

**TOWN WARRANT
FOR
TOWN ELECTION AND TOWN MEETING**



THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS: To either of the Constables of the Town of Avon:

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Avon qualified to vote in the Local Town Election to vote at:

**BUCKLEY CENTER
AVON TOWN HALL
MARY T. McDERMOTT MEETING ROOM**

On **TUESDAY, THE NINTH OF APRIL 2024**, from **7:00 a.m. to 8:00 p.m.** for the following purpose:

To cast their votes in the Local Town Election for the candidates for the following offices:

TUESDAY, APRIL 9, 2024

- ONE (1) SELECT BOARD FOR THREE (3) YEARS
- ONE (1) ASSESSOR FOR THREE (3) YEARS
- ONE (1) BOARD OF HEALTH FOR THREE (3) YEARS
- ONE (1) PLANNING BOARD FOR FIVE (5) YEARS
- ONE (1) MODERATOR FOR THREE (3) YEARS
- ONE (1) TOWN CLERK FOR THREE (3) YEARS
- ONE (1) SCHOOL COMMITTEE FOR THREE (3) YEARS
- ONE (1) LIBRARY TRUSTEE FOR THREE (3) YEARS
- ONE (1) HOUSING AUTHORITY FOR FIVE (5) YEARS
- ONE (1) PARK AND RECREATION COMMISSION FOR THREE (3) YEARS
- ONE (1) SEWER COMMISSIONER FOR THREE (3) YEARS
- ONE (1) REDEVELOPMENT AUTHORITY FOR FIVE (5) YEARS
- ONE (1) REDEVELOPMENT AUTHORITY FOR THREE (3) YEARS
- ONE (1) REDEVELOPMENT AUTHORITY FOR TWO (2) YEARS

And

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 at:

**AVON MIDDLE/HIGH SCHOOL AUDITORIUM
285 WEST MAIN STREET**

on **TUESDAY, THE SEVENTH OF MAY 2024 at 7:00 o'clock** in the evening for the following purpose:

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, 2023, and to hear the reports of any committees, or take any other action in relation thereto.

Proposed by: SELECT BOARD

ARTICLE 2: To see if the Town will vote to fix the salaries of the elected Town Officers for the Fiscal Year 2025, and raise and appropriate the necessary funds to defray such costs, or take any other action in relation thereto.

Proposed by: SELECT BOARD

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 2025, including salaries of the several elected officers of the Town, and make appropriations for the same, or take any other action in relation thereto.

Proposed by: SELECT BOARD

ARTICLE 4: To see if the Town will vote to authorize the Select Board to accept Chapter 90 funds 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.

Proposed by: SELECT BOARD

ARTICLE 5: To see if the Town will vote to transfer from the Septic Loan Receipts Account a sum of Twenty-Seven Thousand Three Hundred and Ten Dollars (\$27,310.00) for repayment of the CLEAN Water Pollution Abatement Trust Loan voted and approved at the Annual Town Meeting of May 5, 2015, Article 37, or take any other action in relation thereto.

Proposed by: BOARD OF HEALTH

FINANCE ARTICLES:

ARTICLE 6: To see if the Town will vote to set the following annual spending limits for the revolving accounts authorized by May 2022 ATM Article 14, and to amend Section 15-5 of the Town's General Bylaws to include a new column in the chart set forth therein as follows:

Revolving Account:	Spending Limit:
COA Van	\$7,500
COA Lunch	\$15,000
Park and Recreation	\$50,000

or take any other action relative thereto.

Proposed by: SELECT BOARD

NOTE: ATM May 2022 Article 14 established and authorized revolving funds for use by certain town departments, boards, committees, agencies, or officers under Massachusetts General Laws Chapter 44, § 53E½.

ARTICLE 7: To see if the Town will vote, in accordance with G.L. c. 44, § 53(4) added by Section 9 of Chapter 77 of the Acts of 2023, to revoke Article 10 of the 2023 Annual Town Meeting which approved the dedication of 100% of the opioid settlement funds to be received to the Opioid Settlements Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for the fiscal year beginning on July 1, 2023, or take any other action relative thereto.

