



## TOWN OF UPTON, MASSACHUSETTS

### Special Town Meeting 10 November 2020 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 at said Nipmuc Regional High School, 90 Pleasant Street, Upton, MA on Tuesday, November 10, 2020 punctually at Seven o'clock in the evening, to act on the Articles in the warrant.

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**ARTICLE 1:** To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase or eminent domain, for general municipal purposes, a parcel of land, containing 0.25 acres, more or less, being Assessor's Map 201-058, located at 0 Grove Street, and, to raise and appropriate, transfer or borrow Two Hundred Ten Thousand Dollars (\$210,000) for such purposes and all incidental and related expenses; and further to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Board of Selectmen shall, in its discretion, deem reasonable, and further to authorize the Board of Selectmen to sell or lease or transfer such land or building; and to take all related actions necessary or appropriate to effectuate such acquisition and disposition, and for the care, custody and maintenance of the improvements on the property, or to take any other action relative thereto.

**Explanation/  
Submitted by:** The EDC is proposing the acquisition of 0 Grove Street (gravel parking lot) as identified within the 2019 Town Center vision plan. Once acquired, the Board of Selectmen will include this parcel in a revised RFP so that a developer can construct a mixed-use development consisting of retail, commercial and residential space in the heart of our town center/Economic Development Committee

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**ARTICLE 2A:** To see if the Town will vote to approve the transfer of Fifteen thousand dollars (\$15,000) from the Community Preservation Undesignated Fund Balance to fund the installation of a water connection at the community garden on Mechanic Street, including all expenses incidental and related, or to take any other action relative thereto.

**Explanation/  
Submitted by:** Request the transfer of \$15,000 from the CPA Undesignated Reserve account to fund the installation of a water connection from the Town of Upton water supply to the community garden site on Mechanic Street. At present, there is a water tank filled periodically by the fire department but the water to the most remote sites has to be carried by hand. The Land Stewardship Committee's objective is to make the plots available to all citizens and easier to maintain. This would allow water to be provided to all the individual gardens plots without the hardship of having to tote buckets of water by hand and make all of the plots available to all interested citizens. This would be done by the DPW in preparation for the 2021 growing season and be under the supervision and control of the Land Stewardship Committee/Land Stewardship Committee

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**ARTICLE 2B:** To see if the Town will vote to transfer the total sum of two hundred ninety-six thousand five hundred seventy-five dollars (\$296,575.00) from the Community Preservation Fund to meet the eighth-year payment of debt service owed on the General Obligation Town Hall Renovation Bonds, or, to take any other action relative thereto

**Explanation/**  
**Submitted by:** To make the eighth-year principal and interest payments (with 12 years remaining) on the Town Hall bonds, to be paid from CPA monies consistent with the Town's vote to authorize the project / Community Preservation Committee

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**ARTICLE 2C:** To see if the Town will vote to authorize the Board of Selectmen, to acquire by gift, purchase, eminent domain or otherwise for conservation and passive recreation purposes the fee land totaling 66.2 acres, more or less, located off East Street, and described on Assessors Map 17, Parcels 26, 28, 29, and 31; to be held in the care and custody of the Upton Conservation Commission in accordance with G.L. c.40, §8C, and for the preservation of such land or interests therein; that said Conservation Commission be authorized to accept grants, donations, and/or reimbursements from any entity that may provide funding for the acquisition and/or 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; and, as may be necessary, to authorize the Board of Selectmen to convey a conservation restriction in such property to the Sudbury Valley Trustees or other qualified entity in accordance with M.G.L. Chapter 44B, §12(a); and as funding therefor, to raise and appropriate, transfer from available funds, including the Community Preservation Fund, the sum of \$320,000 and for the costs and expenses associated with the acquisition or, to take any other action relative thereto.

**Explanation/**  
**Submitted by:** The purpose of this purchase is to permanently protect the 66 acres, which are enjoyed today by visitors to Upton's Peppercorn Conservation Area, but are privately owned. This land includes the spot with the view from Peppercorn Hill towards Mt. Wachusett and about 1 mile of Peppercorn's trails. It is an important part of the Peppercorn Hill Conservation Area. It will also provide permanent protection of Massachusetts Natural Heritage and Endangered Species Program Priority Habitat for great laurel, a state listed species/Land Stewardship Committee

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**ARTICLE 3:** To see if the Town will vote to raise and appropriate, or transfer from available funds, or borrow the sum of Twenty Thousand dollars (\$20,000), or any other sum, to fund and implement the cost items of the first fiscal year of the collective bargaining agreement between the Town of Upton and the Fire Union contract, or, to take any other action relative thereto.

**Explanation/**  
**Submitted by:** To fund the cost items in the first fiscal year of the Fire Union collective bargaining agreement/Board of Selectmen

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 20th day of October in the year of our lord two thousand twenty.

**UPTON BOARD OF SELECTMEN**



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**Brett A. Simas, Chairman**



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**Maureen Dwinnell, Member**



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**Stephen A. Matellian, Member**

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

Constable of Upton  
October 20, 2020