

**TOWN OF AVON**  
**COMMONWEALTH OF MASSACHUSETTS**  
**ANNUAL TOWN MEETING WARRANT**

**Tuesday, May 5, 2015**

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 5, 2015, 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, 2014 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 2016, 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 2016, 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 raise and appropriate and/or transfer from available funds Twenty Five Thousand Dollars (\$25,000) to the Special Sick Leave Revolving Fund that was established at the Annual Town Meeting of May 6, 2014, Article 5, 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 6:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ninety Five Dollars (\$95.00) to pay a prior year bill reimbursing a Water Department employee for the newly mandated DLS Hoisting License annual physical, or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 7:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Seventy Eight Thousand One Hundred Twenty Two Dollars (\$78,122) to be used to make repairs and/or improvements to the Town Hall building, or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 8:** To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow subject to the approval of a debt exclusion question in accordance with the provisions of Chapter 59, Section 21C of the General Laws (also known as Proposition 2 ½) the sum of Eleven Million Three Hundred Thousand Dollars (\$11,300,000) to pay costs of planning, designing and constructing a new Police Facility to be located at the Crowley School property, and to pay costs of planning, designing and renovating the existing Fire Station, including the payment of all other costs incidental and related thereto, 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) for the installation of a new telecommunications system in the Police and Fire Building, or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 10:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ten Thousand One Hundred and Ninety Eight Dollars (\$10,198) for the purchase of electronic voting equipment, or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 11:** To see if the Town will vote to amend the General Bylaws of the Town of Avon by inserting after Article II. Section 4. G.

Electronic Voting. Subject to the availability of a system to enable electronic voting at Town Meeting using wireless handheld mobile devices, the Moderator may count the vote, or conduct a roll call vote, on any matter before the Town Meeting by the use of such an electronic vote counting system.

or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 12:** To see if the Town will vote to accept the provisions of MGL c.59, §5K, relative to reducing a portion of a property tax liability in exchange for volunteer services for persons over age 60 pursuant to an agreement to be approved by the Board of Selectmen; or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 13:** To see if the Town will vote to transfer from the Septic Loan Receipts Account the sum of Ten Thousand Four Hundred Dollars (\$10,400) 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 14:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Sixty Two Thousand Eight Hundred Ninety Seven Dollars (\$62,897) to be used by the Board of Assessors to fund work for State Mandated Recertification, or take any other action in relation thereto.

**BOARD OF ASSESSORS**

**ARTICLE 15:** FY2016 Capital Improvements Program Article

To see if the Town will vote to appropriate a sum of money to be raised by taxation, by transfer from available funds, by borrowing or otherwise, for the various capital and special projects for the Town, including, but not limited to, purchase of new and/or replacement equipment and vehicles, repairs or additions to the Town's facilities, including costs incidental and related to such projects, or to take any other action relative to the forgoing matters:

<u>Department</u>	<u>Item</u>	<u>Cost</u>
Selectmen	Town Hall Parking Lot	\$300,000
Selectmen	Town Hall/COA HVAC units	\$20,000
Selectmen	Copy Machine (Lease/Purchase)	\$10,910

or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 16:** To see if the Town will vote to transfer the sum of Eighty Thousand Dollars (\$80,000) from the CMVI Receipts Reserve Account for the purchase of two marked police vehicles or take any other action in relation thereto.

**POLICE CHIEF**

**ARTICLE 17:** To see if the Town will vote to transfer the sum of Thirty Thousand Dollars (\$30,000) from the CMVI Receipts Reserve Account for the purchase of tasers for Police Department use or take any other action in relation thereto.

**POLICE CHIEF**

**ARTICLE 18:** To see if the Town will vote to transfer the sum of Twenty Thousand Dollars (\$20,000) for the purchase of a switching and handling element for the new computer system in the Police Department. This will allow the Police Department to utilize the new Criminal Justice Information System (CJIS) from the CMVI Receipts Reserve Account or take any other action in relation thereto.

**POLICE CHIEF**

**ARTICLE 19:** To see if the Town will vote to transfer the sum of Twenty Seven Thousand Seven Hundred Dollars and Ten Cents (\$27,700.10) from the Ambulance Revolving Fund to be used to purchase Cardiac Compression System devices for use by the Fire Department, or take any other action in relation thereto.

