



TOWN OF UPTON, MASSACHUSETTS

Town Clerk Office

**CERTIFICATION OF PROCEEDINGS
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF UPTON
SPECIAL TOWN MEETING
November 15, 2016**

Called to order at 7:00 pm by Moderator David Loeper. The meeting was then recessed until 7:20 to allow for voter to be checked in

Board of Selectmen Chair, James Brochu, led the audience in the Pledge of Allegiance.

During this meeting, 224 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: Lauren Goldberg, Town Counsel, Michelle Sanford, Town Crier; Paul Marchand, Town Employee; Ken Clark, Hopkinton; Vincent Roy, DPW Director; Corin Cook, Milford Daily News; Matthew Bachtold, Library Directory; Kenny Costa, Town Accountant; Maia Giglio

ARTICLE 1: Upon motion of James Brochu, it was moved to pass over this article.

Moderator declared the motion passed unanimously

Funding for line items

ARTICLE 2: Upon motion of James Brochu, it was moved the Town vote to amend the Fiscal Year 2017 operating budget as voted under Article 3 of the 2016 Annual Town Meeting by transferring the total sum of Sixty-seven thousand six hundred fifteen dollars (\$67,615.00) from Free Cash to the line items and in the amounts as specified in the warrant and as set forth on the screen in the auditorium.

<u>Transfer from Free Cash</u>	<u>Amount</u>
To:	
Animal Control Wages	1,700.
Fire Dept. Wages	1,500.
Fire Department Expense	2,235.
Police Dept. Wages	11,180.
Recreation Wages	26,000.
Town Counsel Expense	25,000.
Total	\$67,615.

Favorable recommendation from Finance Committee

Moderator declared the motion passed by majority

OPEB Funding

ARTICLE 3: Upon motion of James Brochu, it was moved the Town vote to raise and appropriate the sum of One hundred thousand dollars (\$100,000.00), to the Other Post-Employment Benefits Liability Trust Fund established under Article 42 of the 2011 Annual Town Meeting, to meet the Town's obligations under the Government Accounting Standards Board (GASB) Statement 45 to fund the Town's future obligations for the cost of other post-employment benefits identified by the GASB 45 Report.

Favorable recommendation from Finance Committee

Moderator declared the motion passed by majority

3 Year Contract for DPW Director

ARTICLE 4: Upon motion of Robert Fleming, it was moved the Town vote authorize the Board of Selectmen to petition the General Court for special legislation to amend Chapter 263 of the 1989 Acts and Resolves that established a Department of Public Works in the Town of Upton, by amending section 1 of the Act to enable the Hiring Authority to enter into a contract with the Public Works Director for a period not to exceed three years, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

Moderator declared the motion passed by majority

Funding for One Ton Dump Truck

ARTICLE 5: Upon motion of Gary Daugherty, it was moved the Town vote to transfer from Free Cash the sum of Fifty-four thousand five hundred dollars (\$54,500.00), for the purchase and equipping of a one ton dump truck assigned to the Department of Public Works.

Favorable recommendation from Finance Committee

Moderator declared the motion passed by majority

Funding for One Ton Pickup Truck

ARTICLE 6: Upon motion of Gary Daugherty, it was moved the Town vote to transfer from Free Cash the sum of Forty-two thousand three hundred dollars (\$42,300.00), for the purchase and equipping of a one-ton pickup truck for use by the Department of Public Works Parks.

Favorable recommendation from Finance Committee

Moderator declared the motion passed unanimously

Funding for Two Ton Paving Roller

ARTICLE 7: Upon motion of Gary Daugherty, it was moved the Town vote to transfer from Free Cash the sum of Thirty thousand dollars (\$30,000.00), for purchase of two-ton paving roller for use by the Department of Public Works.

Favorable recommendation from Finance Committee

Moderator declared the motion passed unanimously

Funding for Street Signs

ARTICLE 8: Upon motion of Robert Fleming, it was moved the Town vote to transfer from Free Cash the sum of Twenty thousand dollars (\$20,000.00), to purchase various roadway signs that meet the Federal Highway Administration's Minimum Maintained Sign Retroreflectivity Standard from the 2009 Manual on Uniform Traffic Control Devices, or other applicable standard.

Favorable recommendation from Finance Committee

Moderator declared the motion passed unanimously

Funding for GIS for Water System

ARTICLE 9: Upon motion of Robert Fleming, it was moved the Town vote to transfer from Water Retained Earnings the sum of Ten thousand dollars (\$10,000.00) for the purchase of engineering services to complete a project to develop a geographic information system (GIS) map of the Town's water system, including all incidental and related expenses.

Favorable recommendation from Finance Committee

Moderator declared the motion passed unanimously

Funding for Conservation Fund

ARTICLE 10: Upon motion of Michael Penko, it was moved the Town vote to transfer from Free Cash the sum of Two thousand five hundred dollars (\$2,500.00), for a supplemental appropriation to the Conservation Fund.

Favorable recommendation from Finance Committee

Moderator declared the motion passed unanimously

Funding for Tanker II Automatic Transmission

ARTICLE 11: Upon motion of James Brochu, it was moved the Town vote to transfer from Free Cash the sum of Twenty-two thousand five hundred dollars (\$22,500.00), for the replacement of the standard 8-speed transmission of Fire Tanker II with an automatic transmission including all expenses incidental and related thereto.

