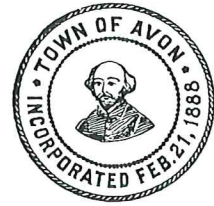


**TOWN WARRANT
FOR
TOWN ELECTION AND TOWN MEETING**



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 TWELVETH OF APRIL 2022**, from **11:00 a.m. to 7:00 p.m.** for the following purpose:

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

TUESDAY, APRIL 12, 2022

ONE (1) SELECTMAN 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
TWO (2) SCHOOL COMMITTEE FOR THREE (3) YEARS
ONE (1) LIBRARY TRUSTEE FOR THREE (3) YEARS
ONE (1) HOUSING AUTHORITY FOR FIVE (5) YEARS
TWO (2) PARK AND RECREATION COMMISSION FOR THREE (3) YEARS
ONE (1) SEWER COMMISSIONER FOR THREE (3) YEARS
ONE (1) REDEVELOPMENT AUTHORITY FOR FIVE (5) YEARS

Question 1:

SHALL THE TOWN VOTE TO HAVE ITS ELECTED TREE WARDEN BECOME AN APPOINTED TREE WARDEN OF THE TOWN?

YES _____ NO _____.

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 THIRD OF MAY 2022 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, 2021 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 2023, 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 2023, 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 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 5: To see if the Town will vote to transfer from the Septic Loan Receipts Account a sum of Twenty-Eight Thousand One Hundred and Seventy Dollars (\$28,170) 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

ARTICLE 6: To see if the Town will vote to transfer from Free Cash a sum of Two Hundred Twelve Thousand Five Hundred Dollars (\$212,500) 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	\$40,000	ATM 5-2018 #17	Free Cash
Interconnect/water upgrades	\$150,000	ATM 5-2018 #18	Free Cash

NOTE: These 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.

FINANCE ARTICLES:

ARTICLE 7: To see if the Town will vote to rescind the remaining amount of Seven Hundred Thousand Dollars (\$700,000) of the original authorization (Article #8 approved at the ATM of June 9, 2015) to borrow Eleven Million Three Hundred Thousand Dollars (\$11,300,000) for the Police/Fire Renovation Project, or take any other action in relation thereto.

Proposed by: TREASURER-COLLECTOR

ARTICLE 8: To see if the Town will vote to rescind the remaining amount of Three Million Seven Hundred Thirty Thousand Dollars (\$3,730,000) of the original authorization (Article # 21, approved at the ATM of 5/16/17) to borrow Eight Million One Hundred Thousand Dollars (\$8,100,000) for the renovation of street and drainage of the Brentwood area of Avon, or take any other action in relation thereto.

Proposed by: TREASURER-COLLECTOR

NOTE: These two articles are to rescind the balances of available borrowing for projects that have been completed and/or come in under budget.

ARTICLE 9: 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/BOARD OF SELECTMEN

NOTE: The FY22 budget removed the annual contribution of \$55,000. The Town set up a reserve 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 a majority of potential future liabilities.

ARTICLE 10: To see if the Town will vote to transfer from Free Cash the sum of Two Hundred Forty Five Dollars (\$245.00) to pay prior year bills, or take any other action in relation thereto.

Convenient MD: \$245.00

Proposed by: TOWN ACCOUNTANT

ZONING/BYLAWS ARTICLES:

ARTICLE 11: To see if the Town will vote to accept as a public way the following street: **KATHERINE'S WAY** in accordance with all Town By-Laws and state statutes, or take any other action in relation thereto.

Proposed by: PLANNING BOARD

ARTICLE 12: To see if the Town will vote to adopt the provisions of MGL Chapter 140 § 139-C, allowing the town to waive the fee for service animals or for a dog owned by a person aged 70 years or over, or take any other action in relation thereto.

Proposed by: BOARD OF SELECTMEN/TOWN CLERK

ARTICLE 13: 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. 44, § 31C.

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. Was approved at ATM 2022 Article 19, the Attorney General's office picked up on a typographical error reflecting MGL c. 44, § 31C.

ARTICLE 14: To see if the Town will vote to amend the General Bylaws of the Town of Avon by adding a new section as set forth below to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, § 53E½, or take any other action relative thereto.

Chapter 15

DEPARTMENTAL REVOLVING FUNDS

§ 15-1. Purpose.

This bylaw establishes and authorizes revolving funds for use by Town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.

§ 15-2. Expenditure limitations.

A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this bylaw without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.

- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Select Board and Finance Committee.

§ 15-3. Interest.

Interest earned on monies credited to a revolving fund established by this bylaw shall be credited to the general fund.