**FIRE CHIEF**

**ARTICLE 20:** To see if the Town will vote to transfer the sum of One Hundred and Six Thousand Three Hundred and Ninety Four Dollars and Ninety Four Cents (\$106,394.94) from the Ambulance Revolving Fund to be used to pay the third of five (5) payments of the Lease Purchase Agreement on the Fire Department's Rescue Pumper truck, or take any other action in relation thereto.

**FIRE CHIEF**

**ARTICLE 21:** To see if the Town will vote to accept as public ways the following streets: Bodwell Street Extension and Ledin Drive in accordance with all Town By-Laws and state statutes, or take any other action in relation thereto.

**PLANNING BOARD**

**ARTICLE 22:** To see if the Town will vote to transfer the sum of Four Hundred and Thirty Nine Thousand Four Hundred and Forty Nine Dollars and Seventy Six Cents (\$439,449.76) which is the balance of Article 8 of the Annual Town Meeting of 2013 to the Public Safety Stabilization Account, or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 23:** To see if the Town will vote to rezone the Restricted Development Lot D5-6 #7, formerly the Crowley School property, from its previous use of Education and Recreation to Municipal Public Safety and Recreation, or take any other action in relation thereto.

**PLANNING BOARD**

**ARTICLE 24:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty Nine Thousand Dollars (\$29,000) to replace the existing Health Department vehicle, or take any other action in relation thereto.

**BOARD OF HEALTH**

**ARTICLE 25:** To see if the Town will accept the provisions of MGL c.59 §5N, relative to a reduction of property tax obligation of Veterans in exchange for volunteer services pursuant to an agreement to be approved by the Board of Selectmen, or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 26:** To see if the Town will vote to amend the General Bylaws of the Town of Avon, Article IX, by

Striking

**Section 1 SALT USE ON PUBLICLY-MAINTAINED ROADS**

Due to the high unacceptable sodium count in our Town's water supply, the Highway Department shall use a road salt mix no greater than four (4) parts sand and one (1) part Sodium Chloride as a de-icing agent during the winter months on all streets of the town.

and renumbering Section 2 as Section 1, or take any other action in relation thereto.

**DEPARTMENT OF PUBLIC WORKS**

**ARTICLE 27:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twelve Thousand Five Hundred Dollars (\$12,500) for Cross Connection Program updates, or take any other action in relation thereto.

**DEPARTMENT OF PUBLIC WORKS**

**ARTICLE 28:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Fifteen Thousand Dollars (\$15,000) for projects related to drainage, including, but not limited to, cleaning of drainage ditches around Town, and to meet the new EPA Phase II Stormwater Regulations, or take any other action in relation thereto.

**DEPARTMENT OF PUBLIC WORKS**

**ARTICLE 29:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Twenty Five Thousand Dollars (\$125,000) for, including but not limited to, protecting, maintaining and maximizing the sustainability of the Town's water supply and treatment, evaluating and upgrading interconnects with area towns and supply capacities, projects related to water storage and distribution, or take any other action in relation thereto.

**DEPARTMENT OF PUBLIC WORKS**

**ARTICLE 30:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Two Hundred Twenty Five Thousand Dollars (\$225,000) for the purchase of vehicles, equipment and facility repairs for the Department of Public Works, or take any other action in relation thereto.

**DEPARTMENT OF PUBLIC WORKS**

**ARTICLE 31:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Seven Thousand Five Hundred Dollars (\$7,500) for security system upgrades at the Department of Public Works facilities, or take any other action in relation thereto.

**DEPARTMENT OF PUBLIC WORKS**

**ARTICLE 32:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Six Thousand Dollars (\$6,000) for grinding and cleaning out of the Compost Site, or take any other action in relation thereto.

**BOARD OF HEALTH**

**ARTICLE 33:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Eight Thousand Five Hundred Dollars (\$8,500) for development of a web hosted GIS system, or take any other action in relation thereto.

