

# OFFICE OF THE TOWN CLERK



## ANNUAL TOWN ELECTION TUESDAY, APRIL 9, 2024 CANDIDATES GUIDE

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Avon Town Clerk

January 2, 2024 Nomination Papers for the following town offices will be available.

<b>Elected Body</b>	<b>Term</b>
Select Board	3 yrs
Assessors	3 yrs
Moderator	3 yrs
Board of Health	3 yrs
Planning Board	5 yrs
School Committee	3 yrs
Library Trustee	3 yrs
Town Clerk	3 yrs
Park and Recreation	3 yrs
Sewer Commission	3 yrs
Redevelopment Authority	5 yrs
Redevelopment Authority	3 yrs
Redevelopment Authority	2 yrs

### **Town Election**

Last Day to Obtain Nomination Papers	Thursday, February 15, 2024	5 pm	MGL c53, Sec9A
Last Day and hour to submit nomination papers to Registrars of Voters for certification	Tuesday, February 20, 2024	5pm	
Last Day to Object or Withdraw Nomination Papers	Thursday, March 7, 2024	5 pm	MGL c53, Sec 11
Last Day to Register to Vote	Friday, March 29, 2024 9AM-1PM at Town Hall 1PM-5PM at Police Station 86 Fagan Dr.	8 pm	MGL c51, Sec 26, 28
Last Day to Post Warrant	Tuesday, April 2, 2024		MGL c39, Sec 10
Last day and hour to request a ballot by mail	Tuesday, April 2, 2024	5 pm	
Last day and hour to request an absentee ballot in person	Monday, April 8, 2024	12 pm	MGL c54, Sec 89
ANNUAL TOWN ELECTION	Tuesday, April 9, 2024		

### **Town Meeting**

Last Day to Register to Vote	Friday, March 29, 2024	8 pm	MGL c51, Sec 26, 28
Last Day to Post Warrant	Tuesday, April 2, 2024		MGL c39, Sec 10
ANNUAL TOWN MEETING	Tuesday, May 7, 2024	TBD	

Congratulations! You have taken a courageous step by taking out nomination papers for elected office. For any government, but especially your local Town Government to work effectively, it requires the active participation of its citizens. The Office of the Town Clerk thanks you for your active participation and wishes you the best of luck in your campaign.

I promise to keep all candidates and the voters of Avon up to date with any regulations that will be implemented as they are received. I will be emailing candidates throughout the coming months with reminders and election deadlines.

The information in this packet will give a brief overview of the many aspects of running for, and holding, local elected office. You will find descriptions of each office available, laws relating to campaign finance, laws related to political signs in town, and rules regarding Election Day activities.

After reviewing the material, if you have any questions, please do not hesitate to contact me

## DESCRIPTION OF ELECTED OFFICES IN THE TOWN OF AVON FOR THE

### ANNUAL TOWN ELECTION 2024

#### General By Laws

#### Chapter 19

##### **TOWN ELECTIONS**

*§ 19-1 Annual Town Election; poll hours.*

The election of Town officers and the determination of such matters as are required by law to be determined by secret ballot shall be held on the second Tuesday in April. The polls shall be opened no later than 7 a.m. and shall remain open until 8 p.m.

*§19-2 Notice of Town election/ sample warrants.*

Notice of election of Town officers shall be posted by the Chief of Police or any other designated police officer of the Town in no less than seven public places, including the Post Office and not less than 20 samples of election warrant shall be left in each of the public places for distribution at least seven days before the date fixed for the election.

#### Charter of Avon, Massachusetts

#### Article III

##### **Section 3-1 Select Board:**

**Composition, Term of Office-** There shall be a Select Board consisting of three (3) members elected by the voters for three-year terms, so arranged that the term of office of a least one member shall expire each year. (c.41: s.1)

**Compensation-** The Select Board shall receive for their services such compensation as may annually be provided for that purpose by appropriation.

