



TOWN OF AVON

ANNUAL TOWN MEETING

Tuesday, May 4, 2010

Moderator Frank Staffier called the meeting to order at 7:30 p.m. Present were Francis Hegarty, Chairman of the Board of Selectmen, Jean Kopke, Town Clerk, Moderator Frank Staffier and resident Dan Hart. A motion was made and seconded to continue the meeting to June 8, 2010 at 7:30 P.M. due to the required quorum not being present.

Tuesday, June 8, 2010
7:30 P.M.

Moderator Frank Staffier called the continued meeting to order at 7:30 P.M. and recessed until the required quorum of 75 was present. The meeting was called to order at 7:37 the required quorum being present. Moderator Staffier swore in Cheryl Wilkerson and George Berry to act as counters as needed. He also swore Roly Blanchette in as an assistant moderator.

Moderator Staffier read a letter of resignation from Patrick Murphy from the Avon Building Committee. He then called for Article 1:

ARTICLE 1: A motion was made and seconded and UNANIMOUSLY VOTED IN THE AFFIRMATIVE to waive 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, 2009 and to hear the reports of any committees.

ARTICLE 2: A motion was made and seconded and UNANIMOUSLY VOTED IN THE AFFIRMATIVE to consider Article 2 & 3 together.

ARTICLE2: To see if the Town will vote to fix the salaries of the elected Town Officers for the Fiscal Year 2011 and raise and appropriate the necessary funds to defray such costs,

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 2011, including salaries of the several elected officers of the Town and make appropriations for the same.

<u>Dept.</u>	<u>Description</u>		FY 2010 Budget	FY 2011 Budget Request		FY 2011 Budget
	MODERATOR					
114	Salary	\$	1,000.00	\$	1,000.00	\$ 1,000.00
	Expenses	\$	50.00	\$	250.00	\$ 250.00
	SELECTMEN					
122	Salary	\$	15,000.00	\$	15,000.00	\$ 15,000.00
	Expenses	\$	14,603.00	\$	21,532.00	\$ 14,603.00
	TOWN ADMINISTRATOR					
113	Salary	\$	81,779.00	\$	85,865.00	\$ 81,779.00
	Expenses	\$	3,710.00	\$	3,710.00	\$ 3,710.00
	FINANCE COMMITTEE					
131	Salary, Clerical	\$	2,200.00	\$	2,200.00	\$ 2,200.00
	Expenses	\$	4,050.00	\$	4,050.00	\$ 4,050.00
	RESERVE FUND					
132	Reserve Fund	\$	85,000.00	\$	85,000.00	\$ 100,000.00
	TOWN ACCOUNTANT					
135	Salary	\$	58,241.00	\$	62,802.00	\$ 58,241.00
	Expenses	\$	32,997.00	\$	36,999.00	\$ 36,999.00
	ASSESSORS					
141	Salaries	\$	48,700.00	\$	63,700.00	\$ 48,700.00
	Expenses	\$	14,008.00	\$	15,900.00	\$ 14,008.00
	TOWN TREASURER					
145	Salary	\$	32,500.00	\$	34,991.00	\$ 32,500.00
	Expenses	\$	8,200.00	\$	8,200.00	\$ 8,200.00
	TAX COLLECTOR					
146	Salary	\$	5,000.00	\$	5,000.00	\$ 5,000.00
	Expenses	\$	15,906.00	\$	24,900.00	\$ 17,288.00
139	TECHNOLOGY SERVICE					
	Expenses	\$	49,529.00	\$	55,550.00	\$ 49,529.00
	LEGAL					
151	Retainer, Town Couns.	\$	11,250.00	\$	11,250.00	\$ 11,250.00
	Expenses	\$	60,000.00	\$	80,000.00	\$ 60,000.00
	Assessors Legal	\$	10,000.00	\$	10,000.00	\$ 10,000.00

