



# TOWN OF UPTON, MASSACHUSETTS

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Town Clerk Office/Assistant to the Town Manager

**CERTIFICATION OF PROCEEDINGS  
THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF UPTON  
SPECIAL TOWN MEETING  
November 10, 2020**

Called to order at 7:08 pm by Moderator David Loeper. Please note since this meeting took place during COVID-19, a vendor was hired to set up a tent, socially distanced chairs and audio/visual equipment in the parking lot of Nipmuc High School.

Board of Selectmen Chair, Brett Simas, led the audience in the Pledge of Allegiance.

During this meeting, 151 voters were checked in to the Nipmuc Regional Middle/High School by Tracey Tardy and M. Denise Smith meeting the necessary quorum of 40 voters.

By unanimous vote, guests present were: Brian Maser, Town Counsel, Derek Brindisi, Town Manager; Dennis Westgate, DPW Director; Kenny Costa, Town Accountant; Mark DiFronzo, Fire Chief; Michelle Sanford, Town Crier; Mark Sexton, Noah Tagliaferri and Kaitlyn Moore.

**Purchase of 0 Grove St**

**ARTICLE 1:** Upon motion of David Loeper, it was moved the Town vote to authorize the Board of Selectmen to acquire by purchase, 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, transfer from Free Cash the sum of One Hundred Fifty Thousand Dollars (\$150,000) for such purposes and all incidental and related expenses; and to further 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; and to further authorize the transfer from Free Cash the sum of Sixty Thousand Dollars (\$60,000) for environmental remediation and site preparation and all incidental and related expenses of said property.

Moderator declared a 2/3 majority is required  
Favorable recommendation from Finance Committee/Capital Budget

Upon motion of David Gibbs, it was moved to question  
Moderator declared a 2/3 majority is required  
**Moderator declared the motion passed by 2/3 vote**

**Moderator declared the motion passed by 2/3 majority**

### **Funding for Water Connection at Community Garden**

**ARTICLE 2A:** Upon motion of David Loeper, it was moved the Town vote to transfer from the Community Preservation Undesignated Account the sum of Fifteen Thousand Dollars (\$15,000) for the installation of a water connection at the community garden on Mechanic Street.

Favorable recommendation from Finance Committee/Capital Budget  
Favorable recommendation from Community Preservation Committee

**Moderator declared the motion passed by majority**

### **CPA Payment of Town Hall Debt**

**ARTICLE 2B:** Upon motion of David Loeper the Town vote to transfer the 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, with Forty-Seven Thousand Dollars (\$47,000.00) from the Community Preservation Historic Resources Reserve Account and Two Hundred Forty-Nine Thousand Five Hundred Seventy-Five Dollars (\$249,575.00) from the Community Preservation Undesignated Account.

Favorable recommendation from Finance Committee  
Favorable recommendation from Community Preservation Committee

**Moderator declared the motion passed unanimously**

### **Purchase of 66 acres off of East Street**

**ARTICLE 2C:** Upon motion of David Loeper, it was moved the Town vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise for conservation and passive recreation purposes the fee interest in land totaling 42.8 acres, more or less, located off East Street, and described on Assessors Map 17, Parcels 26, 29, and 31, to be held in the care and custody of the Upton Conservation Commission in accordance with G.L. c.40, §8C 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 Sudbury Valley Trustees or other qualified entity in accordance with M.G.L. Chapter 44B, §12(a); and to transfer from Community Preservation Undesignated Account Fund, the sum of Two Hundred Seven Thousand Dollars (\$207,000) and for the costs and expenses associated with the acquisition; and, further, to authorize the Board of

Selectmen and/or Conservation Commission to accept a conservation restriction from Metacomet Land Trust on Assessors Map 17, Parcel 28.

Unfavorable recommendation from Finance Committee

Favorable recommendation from Community Preservation Committee/Capital Budget

Upon motion of Robert Fleming, it was moved to question

Moderator declared a 2/3 majority is required

**Moderator declared the motion passed by 2/3 vote**

**Moderator declared the motion passed by majority**

### **Funding of Fire CBA**

**ARTICLE 3:** Upon motion of David Loeper, it was moved the Town vote to transfer from Free Cash the sum of Twenty Thousand Dollars (\$20,000) to fund and implement the cost items of the first fiscal year of the collective bargaining agreement between the TOWN OF UPTON and UPTON PERMANENT FIRE FIGHTERS ASSOCIATION LOCAL 5116, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS contract.

Favorable recommendation from Finance Committee

**Moderator declared the motion passed unanimously**

Upon motion of John Robertson, it was moved to dissolve this warrant and adjourn the Special Town Meeting at 8:45 pm.

**Motion passed unanimously.**

A True Copy.

Attest:

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Kelly A. McElreath  
Town Clerk