**Powers and Duties:** The Select Board shall be the chief executive and administrative office in the town. The board of selectmen shall exercise a general superintendency over the administration of all affairs of the town. The Select Board shall, by the issuance of warrants, call all sessions of the town meeting and determine all subjects which shall be acted upon at such meetings. The Select Board shall approve all bills and payrolls as prepared by the town accountant before any payment are made by the town treasurer. The Select Board shall have all of the other powers, duties and responsibilities which are given to boards of Select Board by general laws of the commonwealth. (Note It is not practical to list the statutes giving specific powers to a Select Board, suffice it to say they are extensive.)

### **Section 3-2 School Committee:**

**Composition, Term of Office-** A school committee shall be elected which shall consist of five members. The term of office of each member of the school committee shall be for three years. The terms of office of members of the school committee shall be so arranged that as nearly an equal number of terms as is possible shall expire each year. (c41: s.1)

**Compensation-** School Committee members shall serve without compensation.

**Powers and Duties:** The school committee shall have the general charge and superintendency of the public schools of the town. The powers and duties of the school committee shall include: (1) to appoint a superintendent and all other officers and employees associated with the schools, to fix the salaries of all such persons, define their duties, make rules concerning their tenure of office, include their discharge, (2) to make all reasonable rules and regulations, consistent with law, for the administration, management and operation of the public schools of the town. The school committee shall have all of the other powers, duties and responsibilities which are given to school committees by general law.

### **Section 3-3 Board of Assessors:**

**Composition, Term of Office-** A board of assessors shall be elected which shall consist of three members. The term of office of each member of the board of assessors shall be for three years, so arranged that the term of one member shall expire each year. (c41: s.1)

**Compensation-** The assessors shall receive for their services such compensation as may annually be provided for that purpose by appropriation.

**Powers and Duties:** The board of assessors shall annually make a fair cash valuation of all the estate, both real and personal, subject to taxation within the town. The board of assessors shall annually determine the annual tax rate necessary to meet all sums voted by the town. The board of assessors shall hear and decide all questions relating to the abatement of taxes levied by it. The board of assessors shall have all of the other powers, duties and responsibilities which are given to boards of assessors by general laws. (see c.59, generally)

### **Section 3-4 Town Clerk:**

**Composition, Term of Office** -A town clerk shall be elected for the term of three years. (c.41:s.1)

**Compensation-** The town clerk shall receive for their services such compensation as may annually be provided for that purpose by appropriation.

**Powers and Duties** - The town clerk shall be the keeper of vital statistics for the town, the custodian of the town seal and of all other records of the town, shall administer the oath of office to all town

officers who are required to be sworn to their office, be the clerk of the town meeting, shall issue all such licenses and permits as are provided by law and shall be responsible for the conduct of all elections held in the town and of all other matters relating to elections. The town clerk shall have all of the other powers, duties and responsibilities which are given to town clerks by general laws. (Note: It is not possible to summarize all of the statutes which give specific powers to town clerks, suffice it to say they are extensive.)

### **Section 3-7 Board of Health:**

**Composition, Term of Office-** A board of health shall be elected which shall consist of three members. The term of office of each member of the board of health shall be for three years, so arranged that the term of one member shall expire each year. (c.41: s.1)

**Compensation-** The members of the board of health shall receive for their services such compensation as may annually be provided for that purpose by appropriation.

**Powers and Duties:** The board of health shall be responsible for the formulation and enforcement of local rules and regulations affecting the environment and the public health and for the enforcement within the town of all state statutes and rules and regulations of the state affecting the public health. The board of health shall have all of the other powers, duties and responsibilities which are given to boards of health by general laws. (see c.111: ss.26-32, and chapters 111-114, generally)

### **Section 3-8 Trustees of Public Library:**

**Composition, Term of Office-** A board of trustees of the public library consisting of three members shall be elected. The term of office of members of the board of library trustees shall be for three years each so arranged that the term of office of one member shall expire each year. (c.78: s.10)

