

Town of Upton / STM - 11 January 2011 / 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, in Upton on Tuesday, the eleventh-day of January 2011, at Seven o'clock in the evening, then and there to act on the following Articles:

Article No.	Article	Justification/Submitted By	Finance Committee Recommendation
1	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 Fifteen thousand dollars (\$15,000.00), or any other sum, for a supplemental appropriation to the Veterans Service Expense Account (#01-543-5400-5421), for the remainder of fiscal year 2011, or, to take any other action relative thereto.	Insufficient funding was appropriated for the fiscal year to meet the demand for services. Board of Selectmen	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 Fifty thousand one hundred dollars (\$50,100.00), or any other sum, to be used for Energy Conservation Projects in Municipal Buildings, or, to take any other action relative thereto.	For energy retrofits at the Police Dept., Fire Dept., and Highway garage complex. Board of Selectmen	TBD
3	To see if the Town will vote to transfer from the Community Preservation Fund FY2011 Estimated Annual Revenues the following sums: \$20,000.00 to the Reserved Fund Balance – Historic Resources; \$20,000.00 to the Reserved Fund Balance - Open Space; \$20,000.00 to the Reserved Fund Balance – Community Housing, or, to take any other action relative thereto.	State Mandated 10% to each reserve account. CPC	Not Applicable

Town of Upton / STM - 11 January 2011 / Warrant

4	To see if the Town will vote to raise and appropriate, appropriate	Citizen's Petition	Not Applicable
	<p>from available unappropriated funds in the Town Treasury, including the Community Preservation Fund, or transfer or borrow pursuant to M.G.L. Chapter 44B, the Community Preservation Act, or any other enabling authority, the sum of \$1,288,500 for the purposes of acquiring by gift, purchase, or otherwise the fee or lesser interest, including a Conservation Restriction, partial fee interest, a parking easement, and a trail easement, on land totaling 87 acres, more or less, known as the "Sweetwilliam Farm," said property, located on North Street, is owned by Ms. Gail Harrington, and described on Assessors Map 5, Parcels 5-4, 5-16, 5-17, and 5-17.1, and to authorize the Conservation Commission, pursuant to M.G.L. Chapter 40, Section 8C, and/or the Board of Selectmen to acquire the same on behalf of the Town; approximately 60 acres of the property will be owned in fee by the Town and known as the Whitney Conservation Area and approximately 27 acres of the property will remain in private ownership and be protected from future development by a Conservation Restriction, all as shown on a plan entitled "Sweetwilliam Farm Preservation Plan" and dated November 4, 2010; interests in the property shall be acquired for conservation and passive outdoor recreation purposes, to be held in the care and custody of the Upton Conservation Commission, pursuant to M.G.L. Chapter 40, Section 8C or any other enabling authority; that said Conservation Commission be authorized to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the LAND program, (formerly known as the Self-Help program), M.G.L. Chapter 132A, Section 11, the Federal Land & Water Conservation Fund, P.L. 88-568, 78 Stat 897, and/or any other source(s) which might provide funding for activities falling within the scope and intent of this article and to execute, with approval of the Town Manager, all such agreements as may be necessary on the part of the Town to effect such acquisition and/or such reimbursement, including the conveyance of a perpetual conservation restriction granted by the owner in accordance with M.G.L. Chapter 184 as required by M.G.L. Chapter 44B, Section 12(a), said conservation restriction may be granted to any organization qualified and willing to hold such a restriction; provided, however, that the funds appropriated hereunder shall not be expended unless the Town is approved for a LAND grant from the Massachusetts Division of Conservation Services and raises from this and any other source(s) \$574,000 or more in reimbursements to defray the cost of the project, and further contingent on the Town's Community Preservation Fund receiving \$574,000 or more in reimbursements to defray the cost of the project; and that the Town will vote to transfer the sum of \$236,730 from the Community Preservation Act Fund Designated Open Space account (24-300-3241-1000), 307,166.94 from the Community Preservation Act Fund Undesignated 2006 account (24-300-3320-2006), 372,030.07 from the Community Preservation Act Fund Undesignated 2007 account (24-300-3320-2007), 360,285.10 from the Community Preservation Act Fund Undesignated 2008 account (24-300-3320-2008), and \$12,287.89 from the Community Preservation Act Fund Undesignated 2009 account (24-300-3320-2009), for a total of \$1,288,500, to a reserve account for the preservation and acquisition of Sweetwilliam Farm; such project to be under the management of the Open Space Committee and to be completed within three years; and to take any other action related thereto.</p>		

Town of Upton / STM - 11 January 2011 / Warrant

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 Fourteenth day of December in the year of our lord two thousand ten.

UPTON BOARD OF SELECTMEN

Michael E. Goodwin, Chairman

Robert J. Fleming, Member

Kenneth E. Picard, Member

A true copy, Attest:

Karen L. Varney, Constable

Date: December _____, 2010

Town of Upton / STM - 11 January 2011 / Warrant

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.

Karen L. Varney
Constable of Upton
December 15, 2010