PERSONNEL BOARD							
152	Salary, Clerical	\$	-	\$	-	\$	-
	Expenses	\$	100.00	\$	100.00	\$	100.00
PAYROLL DATA PROCESSING							
155	Expenses	\$	14,000.00	\$	15,000.00	\$	14,000.00
CLERICAL POOL							
159	Salaries	\$	225,327.00	\$	242,302.00	\$	225,327.00
TOWN CLERK							
161	Salary, Town Clerk	\$	31,500.00	\$	33,991.00	\$	31,500.00
	Expenses	\$	3,915.00	\$	3,900.00	\$	3,900.00
ELECTION WORKERS & REGISTRARS							
162	Salary	\$	3,500.00	\$	3,500.00	\$	3,500.00
	Expenses,	\$	3,500.00	\$	3,500.00	\$	3,500.00
CENSUS							
163	Expenses	\$	2,100.00	\$	2,000.00	\$	2,000.00
CONSERVATION COMMISSION							
171	Salary	\$	1,300.00	\$	1,300.00	\$	900.00
	Expenses	\$	500.00	\$	550.00	\$	500.00
PLANNING BOARD							
175	Salaries, 5 Members	\$	9,775.00	\$	9,775.00	\$	9,775.00
	Expenses	\$	1,000.00	\$	1,000.00	\$	1,000.00
BOARD OF APPEALS							
176	Salary	\$	2,280.00	\$	2,280.00	\$	2,280.00
	Expenses	\$	500.00	\$	500.00	\$	500.00
INDUSTRIAL DEVELOPMENT COMM.							
182	Salary, Clerical	\$	10.00	\$	10.00	\$	10.00
	Expenses	\$	-	\$	-	\$	-
CABLE TV							
184	Expenses	\$	100.00	\$	100.00	\$	10.00

TOWN HALL & BUILDING MAINT.

192	Salary, Building Super.	\$	50,930.00	\$	42,220.00	\$	-
	Expenses	\$	55,661.00	\$	75,575.00	\$	75,575.00

TOWN REPORTS

195	Expenses	\$	4,000.00	\$	4,500.00	\$	4,500.00
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POLICE

210	Salary	\$	1,432,287.00	\$	1,439,478.00	\$	1,432,287.00
	Expenses	\$	112,023.00	\$	129,630.00	\$	112,023.00
	Police Cruiser	\$	63,000.00	\$	35,000.00	\$	35,000.00

FIRE & POLICE DISPATCHERS

215	Salary	\$	277,701.00	\$	293,087.00	\$	277,701.00
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FIRE DEPARTMENT

220	Salary	\$	968,263.00	\$	968,263.00	\$	968,263.00
	Salary from Ambulance fund	\$	75,894.00	\$	75,894.00	\$	75,894.00
	Expenses	\$	105,165.00	\$	122,675.00	\$	97,675.00
	Expense from Ambulance fund	\$	52,425.00	\$	59,915.00	\$	59,915.00