**DEPARTMENT OF PUBLIC WORKS**

**ARTICLE 34:** To see if the Town will vote to amend the General Bylaws of the Town of Avon, Article V, Section 4 Public Bidding Requirements by striking the word

Bidding

and replacing it with-

Procurement.

*AND*

Striking Section

4 A. Expenditure Limitation Without Bid - No contract for the purchase of equipment, supplies or materials, or to do any public work, or erect, construct, alter, remodel, demolish or repair any building the estimated cost of which equals or exceeds four thousand dollars (\$4,000) shall be awarded unless written proposals on identical written specifications – therefore have been invited by advertisement in one or more newspapers, published or having general circulation in the Town, such invitation stating the time for opening the proposals reserving the right to reject any or all such proposals. Written specifications of the kind of work to be performed and the manner of performance, shall be incorporated as part of any contract and shall also be in writing.

and replacing it with-

A. All Town procurement shall follow the provisions of state law, including but not limited to MGL c30B, c30 s39, and c149.

*AND*

By adding the underlined words to the following:

B. Emergency Exception - Nothing in this bylaw shall prevent the awarding of contract without advertising or appropriation in cases of emergency declared by the Selectmen and as provided by in Chapter 44, Section 31, of the General Laws.

C. Appropriation Limit - No contract for the purpose of equipment, supplies, or materials, or to do any public work, or erect, construct, alter, remodel, demolish or repair any building shall be awarded in excess of the appropriation therefore or in excess of the current funds thereof, in accordance with Chapter 44, Section 31 of the General Laws, except as provided by state law.

Where the contract equals or exceeds Four Thousand Dollars (\$4,000), the Town Accountant must certify that funds are available in the appropriate account which matches the value of the contract prior to award, and in accordance with Chapter 41, Section 31C of the General Laws,

or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 35:** To see if the Town will vote to amend the General Bylaws of the Town of Avon, Article V, Section 5 Performance Bonds by striking the following lines:

Performance Bonds- A bond, for the duration of the contract, shall be required for the faithful performance or any and all contracts which exceed Two Thousand Dollars (\$2,000). Where contracts exceed one (1) year, the performance bond shall be renewed at the end of each contract year.

And replacing it with-

Performance Bonds shall be provided for contracts as required by applicable state law,

or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 36:** To see if the Town will vote to accept MGL c. 64L, §2(a) to impose a local meals tax, or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 37:** To see if the Town will vote to appropriate the sum of Four Hundred Thousand Dollars (\$400,000) for the purpose of financing the following water pollution facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise, or to take any other action in relation thereto.

**BOARD OF HEALTH**

**ARTICLE 38:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be placed in the Stabilization Account, or take any other action in relation thereto.

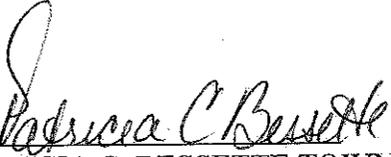
**FINANCE COMMITTEE**

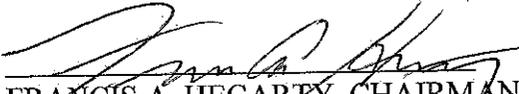
And you are hereby directed to serve this Warrant by posting attested copies thereof, at not less than seven (7) public places, including the Post Office, and by leaving not less than twenty (20) copies in each of the public places for distribution in said Town, seven (7) days at least before the time 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.

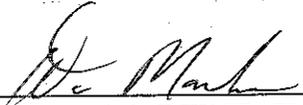
Given under our hands this 19<sup>th</sup> day of March, in the year of our Lord Two Thousand and Fifteen.

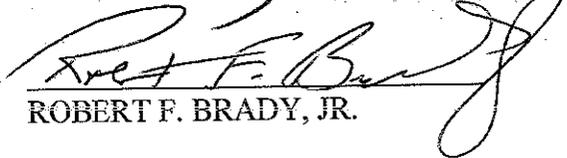
A True Copy. Attest:

  
PATRICIA C. BESSETTE TOWN CLERK

  
FRANCIS A. HEGARTY, CHAIRMAN

  
STEVEN P. ROSE

  
DAVID MARTINEAU, POLICE CHIEF

  
ROBERT F. BRADY, JR.

**AVON BOARD OF SELECTMEN**