**Compensation-** Board trustees shall serve without compensation.

**Powers and Duties:** The board of library trustees shall have the care, custody and management of the library and reading room and of all property of the town related to library purposes. All money raised or appropriated by the town for library purposes shall be expended by the board of library trustees and all money or property which the town may receive by gift or bequest shall be administered by the board of library trustees in accordance with the provisions of any such gift or bequest. The board of library trustees shall have all the other powers, duties and responsibilities which are given to boards of library trustees by general laws. (c.78: ss.7-12)

### **Section 3-9 Town Moderator:**

**Composition, Term of Office -** A town moderator shall be elected for the term of three years. (c.39:s.14)

**Compensation-** The moderator shall receive for their services such compensation as may annually be provided for that purpose by appropriation.

**Powers and Duties -** The town moderator shall preside, and regulate the proceedings at all town

meetings; decide all questions of order; make public declaration of all votes, and may, in open session administer the oath of office to any town officer. No person shall address a town meeting without leave of the town moderator to do so and all persons shall at the request of the town moderator, be silent. (c.39: ss.9ff)

### **Section 3-10 Park and Recreation Commission:**

**Composition, Term of Office-** A town may elect a board of three or five park commissioners and prescribe their term of office. (c.45: s.2)

**Compensation-** The park and recreation members shall receive for their services such compensation as may annually be provided for that purpose by appropriation.

**Powers and Duties:** The board of park and recreation commissioners may lay out and improve public parks, and may make rules for the use and government of lands held by the town for park purposes. In addition, the board of parks and recreation commissioners may conduct and promote recreation, play sport and physical education activities on land, or in buildings, owned or leased by its for such purposes. (c.45: ss.5 and 14; see c.45, generally)

### **Section 3-11 Planning Board:**

**Composition, Term of Office-** A planning board shall be elected which shall consist of five members. The term of office of a planning board member shall be for five years, so arranged that as nearly an equal number of terms as possible shall expire each year. (c.412: s.81A)

**Compensation-** The planning board shall receive for their services such compensation as may annually be provided for that purpose by appropriation.

**Powers and Duties:** It shall be the duty of the planning board to make careful studies of the resources, possibilities and needs of the town and to make plans for the development of the town. The planning board shall have the power to regulate the subdivision of land within the town by the adoption of rules and regulations governing such development. The planning board shall make an annual report giving information regarding the condition of the town and any plans or proposals for its development and estimates of their cost. The planning board shall have all of the other powers and duties which are given to planning boards by general laws. (c.41:ss.81A to 81JJ. Cam c/ 40A, generally)

### **Section 3-12 Sewer Commission:**

**Composition, Term of Office-** There shall be a sewer commission consisting of three members elected for terms of three years each so arranged that the term of one member shall expire each year. (c/41, s.63)

**Compensation-** The sewer commission shall serve without compensation.

**Powers and Duties:** The sewer commissioners shall, as to sewers and drains, exclusively have the powers, perform the duties and be subject to the liabilities and penalties of selectmen and road commissioners. (c. 41, s.65)

### **Section 3-17 Redevelopment Authority:**

**Composition, Term of Office-** There shall be a redevelopment authority which shall consist of five members serving for terms of five years each, so arranged that one term of office shall expire each year. Four of these members shall be elected by the voters of the town of Avon; the fifth member shall be appointed as provided by general law.

**Compensation-** The redevelopment authority shall serve without compensation.

**Powers and Duties:** The redevelopment authority shall make studies and shall determine what areas within the town are decadent, substandard or blighted open areas and shall prepare plans for the clearance, conservation or rehabilitation of such areas. The redevelopment authority shall have all of the other powers, duties and responsibilities which are given to redevelopment authorities by general laws.

