

TOWN CLERK

Town of Upton



Massachusetts

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**CERTIFICATION OF PROCEEDINGS**

**THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF UPTON  
SPECIAL TOWN MEETING**

**March 10, 2008**

Called to order at 7:30 pm by Moderator David Loeper.

During this meeting, 274 voters were checked in to the Nipmuc Regional Middle/High School by Barbara Burke and M. Denise Smith meeting the necessary quorum of 40 voters.

By unanimous vote, guests present were Steven Soma, DPW Director; Jon Miguel, Cable Access; Kate Connelly, Town Counsel; Ron Sansouci, Water Supervisor; Paul Crocetti, Milton Amador, Milford Daily News; Jeff Welch, and the following Boy Scouts: Nick Gorius, Zach Boudrot, Gavin Humes, Steven Poirier, David O'Brien, Sean Leblanc, Anthony Collari, Connor Shultz, Sam Linstead-Atkinson, Mitchell Mazur, Patrick Nigro, Mark Mazur.

**ARTICLE 1:** Upon motion of Robert Fleming, it was moved that the Town vote to authorize the Board of Selectmen to acquire, on behalf of the Town, by gift, purchase, or eminent domain, for general municipal purposes, the fee in two (2) parcels of land located off Maple Avenue and shown as Lot 2, consisting of 21.5 acres, more or less, and Parcel A, consisting of 5.1 acres, more or less, shown on a plan of land entitled "Plan of Land in the Town of Upton, MA," dated November 9, 2007, prepared by Blackstone Valley Survey & Engineering, Inc., on file with the Town Clerk, together with such appurtenant easements for access and utilities as the Board of Selectmen shall determine are necessary, and to borrow sums of money, in the amount of Three Million Nine Hundred Thousand (\$3,900,000.00) Dollars, for this purpose and any expenses related thereto and to authorize the Treasurer with the approval of the Board of Selectmen to issue bonds or notes therefor, provided that this appropriation and borrowing is contingent upon passage of a Proposition 2 ½ debt exclusion referendum under General Laws Chapter 59, §21C(k), and to authorize the Board of Selectmen to enter into all agreements, including a purchase and sale agreement, contingent upon review and approval of same, and all exhibits thereto, and take all related actions necessary or appropriate to carry out this acquisition, including if required, a grant or reservation of easement for the use of a portion of the property for parking, on such terms and conditions, and subject to such encumbrances, as the Board of Selectmen shall, in its discretion, deem reasonable, and to take all related actions necessary or appropriate to effectuate such acquisition.

Unfavorable recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**Moderator declared the motion lost**

**ARTICLE 2:** Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Seven thousand two hundred ninety-three dollars and twenty-five cents (\$7,293.25) from the Community Preservation Act Purchase 18 Elm Street Account to the CPA Reserved Fund Balance Undesignated 2005.

Favorable recommendation from the Community Preservation Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 3:** Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Twenty thousand dollars (\$20,000.00) from the Community Preservation Act Reserved Fund Balance – Historic Resources Account to a CPA reserve fund to finance the evaluation of structures and places for the National Register of Historic Places and to complete the appropriate applications and nomination forms. Any grant monies received from other sources for this purpose shall be used to defray the cost of the project and such grants shall reimburse the CPA Reserved Fund Balance - Historic Resources Account. This project must be completed within three years and will be the responsibility of the Upton Historical Commission.

Favorable recommendation from the Community Preservation Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 4:** Upton motion of Seema Kenney, it was moved that the Town vote to transfer the sum of One thousand three hundred eighty four dollars (\$1,384.00) from Account 02-422-5814 Vehicle Lift (FY07) to the FY08 Longevity Bonus Account to supplement that account in order to pay eligible employees who have reached their 10<sup>th</sup>, 15<sup>th</sup>, or 20<sup>th</sup> employment anniversary with the Town.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 5:** Upon motion of Michael Bradford, it was moved that the Town vote transfer the sum of two thousand eight hundred seventy dollars (\$2,870.00) from Account 02-422-5251 Dam Inspection/Emergency Action (FY07) to the Fire Department New Equipment Account to replace funds expended for the purchase of four inch (4”) supply hose that was damaged at the Bernat Mill Fire.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed unanimously.**

**ARTICLE 6:** Upton motion of Kenneth Picard, it was moved that the Town vote to transfer the following sums from prior year appropriations: 020-192-5212 Town Bldg. Replacement Doors \$392.00, 020-192-5860 Town Hall Access \$1,116.59, 02-192-5862 Knowlton/Risteen Air Quality \$1,000.00, 02-192-5863 Town Hall Ventilation \$1,818.00, 02-440-5852 Pumping Station Improvements \$75,000.00, and 02-450-5852 Water Main Replacements \$7,780.89 for a total of \$87,107.48 to the General Stabilization Fund Account.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 7:** Upon motion of Kenneth Picard, it was moved that the Town vote to transfer the following sums: Fifteen Thousand four hundred dollars (15,430) from 01-422-5253 DPW Replace Metal Pipe on Pleasant St, Nine thousand dollars (\$9,000) from 02-422-5251 Dam Inspection/Emergency Action, Twenty five thousand five hundred seventy dollars (25,570) from the General Stabilization Fund Account for a total of Fifty thousand (\$50,000) to DPW Water Maintenance Account.

Favorable recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**Moderator declared the motion passed unanimously**

Upon motion of William Young, it was moved to dissolve this warrant and adjourn the Special Town Meeting at 8:19 pm.

**Motion passed by majority**

A True Copy,  
ATTEST:

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Kelly A. McElreath  
Town Clerk