

TOWN CLERK

Town of Upton



Massachusetts

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CERTIFICATION OF PROCEEDINGS

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

January 16, 2007

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

During this meeting, 78 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, Upton Cable; Paul Crocetti, Milford Daily News; Steven Soma, DPW Director; Billy Johnson, Ben Johnson and Nicolas Gorman, Boy Scouts.

The Pledge of Allegiance was recited. Moderator David Loeper read the following statement in reference to George W. Burnham:

On December 8, 2006 longtime Upton Town Moderator George W. Burnham passed away. Mr. Burnham served as Town Moderator for 25 years from 1964 – 1989. In all of Upton's history no other individual has served for as many total years or as many consecutive years as town moderator than Mr. Burnham.

Mr. Burnham led the town meeting through the often-turbulent times of the sixties and seventies, and took us through proposition 2 ½ and into the 1980's. Mr. Burnham will be remembered as a firm, yet fair moderator. While he understood the need to keep the process moving along, he never let the process run roughshod over the individuals that ultimately make the decision that affected the community. This was part of the fine balancing act that needs to be performed by the moderator and Mr. Burnham performed it to a very high standard.

In addition to his work locally as moderator, Mr. Burnham served a term as president of the Massachusetts Moderators Association and he was an active member in that organization for many years. He was also a member of the local and national Grange serving in a number of leadership positions. Additionally, Mr. Burnham was also an active member of the United Parish of Upton.

Of all the tributes that could be said for Mr. Burnham, I believe the most appropriate one would be that Mr. Burnham was a humble man. He did not serve for his own personal gain, nor did he seek any special recognition for his service. Mr. Burnham quite simply saw that there was a need in the community, and he offered to help fill that need. Fortunately, the townspeople of

Upton gave him the opportunity to serve the community by electing him for 25 consecutive years as moderator. In the end, the town of Upton is better off because of his service.

Moderator David Loeper asked for a moment of silence for longtime Upton Town Moderator George W. Burnham.

ARTICLE 1: Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Twenty five thousand dollars (\$25,000.) from the undesignated FY 2007 Community Preservation Act Fund to the Reserved Fund – Historic Resources.

Favorable Recommendation from the Community Preservation Committee

The Moderator declared the motion passed unanimously

ARTICLE 2: Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Twenty five thousand dollars (\$25,000.) from the undesignated FY 2007 Community Preservation Act Fund to the Reserved Fund – Open Space.

Favorable Recommendation from the Community Preservation Committee

The Moderator declared the motion passed unanimously

ARTICLE 3: Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Twenty five thousand dollars (\$25,000.) from the undesignated FY 2007 Community Preservation Act Fund to the Reserved Fund – Community Housing.

Favorable Recommendation from the Community Preservation Committee

The Moderator declared the motion passed unanimously

ARTICLE 4: Upon motion of Rena Richard, it was moved that the Town vote to transfer the sum of Thirty-five thousand dollars (\$35,000.) from the undesignated FY 2005 (CPA) Reserved Fund Balance to fund final design services for filing with the Conservation Commission and Planning Board, and to fund rare species habitat analysis, and filings with the Massachusetts Natural Heritage and Endangered Species program, and wetland Notice of Intent for the proposed Glen Echo athletic field and associated parking, which design shall attempt to preserve the foundation of the District Schoolhouse Number 6, and which may include preliminary plans for a footbridge crossing of an intermittent stream, such project to be managed by the Upton Recreation Commission.

Favorable Recommendation from the Community Preservation Committee

The Moderator declared the motion passed unanimously

ARTICLE 5: Upon motion of James Bates Jr, it was moved to pass over Article 5.

Favorable Recommendation from the Finance Committee

The Moderator declared the motion passed unanimously

ARTICLE 6: Upon motion of Kenneth Picard, it was moved to pass over Article 6.

Unfavorable Recommendation from the Finance Committee

The Moderator declared the motion lost.

Upon motion of Jonathan Calianos, it was moved that the Town vote to transfer the sum of Fifty thousand dollars (\$50,000) from the GIS Implementation Fund voted at the Annual Town Meeting May 5, 2005 to the General Stabilization Fund Account. These funds have not been used as of this date and a contract with the company and the Town is not eminent in the foreseeable future.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

The Moderator declared the motion passed by 2/3 majority

ARTICLE 7: Upon motion Thomas Stockwell, it was moved that the Town vote to transfer the sum of Three thousand dollars (\$3,000.00), from the Police Salary Account to the Police Cruiser Maintenance Account.

Favorable Recommendation from the Finance Committee

The Moderator declared the motion passed unanimously

ARTICLE 8: Upon motion of David Adams, it was moved that the Town vote to transfer the sum of One thousand eight hundred thirty-three dollars and thirty-three cents (\$1,833.33) from the General Stabilization Fund Account to the Recreation Commission's Salaries line item #280 Account in the FY07 budget, for the purpose of hiring a Recreation Director for the months of May and June 2007, to oversee the setup and running of the Beach, Kids@Play, Golf lesson, and any other Recreation Commission Summer Programs.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

The Moderator declared the motion passed by 2/3 majority

ARTICLE 9: Upon motion of Steven Soma, it was moved that the Town vote to transfer the sum of Thirty thousand dollars (\$30,000.) from the General Stabilization Fund Account for the purpose of funding the costs associated with completing Dam Inspections and developing “Emergency Action Plans” for all town-owned dams, in the Town of Upton, in order to bring the Town into compliance with the State Department of Recreation and Conservation requirements.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

The Moderator declared the motion passed unanimously

ARTICLE 10: Upon motion of Steven Soma, it was moved that the Town vote to transfer, the sum of Thirty-eight thousand eight hundred eighty-one dollars (\$38,881.00) from the Wastewater Stabilization Fund Account to Account 02-440-5514 DPW Inflow Infiltration (FY05) for the purpose of funding an Inflow and Infiltration Program, in order to bring the Town into compliance with the Department of Environmental Protection requirements as set forth in NPDES permit No. MA0100196.

Favorable Recommendation from the Finance Committee

The Moderator declared the motion passed unanimously

ARTICLE 11: Upon motion of Richard Bellhumeur, it was moved that the Town vote to transfer the sum of Eighteen thousand dollars (\$18,000.) from the Capital Stabilization Fund Account, for the purpose of purchasing a vehicle lift to support the town wide mechanic position and enable full use of the services of this position with the highest level of efficiency and benefit to the Town.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

The Moderator declared the motion passed unanimously

ARTICLE 12: Upon motion of Richard Bellhumeur, it was moved that the Town vote to transfer the sum of Seven thousand dollars (\$7,000.) from the Town's General Stabilization Fund Account for the purpose of removing sediment build up, which has accumulated and been stockpiled for removal, near a brook/tributary in the vicinity of Josiah Drive.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

The Moderator declared the motion passed by 2/3 majority

ARTICLE 13: Upon motion of David Adams, it was moved to pass over Article 13.

Favorable Recommendation from the Finance Committee

The 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 8:41 pm.

Motion passed unanimously.

A True Copy,
ATTEST:

Kelly A. McElreath
Town Clerk