

**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 THIRTEENTH OF APRIL 2021**, from **12:00 p.m. to 6:00 p.m.** for the following purpose:

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

TUESDAY, APRIL 13, 2021

ONE (1) SELECTMAN FOR THREE (3) YEARS
ONE (1) ASSESSOR FOR THREE (3) YEARS
ONE (1) MODERATOR FOR THREE (3) YEARS
ONE (1) BOARD OF HEALTH FOR THREE (3) YEARS
ONE (1) PLANNING BOARD FOR FIVE (5) YEARS
ONE (1) PLANNING BOARD FOR TWO (2) YEARS
ONE (1) SCHOOL COMMITTEE FOR THREE (3) YEARS
ONE (1) LIBRARY TRUSTEE FOR THREE (3) YEARS
ONE (1) TOWN CLERK FOR THREE (3) YEARS
ONE (1) TREE WARDEN FOR THREE (3) YEARS
ONE (1) PARK AND RECREATION COMMISSION FOR THREE (3) YEARS
ONE (1) PARK AND RECREATION COMMISSION FOR ONE (1) YEAR
ONE (1) SEWER COMMISSIONER FOR THREE (3) YEARS
ONE (1) REDEVELOPMENT AUTHORITY FOR FIVE (5) 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
WEST MAIN STREET**

on **TUESDAY, THE FOURTH OF MAY 2021 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, 2020 and to hear the reports of any committees, or take any other action in relation thereto.

Proposed by: 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 2022, and raise and appropriate the necessary funds to defray such costs, or take any other action in relation thereto.

Proposed by: 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 2022, 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: BOARD OF SELECTMEN

ARTICLE 4: To see if the Town will vote to transfer from Free Cash the sum of One Hundred Ten Thousand Three Hundred Eighty-Three Dollars and Fifty Cents (\$110,383.50) to pay last two payments of the Water Trust, or take any other action in relation thereto.

Proposed by: BOARD OF SELECTMEN AND TREASURER-COLLECTOR

NOTE: By paying off the last two payments, the Town will be able to lower the raise and appropriate amount of the debt service figure for FY22 and FY23.

ARTICLE 5: 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.

Proposed by: BOARD OF SELECTMEN

ARTICLE 6: To see if the Town will vote to transfer from the Septic Loan Receipts Account a sum of money 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 HEATH

NOTE: The bond sale is in April and the figure will be known at that time. Article will be amended with figure.

ARTICLE 7: To see if the Town will vote to transfer from Free Cash a sum of Two Hundred Twenty-Seven Thousand Five Hundred Dollars (\$227,500) to previous town meeting articles to fund necessary water operations of the town as listed below, or take any other action in relation thereto.

Proposed by: DEPARTMENT OF PUBLIC WORKS

Program	Amount	Previous Article	Source
Cross Connection	\$14,000	ATM 5-2018 #16	Free Cash
GIS	\$8,500	ATM 5-2018 #20	Free Cash
Storm Water Management/EPA	\$80,000	ATM 5-2018 #17	Free Cash
Interconnect/	\$125,000	ATM 5-2018 #18	Free Cash

NOTE: This are typical, annual articles that support water operations for the town. These range from supporting the town's GIS program to working on meeting EPA Phase II stormwater regulations. The Interconnect Program is for 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.

ARTICLE 8: To see if the Town will vote to transfer from Free Cash the sum of Seventy-Five Thousand Dollars (\$75,000) for planning and engineering related to the provision of sewer to areas of town, or take any other action in relation thereto.

Proposed by: DEPARTMENT OF PUBLIC WORKS

ARTICLE 9: To see if the Town will vote to transfer from Free Cash the sum of Twenty-Seven Thousand Three Hundred Thirteen Dollars and Thirty-Three Cents (\$27,313.33) to the Septic Loan Receipts, or take any other action in relation thereto.

Proposed by: BOARD OF HEALTH AND TOWN ACCOUNTANT

NOTE: This amount was closed to free cash after FY19. These are funds that were allocated at a previous town meeting for the septic loan program and was meant to be transferred to the loan receipts account but was closed out in error.

