

TOWN CLERK

Town of Upton



Massachusetts

Kelly McElreath  
kmcElreath@upton.ma.us  
508-529-3565

1 MAIN ST., P.O. BOX 969  
UPTON, MASSACHUSETTS 01568

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

**November 16, 2010**

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

During this meeting, 92 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 Blythe Robinson, Town Manager; Larry Bombara, DPW; Aaron Goodale, Fire Chief; Lauren Goldberg, Town Counsel; Michelle Sanford, Town Crier; Fred Aponte, Accountant; Julie Balise, Milford Daily News; David O'Brien, Matthew Bartlett, Tyler Bartlett, Zach Boudrout, Wesley Dumas, Tony Arrigo, Ben Moeckel, Adam Moeckel, Zach Crosby (Boy Scouts)

**ARTICLE 1:** Upon motion of Heather Applegate, it was moved that the Town vote to transfer from the amount appropriated under Article 20 of the May 6, 2010 Annual Town Meeting the sum of One hundred thirty-five thousand eight hundred and thirty-six dollars (\$135,836.00) for a supplemental appropriation to the Mendon Upton Regional School District Operating Budget Account (#01-300-5200-5621), for the remainder of fiscal year 2011.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 2:** Upon motion of Heather Applegate, it was moved that the Town vote pursuant to Chapter 40, Section 5B of the Massachusetts General Laws to transfer from the amount appropriated under Article 20 of the May 6, 2010 Annual Town Meeting the sum of Four hundred fifty-two thousand, five hundred ninety-eight dollars (\$452,598.00), to the Mendon-Upton Regional School District, MURSD, Stabilization Account for the purpose of funding operational expenses of the Mendon-Upton Regional School District.

Favorable recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**Moderator declared the vote to be: Yes 52 No 26**

**Moderator declared the motion passed by 2/3 majority**

**ARTICLE 3:** Upon motion of Michael Goodwin that the Town vote to appropriate from available unappropriated funds in the Water Enterprise fund, the sum of Thirty-five thousand dollars (\$35,000.00) for the development of a water system Master Plan.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed by majority**

**ARTICLE 4:** Upon motion of Michael Goodwin, it was moved that the Town vote to appropriate from available unappropriated funds in the treasury, the sum of Fifteen thousand dollars (\$15,000.00) for a water rate study to consider future rate increases necessary to finance the future operating and capital needs of the water enterprise.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed by majority**

**ARTICLE 5:** Upon motion of Michael Goodwin, it was moved that the Town vote to appropriate from available unappropriated funds in the treasury, the sum of Thirty thousand dollars (\$30,000.00) for the Glen Avenue Well field to determine the appropriate method to replace a portion of the well field.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed by majority**

**ARTICLE 6:** Upon motion of Ken Picard, it was moved that the Town vote to appropriate from available unappropriated funds in the Town Treasury, the sum of Twenty-two thousand dollars (\$22,000.00) to be used for the replacement of the Town Hall Server including expenses incidental and related thereto.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 7:** Upon motion of Robert Fleming, it was moved that the Town vote to appropriate from available unappropriated funds in the Town Treasury, the sum of Twenty thousand dollars (\$20,000.00) for a supplemental appropriation to the Town Counsel Expense Account (#01-151-5200-5302), for the remainder of fiscal year 2011.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 8:** Upon motion of Michael Goodwin, it was moved that the Town vote to appropriate from available unappropriated funds in the Town Treasury, the sum of Ten thousand dollars (\$10,000.00) for a supplemental appropriation to the DPW Consultant Account (#01-421-5200-5200), for the remainder of fiscal year 2011.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 9:** Upon motion of Ken Picard, it was moved to pass over this Article 9.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed unanimously**

**ARTICLE 10:** Upon motion of Robert Fleming, it was moved that the Town vote to appropriate from available unappropriated funds in the Town Treasury, the sum of Twenty-nine thousand dollars (\$29,000.00) for the pavement of driveways at 56/58/60 Pleasant Street.

Favorable recommendation from the Finance Committee

**Moderator declared the motion passed by majority**

**ARTICLE 11:** Upon motion of Rena Richard, it was moved that the Town vote to vote to transfer the sum of \$10,715.79 from the Community Preservation Town Hall Window Evaluation Fund account (# 24-300-3242-1008) to the Town Hall Renovation fund, account (#24-300-3242-1007) for supplemental funding of a detailed evaluation for the proposed preservation and rehabilitation of the historic resource known as the Upton Town Hall including but not limited to improvements to comply with the Americans with Disabilities Act and other federal, state or local building codes, to be completed within three years, as recommended by the Community Preservation Committee.

Favorable recommendation from the Community Preservation Committee

Upon motion of Ellen Arnold, it was moved to table the motion

**Moderator declared the motion lost**

**Moderator declared the motion passed by majority**

**ARTICLE 12:** Upon motion of Gary Bohan, it was moved that the Town vote to pursuant to M.G.L. Chapter 40A, Section 5 to amend the Zoning By-Laws and Zoning Map by renaming the "Agricultural Residential (AR)" zoning district to "Rural Residential (RUR)" zoning district as on file with the Town Clerk's office and as set forth in the handout entitled, "Proposed Zoning District Name Change - Zoning Bylaw Text Changes".

Favorable recommendation from the Planning Board

Upon motion of Sherry Berger, it was moved to table the motion  
**Moderator declared the motion pass by 2/3 majority**

**ARTICLE 13:** Upon motion of Michael Goodwin, it was moved that the Annual Town Meeting establish, after due consideration of the needs of the Town and its elder citizens, a maximum spending limit for the ensuing fiscal year in support of the “Senior Work Off” program, which program allows seniors citizens to work for the Town in exchange for credit on annual property tax assessments.

**Moderator declared the motion pass by majority**

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:

---

Kelly A. McElreath  
Town Clerk