

TOWN CLERK

Town of Upton



Massachusetts

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

**November 15, 2011**

Called to order at 7:00 pm by Moderator David Loeper.

During this meeting, 48 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.

Board of Selectmen Chairman Robert Fleming led the voters in the Pledge of Allegiance and asked for a moment of silence for the recent passing of long time Town Official Richard Randall.

By unanimous vote, guests present were Fred Aponte, Accountant; Lauren Goldberg, Town Counsel; Michelle Sanford, Town Crier.

**ARTICLE 1:** Upon motion of Ken Picard, it was moved to accept the layout as a public way of Howarth Drive and Francis Drive, and approve Article 1 as printed in the warrant.

Favorable recommendation from Planning Board

**The Moderator declared the motion carried unanimously**

**ARTICLE 2:** Upon motion of Paul Carey, it was moved that the Town vote pursuant to M.G.L. Chapter 40A, Section 5 to amend the Zoning By-Laws by deleting Section 3.2.4, Accessory Structure, in its entirety, and by modifying the Dimensional Regulations Tables contained in Section 4.2 as set forth in the handout entitled "Accessory Structure Setback Clarification".

Favorable recommendation from Planning Board

**The Moderator declared the motion carried unanimously**

**ARTICLE 3:** Upon motion of Michael Goodwin, it was moved that the Town vote to raise and appropriate the sum of Three thousand five hundred dollars (\$3,500.00) for a classification and compensation plan review and update to be completed by or before the start of Fiscal Year 2015.

Favorable recommendation from Finance Committee

**The Moderator declared the motion carried unanimously**

**ARTICLE 4:** Upon motion of Aaron Goodale, it was moved that the Town vote to raise and appropriate the sum of Ten thousand five hundred dollars (\$10,500.00) for a supplemental appropriation to the Fire Department Vehicle Repair Account (#01-220-5400-5482), for the remainder of Fiscal Year 2012.

Favorable recommendation from Finance Committee

**The Moderator declared the motion carried unanimously**

**ARTICLE 5:** Upon motion of Christine Scott, it was moved that the Town vote to transfer the sum of Two thousand dollars (\$2,000.00) from the Conservation Commission Expense Account (#01-171-5400-5421) for a supplemental appropriation to the Conservation Fund Account (#82-300-3580-3425) for the remainder of Fiscal Year 2012.

Favorable recommendation from Finance Committee

**The Moderator declared the motion carried unanimously**

**ARTICLE 6:** Upon motion of Charles Marsden, it was moved that the Town vote to transfer from Overlay Surplus the sum of Five thousand dollars (\$5,000.00) for a supplemental appropriation to the Board of Assessors Expense Account (# 01-141-5400-5421), for legal expenses for the remainder of Fiscal Year 2012.

Favorable recommendation from Finance Committee

**The Moderator declared the motion carried by majority**

**ARTICLE 7:** Upon motion of Charles Marsden, it was moved that the Town vote to accept the provisions of M.G.L. Chapter 59, Section 5, Clause 54, which allows the Board of Assessors to exempt from taxation \$1,000 or less of fair cash value on small personal property accounts to be effective beginning in Fiscal Year 2012.

**The Moderator declared the motion carried unanimously**

**ARTICLE 8:** Upon motion of Charles Marsden, it was moved that the Town vote to set Fifteen thousand dollars (\$15,000.00) as the maximum spending limit for Fiscal Year 2012 expenditures for the "Senior Work Off" Program, which program allows senior citizens to work for the Town in exchange for credit on annual property tax assessments.

**The Moderator declared the motion carried unanimously**

**ARTICLE 9:** Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Fourteen thousand dollars (\$14,000.00) from the Community Preservation Fund FY 2012 estimated undesignated annual revenues to each of the Reserve Accounts, namely Historic Resources (#24-300-3242-1000), Open Space (#24-300-3241-1000), and Community Housing (#24-300-3243-1000), for a total of Forty-two thousand dollars (\$42,000.00).

Favorable recommendation from Finance Committee & Community Preservation Committee

**The Moderator declared the motion carried unanimously**

**ARTICLE 10:** Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Forty thousand one hundred sixty-four dollars (\$40,164.00) from the STM Town Hall Window Sashes Account (#24-300-3242-1009) to the Community Preservation Historic Resources Reserve (#24-300-3242-1000), said sum being the remainder of the appropriation made for this canceled project, which will return this appropriation to the account from which it came.

Favorable recommendation from Finance Committee & Community Preservation Committee

**The Moderator declared the motion carried unanimously**

**ARTICLE 11:** Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Three hundred thirty-eight dollars and forty-five cents (\$338.45) from the STM Foot Bridge Account (#24-300-3241-1004) to the Community Preservation Fund Open Space Reserve (#24-300-3241-1000), said sum being the remainder of the appropriation made for this completed project, which will return this appropriation to the account from which it came.

Favorable recommendation from Finance Committee & Community Preservation Committee

**The Moderator declared the motion carried unanimously**

**ARTICLE 12:** Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Two thousand six hundred forty-eight dollars and forty-one cents (\$2,648.41) from the Community Preservation Fund – Recreation – Glen Echo account (#24-300-3244-1003) to the Community Preservation Fund Undesignated Fund Balance (#24-300-3590-1000), said sum being the remainder of the appropriation for a project which was cancelled, which will return this appropriation to the account from which it came.

Favorable recommendation from Finance Committee & Community Preservation Committee

**The Moderator declared the motion carried unanimously**

**ARTICLE 13:** Upon motion of Ken Picard, it was moved that the Town vote to pursuant to M.G.L. Chapter 40, Section 5B to raise and appropriate the sum of Thirty five thousand dollars (\$35,000.00), to the General Stabilization Fund.

Favorable recommendation from Finance Committee

Moderator declared this motion needs a 2/3 majority

**Moderator declared the motion carried unanimously**

Upon motion of William Young, it was moved to dissolve this warrant and adjourn the Special Town Meeting at 7:32 pm.

**Motion passed by unanimously.**

A True Copy,  
ATTEST:

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Kelly A. McElreath  
Town Clerk