

TOWN CLERK

Town of Upton



Massachusetts

Kelly McElreath  
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UPTON, MASSACHUSETTS 01568

**CERTIFICATION OF PROCEEDINGS**

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

**March 13, 2007**

Called to order at 7:30 pm by Town Clerk Kelly A. McElreath.

During this meeting, 55 voters were checked in to the Nipmuc Regional Middle/High School by Barbara Burke and Judith McGee, meeting the necessary quorum of 40 voters.

Lorraine Loeper was recognized and read a letter by Town Moderator David C. Loeper informing the voters that he was unable to attend the meeting. Lorraine Loeper nominated Town Clerk Kelly A. McElreath as Town Moderator. By unanimous vote of the governing body, Kelly A. McElreath was elected Moderator for the Special Town Meeting. Without objection, M. Denise Smith acted as temporary Town Clerk.

By unanimous vote, guests present were; Jon Miguel, Upton Cable; Paul Crocetti, Milford Daily News; Steven Soma, DPW Director; Brandon Mager, Mitch Gruber and Jeff Gruber, Boy Scouts.

**ARTICLE 1:** Upon motion of Robert Perkins, it was moved that the Town vote to transfer the sum of Eleven thousand dollars (\$11,000.00) from the General Stabilization Fund Account to be used for a supplemental appropriation to fund the Unemployment Compensation Fund Account for the remainder of FY07.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**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 thousand six hundred dollars (\$20,600.00) from the Community Preservation Reserved Fund Balance – Undesignated 2005, to a reserve account for the installation of an automatic underground irrigation system at a Town owned public soccer field on West River Street, such project to be managed by the Recreation Commission.

Favorable Recommendation from the Community Preservation Committee

**The Moderator declared the motion passed unanimously**

**ARTICLE 3:** Upon motion of Anthony Moncton, it was moved that the Town vote transfer the sum of Fifteen thousand dollars (\$15,000.00) from the General Stabilization Fund Account to be used for the purchase, maintenance and fueling of a Board of Health Vehicle for Board of Health, Animal Control, and Town Nurse purposes, i.e., animals, trash bags, another Board of Health paraphernalia.

Unfavorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**The Moderator declared the motion lost**

**ARTICLE 4:** Upon motion of Marsha Paul, it was moved that the Town vote to transfer the sum of Two thousand dollars (\$2,000.00) from the Fire Department Training Account to the Fire Department Vehicle Maintenance Account, to fund this account for the remainder of FY07.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**The Moderator declared the motion passed unanimously**

**ARTICLE 5:** Upon motion of Robert Perkins, it was moved that the Town vote to appropriate from available unappropriated funds in the Treasury (free cash) the sum of Three thousand two hundred eighty-four dollars and eight cents (\$3,284.08) to be used for a supplemental appropriation to the Town Accountant Salaries and Wages Account for the remainder of FY07.

Favorable Recommendation from the Finance Committee

**The Moderator declared the motion passed unanimously**

**ARTICLE 6:** Upon motion of Joan Shanahan, it was moved that the Town vote to transfer the sum of Fifty-eight thousand three hundred fifty-five dollars (\$58,355.00) from the General Stabilization Fund Account to the Town Insurance Expense Account to be used for a supplemental appropriation for the remainder of FY07.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**The Moderator declared the motion passed unanimously**

**ARTICLE 7:** Upon motion of Robert Fleming, it was moved that the Town vote to transfer the sum of Three thousand five hundred dollars (\$3,500.000.) from the General Stabilization Fund Account for the purpose of funding a supplemental appropriation to the Technology Expense Account Fund for the remainder of FY07.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**The Moderator declared the motion passed unanimously**

**ARTICLE 8:** Upon motion of Robert Fleming, it was moved that the Town vote to transfer the sum of Thirty thousand dollars (\$30,000.00), from the General Stabilization Fund Account for the purpose of funding a supplemental appropriation to the Town Counsel Expense Account Fund for the remainder of FY07.

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 Marsha Paul, it was moved that the Town vote to transfer the sum of Eight thousand dollars (\$8,000.00) from the General Stabilization Fund Account for the purpose of funding a supplemental appropriation to the Town Counsel Expense-Chapter 40B Account Fund for the remainder of FY07.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

Upon motion of Kenneth Picard, it was moved to reduce the transfer amount to \$2,500.00.

Upon motion of Robert Fleming, it was moved to question the amendment

**The Moderator declared the motion passed unanimously**

**The Moderator declared the amendment lost**

Upon motion of Robert Fleming, it was moved to question the original motion

**The Moderator declared the motion passed unanimously**

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

**ARTICLE 10:** Upon motion of David Adams, it was moved that the Town vote to transfer the sum of Twenty-three thousand six hundred seventeen dollars and seventeen cents (\$23,617.17) from the CODE Department, Memorial School Inspections Account to a Reserve Account for the renovations and upgrades including Engineering, Design, Labor, and Materials to the Town Owned Memorial School Athletic Fields.

Favorable Recommendation from the Finance Committee

**The Moderator declared the motion passed unanimously**

**ARTICLE 11:** Upon motion of Joan Shanahan, it was moved that the Town vote to transfer the sum of Nine thousand dollars (\$9,000.00) from the Water Stabilization Fund Account for the purpose of supplementing the DPW Water Maintenance Account for costs associated with purchasing new water service meters as the Town's required "match" for grant monies received under the Water Loss Prevention Grant and Project, for the remainder of FY'07.

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 Joan Shanahan, it was moved that the Town vote transfer the sum of Fifty thousand dollars (\$50,000.00) from the Wastewater Stabilization Fund Account for the purpose of Design Consultant Services, for designing upgrades, cost estimates and bid specifications, for upgrading the Station Street Wastewater Pump Station.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**The Moderator declared the motion passed unanimously**

**ARTICLE 13:** Upon motion of Joan Shanahan, it was moved that the Town vote to transfer the sum of Twenty two thousand dollars (\$22,000.00) from the General Stabilization Fund Account to the DPW Highway Oiling and Paving Account, which account paid an invoice dated 9-08-06 to a paving contractor that was not approved by Mass Highway for Chapter 90 funding.

Favorable Recommendation from the Finance Committee

Moderator declared this motion needs a 2/3 majority

**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 8:59 pm.

**Motion passed unanimously.**

A True Copy,  
ATTEST:

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Kelly A. McElreath  
Town Clerk  
For M. Denise Smith, Temporary Town Clerk