ARTICLE 10: To see if the Town will vote to transfer from Free Cash the sum of Eight Thousand Seven Hundred Eighty-One Dollars and Fifty Cents (\$8,781.50) to various Guarantee Deposit Accounts, or take any other action in relation thereto.

Board of Appeals: \$3,799.86

Selectmen: \$2,218.39

Building Inspector: \$2,763.25

Proposed by: TREASURER-COLLECTOR AND TOWN ACCOUNTANT

NOTE: Various boards, committees and departments have deposit accounts for projects. During a review, some accounts were negative. The funds are deposited for cost for hearings, consultants, etc. These accounts can go negative if there is a need for additional hearings or reviews due to posting issues. These are not allowed to be charged to applicants and deficits occur.

ARTICLE 11: To see if the Town will vote to transfer from Free Cash the sum of One Hundred Thousand Dollars (\$100,000) to the Reserved Fund (May 6, 2014 ATM, Article 5) for the future payment of accrued liabilities for compensated absences, or take any other action in relation thereto.

Proposed by: TREASURER-COLLECTOR AND TOWN ACCOUNTANT

NOTE: The FY22 budget removed the annual contribution of \$55,000. The Town set up a revolving account in 2014 for future payment of accrued liabilities for compensated absences due. This covers any contractually obligated vacation or sick payments due. Similar to OPEB, The Town will look to build account to cover all potential future liabilities.

ARTICLE 12: To see if the Town will vote to transfer from CMVI funds the sum of Twelve Thousand Dollars (\$12,000) for the purpose of funding the cost of replacing (12) twelve ballistic patrol vests that have reached replacement age, or take any other action in relation thereto.

Proposed by: POLICE DEPARTMENT

Note: The Avon Police Department is applying for federal funds. The grant would reimburse the Town 50% of the vests but will need funding for full amount. Any unused funds will be transferred back to the CMVI account.

ARTICLE 13: To see if the Town will vote to transfer from Free Cash the sum of Forty-Five Thousand Dollars (\$45,000) to the CMVI fund, or take any other action in relation thereto.
Proposed by: BOARD OF SELECTMEN

NOTE: CMVI funds were transferred to free cash at the end of FY20. These funds should have been encumbered or transferred back to CMVI as unspent funds.

ARTICLE 14: To see if the Town will vote to transfer from Free Cash the sum of Forty Thousand Dollars (\$40,000) to Article 2 of the Special Town Meeting of February 6, 2006 , or take any other action in relation thereto.
Proposed by: BOARD OF SELECTMEN

NOTE: These funds will be used in connection with a new Town Office Assessment Committee, working with the Board of Selectmen, to review an ongoing assessment of the current conditions of the town office buildings with a goal to make recommendations on how to address the current conditions in each of the departments/buildings (Town Hall, COA and Civic Center). The original funding was allocated to construct and/or renovate municipal buildings. The funding will be used to hire necessary professionals to assist the town.

ARTICLE 15: To see if the Town will vote to transfer from Free Cash the sum of Two Thousand Five Hundred Eight Dollars and Nine Cents (\$2,508.09) to pay prior year bills, or take any other action in relation thereto.

<u>Vendor:</u>	<u>Amount:</u>
Itron	\$2,508.09

Proposed by: TOWN ACCOUNTANT

ZONING/BYLAW ARTICLES:

ARTICLE 16: To see if the Town will vote to accept as a public way the following street: **FAGAN DRIVE** in accordance with all Town By-Laws and state statues, or take any other action in relation thereto.

Proposed by: PLANNING BOARD

ARTICLE 17: To see if the Town will vote to, pursuant to MGL c. 41, §1B have its elected Tree Warden become an appointed Tree Warden of the Town, or take any other action relative thereto, subject to the approval of an official ballot question on the election warrant at the annual town election, to read as follows:

SHALL THE TOWN VOTE TO HAVE ITS ELECTED TREE WARDEN BECOME
AN APPOINTED TREE WARDEN OF THE TOWN?
YES _____ NO _____.

Or take any other action in relation thereto.

Proposed by: BOARD OF SELECTMEN

NOTE: This would appear on the ballot in April 2022.

