

Town of Upton / STM 18 November 2014 / Warrant

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Elections and in Town affairs, to meet in the Auditorium at the Nipmuc Regional Middle/High School, 90 Pleasant Street, in Upton on Tuesday, the eighteenth day of November 2014, at 7:00 o'clock in the evening, then and there to act on the following Articles:

| Article No. | Article | Explanation/Submitted By | Recommendation |
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| 1 | To see if the Town will vote to amend the fiscal year 2015 operating budget as voted under Article 3 of the 2014 Annual Town Meeting by: transferring amounts between line items; and reducing the amounts raised and appropriated for certain line items; and, further, by amending the funding sources for said budget by transferring a certain sum from free cash and reducing the amount raised and appropriated by a like amount; or take any other action related thereto. | To make adjustments in the fiscal year 2015 budget as a result of lower than expected growth in the grand list. | Favorable Action |
| 2 | To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Twenty-two thousand dollars (\$22,000.00), or any other sum, for the purchase and equipping of a Police Department administrative vehicle, or, to take any other action relative thereto. | To purchase an unmarked administrative vehicle for the Police Department to replace a 2007 Dodge Charger. Board of Selectmen | Favorable Action |
| 3 | To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Seven thousand dollars (\$7,000.00), or any other sum, for the purchase and installation of a replacement server and DVR system for the Police Department, including all costs incidental and related thereto, or, to take any other action relative thereto. | To purchase a replacement server and DVR unit for the Police Department. The current server is unable to accommodate the latest versions of software required for the department's needs and the DVR has failed. Board of Selectmen | To Be Determined |
| 4 | To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or | To transfer funds from Council on Aging salaries to the expense | Favorable Action |

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| | borrow the sum of Five thousand dollars (\$5,000.00), or any other sum, for a supplemental appropriation to the Council on Aging Expense Account (#0100-541-5400-5421), for the remainder of fiscal year 2015, or, to take any other action relative thereto. | line to pay for contracted custodial services no longer being performed by an employee. Board of Selectmen | |
| 5 | To see if the Town will vote to accept the provisions of G.L. c.40, §22F, to allow, subject to the restrictions set forth in the statute, Town boards or officers to fix reasonable fees for the issuance of a license, permit, or certificate, or for services rendered or work performed; or take any other action relative thereto. | To accept a section of State law regarding the setting of fees for various Town licenses, permits or certificates. Board of Selectmen | Not Applicable |
| 6 | To see if the Town will vote to amend the Town of Upton General By-laws Chapter 12, Section 7, Water Department, Rates, by deleting the text of said section in its entirety and replacing it with the following: “Fees for connection and use of the Town’s public water supply system shall be established by the Director of Public Works with the approval of the Board of Selectmen, after a public hearing, notice of which shall be published in a newspaper of substantial circulation in the Town at least 14 days in advance of the hearing,” and to amend said General By-laws Chapter 13, Section 3, Sewer Cost Apportionment, Rate, by deleting the text of said section in its entirety and replacing it with the following: “Fees for connection and use of the Town’s public sewer system shall be established by the Director of Public Works with the approval of the Board of Selectmen, after a public hearing, notice of which shall be published in a newspaper of substantial circulation in the Town at least 14 days in advance of the hearing”; or to take any other action relative thereto. | To transfer the responsibility of setting the rates for new water and sewer connections to the DPW Director with the approval of the Board of Selectmen. Board of Selectmen | Not Applicable |
| 7 | To see if the Town will vote to amend the Town of Upton General By-laws, last amended and incorporated September, 2013, by deleting, in TITLE 4, POLICE AND PUBLIC ORDER, the provisions of Chapter 4 – Gasoline or Automotive Service Stations, in its entirety, and further, to amend the Zoning By-laws, last amended and incorporated May, 2012, | To remove from the General and Zoning By-laws the prohibition on self-serve gasoline stations. Board of Selectmen | Planning Board Favorable Action |