§ 15-4. Procedures and reports.

Except as provided in General Laws Chapter 44, § 53E½, and this bylaw, the laws, charter provisions, bylaws/ordinances, rules, regulations, policies or procedures that govern the receipt and custody of Town monies and the expenditure and payment of Town/city funds shall apply to the use of a revolving fund established and authorized by this bylaw. The Town Accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency or officer on appropriations made for its use.

§ 15-5. Authorized revolving funds.

The Table establishes:

- A. Each revolving fund authorized for use by a Town department, board, committee, agency or officer;
- B. The department or agency head, board, committee or officer authorized to spend from each fund;
- C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant;
- D. The expenses of the program or activity for which each fund may be used;
- E. Any restrictions or conditions on expenditures from each fund;
- F. Any reporting or other requirements that apply to each fund; and
- G. The fiscal years each fund shall operate under this bylaw.

A. Revolving Fund	B. Department, Board,	C. Fees, Charges or Other	D. Program or Activity Expenses Payable from Fund	E Restrictions or	F Other Requirements /Reports	G Fiscal Years
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	Committee, Agency or Officer Authorized to Spend from Fund	Receipts Credited to Fund		Conditions on Expenses Payable from Fund		
COA Van	Director, Council on Aging	Van fares	Expenditures related to COA Van/Transportation Program	None		Fiscal Year 2023 and subsequent years
COA Lunch	Director, Council on Aging	Program fee	Expenditures related to COA lunch program	None		Fiscal Year 2023 and subsequent years
Park and Recreation	Park and Recreation Commission	Program fees	All recreation department expenditures	Shall not be used to pay salary cost for any full-time employees		Fiscal Year 2023 and subsequent years

Proposed by: BOARD OF SELECTMEN/PARKS AND RECREATION COMMISSION

ARTICLE 15: To see if the town will vote to set the following annual spending limits for the revolving accounts authorized by Article 14:

Revolving Account:	Spending Limit:
COA Van	\$7,500
COA Lunch	\$15,000
Park and Recreation	\$35,000

or take any other action relative thereto.

Proposed by: BOARD OF SELECTMEN/PARKS AND RECREATION COMMISSION

ARTICLE 16: To see if the Town will vote to rescind Article 11 of the Annual Town Meeting of 2018 that accepted the provisions of MGL C44 §53D to establish, authorize the use of a revolving fund for the Park and Recreation Department, or take any other action in relation thereto.

Proposed by: BOARD OF SELECTMEN/PARKS AND RECREATION COMMISSION

ARTICLE 17: To see if the Town will vote to petition the General Court to authorize the Board of Selectmen to grant one (1) additional all alcohol Package Store License, or take any other action in relation thereto.

Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of the town of Avon may, upon receipt of a completed application, payment of any applicable fees, after a public hearing and all due process, and in its sole discretion grant one (1) additional license for the sale of all alcoholic beverages not to be consumed on the premises, under Section

12 of said Chapter 138 to Wine.com, 33 Wales Avenue, Avon, MA: said license to be subject to said Chapter 138, except Section 17. 7

This act shall take effect upon its passage.

Proposed by: BOARD OF SELECTMEN

NOTE: This license is specific to this business at this location only. The current business has beer and wine off premise license. Looking to add spirits. A majority of this company's business is online retail.

TOWN OFFICE FEASIBILITY:

ARTICLE 18: To see if the Town will vote to create a Town Office Feasibility Committee of seven (7) members appointed by the Town Moderator to review the possible renovations or new construction of the existing Town Hall. Further said committee shall have funding from Article #14 of the May 4th, 2021 Annual Town Meeting to further develop designs, plans and related document for said buildings or take any other action relative thereto.

Proposed by: BOARD OF SELECTMEN

NOTE: The charge of this committee is to report back to the BOS on the feasibility/recommendation on options within six (6) months and not more than one (1) year of appointment of committee members. The remaining balance is approximately \$58,000.

DEMARCO PARK:

ARTICLE 19: To see if the Town will vote to transfer from Free Cash the sum of Five Hundred Seventy Five Thousand Dollars (\$575,000) for the renovation, repairs and installation of improvements to DeMarco Park, or take any other action in relation thereto.

Proposed by: BOARD OF SELECTMEN/DEPARTMENT OF PUBLIC WORKS

NOTE: The funding is for the town's match of 50% of various grants applied for earlier this year. If unsuccessful, funding will be used to make repairs per the design plans approved by the BOS related to parking, paths and infrastructure improvements to the front area of the park to improve accessibility and greater use to all.

