

TOWN CLERK

Town of Upton



Massachusetts

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CERTIFICATION OF PROCEEDINGS

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

June 12, 2008

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

During this meeting, 110 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 Jon Miguel, Cable Access; Kate Connelly, Town Counsel; Paul Marchard, Jack Ward, Dr. Fitzpatrick, Blackstone Regional Vocational Technical High School, Paul Crocetti, Milford Daily News;

ARTICLE 1: Upon motion of Robert Fleming, it was moved that the Town vote to transfer the sum of Thirty-two thousand dollars (\$32,000.) from the Community Preservation Act Reserved Fund Balance Undesignated FY2008 to the Reserved Fund Balance – Historic Resources.

Favorable recommendation from the Community Preservation Committee

Moderator declared the motion passed unanimously

ARTICLE 2: Upon motion of Christine Scott, it was moved that the Town vote to transfer the sum of Thirty-two thousand dollars (\$32,000.) from the Community Preservation Act Reserved Fund Balance Undesignated FY2008 to the Reserved Fund Balance – Open Space.

Favorable recommendation from the Community Preservation Committee

Moderator declared the motion passed unanimously

ARTICLE 3: Upon motion of Christine Scott, it was moved that the Town vote to transfer the sum of Thirty-two thousand dollars (\$32,000.) from the Community Preservation Act Reserved Fund Balance Undesignated FY2008 to the Reserved Fund Balance – Community Housing.

Favorable recommendation from the Community Preservation Committee

Moderator declared the motion passed unanimously

ARTICLE 4: Upon motion of Kelly McElreath, it was that the Town vote to appropriate from available unappropriated funds in the Treasury the sum of Two thousand dollars (\$2,000.00) from “free cash” to the Elections and Town Meetings Account.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 5: Upon motion of Kenneth Picard, it was moved that the Town vote pursuant to M.G.L. Chapter 40A, Section 5, to approve the official Zoning Map of the Town of Upton as presented.

Favorable recommendation from the Planning Board

Moderator declared this motion needs a 2/3 majority

Moderator declared the motion passed unanimously

ARTICLE 6: Upon motion of Gary Bohan, it was moved to pass over Article 6.

Moderator declared the motion passed unanimously

ARTICLE 7: Upon motion of Charles Marsden, it was moved that the Town vote to transfer, for the purpose of supplementing the FY2008 Overlay account deficit, the total sum of Thirty-three thousand and five hundred dollars (\$33,500.00) from the following accounts as requested; \$15, 000. From Overlay Surplus, \$5,000. From Valuation update account 01-142-5785, \$3,500. From Hardware/Software account 01-141-5242, and \$10,000. From Valuation update account 02-142-5785, to the Fiscal year 2008 Overlay Account

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 Three thousand eight hundred fifty-three dollars and fifty-four cents (\$3,853.54) to supplement Account 01-911-5172 Worcester Regional Retirement System, for the remainder of FY2008.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 9: Upon motion of Michael Goodwin, it was moved that the Town vote to transfer the sum of Seventy-five thousand dollars (\$75,000.00) from the General Stabilization Fund Account to Account 02-440-5852 Pumping Station Improvements to reverse the actions of a portion of Article #6 of the March 10, 2008 STM.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 10: Upon motion of Anthony Moncton, it was moved that the Town vote to transfer the sum of one thousand eight hundred ninety-eight dollars and forty cents (\$1,898.40) from the Board of Health Hazardous Waste Account, to the Board of Health Expense Account.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 11: Upon motion of Anthony Moncton, it was moved that the Town vote to transfer the sum of Seventeen thousand dollars (\$17,000.) from the Waste Removal Disposal Account to the Waste Removal Curbside Services Account.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 12: Upon motion of Anthony Moncton, it was moved that the Town vote to appropriate available unappropriated funds in the treasury the sum of Four thousand dollars (\$4,000.) to supplement the Waste Removal Curbside Account for the remainder of fiscal year 2008, Said sum is to cover the overage due to an increase in customers and fuel.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 13: Upon motion of Anthony Moncton, it was moved that the Town vote to appropriate from available unappropriated funds in the treasury the sum of Four thousand eight hundred nineteen dollars and twenty-four cents (\$4,819.24), to supplement the Board of Health Trash Bags Account for the remainder of FY08.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 14: Upon motion of Ken Picard, it was moved to pass over Article #14

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 15: Upon motion of Michael Bradley, it was moved that the Town vote to appropriate from available unappropriated funds in the Treasury the sum of Five thousand dollars (\$5,000.00) to supplement the Police Cruiser Gas line item account for the remainder of FY2008, due to the unanticipated increase in fuel prices.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 16: Upon motion of Michael Bradley, it was moved that the Town vote to appropriate from available unappropriated funds in the Treasury the sum of Five thousand dollars (\$5,000.00) to supplement the Police Salary line time account for the remainder of FY2008. This request is due to unanticipated salaries and overtime.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 17: Upon motion of Ken Picard, it was moved that the Town vote to accept the provisions of M.G.L. Chapter 48, §42A, with respect to the appointment of a Fire Chief to manage the Upton Fire and Emergency Medical Services Department. In addition to the provisions of M.G.L. Chapter 48, §42A, a five member Fire & EMS Advisory Committee shall be appointed by, and will serve at the pleasure of the Board of Selectmen. This action shall take effect when the listed conditions above have been satisfied and the acceptance of an employment agreement has been negotiated.

Moderator declared the motion passed unanimously

ARTICLE 18: Upon motion of Michael Goodwin, it was moved that the Town vote to amend the Town of Upton General Bylaws, Title 2 **Municipal Government and Finance**: to establish a new Chapter 20 for the creation of a Fire & EMS Department Advisory Committee.

Composition: There shall be a Fire & EMS Department Advisory Committee consisting of five members; one full time Firefighter/EMT, one Call member, one EMS member, one Citizen at Large, and the Chief, all appointed by and will serve at the pleasure of the Board of Selectmen.

Responsibility & Duties: The FD/EMS Advisory Committee shall make careful studies of resources, and needs of the FD/EMS Department. The committee will make comprehensive recommendations to the Fire Chief setting forth policies to govern the future growth and development of the FD/EMS Department. These recommendations shall be submitted in written

form to the Chief for his review. The Chief shall within a reasonable time respond in writing to the Advisory Committee as to their recommendations.

Administration: The Board of Selectmen shall adopt reasonable rules and regulations for the administration of the FD/EMS Advisory Committee, which maybe amended from time to time.

Moderator declared the motion passed unanimously

ARTICLE 19: Upon motion of Robert Fleming, it was moved that the Town vote to appropriate from available unappropriated funds in the Treasury the sum of Twenty-four thousand eighty-two dollars and ninety-nine cents (\$24,082.99) to supplement the Insurance Expense Account (01-945-5742) for the remainder of FY2008. This request is due to unanticipated increases in non-medical insurance.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

ARTICLE 20: Upon motion of Robert Fleming, it was moved that the Town vote to appropriate from available unappropriated funds in the Treasury the sum of Five thousand five hundred fifty dollars (\$5,550.00) to supplement the Town Buildings Expense Account (01-192-5421) for the remainder of FY2008. This request is due to increases in heating fuel and electricity.

Favorable recommendation from the Finance Committee

Moderator declared the motion passed unanimously

Upon motion of William Young, it was moved to dissolve this warrant and adjourn the Special Town Meeting at 7:36 pm.

Motion passed by majority

A True Copy,
ATTEST:

Kelly A. McElreath
Town Clerk