Proposed by: FINANCE DIRECTOR

ZONING ARTICLES:

ARTICLE 8: To see if the Town will amend the Town of Avon Zoning By-Laws with text pertaining to Dimensional and Density Regulations Table (§ 255-6.4) as posted with the Town Clerk and subject to a Public Hearing or take any other action in relation thereto.

§ 255-6.4 Dimensional and Density Regulations Table.

Current:

Zoning District	Minimum Lot Size (square feet)	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Lot Frontage (a) (feet)	Minimum Yard Depth (b) (feet)			Maximum Building Height (c) (feet)	Maximum Percentage of Lot Coverage by Structure
				Front	Rear	Side		
Industrial	40,000	---	200	40 (h)	40 (h)	25 (h)	40	60

To:

Zoning District	Minimum Lot Size (square feet)	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Lot Frontage (a) (feet)	Minimum Yard Depth (b) (feet)			Maximum Building Height (c) (feet)	Maximum Percentage of Lot Coverage by Structure
				Front	Rear	Side		
Industrial	40,000	---	200	40 (h)	40 (h)	25 (h)	52	60

Proposed by: Town Planner/ Planning Board

NOTE: Fosters vertical development in the industrial park in the future; Provides more flexibility to industrial property owners; The land in the industrial park has relatively low elevation of 195 feet to 245 feet while Page Street is about 260-290 feet; Interim Fire Chief indicated support due to Town ladder being 100 feet long and other controlling regulations.

ARTICLE 9: To see if the Town will amend the Town of Avon General By-Laws with text pertaining to Wetlands Chapter 239-3.D and the addition of section 239-3.E., reducing wetlands restrictions on the industrial district as posted with the Town Clerk and subject to a Public Hearing, or take any other action in relation thereto.

Current:

D. Other than as stated in this section, the exceptions provided in the Wetlands Protection Act shall not apply under this bylaw.

To:

D. The industrial district shall not be required to have stricter performance standards or buffer zones than required under the Massachusetts Wetlands Protection Act

E. Other than as stated in this section, the exceptions provided in the Wetlands Protection Act shall not apply under this bylaw.

Proposed by: Town Planner/ Conservation Commission

NOTE: Industrial areas are not pristine and there is less flexibility in siting uses. This avoids excessive regulation of industrial district and fosters development. Reduces uncertainty for industrial property owners. Recommended by master planning consultant.

ARTICLE 10: To see if the Town will amend the Town of Avon General By-Laws with text pertaining to Wetlands Chapter 239-7.C, changing the permit expiration from two (2) years to three (3) years from the date of issuance, as posted with the Town Clerk and subject to a Public Hearing, or take any other action in relation thereto.

Current:

C. A permit shall expire two years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional one-year period, provided that a request for a renewal is received in writing by the Commission prior to expiration.

To:

C. A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional one-year period, provided that a request for a renewal is received in writing by the Commission prior to expiration.

Proposed by: Town Planner/ Conservation Commission

NOTE: Three (3) years is allowed under the Massachusetts Wetlands Protection Act; Two (2) years may not be enough for some construction projects.

ARTICLE 11: To see if the Town will amend the General Bylaws of the Town of Avon by updating the following text in Article II § 7-8 , or take any other action in relation thereto.

Current:

It shall be the duty of the Finance Committee to study the financial and other affairs of the Town and to advise all officers of the Town as to expenditures and recommendations for appropriations to be made by them. All officers of the Town shall, on the request of the Committee, furnish it with all the facts, figures, and all other information pertaining to their several departments. The Finance Committee shall consider all articles in the warrants for all Town Meetings and report in print to the Town prior to each Town Meeting, Annual and Special, their estimates and recommendations for action of the Town. The Finance Committee report shall be distributed to each dwelling within the Town not less than seven days prior to the Annual Town Meeting, and posted in not less than seven public places, including the Post Office, three days prior to a Special Town Meeting.

And replace it with:

It shall be the duty of the Finance Committee to study the financial and other affairs of the Town and to advise all officers of the Town as to expenditures and recommendations for appropriations to be made by them. All officers of the Town shall, on the request of the Committee, furnish it with all the facts, figures, and all other information pertaining to their several departments. The Finance Committee shall consider all articles in the warrants for all Town Meetings and report in print to the Town prior to each Town Meeting, Annual and Special, their estimates and recommendations for action of the Town. The Finance Committee report shall be made public within the Town not less than seven (7) days prior to the Annual Town Meeting and three (3) days prior to a Special Town Meeting. The report shall be posted on the Town website and in not less than seven (7) public places including the Post Office.