CAPITAL ITEMS:

ARTICLE 20: To see if the Town will vote to transfer from Free Cash the sum of Twenty-Five Thousand Dollars (\$25,000) for the improvements to the Avon compost site, or take any other action in relation thereto.

Proposed by: BOARD OF HEALTH/BOARD OF SELECTMEN

NOTE: The funding will go toward new fencing, signage, land improvements, security camera and new shed and electrical upgrades.

ARTICLE 21: To see if the Town will vote to transfer from Free Cash the sum of Twenty Thousand Dollars (\$20,000) for the purchase and installation of drainage repairs including new metal door, retaining wall and catch basin improvements at the Avon Public Library, or take any other action in relation thereto.

Proposed by: AVON PUBLIC LIBRARY/DEPARTMENT OF PUBLIC WORKS

NOTE: Wall, pipping of gutters to catch basin and grading. The area behind the library has historically been wet and prone to flooding. These repairs are aimed to improving this to allow a better outdoor space for programs as well as protect the building from water damage.

ARTICLE 22: To see if the Town will vote to transfer from Free Cash a sum of Seventy Thousand Dollars (\$70,000) for the repair and renovation of the masonry steps and ADA ramp at the Avon Middle/High School, or take any other action in relation thereto.

Proposed by: AVON PUBLIC SCHOOLS

NOTE: This project was slated for FY22 of the approved capital plan. However, due to COVID, it was delayed a year with all the unknowns.

ARTICLE 23: To see if the Town will vote to transfer from Free Cash the sum of One Hundred Eighty-Five Thousand Dollars (\$185,000) for the purchase of various DPW vehicles and equipment, or take any other action in relation thereto.

Proposed by: DEPARTMENT OF PUBLIC WORKS

Item	Amount	Source
Sidewalk Plow	\$65,000	Free Cash
Dump Truck	\$120,000	Free Cash

NOTE: The dump truck will replace the 2004 dump truck. Vehicle is in need of replacement parts such as fuel injectors that will be costly. Front line piece of equipment needed for DPW operations.

The purchase of a sidewalk track snowblower will replace the 2008 Holder. This piece of equipment no longer has parts readily available making repairs difficult or impossible.

WATER OPERATIONS CAPITAL ITEMS:

ARTICLE 24: To see if the Town will vote to transfer from Free Cash the sum of Sixty Thousand Dollars (\$60,000) to fund a three-year valve and fire hydrant replacement capital project, or take any other action in relation thereto.

Proposed by: DEPARTMENT OF PUBLIC WORKS

NOTE: The approved capital plan called for \$20,000 for three years of work. This article is to put the funding for all three years in one article to allow for larger amounts of work to happen during the course of the project due to available funds.

FIRE VEHICLE CAPITAL ITEMS:

ARTICLE 25: To see if the Town will vote to transfer from the Ambulance Revolving Fund the sum of One Hundred Twenty Thousand Dollars (\$120,000) as the 2nd of 5 payments of the purchase and equip of a new Rescue Pumper truck for the Avon Fire Department approved at the May 4th, 2021 Annual Town Meeting (Article 29), or take any other action in relation thereto.

Proposed by: FIRE DEPARTMENT

NOTE: This is the second of five payments of approximately \$120,000 which will be funded through the Ambulance Revolving Fund.

COLLECTIVE BARGAINING:

ARTICLE 26: To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds a sum of money as ratification for a three-year Collective Bargaining

Agreement for the period of July 1, 2021 to June 30, 2024 between the Town and Professional Firefighters of Avon, IAAF, Local 3857, or take any other action in relation thereto.
Proposed by: BOARD OF SELECTMEN

HOUSE KEEPING ARTICLES:

ARTICLE 27: 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/FINANCE COMMITTEE

ARTICLE 28: 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/FINANCE COMMITTEE

ARTICLE 29: 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: BOARD OF SELECTMEN/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 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 25TH day of March, in the year of our Lord Two Thousand and Twenty-Two.

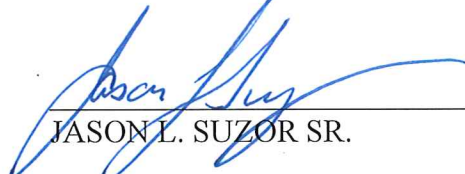
A True Copy. Attest:


PATRICIA C. BESSETTE TOWN CLERK


STEVEN P. ROSE, CHAIRMAN


ERIC S. BECKERMAN


JEFFREY BUKUNT, POLICE CHIEF


JASON L. SUZOR SR.
AVON BOARD OF SELECTMEN