

THE COMMONWEALTH OF MASSACHUSETTS

SEPTEMBER 18, 2007

WORCESTER, ss. To either of the Constables of the Town of Upton in the County of Worcester:

GREETINGS:

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 in the Auditorium at the Nipmuc Regional Middle/High School, in Upton on Tuesday, the eighteenth day of September 2007, at Seven thirty o'clock in the evening, then and there to act on the following Articles:

ARTICLE 1: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Town treasury, or transfer, or borrow the sum of Two thousand eight hundred seventy dollars (\$2,870.00) to the Fire Department New Equipment Account to replace funds expended for the purchase of four inch (4") supply hose that was damaged at the Bernat Mill Fire, or, to take any other action relative thereto.

ARTICLE 2: To see if the Town will vote to transfer the sum of Twelve thousand dollars (\$12,000.) From the Community Preservation Act Reserved Fund Balance – Open Space to the Recreation – Glen Echo Account to be used for topographical survey work and filings needed to finish detailed construction drawings for the Glen Echo athletic field, such project is to be the responsibility of the Recreation Commission, or, to take any other action relative thereto.

ARTICLE 3: To see if the Town will vote to transfer the sum of Three thousand five hundred dollars (\$3,500.) from the Community Preservation Act Reserved Fund Balance Undesignated FY2007 to the Reserved Fund Balance – Historic Resources, or, to take any other action relative thereto.

ARTICLE 4: To see if the Town will vote to transfer the sum of Three thousand five hundred dollars (\$3,500.) from the Community Preservation Act Reserved Fund Balance Undesignated FY2007 to the Reserved Fund Balance – Open Space, or, to take any other action relative thereto.

ARTICLE 5: To see if the Town will vote to transfer the sum of Three thousand five hundred dollars (\$3,500.) from the Community Preservation Act Reserved Fund Balance Undesignated FY2007 to the Reserved Fund Balance – Community Housing, or, to take any other action relative thereto.

ARTICLE 6: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Treasury, or transfer, or borrow the sum of One Thousand five hundred dollars (\$1,500.00), or any other sum, to fund the cost of research to participate in the Local Update of Census Addresses (LUCA) Program to ensure the 2010 Decennial Census is accurate, or, to take any other action relative thereto.

ARTICLE 7: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Town treasury, or transfer, or borrow the sum of Fifty-nine thousand dollars (\$59,000.00), or any other sum, to be transferred from the following Prior Year Accounts Balances; Town Hall Access \$22,000.00, Knowlton/Risteen Air Quality \$24,000.00, and Town Hall Ventilation \$13,000.00, to the Town's General Stabilization Fund Account, or, to take any other action relative thereto.

ARTICLE 8: To see if the Town will vote to appropriate, appropriate from available unappropriated funds in the Town treasury, or transfer, or borrow the sum of Five thousand five hundred forty dollars (\$5,540.00), or any other sum, for the purpose of purchasing and installing a Security and Fire Alarm System in the Ramsey Building at the Town Beach and Athletic Facility, or, to take any other action relative thereto.

ARTICLE 9: To see if the Town will vote pursuant to M.G.L., Ch 40A, §5 to amend the General By-Laws as follows:

1. To amend the Town's General Bylaws by adding a new section entitled: Right to Farm, or, to take any other action relative thereto.

(Complete text of the proposed bylaw is attached to this Warrant and can be reviewed at the office of the Town Clerk, or the Planning Board, during regular office hours)

ARTICLE 10: To see if the Town will vote pursuant to M.G.L. Chapter 40A, Section 5 to amend the Zoning By-Laws to provide for Open Space Residential Development by deleting the existing section: SECTION 7.3 - OPEN SPACE PRESERVATION SUBDIVISION in its entirety and replacing with SECTION 7.3 - OPEN SPACE RESIDENTIAL DEVELOPMENT; and by amending Section 3.1.3 (Table of Principal Uses By District) and Section 4.2 (Dimensional Regulations), or, to take any other action relative thereto.

The complete text of the proposed Zoning By-Law amendment is available for review at the Town Clerk's office.

ARTICLE 11: To see if the Town will vote to authorize the Land Stewardship Committee, under direction of the Board of Selectmen, to manage a portion of Glen Echo Open Space Parcel A for open space purposes. Said Glen Echo parcel was accepted by the Town at the May 1, 2006 Annual Town Meeting (Article No. 45).

This 27.39-acre parcel shall be known as the “Eleanor T. Howarth Glen Conservation Area” and is identified as “Parcel A2” in a plan dated March 20, 2007 prepared by Savello Associates for the Conservation Commission. The remainder of Parcel A (9.18 acres) shall be managed for active recreation by the Recreation Commission, or, to take any other action relative thereto.

The referenced plan may be viewed at the Office of the Town Clerk.

ARTICLE 12: To see if the Town will vote to authorize the Land Stewardship Committee, under direction of the Board of Selectmen, to manage a parcel of land (017-053) off of Taft Street donated to the Town by Robert and Gail Snow and accepted by the Town at the May 03, 2004 Annual Town Meeting (Article No. 31). Said parcel shall be known as the “Snow Family Conservation Area”. The parcel abuts the Peppercorn Hill Town Conservation Area and provides access to the Peppercorn property from Taft Street, or, to take any other action relative thereto.

ARTICLE 13: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town treasury, or transfer, or borrow the sum of Fifty Five Thousand dollars (**\$55,000.**), or any other sum, for the purpose of funding **Water Department** Water Break efforts, or, to take any other action relative thereto.

ARTICLE 14: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town treasury, or transfer, or borrow the sum of Thirty Three Thousand dollars (**\$33,000.**), or any other sum, for the purpose of funding **Engineering Division** efforts in replacing an antiquated 24” corrugated metal Pipe which runs across Pleasant Street in the vicinity of house #11 and through the property of house #14, or to take any other action relative thereto.

ARTICLE 15: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town treasury, or transfer, or borrow the sum of Four thousand three hundred dollars (**\$4,300.**), or any other sum, for the purpose of funding **Stormwater** efforts for the purpose of installing a Catch Basin Cleaner onto Truck #26, or, to take any other action relative thereto.

ARTICLE 16: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town treasury, or transfer, or borrow the sum of Four thousand eight hundred dollars (**\$4,800.**), or any other sum, for the purpose of allowing **Town Wide Fleet Maintenance Division** to perform preventative maintenance in scraping and/or sand blasting and painting the DPW Front End Loader (replacement value of \$130,000), or, to take any other action relative thereto.

ARTICLE 17: To see if the Town will vote to transfer, the sum of Two thousand three hundred sixteen dollars and twenty-four cents (\$2,316.24), or any other sum, from line item number 48- Insurance Expense Account, of the operating budget for FY08, to be applied proportionately to a non-union employees salary, accordingly to their increased contribution to their health insurance premium cost from 10% to 25% effective July 1, 2007. This employee was missed in the calculation of Article # 16 at the Annual Town Meeting, or, to take any other action relative thereto.

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 Thirtieth day of September in the year of our lord Two thousand seven.

UPTON BOARD OF SELECTMEN

Marsha A. Paul, Chairman

Robert J. Fleming, Member

Kenneth E. Picard, Member

A true copy, Attest:

James R. Bates

Constable

Date: August 30, 2007

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