Proposed by: Finance Committee

NOTE: The average cost to produce and mail the Finance Committee book to all households for a town meeting is \$1,250.

CAPITAL ITEMS:

ARTICLE 12: To see if the Town will transfer the following: from the Town Hall Building Account the sum of One Hundred Thousand Dollars (\$100,000); ATM 2021 Article #28 the sum of Forty Three Thousand Dollars (\$43,000); ATM 2019 Article #13 the sum of One Million One Hundred Thousand and Eighty Three Dollars (\$1,100,083.57); Board of Assessors Excess Overlay the sum of Two Hundred and Twelve Thousand Dollars (\$212,000); from Free Cash the sum of Four Hundred and Ninety Four Thousand Nine Hundred and Seventeen Dollars (\$494,917) for a total sum of One Million Nine Hundred Fifty Thousand Dollars (\$1,950,000.57) and to appropriate said sum for the design of a new Municipal complex to include Town Hall, Council on Aging, Park and Recreation, and School Administration to be located on Assessors Map D5-6-9 and Map D5-6-10, including but not limited to professional engineering/architectural and owner's project manager services, plans for demolition and removal of the existing building(s) or portions thereof, and site preparation, including any required testing and/or investigations, and all other incidental and related expenses; and to authorize the Select Board to enter into any agreements, including contracts for terms in excess of three years, and to execute all documents necessary to effectuate the purposes of the vote taken hereunder; or take any action related thereto.

Transfer From	Dollar Amount
Town Hall Building Account	100,000
ATM 2021 Article #28	43,000
ATM 2019 Article #13	1,100,083.57
Assessor Excess Overlay	212,000
Free Cash	494,917
Total	1,950,000.57

Proposed by: TOWN OFFICE FEASIBILITY COMMITTEE/SELECT BOARD

ARTICLE 13: To see if the Town will vote to transfer and appropriate from Free Cash the sum of Seven Hundred and Thirty Thousand Two Hundred Fifty Dollars (\$730,250) for the reconstruction of the existing salt shed located at 502 West Main Street to include demolition, engineering, new drainage, fencing, paving, and electrical, or take any other action in relation thereto.

Proposed by: DPW

NOTE: This ATM article is needed so the DPW can replace the existing salt shed and upgrades to the property. This is the only storage building we have that can store our winter road salt.

ARTICLE 14: To see if the Town will vote to transfer from Special Town Meeting 2015 Article 14 the sum of One Hundred Ninety Nine Thousand Four Hundred and Three Dollars and Eighty cents (\$199,403.80) and Annual Town Meeting 2022 Article 6 the sum of Ninety Thousand Five Hundred and Ninety Six Dollars and Twenty Cents (\$90,596.20) for a total of Two Hundred and Ninety Thousand Dollars (\$290,000) and to appropriate said sum for the purchase of a new six-wheel dump truck, or take any other action in relation thereto.

Transfer From	Dollar Amount
STM 2015 Article #14	\$199,403.80
ATM 2022 Article #6	\$90,596.20
Total	\$290,000.00

Proposed by: DPW

NOTE: DPW will be trading in a 2015 Freightliner (6-wheel dump truck) as part of this purchase. Value will be taken off the purchase price.

ARTICLE 15: To see if the Town will vote to transfer from the MBTE Stabilization fund the sum of Two Million Five Hundred and Seventy-Two Thousand Dollars (\$2,572,000) and to appropriate said sum for the rehabilitation work of the Page and Central Street's water tank's rehabilitation and circulation systems, or take any other action in relation thereto.

Proposed by: DPW

*NOTE: This work is required to ensure and extend the life expectancy of both water storage tanks by installing new coating systems inside and out.
The current balance in the MBTE Stabilization Account is \$5,730,239.84*

ARTICLE 16: To see if the Town will vote to transfer from Annual Town Meeting 2022 Article 6 the sum of Twenty-Five Thousand Dollars (\$25,000) and to appropriate said sum to fund an update to the Towns Water Master Plan, or take any other action in relation thereto.

