

THE COMMONWEALTH OF MASSACHUSETTS

March 9, 2010

WORCESTER, ss. To either of the Constables of the Town of Upton in the County of Worcester:

GREETINGS:

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 Ninth day of March 2010, at Seven Thirty o'clock in the evening, then and there to act on the following Articles:

ARTICLE 1: To see if the Town will vote to transfer the sum of Six thousand five hundred dollars (\$6,500.00) from the Community Preservation Act Reserve Fund – Historic Resources (#24-300-3242-1000), to repair/replace the works of the Town Clock located in the United Parish Steeple, such project to be managed by the 275th Town Anniversary Committee and to be completed within two years of Town Meeting approval, or, to take any other action relative thereto.

ARTICLE 2: To see if the Town will vote to transfer the sum of Two thousand dollars (\$2,000.00) From the Community Preservation Act Reserve Fund – Open Space (#24-300-3241-1000) to help purchase the materials required to build a footbridge 72 feet by 5 feet across a wet area in the Warren Brook Watershed. This is an ambitious Eagle Scout project which has the support of the Conservation Commission. The project will be directed and managed by Eagle Scout candidate, Anthony Ward, overseen by Scoutmaster, Bill Andrews, in coordination with the Conservation Commission, such project to be completed within one year, or, to take any other action relative thereto.

ARTICLE 3: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of, One thousand five hundred dollars (\$1,500.00), or any other sum, to supplement the Elections and Town Meetings Account (# 01-113-5400-5421), or, to take any other action relative thereto.

ARTICLE 4: To see if the Town will vote to transfer the sum of Four thousand Dollars (\$4,000.00), or any other sum, from the FY10 Police Cruiser Gas Account (#01-210-5400-5481), to the FY10 Police Cruiser Maintenance Account (#01-210-5400-5482), or, to take any other action relative thereto.

ARTICLE 5: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of One thousand dollars (\$1,000.00), or any other sum, for the purpose of a supplemental appropriation to the Technology Expense Account, Account (# 01-159-5400-5421), to purchase a replacement computer system and server for the Fire & EMS Facility Chief's Office, or, to take any other action relative thereto.

ARTICLE 6: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the treasury, or transfer the sum of Eighteen thousand dollars (\$18,000.00), or any other sum, for the purchase of ten (10) sets of Personal Protective Equipment (PPE) of the Fire Department to replace ten (10) sets of worn and non compliant Personal Protective Equipment, or, take any action relative thereto.

ARTICLE 7: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow, the sum of Forty-two thousand six hundred dollars (\$42,600.00), or any other sum, to supplement the DPW Wages Account (# 421-5100-5100), or, to take any other action relative thereto.

ARTICLE 8: To see if the Town will vote to transfer from the Water FY10 Wage Account (# 450-5100-5100), the sum of Three thousand one-hundred fifty dollars (\$3,150.00), to the Water FY10 Training Account (# 450-5200-5313), or, to take any other action relative thereto.

ARTICLE 9: To see if the Town will vote to transfer, from the Water FY10 Wage Account (# 450-5100-5100), the sum of Six thousand five-hundred dollars (\$6,500.00), to the FY10 Water Overtime Account (# 450-5100-5111), or, to take any other action relative thereto.

ARTICLE 10: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of One thousand fifty dollars (\$1,050.00), or any other sum, as a supplemental appropriation to the DPW FY10 Clothing Allowance Account (# 01-422-5400-5581), or, to take any other action relative thereto.

ARTICLE 11: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of Ten thousand dollars (\$10,000.00), or any other sum, for the purpose of a supplemental appropriation to the Selectmen-Expense Account, Account (# 01-122-5400-5421), or, to take any other action relative thereto.

ARTICLE 12: To see if the Town will vote to remove section I.D of the Personnel By-law as it defines ‘Personnel Coordinator’ and replace it with the paragraph shown below, or, to take any other action relative thereto.

I. D. Personnel Coordinator

The Town Manager or Selectmen’s designee shall act as the Personnel Coordinator. As Personnel Coordinator, this person works under the guidance of the Chairperson of the Personnel Board. The duties the Personnel Coordinator include:

- Maintaining central personnel files for each employee in the Town
- Posting all open positions
- Collecting resumes and applications for employment
- Orienting new employees to Town policies and benefits

ARTICLE 13: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of One thousand dollars (\$1,000.00), or any other sum, to pay an outstanding invoice and to comply with the Phase I Dam Inspection of “Taft Pond Dam” by the Mass. Department of Dam Safety, by the Town’s Engineer for engineering and design, of same for future repairs and maintenance, or, to take any other action relative thereto.

ARTICLE 14: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow, the sum of Sixty-two thousand three hundred seventy dollars (\$62,370.00), or any other sum, to be used for, a supplemental appropriation (borrowing) to the ATM FY10 A32 Water Mains Replacement Account (#01-500-5010-5432), for additional improvements to the system (during the project), and to pay for cost over-runs, or, to take any other action relative thereto.

ARTICLE 15: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of Two thousand dollars (\$2,000.00), or any other sum, for a supplemental appropriation to the Telephone Expense Account (#01-122-5200-5341), for the remainder of fiscal year 2010, or, to take any other action relative thereto.

ARTICLE 16: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of Two thousand dollars (\$2,000.00), or any other sum, for a supplemental appropriation to the Street Light Expense Account (#01-424-5200-5210), for the remainder of fiscal year 2010, or, to take any other action relative thereto.

ARTICLE 17: To see if the Town will vote to Amend Article #24 of the Adjourned Annual Town Meeting of May 6, 1995, and Chapter 9 of the Town's General By-Laws; which established a "Capital Budget Committee" appointed by the Finance Committee, and which requires such committee to make recommendations (to Town Meetings) on any Capital Expenditures in excess of Ten thousand dollars (\$10,000.00), before any action/vote of Town Meeting is acted upon, **by replacing the sum of (\$10,000.00 with the sum of \$100,000.00)**, or, to take any other action relative thereto.

ARTICLE 18: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of Four thousand dollars (\$4,000.00), or any other sum, for a supplemental appropriation to the Town Counsel Expense Account (#01-151-5200-5302), for the remainder of fiscal year 2010, or, to take any other action relative thereto.

ARTICLE 19: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of Five thousand dollars (\$5,000.00), or any other sum, for a supplemental appropriation to the Town's 275th Anniversary Committee Account, to help defray the cost of the Town's Anniversary Parade, to be held on Sunday, June 13, 2010, or, to take any other action relative thereto.

ARTICLE 20: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of Two thousand seven hundred fifty dollars (\$2,750.00), or any other sum, for the purpose of a supplemental appropriation to the Technology Expense Account, Account (# 01-159-5400-5421), to purchase five (5) Xerox DocuMate 152 Scanners, for use in the Town's Building Facilities and in conjunction with the Town's new eDrawer Document Management System, or, to take any other action relative thereto.

ARTICLE 21: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of Thirteen thousand dollars (\$13,000.00), or any other sum, to fund the FY10 contractual dollar amount for the Upton Fire and EMS Department , said amount agreed to under terms of the collective bargaining agreement between the Town of Upton, and Local # 3338A Fire & EMS (full time) Career Members; on February 16, 2010, or, to take any other action relative thereto.

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 Sixteenth day of February in the year of our lord Two thousand ten.

UPTON BOARD OF SELECTMEN

Kenneth E. Picard, Chairman

Michael E. Goodwin, Member

Robert J. Fleming, Member

A true copy, Attest:

Constable: James R. Bates

DATE: February 19, 2010

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.

James R. Bates

Constable of Upton

Date: February 19, 2010