ARTICLE 18: To see if the Town will amend the Town of Avon Zoning By-Laws with text pertaining to automotive service and open-air drive-in retail service as posted with the Town Clerk and subject to a Public Hearing, or take any other action in relation thereto.

Current:

§ 255-5.3 Table of Use Regulations.

Table of Use Regulations - Principal Uses										
Avon Zoning Districts										
		RES R-25	RES R-40	GEN BUS	IND	COM	MU Low D	RES HD	BOD	VOD
F.	Automotive Service and Open-Air Drive-In Retail Service									
1b	Self-service gasoline sales outlet.	N	N	N	N	N	N	N	N	N

Change to:

§ 255-5.3 Table of Use Regulations.

Table of Use Regulations - Principal Uses										
Avon Zoning Districts										
		RES R-25	RES R-40	GEN BUS	IND	COM	MU Low D	RES HD	BOD	VOD
F.	Automotive Service and Open-Air Drive-In Retail Service									
1b	Self-service gasoline sales outlet.	N	N	SP	N	N	N	N	N	N

Proposed by: PLANNING BOARD

ARTICLE 19: To see if the Town will vote to amend the General Bylaws of the Town of Avon by striking the following text in Chapter 30, or take any other action in relation thereto.

30 Section 4c:

Appropriation limit. 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 shall be awarded in excess of the appropriation therefor or in excess of the current funds thereof, in accordance with MGL c. 44, § 31, except as provided by state law. Where the contract equals or exceeds \$4,000, the Town Accountant must certify that funds are available in the appropriate account which match the value of the contract prior to award, and in accordance with MGL c. 41, § 31C.

And replace it with:

Appropriation limit. 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 shall be awarded in excess of the appropriation therefor or in excess of the current funds thereof, in accordance with MGL c. 44, § 31, except as provided by state law. Where the contract equals or exceeds \$10,000, the Town Accountant must certify that funds are available in the appropriate account which match the value of the contract prior to award, and in accordance with MGL c. 41, § 31C.

Chapter 30 Section 6A:

Sale of Town's personal property. No personal property of the Town shall be sold by any officer or board, except that if its book value, resale or trade-in value is \$200 or less, it may then be sold by authorization of the Selectmen. Such authorization shall in each case (a) be in writing, (b) certify that the proposed selling price is in accordance with the above, (c) be filed with the Town Treasurer-Collector and Town property officer, if any. All other personal property of the Town shall not be sold except by vote of the Town. Revenues from such transactions shall be applied to the general fund.

And replace it with:

Sale of Town's personal property. Any officer or board in charge of a department may, with the approval of the Selectmen and through the Chief Procurement Officer, sell or otherwise dispose of any personal property or material in the custody of and belonging to such department not required for its use. The disposal of these goods must conform to the provisions of Chapter 30B, §15, as may from time to time be amended.

Proposed by: BOARD OF SELECTMEN

NOTE: This request mirrors best procurement practices for municipal procurement. It also follows MGL and the town's new procurement policy.

LOCAL ACCEPTANCE ARTICLES:

ARTICLE 20: To see if the Town will vote to adopt the provisions of MGL Chapter 138 § 33B permitting the Board of Selectmen, as the local license authority, the ability to grant to MGL Chapter 138 § 12 Liquor License holders the ability to sell alcoholic beverages at 10 AM on Sundays after developing procedures for the application from these license holders to the Board of Selectmen, or take any other action in relation thereto.

Proposed by: BOARD OF SELECTMEN

NOTE: This is in reference to any restaurant/bar/function halls to operate "Brunch" on Sundays. Operator would need to request and get approval by BOS prior to operating.

ARTICLE 21: To see if the Town will vote to accept as a public way the altered layout of Pond Street, between Harrison Avenue and Bodwell Street, by the Board of Selectmen to include within the layout alteration thereto certain fee interests and easements as shown on a plan entitled "Street Alteration Plan", dated 12/22/2020, prepared by CHA Consulting, Inc. as said plan may be amended, said plan on file with the Town Clerk, or take any other action in relation thereto.

