



TOWN OF AVON
COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING WARRANT

Tuesday, May 1, 2012

at 7:30 o'clock in the evening at Avon High/Middle School

Norfolk, SS: To either of the constables in the Town of Avon in the County of Norfolk.

Greetings: In the name of the Commonwealth of Massachusetts you are required to notify and warn the inhabitants of the Town of Avon qualified to vote in Town affairs to meet in the Avon Middle/High School Auditorium on West Main Street, in said Town of Avon, on Tuesday, May 1, 2012, at 7:30 o'clock in the evening at Avon Middle/High School, then and there to act on the following articles:

ARTICLE 1: To hear the reading of the reports and minutes of the previous session(s) and to hear and act on the annual reports of the Town Officers and Town Departments for the year ending December 31, 2011 and to hear the reports of any committees, or take any other action in relation thereto.

BOARD OF SELECTMEN

ARTICLE 2: To see if the Town will vote to fix the salaries of the elected Town Officers for the Fiscal Year 2013, and raise and appropriate the necessary funds to defray such costs or take any other action in relation thereto.

BOARD OF SELECTMEN

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money as may be necessary to defray the Town charges for the ensuing Fiscal Year 2013, including salaries of the several elected officers of the Town, and make appropriations for the same, or take any other action in relation thereto.

BOARD OF SELECTMEN

ARTICLE 4: To see if the Town will vote to authorize the Board of Selectmen to accept and to enter into a contract for the expenditure of any funds allotted or to be allotted by the Commonwealth of Massachusetts and/or County of Norfolk for the construction, reconstruction and/or improvement of Town roads or take any other action in relation thereto.

BOARD OF SELECTMEN

ARTICLE 5: To see if the Town will vote to reauthorize an Offset Receipts Account known as the Cross Connection Control Offset Receipts Account in accordance with M.G.L. Chapter 44, Section 53E, or take any other action in relation thereto.

WATER COMMISSIONERS

ARTICLE 6: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Thirty Thousand Dollars (\$30,000) to Article 5 of the Annual Town Meeting of 2004 for the purpose of funding buyback of sick and vacation time of retiring employees; or take any other action in relation thereto.

BOARD OF SELECTMEN

ARTICLE 7: To see if the Town will vote to transfer from the Septic Loan Receipts Account the sum of Ten Thousand Four Hundred Dollars and Thirty-Six Cents (\$10,400.36) for repayment of the Title V Water Pollution Abatement Trust Loan voted and approved at the Annual Town Meeting of May 5, 1998, Article 23, or take any other action in relation thereto.

BOARD OF HEALTH

ARTICLE 8: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred and Eighty Thousand Dollars (\$180,000) for the demolition and removal of the former Crowley Elementary School, or take any other action in relation thereto.

BOARD OF SELECTMEN

ARTICLE 9: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty-Five Thousand Dollars (\$25,000) to be used for the Town's 125th Anniversary Celebration, or take any other action in relation thereto.

BOARD OF SELECTMEN

ARTICLE 10: To see if the Town will vote to establish a revolving fund pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½ for the receipt of the PEG Access funding payments paid to the Town by any cable franchisee and payment of expenses associated with the production and cablecasting of PEG Access programming in Avon, or take any other action in relation thereto.

BOARD OF SELECTMEN

ARTICLE 11: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation creating the combined, appointed position of Treasurer-Collector in the form set forth below; provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the petition, or take any other action in relation thereto.

An Act Relative to the Position of Appointed Treasurer-Collector in the Town of Avon.

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the Office of Treasurer-Collector for the Town of Avon is hereby established. The Treasurer-Collector shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred and imposed by law on Town Treasurers and Town Collectors of Taxes. Said Treasurer-Collector shall be appointed, and may be removed, by the Board of Selectmen of said town. The Board of Selectmen may establish an employment contract with the Treasurer-Collector for salary, fringe benefits and other conditions of employment, including but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance, conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 2. Notwithstanding the provisions of Section 1, upon the effective date of this act, the positions of elected Town Treasurer and elected Tax Collector shall be abolished and the terms of the officers holding said offices shall be terminated. The elected incumbent holding the office of Town Treasurer, if any, shall thereupon become the first appointed Treasurer-Collector, and shall serve in such capacity for a period of time equivalent to the remainder of the incumbent's elected term or sooner resignation or retirement. Thereafter, appointments to the position of Treasurer-Collector shall be made in accordance with the provisions of Section 1 of this act.

SECTION 3. This act shall take effect upon its passage.

BOARD OF SELECTMEN

ARTICLE 12: To see if the Town will vote to establish a revolving fund pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E½ for the receipt of registration of and fine to foreclosed and dilapidated structures and payment of expenses associated with the maintenance of the same, or take any other action in relation thereto.