Unfavorable recommendation from Finance Committee

Moderator declared the motion lost

Funding for Fire Station Access Control

ARTICLE 12: Upon motion of James Brochu, it was moved the Town vote to transfer from Free Cash the sum of Nine thousand seven hundred twenty-two dollars (\$9,722.00), for the purchase and installation of an upgraded access control system for the Upton Fire Department building, including all incidental and related expenses.

Favorable recommendation from Finance Committee

Moderator declared the motion passed by majority

CPA Funding Requirements

ARTICLE 13: Upon motion of Rena Richard, it was moved the Town vote to transfer from the Community Preservation Fund FY2017 estimated annual revenues the sums set forth below to the following Community Preservation Fund accounts to meet the requirements of M.G.L.c.44B, §6:

Historic Resources Account - \$38,688.86

Open Space Account - \$38,688.86

Community Housing Account - \$38,688.86;

and to place any remaining FY 2017 estimated annual revenues in a so-called "FY2017 Undesignated Budgeted Reserve".

Favorable recommendation from Finance Committee and Community Preservation Committee

Moderator declared the motion passed unanimously

Debt Service for Town Hall from CPA

ARTICLE 14: Upon motion of Rena Richard, it was moved the Town vote to transfer the total sum of Two Hundred ninety-two thousand fifty dollars (\$292,050.00) from the Community Preservation Fund to meet the fourth year payment of debt service owed on the General Obligation Town Hall Renovation Bonds, with Thirty-eight thousand six hundred eighty-eight dollars and eighty six cents (\$38,688.86) from the Historic Resources Account and Two hundred fifty-three thousand three hundred sixty-one dollars and fourteen cents (\$253,361.14) from the Undesignated Account.

Favorable recommendation from Finance Committee and Community Preservation Committee

Moderator declared the motion passed unanimously

ARTICLE 15: Upon motion of John Robertson, it was moved to pass over this article.

Moderator declared the motion passed unanimously

Funding to Repair Fisk Mill Bridge

ARTICLE 16: Upon motion of Robert Fleming, it was moved the Town vote to transfer from Free Cash the sum of Two hundred eighty thousand dollars (\$280,000.00), for the Town of Upton's share to reconstruct and make repairs to the Fisk Mill Bridge that is jointly owned by the Towns of Milford and Upton, including engineering services.

Favorable recommendation from Finance Committee

Moderator declared the motion passed unanimously

Funding for Clean Up of Tax Title Property

ARTICLE 17: Upon motion of Ken Glowacki, it was moved the Town vote to transfer from Free Cash the sum of Ten thousand dollars (\$10,000.00), for the removal of the contents of a house and trees and bushes in the yard of a Town-owned property located at 28 Hartford Avenue North including all related and incidental expenses.

Favorable recommendation from Finance Committee

Moderator declared the motion passed by majority

Change to 5 member Selectmen

ARTICLE 18: Upon motion of Kerry Stoopack, it was moved the Town vote to expand the Board increasing the members from three (3) to five (5) Selectmen, who shall be nominated and elected by the qualified voters of the entire town.

We propose there shall be a Board of Selectmen consisting of five (5) members elected by the voters for three year terms, so as arranged that the term of office of at least one (1) member, but not more than two (2) members, shall expire each year. Terms of Selectmen shall be staggered. No Selectman shall serve for more than two consecutive terms, totaling six (6) years of continuous service.

The undersigned voters feel the town is growing and there is a greater commitment needed from the Board of Selectmen with regard to duties for service, to other boards, and to other communities. This increase of members of the Board of Selectmen can help share the load. The demographics of Upton have also changed to include now more professional citizens, providing a larger pool of available expertise.

Moderator declared the motion lost

Increase Maximum Height of Cell Towers

ARTICLE 19: Upon motion of Donald Taylor, it was moved the Town vote pursuant to M.G.L. Chapter 40A, Section 5 to amend the Zoning Bylaws section 6.2.6 line two to read as follows:

HEIGHT: The maximum allowed height of a tower shall be 200 feet.

Unfavorable recommendation from Planning Board
Moderator declared this motion required a 2/3 majority

Moderator declared the motion lost

Resolution to Oppose Proposed Spectra Pipeline through Upton

ARTICLE 20: Upon motion of Laurie Wodin, it was moved the Town vote to approve the resolution regarding the Spectra High Pressure pipeline through Upton as printed in the warrant.

Upon motion of Robert Fleming, it was moved to question
Moderator declared this motion required a 2/3 majority

Moderator declared the motion to move to question carried unanimously

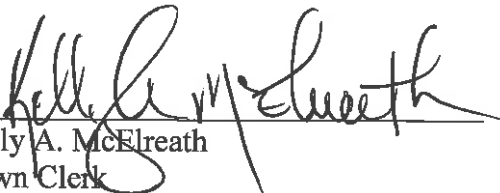
The Moderator declared the motion passed by majority

Upon motion of John Robertson, it was moved to dissolve this warrant and adjourn the Special Town Meeting at 8:37 pm.

Motion passed unanimously.

A True Copy.

Attest:



Kelly A. McElreath
Town Clerk