum of Fifty-four thousand five hundred dollars (\$54,500.00), for the purchase and equipping of a one ton dump truck assigned to the Department of Public Works.

ARTICLE 6: I move that the Town vote to transfer from Free Cash the sum of Forty-two thousand three hundred dollars (\$42,300.00), for the purchase and equipping of a one-ton pickup truck for use by the Department of Public Works Parks.

ARTICLE 7: I move that the Town vote to transfer from Free Cash the sum of Thirty thousand dollars (\$30,000.00), for purchase of two-ton paving roller for use by the Department of Public Works.

ARTICLE 8: I move that the Town vote to transfer from Free Cash the sum of Twenty thousand dollars (\$20,000.00), to purchase various roadway signs that meet the Federal Highway Administration's Minimum Maintained Sign Retroreflectivity Standard from the 2009 Manual on Uniform Traffic Control Devices, or other applicable standard.

ARTICLE 9: I move that the Town vote to transfer from Water Retained Earnings the sum of Ten thousand dollars (\$10,000.00) for the purchase of engineering services to complete a project to develop a geographic information system (GIS) map of the Town's water system.

ARTICLE 10: I move that the Town vote to transfer from Free Cash the sum of Five thousand dollars (\$5,000.00), for a supplemental appropriation to the Conservation Fund.

ARTICLE 11: I move that the Town vote to transfer from Free Cash the sum of Twenty-two thousand five hundred dollars (\$22,500.00), for the replacement of the standard 8-speed transmission of Fire Tanker II with an automatic transmission including all expenses incidental and related thereto.

ARTICLE 12: I move that the Town vote to transfer from Free Cash the sum of Nine thousand seven hundred twenty-two dollars (\$9,722.00), for the purchase and installation of an upgraded access control system for the Upton Fire Department building.

ARTICLE 13: I move that the Town vote to transfer from the Community Preservation Fund - Undesignated Account sums equal to not less than 10% of the Community Preservation Fund FY2017 estimated annual revenues to the following Community Preservation Fund accounts to meet the requirements of M.G.L. c.44B, §6:

Historic Resources Account - \$38,688.86
Open Space Account - \$38,688.86
Community Housing Account - \$38,688.86;

and to place any remaining FY 2017 estimated annual revenues in a so-called "FY2017 Undesignated Budgeted Reserve".

ARTICLE 14: I move that the Town vote to transfer the total sum of Two Hundred ninety-two thousand fifty dollars (\$292,050.00) from the Community Preservation Fund to meet the fourth year payment of debt service owed on the General Obligation Town Hall Renovation Bonds, with Thirty-eight thousand six hundred eighty-eight dollars and eighty six cents (\$38,688.86) from the Historic Resources Account and Two hundred fifty-three thousand three hundred sixty-one dollars and fourteen cents (\$253,361.14) from the Undesignated Account.

ARTICLE 15: I move that the Town vote to transfer from Free Cash the sum of Five thousand dollars (\$5,000.00), for renovations of the bathrooms on the first floor of the Knowlton Risteen Building including any incidental and related expenses.

ARTICLE 16: I move that the Town vote to transfer from Free Cash the sum of Two hundred eighty thousand dollars (\$280,000.00), for the Town of Upton's share to reconstruct and make repairs to the Fisk Mill Bridge that is jointly owned by the Towns of Milford and Upton, including engineering services.

ARTICLE 17: I move that the Town vote to transfer from Free Cash the sum of Ten thousand dollars (\$10,000.00), for the removal of the contents of a house and trees and bushes in the yard of a Town-owned property located at 28 Hartford Avenue North including all related and incidental expenses.

ARTICLE 18: I move that the Town vote to petition the Board of Selectmen, in accordance with the provisions of the law, are hereby requesting a special town meeting in the Town of Upton, for a vote to expand the Board increasing the members from three (3) to five (5) Selectmen, who shall be nominated and elected by the qualified voters of the entire town. We propose there shall be a Board of Selectmen consisting of five (5) members elected by the voters for three year terms, so as arranged that the term of office of at least one (1) member, but not more than two (2) members, shall expire each year. Terms of Selectmen shall be staggered. No Selectman shall serve for more than two consecutive terms, totaling six (6) years of continuous service.