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| | by modifying item #25 in the Table of Uses to delete the following, “excluding self-service gas stations”; or, to take any other action relative thereto. | | |
| 8 | To see if the Town will vote to transfer the sum of Fifteen thousand five hundred dollars (\$15,500.00) from the Community Preservation Fund – Historic Resources Reserve Account (2440-300-3595-1000) for the preservation of the historic North Street Schoolhouse, specifically for the removal of trees that are in poor condition and require removal in connection with work to restore the schoolhouse foundation and the erection of interpretive signage, to be completed under the supervision of the Land Stewardship Committee, such project to be completed within three years; or, to take any other action relative thereto. | To remove trees from the foundation of the North Street Schoolhouse to prevent further degradation of the foundation, which in turn will allow the installation of signage. Land Stewardship Committee | To Be Determined |
| 9 | To see if the Town will vote to transfer from the Community Preservation Fund - Undesignated Account (2400-300-3590-1000) sums equal to not less than 10% of the Community Preservation Fund FY2015 estimated annual revenues to the following Community Preservation Fund accounts to meet the requirements of M.G.L. c.44B, §6: Historic Resources Account (2440-300-3595-1000) Open Space Account (2410-300-3595-1000) Community Housing Account (2470-300-3595-1000); or, to take any other action relative thereto. | To set aside 10% of CPA FY15 annual revenues into reserve accounts. Community Preservation Committee | Favorable Action |
| 10 | To see if the Town will vote to transfer the sum of Forty-three thousand dollars (\$43,000.00) from the Community Preservation Act Undesignated Account (2400-300-3590-1000) to supplement funding approved under Article 20 of the May 8, 2014 Annual Town Meeting for restoration and rehabilitation of land for recreational purposes, specifically for the replacement of the basketball and tennis courts at Kiwanis Beach including the surface, baskets, poles, netting, fencing, including all costs incidental | To supplement the funding approved at the Annual Town Meeting for this project. Recreation Commission | Favorable Action |

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| | and related thereto, or, to take any other action relative thereto. | | |
| 11 | To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer from the Community Preservation Fund or otherwise, or from any combination thereof, the sum of Two Hundred ninety-three thousand six hundred eighty-four dollars and fifty cents (\$293,684.50), or any other sum, to meet the second year payment of debt service owed on the General Obligation Town Hall Renovation Bonds, or, to take any other action relative thereto. | To make the second year principal and interest payments (i.e., debt service) on the Town Hall bonds, to be paid from both CPA monies. Board of Selectmen | Favorable Action |
| 12 | To see if the Town will vote to transfer the sum of Two hundred thousand dollars (\$200,000.00) from the Community Preservation Fund – Community Housing Reserve Account (2470-300-3595-1000) to the Affordable Housing Trust; or, to take any other action relative thereto. | To transfer a portion of the CPA funds for Community Housing to the Affordable Housing Trust. Affordable Housing Trust | Favorable Action |
| 13 | To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Five thousand dollars (\$5,000.00) or any other sum, for a supplemental appropriation to the Conservation Fund Account (#8220-300-3590-1000), or, to take any other action relative thereto. | To provide additional funding for the Town’s Conservation Fund. Conservation Commission | To Be Determined |

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And you are directed to serve this Warrant, by posting up attested copies thereof at the U.S. Post Office, Town Library and Town Hall, in said Town fourteen days (14) at least before the time of holding said Meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this twenty-ninth day of October in the year of our lord two thousand fourteen.

UPTON BOARD OF SELECTMEN

A true copy, Attest:

Robert J. Fleming, Chairman

Kenneth E. Picard, Member

James A. Brochu, Member

Sandra Hakala, Constable
Date: October 29, 2014

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Constable Attest Page

Worcester, ss.

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Upton by posting up attested copies of the same at the Town Hall Building, Library Building, and the Upton U.S. Post Office at least fourteen days (14), before the date of the meeting, as within directed.

Sandra Hakala
Constable of Upton
October 30, 2014