### **NOMINATION PAPERS- 20 CERTIFIED SIGNATURES REQUIRED**

The required number of signatures for candidates is set at 1% of the total number of voters in the Town of Avon in the last race for Governor. The total number of voters in the 2022 Governor's Race in Avon was 1665. MGL C53, §6 states the # of signatures required cannot be less than 20 and no more than 50. Always be sure to have extras in case signatures are not legible or registered voters.

### **Campaign Finance**

These instructions are meant to be an introductory guide to the campaign finance law and its filing requirements for candidates to elected municipal office and the treasurers of their political committees, not a substitute for it. It is the responsibility of all those participating in political campaign financing in Massachusetts to become knowledgeable with the provisions of the campaign finance law and its regulations. Violations of the law carry serious penalties of fines, imprisonment or both.

The Office of Campaign and Political Finance (OCPF)

[http://files.ocpf.us/pdf/guides/guide\\_muni\\_cand.pdf](http://files.ocpf.us/pdf/guides/guide_muni_cand.pdf) is responsible for administering and enforcing Massachusetts General Laws Chapter 55, the comprehensive statute concerning the financing of political campaigns in the Commonwealth.

The statute requires that candidates and political committees disclose all contributions received and expenditures made. The campaign finance law also provides for limitations and in some cases absolute prohibitions, on certain sources of campaign contribution. Additionally, the way in which campaign funds may be spent is regulated by the statute.

State law requires an accounting of all money received or spent in the course of a political campaign. Candidates are required to submit regular campaign finance reports and to comply with the campaign finance laws and procedures. The financial disclosure statements must be on forms prescribed by the Office of Campaign and Political Finance and include the name of the candidate or committee; the address of the committee; the committee's chairman and treasurer; an accounting of all contributions



received; a listing of all individuals who contributed over a prescribed amount; and an accounting of all campaign expenditures.

Candidates for municipal office should review the *Campaign Finance Guide: Candidates for Municipal Office*, located in the campaign finance law, campaign organization, reporting requirements, and campaign contribution limits.

The Town Clerk serves as the Town's Campaign and Political Finance Director for all local campaigns. As a result, the financial disclosure statements of candidates and committees must be filed with the Town Clerk and maintained for public inspection.

Candidates and their committees, if any, are required by statute to file periodic campaign finance reports and are also responsible for the legality, validity, completeness and accuracy of their reports. The following is a schedule for filing reports. These reports must be filed whether or not money has been raised or expended during the reporting period and whether or not the candidate is nominated or elected. Reports are due to the local election official by the close of business on the day the report is due. All forms, as well as filing software, are available on the OCPF website.

### 2024 Filing Schedule

Report	Due	Date	Activity Time Frame
Pre Election	8 days prior to election	Monday, April 1, 2024 by the close of business	January 1- March 22
Post Election	30 days after election	Thursday, May 9, 2024 by the close of business	March 23- April 29
Year End		January 21, 2025	April 30- Dec 31

### **Sign By-Law**

The Town of Avon Zoning Bylaw Article X Signs §255-10.4 E: The Select Board may issue a temporary permit authorizing the temporary erection of special promotional signs, banners, streamers, *or placards in connection with a political campaign*, for the advertisement and promotion of yard sales, flea markets, bazaars, and similar special events or for special sales by regular business firms located in the Town.

- Submit a written letter to the Select Board requesting permission to display election signs, include the number of signs to be displayed in town. The Board of Selectmen typically meet the first and third Thursday of each month.
- There is no fee.
- Signs can be displayed 30 days before election and must be taken down 10 days after election.

### **Rules Governing Election Day Activities**

On Election Day, at the polling place, political signs must be held by a person. No signs may be put into the ground, hung on fences or put on public property. No poster, card, handbill, placard, picture or circular intended to influence the action of the voter shall be posted, exhibited, circulated or distributed in the polling place, in the building where the polling place is located, on the walls thereof, on the premises on which the building stands, or within one hundred fifty (150) feet of the building entrance door to such polling place. No posters or stickers may be posted, circulated, or distributed within the 150-foot distance.