Proposed by: DEPARTMENT OF PUBLIC WORKS

NOTE: This is the last step of the process for the reconstruction of Harrison and Pond.

ARTICLE 22: To see if the Town will vote to accept the provisions of M.G.L., c. 40, §13E to establish and appropriate or transfer money to a reserve fund to be utilized in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition and/or transportation. The balance in such reserve fund shall not exceed 2 per cent of the annual net school spending of the school district, or take any other action in relation thereto.

Proposed by: SCHOOL COMMITTEE AND BOARD OF SELECTMEN

NOTE: Transfers/funding are restricted to SPED spending and require approval from School Committee and Board of Selectmen.

ARTICLE 23: To see if the Town will vote to transfer from Free Cash the sum of Two Hundred Thousand Dollars (\$200,000) to the SPED reserve fund to be utilized in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs for special education, out-of-district tuition or transportation, or take any other action in relation thereto.

Proposed by: SCHOOL COMMITTEE AND BOARD OF SELECTMEN

NOTE: Transfers/funding are restricted to SPED spending and require approval from School Committee and Board of Selectmen.

CAPITAL ITEMS:

The Town of Avon, through a grant, worked with consultants to create a five-year capital plan. A capital item was designed as any item with a life expectancy greater than five years and a cost of \$20,000. Due to COVID-19, the Town did not put any capital items forward last year, which would have been year one of the capital plan. This was due to concerns over funding and streamlining the warrant. The items below are TWO YEARS worth of capital items. These capital items are funded with available free cash and will result in NO ADDITIONAL TAXATION.

ARTICLE 24: To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand Dollars (\$30,000) for the repair and replacement of life safety system equipment at the Avon Public Library, or take any other action in relation thereto.

Proposed by: BUILDING DEPARTMENT, FIRE DEPARTMENT AND LIBRARY TRUSTEES

ARTICLE 25: To see if the Town will vote to transfer from Free Cash the sum of Forty-Five Thousand Dollars (\$45,000) for the purchase and installation of HVAC Rooftop Unit at AMHS, or take any other action in relation thereto.

Proposed by: SCHOOL COMMITTEE

ARTICLE 26: To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand Dollars (\$30,000) for the purchase and installation of solar pedestrian crossing warning signals, or take any other action in relation thereto.

Proposed by: DEPARTMENT OF PUBLIC WORKS

NOTE: DPW will install in locations in discussion with BOS, Avon Police and Avon School to target safe pedestrian/student walking routes.

ARTICLE 27: To see if the Town will vote to transfer from Free Cash the sum of Four Hundred Thirty-Five Thousand Dollars (\$435,000) for the purchase of a Hooklift Multi-Purpose Vehicle and Mini Excavator, or take any other action in relation thereto.

Proposed by: DEPARTMENT OF PUBLIC WORKS

Item	Amount	Source
Hooklift Vehicle	\$325,000	Free Cash
Mini Excavator	\$110,000	Free Cash

NOTE: The Hooklift will replace two older vehicles while attachments will allow multiple uses and flexibility. It will plow and treat roads. The weight allows it to carry heavier materials when being used as a dump truck. The catch basin cleaning attachment will allow cleaning in house, reducing the use of contractors. This spring, the contractor cost is about \$30,000, and the new stormwater regulations are looking for cleaning twice per year.

The excavator will be in place of a 20 plus year old end-of-life backhoe, which has high maintenance and also safety issues for excavating purposes. This type of excavator will work for heavier digging activities such as water breaks, manhole replacements and other drainage repairs. This machine is more maneuverable in the street and in tighter areas.

WATER OPERATIONS CAPITAL ITEMS:

ARTICLE 28: To see if the Town will vote to transfer from Free Cash the sum of Two Hundred Seventy Five Thousand Dollars (\$275,000) to fund capital items for the operations of the water system, or take any other action in relation thereto.