The undersigned voters feel the town is growing and there is a greater commitment needed from the Board of Selectmen with regard to duties for service, to other boards, and to other communities. This increase of members of the Board of Selectmen can help share the load. The demographics of Upton have also changed to include now more professional citizens, providing a larger pool of available expertise.

ARTICLE 19: I move that the Town vote pursuant to M.G.L. Chapter 40A, Section 5 to amend the Zoning Bylaws section 6.2.6 line two to read as follows:

HEIGHT: The maximum allowed height of a tower shall be 200 feet.

ARTICLE 20: I move that the Town vote that whereas, Spectra Energy has proposed a new 16-inch High Pressure pipeline through **Upton** carrying gas obtained through hydraulic fracturing (“fracking”), known as the West Boylston Lateral of the Access Northeast Project; and

Whereas, studies by both the economic/financial consulting firm, Analysis Group,¹ commissioned by the Massachusetts Attorney General’s Office, and the Conservation Law Foundation² determined that increased gas capacity is not needed to meet the region’s electric reliability needs and would be more costly and environmentally destructive than investment in energy conservation measures and green and renewable energy solutions; and

Whereas, the pipelines proposed would make it impossible to meet the goals established by the Massachusetts Global Warming Solutions Act of 2008³, the law requiring a 25% reduction of Greenhouse Gas emissions by 2020 and an 80% reduction by 2050; and

Whereas, there are 20,000 documented gas leaks in Massachusetts⁴ and 14 documented leaks in **Upton**⁵ alone, which emit the Greenhouse Gas equivalent of 6 million cars annually and cost consumers an estimated \$1 Billion, and whereas, natural gas, once considered a clean energy source, is 95% Methane, and is now proven to trap 86 times more heat than carbon dioxide over a 20-year period⁴; and

Whereas, high pressure pipelines inherently carry the potential for leaks, rupture or devastating explosion, causing untold damage to property and lives and present added risks and damage to the health and environment of those living near the evacuation corridor, adversely affecting property values, residents' livelihoods, and personal safety; and

Whereas, **Upton** has publicly set aside large tracts of land and restricted their development for conservation and open space as part of its Master Plan⁶, and Spectra is proposing that the pipeline cross scenic, historic, and environmentally sensitive protected town-owned land, such as Peppercorn Hill, Pratt Hill, Stephan’s Farm, Heritage Park, and Kiwanis Beach, as well as Upton State Forest⁷, and will destroy forest, wetlands, and conservation land and require maintenance in perpetuity; and

Whereas, the **Upton** Board of Selectmen on May 27, 2016, submitted comments to FERC “expressing concerns by the Town of **Upton** regarding the environmental impacts of this project, as well as other concerns that lead us to request that you reconsider this project, or at the very least a route that does not include the Town of Upton,”⁷ and

Whereas, the fracking process uses vast amounts of water and 60 toxic chemicals, and contaminates water supplies.

Therefore, be it resolved that, the people of Upton hereby ask the Board of Selectmen to declare that they:

Oppose any effort to locate the West Boylston Lateral within **Upton's** borders and to disallow the construction of any and all similar projects that may later be proposed, and participate in and provide comments to FERC; and

Deny survey authorization and rescind permission to Spectra Energy, its representatives, contractors, sub-contractors, or associates to enter any town-owned property to perform surveys, and to file such notices with Spectra Energy and with the Federal Energy Regulatory Commission (FERC), and any physical entry onto town-owned property will be considered unauthorized, and treated as trespass and prosecuted as such; and

Apply for Intervenor Status during the three-week period after Spectra files its application with FERC; and

Oppose the use of Massachusetts land as a conduit for the export of natural gas, likely causing higher gas prices from competition with international markets; and

Be it further resolved, that the Town Administrator send copies of this resolution to the governor and the attorney general, state and national representatives and senators, Spectra and FERC.