Proposed by: DPW

NOTE: This is needed to update the Water Master Plan to identify age and conditions of water mains and service lines for replacement when considering road paving projects.

ARTICLE 17: To see if the Town will vote to transfer from Annual Town Meeting 2018 Article 25 the sum of Thirty Thousand Dollars (\$30,000) and to appropriate said sum to upgrade the phone system, or take any other action in relation thereto.

Proposed by: IT Department

NOTE: This project is to replace the backend phone system hardware located at Town Hall, as well as the Police and Fire stations. The current hardware will reach its end-of-life on July 1st 2024, which will no longer allow us to add licenses or make changes. This upgrade will allow the town to make any changes to the desk phones, add additional phones and licenses for the Town Hall, Council on Aging, Library, Police and Fire Stations, DPW garage, Argyle CCF Building, and the filter plant on Memorial Drive. It will also allow the IT Department to make any adds, moves, or changes which will eliminate the hourly billing currently being charged for these services. It will also allow us to upgrade the outdated IP desk phones with new hardware including Bluetooth handsets.

ARTICLE 18: To see if the Town will vote to transfer from the 2020 Annual Town Meeting Article 18 the sum of Eight Thousand Five Hundred and Ten Dollars (\$8,510) and to appropriate said sum to pay for consultant or related services for the development of an employee handbook/policy manual, or take any other action in relation thereto.

Proposed by: Select Board

NOTE: Many of the town's policies and procedures need updating to ensure compliance with federal, state, and local laws. This project will formalize all personnel policies and consolidate them by creating an official Employee Handbook, which would be distributed to every current employee and new hire for the town. The Employee Handbook will create uniformity and transparency as to the rules, guidelines, and behaviors expected of employees.

ARTICLE 19: To see if the Town will vote to transfer the sum of One Hundred Sixteen Thousand Seven Dollars and Seventy Cents (\$116,007.70) from the Ambulance Receipts Reserved for Appropriation Account and to appropriate said sum for the 4th of 5 payments of the lease purchase agreement on the Fire Department's Rescue Pumper truck, or take any other action in relation thereto.

Proposed by: FIRE DEPARTMENT

NOTE: This is the fourth of five payments of approximately \$120,000 which will be funded through the Ambulance Receipts Reserved for Appropriation Account.

ARTICLE 20: To see if the Town will vote to transfer the sum of Ninety-Four Thousand Dollars (\$94,000) from the Ambulance Receipts Reserved and to appropriate said sum to purchase a Fire Department command vehicle, or take any other action in relation thereto.

Proposed by: FIRE DEPARTMENT

NOTE: Approval of this article will allow for the purchase of a new vehicle for the fire department for the Assistant Chief for use on emergency responses, administrative use for travel to and from meetings, inspections, training, and other duties. This is an additional vehicle for the department, as the Assistant Fire Chief position is a new position working days and not assigned to a shift.

ARTICLE 21: To see if the Town will vote to Transfer the sum of One Hundred Fifty Thousand Dollars (\$150,000) from the Ambulance Receipts Reserved for Appropriation Account and to appropriate said sum for the 1st of 5 payments for the lease purchase agreement on a new Ambulance for the Fire Department, or take any other action in relation thereto.

Proposed by: FIRE DEPARTMENT

NOTE: Approval of this article will allow for the leasing of a new ambulance and replace the 2014 ambulance which will be approx. 12 years old when the new ambulance arrives. The department operates two Advance Life Support ambulances and needs to replace them every 10-12 years. This will provide a reliable and up-to-standard ambulance which will include a patient-load system. This new ambulance will help to reduce repair costs and provide a reliable vehicle for response to emergencies.

HOUSE KEEPING ARTICLES:

ARTICLE 22: To see if the Town will vote to transfer from available funds a sum of money to be placed in the Capital Stabilization Account, or take any other action in relation thereto.

Proposed by: SELECT BOARD /FINANCE COMMITTEE

NOTE: In accordance with the Towns Financial Policy Manual, the remaining Free Cash will be deposited as follows: 75% to General Stabilization, 10% to OPEB Trust, and 15% to Capital Stabilization.