Proposed by: DEPARTMENT OF PUBLIC WORKS

Item	Amount	Source
Design/Engineer for Well Replacement	\$75,000	Free Cash
Porter Well Generator	\$75,000	Free Cash
Well Maintenance	\$125,000	Free Cash

NOTE: The design work for replacement of Well #1 and Well #2 is estimated to cost approximately \$75,000. The well maintenance amount is to fund four years of well maintenance. Due to available funding, it was rolled into one article rather than four consecutive years. The generator at Porter Well is past its life expectancy and is currently undersized. This is for the purchase and replace of the generator as well as the setup of electrical and propane installations.

FIRE VEHICLE CAPITAL ITEMS:

ARTICLE 29: To see if the Town will vote to transfer from the Ambulance Revolving Fund the sum of Two Hundred Thousand Dollars (\$200,000) to purchase and equip a new Rescue Pumper truck for the Avon Fire Department which includes the first year lease payment of a five year lease and equipment purchases, or take any other action in relation thereto.

Year	Lease	Equipment:	Totals:
Year One	\$120,000	\$80,000	\$200,000
Year Two – Five	\$120,000		\$480,000
Total:	\$600,000	\$80,000	\$680,000

Proposed by: FIRE DEPARTMENT

NOTE: With a purchase price of approximately \$525,000, the lease payments, depending on interest rates would be about \$120,000 a year. The additional \$80,000 is to equip the vehicle. Going forward, there will be four remaining payments of approximately \$120,000 which will be funded through the Ambulance Revolving Fund.

ARTICLE 30: To see if the Town will vote to transfer from the Ambulance Revolving Fund the sum of Seventy-Five Thousand Dollars (\$75,000), for the purpose of purchasing and equipping a new replacement shift command truck for the fire department, or take any other action in relation thereto.

Proposed by: FIRE DEPARTMENT

NOTE: The command vehicle replaces a 2007 Ford F250. The replacement truck type is commonly in use in the area for this role. The cost estimate of \$75k represents both vehicle and equipment such as lights and radios. The truck that it is replacing has significant body rot and other mechanical issues.

ARTICLE 31: To see if the Town will vote to transfer the sum of One Hundred Twenty Two Thousand Four Hundred Fifty One Dollars and Thirty Five Cents (\$122,451.35) from the Ambulance Revolving Fund, and transfer the sum of Five Thousand Two Hundred Forty Three Dollars and Eighty Seven Cents (\$5,243.87) from Article 17 of the 2013 ATM [631], Five Thousand Four Hundred Thirty Dollars and Ninety Six Cents (\$5,430.96) from Article 9 of the 2017 ATM [601], Eight Thousand Five Hundred Forty Nine Dollars (\$8,549.00) from Article 9 of the 2018 ATM [690], Eight Thousand Three Hundred Twenty Four Dollars and Eighty Two Cents (\$8,324.82) from Article 10 of the 2018 ATM [691], for a total of One Hundred Fifty Thousand Dollars (\$150,000) to be used to fund the rehabilitation and life extension of the Fire Department ladder truck, or take any other action in relation thereto.

2013 – 17 [631] Down payment for fire pumper

2017 – 9: [601] Ambulance purchase

2018 – 9: [690] Patient loading equipment

2018 – 10: [691] Support Truck purchase

Proposed by: FIRE DEPARTMENT

HOUSE KEEPING ARTICLES:

ARTICLE 32: 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: BOARD OF SELECTMEN AND FINANCE COMMITTEE

ARTICLE 33: To see if the Town will transfer from available funds a sum of money to be placed in the OPEB Trust, or take any other action in relation thereto.

Proposed by: BOARD OF SELECTMEN AND FINANCE COMMITTEE

ARTICLE 34: 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: FINANCE COMMITTEE

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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.

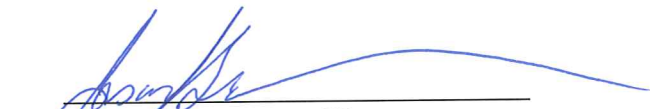
HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this 25TH day of March, in the year of our Lord Two Thousand and Twenty-One.

A True Copy. Attest:



PATRICIA C. BESSETTE TOWN CLERK


STEVEN P. ROSE, CHAIRMAN
ERIC S. BECKERMAN
JEFFREY BUKUNT, POLICE CHIEF
JASON L. SUZOR SR.
AVON BOARD OF SELECTMEN