BUILDING DEPARTMENT

ARTICLE 13: To see if the Town will vote to transfer the sum of Sixty-Seven Thousand Four Hundred and Seventy-Five Dollars (\$67,475) from the Ambulance Revolving Fund to be used to pay the eighth of ten (10) payments of the lease purchase agreement on the Fire Department's Aerial Ladder truck, or take any other action in relation thereto.

FIRE CHIEF

ARTICLE 14: To see if the Town will vote to transfer the sum of Eight Thousand Dollars (\$8,000) from the Ambulance Revolving Fund to Article 19 of the 2007 ATM to be used for the purpose of reimbursing insurance companies for overpayments and to pay ALS mutual aid costs, or take any other action in relation thereto.

FIRE CHIEF

ARTICLE 15: To see if the Town will vote to transfer the sum of Twelve Thousand Dollars (\$12,000) from the Ambulance Revolving Fund to Article 12 of the 2010 STM to be used for training, continuing education and related expenses, or take any other action in relation thereto.

FIRE CHIEF

ARTICLE 16: To see if the Town will vote to transfer from the Ambulance Account the sum of Sixty Thousand Dollars (\$60,000), for the purpose of purchasing and equipping a new replacement command vehicle for the Fire Department, or take any other action in relation thereto.

FIRE CHIEF

ARTICLE 17: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow subject to the provisions of so-called Prop. 2 ½ the sum of Six Hundred Fifty Thousand Dollars (\$650,000) to purchase and equip a new rescue-pumper truck for the Fire Department, or take any other action in relation thereto.

FIRE CHIEF

ARTICLE 18: To see if the Town will vote to amend the Town of Avon Personnel By Laws, with the text as posted with the Town Clerk and subject to a Public Hearing, or take any other action in relation thereto.

PERSONNEL BOARD

ARTICLE 19: To see if the Town will vote to accept the provisions of Section 40 of Chapter 653 of the Acts of 1989 to assess new buildings, structures or other physical improvements added to real property between January 2nd and June 30th for the Fiscal Year beginning on July 1, 2012 and all following fiscal years, or take any other action in relation thereto.

BOARD OF ASSESSORS

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer from available funds Seventy-Five Thousand Dollars (\$75,000) to be used by the Board of Assessors to fund the State mandated Fiscal Year 2014 Recertification, or take any other action in relation thereto.

BOARD OF ASSESSORS

ARTICLE 21: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Ten Thousand, Two Hundred and Twenty-Five Dollars (\$10,225) for updates to the Department of Environmental Protection mandated Cross Connection Control Program, or take any other action in relation thereto.

WATER COMMISSIONERS

ARTICLE 22: To see if the Town will vote to rescind the remaining amount of One Hundred and Sixty Three Dollars (\$163.00) of the original authorization (Article 7, approved at the Annual Town Meeting of May 6, 2008) to borrow Two Million Eight Hundred Ninety Thousand Six Hundred Seventy One Dollars (\$2,890,671) for the rehabilitation of Pond Street, or take any other action in relation thereto.

TOWN TREASURER

ARTICLE 23: To see if the Town will vote to rescind the remaining amount of Six Hundred Forty Thousand Dollars (\$640,000) of the original authorization (Article 17, approved at the Annual Town Meeting of May 6, 2008) to borrow One Million Eighty Thousand Dollars (\$1,080,000) for the Butler School HVAC project, or take any other action in relation thereto.

TOWN TREASURER

ARTICLE 24: To see if the Town will vote to amend the Zoning By-Laws SECTION XI, Environmental Standards, 11-3 to update the Floodplain District for the purpose of facilitating compliance with new flood maps drafted by the Federal Emergency Management Agency (FEMA), or take any other action in relation thereto.

PLANNING BOARD

ARTICLE 25: To see if the Town will amend the Town of Avon Zoning By-Laws with the text pertaining to new zoning as posted with the Town Clerk and subject to a Public Hearing, or take any other action in relation thereto.

PLANNING BOARD

ARTICLE 26: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Fifteen Thousand Dollars (\$15,000) to replace the Server for Town Hall, or take any other action in relation thereto.

TOWN ACCOUNTANT

ARTICLE 27: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be placed in the Stabilization Account, or take any other action in relation thereto.

FINANCE COMMITTEE

And you are hereby directed to serve this Warrant by posting attested copies thereof, at not less than seven (7) public places, including the Post Office, and by leaving not less than twenty (20) copies in each of the public places for distribution in said Town, seven (7) days 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 15th day of March, in the year of our Lord Two Thousand and Twelve.

A True Copy. Attest:

V. JEAN KOPKE, TOWN CLERK

FRANCIS A. HEGARTY, CHAIRMAN

STEVEN P. ROSE

WARREN PHILLIPS, POLICE CHIEF

ROBERT F. BRADY, JR.

AVON BOARD OF SELECTMEN