ARTICLE 23: To see if the Town will vote to transfer from available funds a sum of money to be placed in the Stabilization Account, or take any other action in relation thereto.

Proposed by: SELECT BOARD /FINANCE COMMITTEE

NOTE: In accordance with the Towns Financial Policy Manual, the remaining Free Cash will be deposited as follows: 75% to General Stabilization, 10% to OPEB Trust, and 15% to Capital Stabilization.

Supplemental Article Information

ART.	DESCRIPTION/AMOUNT	Funding Source(s)	
4	Transfer of Septic Loan Receipts \$27,310	Septic Receipts Reserved	\$27,310.00
12	Municipal Complex Design/OPM \$1,950,000.57	Old Town Hall Article (No Art info on file) ATM 21-28 Well Replacement/Maintenance ATM 19-13 Page & Central Tank Rehab. Free Cash Overlay Reserve	\$100,000.00 \$43,000.00 \$1,100,083.57 \$494,917.00 <u>\$212,000.00</u> <u>\$1,950,000.57</u>
13	DPW-Salt Shed \$730,250.00	Free Cash	\$730,250.00
14	DPW-Six Wheel Truck \$290,000	STM 15-14 Wells Trout Brook ATM 21-7 Water Upgrades Interconnect	\$199,403.80 <u>\$90,596.20</u> \$290,000
15	DPW-Page & Central ST-Tank Rehab. \$2,572,200	MBTE Stabilization	\$2,572,200.00
16	DPW-Water System Master Plan \$25,000	ATM 21-7 Water Upgrades/Interconnect	\$25,000.00
17	IT-Update Phone System \$30,000	Free Cash	\$30,000.00
18	Employee Policy Handbook \$8,510	ATM 20-18 Staffing/Comp Plan	\$8,510.00
19	Fire-Ambulance Lease payment 4/5 \$116,007.70	Ambulance Receipts Reserved	\$116,007.70
20	Fire-Command Vehicle \$94,000	Ambulance Receipts Reserved	\$94,000.00
21	Fire-Lease new Ambulance \$150,000	Ambulance Receipts Reserved	\$150,000.00

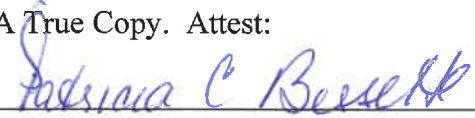
Funding Description	Current Balance	Remaining Balance
ATM 21-28-Well Replacement/Maintenance	\$189,502.57	\$146,502.57
ATM 19-13-Page & Central Tank Rehab	\$1,100,083.57	\$0
STM 15-14-Wells Trout Brook-	\$199,403.80	\$0
ATM 21-7-Water Upgrades Interconnect	\$156,948.36	\$41,352.16
ATM 20-18-Staffing/Comp Plan	\$8,510.00	\$0
MBTE Stabilization	\$5,730,239.84	\$3,158,039.84
Free Cash	\$1,375,219.99	\$120,052.99
Septic Receipts Reserved	\$92,437.34	\$65,127.34
Ambulance Receipts Reserved	\$788,667.98	\$428,660.28

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.

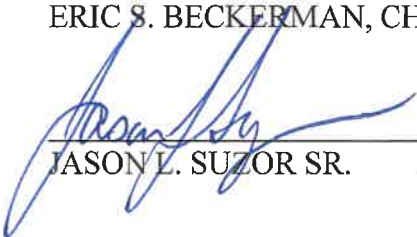
HEREOF FAIL NOT, and make do return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this 7th day of March, in the year of our Lord Two Thousand and Twenty-Four.

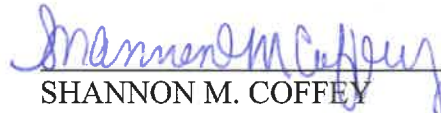
A True Copy. Attest:


PATRICIA C. BESSETTE, TOWN CLERK


ERIC S. BECKERMAN, CHAIRMAN


JASON L. SUZOR SR.


JEFFREY BUKUNT, POLICE CHIEF


SHANNON M. COFFEY

AVON SELECT BOARD