BUILDING INSPECTOR

241	Salary	\$	56,500.00	\$	57,750.00	\$	56,500.00
	Expenses	\$	6,336.00	\$	8,225.00	\$	6,336.00

GAS INSPECTOR

242	Salary	\$	6,500.00	\$	7,000.00	\$	6,500.00
	Expenses	\$	600.00	\$	600.00	\$	600.00

PLUMBING INSPECTOR

243	Salary	\$	6,500.00	\$	7,000.00	\$	6,500.00
	Expenses	\$	600.00	\$	600.00	\$	600.00

WIRE INSPECTOR

245	Salary	\$	13,600.00	\$	14,800.00	\$	13,600.00
	Expenses	\$	1,200.00	\$	1,200.00	\$	1,200.00

ANIMAL CONTROL

292	Salary	\$	8,500.00	\$	8,500.00	\$	8,500.00
	Expenses	\$	2,700.00	\$	2,700.00	\$	2,700.00

TREE WARDEN							
294	Salary	\$	750.00	\$	750.00	\$	750.00
	Expenses	\$	9,000.00	\$	9,000.00	\$	9,000.00
LOCAL EMERGENCY PLANNING							
299	Expenses	\$	2,000.00	\$	-	\$	-
AVON PUBLIC SCHOOLS							
300	Operating Expense	\$	7,002,744.00	\$	7,273,640.00	\$	7,004,249.00
	School Choice Funds	\$	(1,120,297.00)	\$	(1,121,802.00)	\$	(1,121,802.00)
BLUE HILLS REGIONAL							
390	Operating Expense	\$	714,043.00	\$	583,786.00	\$	583,786.00
	School to Career Prog.			\$	12,350.00	\$	12,350.00
HIGHWAY DEPARTMENT							
421	Salary	\$	277,107.00	\$	285,285.00	\$	277,107.00
	Expenses	\$	78,854.00	\$	92,490.00	\$	78,854.00
SNOW & ICE							
423	Expenses	\$	65,000.00	\$	65,000.00	\$	65,000.00
STREET LIGHTING							
424	Expenses	\$	90,000.00	\$	90,000.00	\$	90,000.00
WASTE DISPOSAL							
433	Rubbish Collection	\$	444,253.00	\$	439,799.00	\$	439,799.00
	Recycling Expenses	\$	4,000.00	\$	4,000.00	\$	4,000.00
WATER DEPARTMENT							
450	Salary	\$	338,582.00	\$	360,440.00	\$	338,582.00
	Expenses	\$	388,800.00	\$	388,800.00	\$	388,800.00
	Water Mgmt Permit- Cap Outlet	\$	28,000.00	\$	-	\$	-
BOARD OF HEALTH							
510	Salary	\$	65,900.00	\$	67,332.00	\$	65,900.00
	Animal Inspector						
	Expenses	\$	6,898.00	\$	6,898.00	\$	6,898.00
	Compost Attendant						
HEALTH SERVICES							
529	Visiting Nurses	\$	5,000.00	\$	5,000.00	\$	5,000.00
	B.A.A.R.C.	\$	500.00	\$	250.00	\$	250.00
	Multi-Health	\$	500.00	\$	250.00	\$	250.00

	Womanplace Center	\$	3,500.00	\$	3,500.00	\$	3,500.00
COUNCIL ON AGING							
541	Salary	\$	78,152.00	\$	88,402.00	\$	78,152.00
	Expenses	\$	5,000.00	\$	5,000.00	\$	5,000.00
VETERAN SERVICES							
543	Salary, Agent	\$	3,500.00	\$	5,000.00	\$	3,500.00
	Expenses	\$	300.00	\$	300.00	\$	300.00
	Veterans Benefits	\$	15,000.00	\$	16,000.00	\$	16,000.00
	Veterans Quarters	\$	700.00	\$	700.00	\$	700.00
LIBRARY							
610	Salary	\$	233,880.00	\$	229,614.00	\$	229,614.00
	Expenses	\$	105,994.00	\$	114,950.00	\$	105,994.00
	Automation	\$	18,712.00	\$	18,859.00	\$	18,712.00
PARKS & RECREATION							
650	Salary	\$	21,950.00	\$	22,923.00	\$	21,950.00
	Expenses	\$	31,600.00	\$	34,030.00	\$	31,600.00
HISTORICAL COMMISSION							
691	Expenses	\$	50.00	\$	50.00	\$	50.00
CULTURAL COUNCIL							
695	Expenses	\$	100.00	\$	100.00	\$	100.00
MEMORIAL DAY							
699	Expenses, parade	\$	3,500.00	\$	3,500.00	\$	3,500.00
DEBT SERVICE							
751	Bond Payment	\$	1,232,422.00	\$	1,257,580.00	\$	1,257,580.00
	Interest						
752	Short Term Borrowing	\$	2,000.00	\$	1,000.00	\$	1,000.00
760	Cost of Bond Issuance	\$	3,000.00	\$	3,000.00	\$	3,000.00
PENSION & INSURANCE							
911	Norfolk County Retire.	\$	717,877.00	\$	744,834.00	\$	744,834.00
912	Workmens Comp	\$	121,000.00	\$	118,391.00	\$	111,000.00
913	Unemployment	\$	35,000.00	\$	30,000.00	\$	45,000.00
914	Medical & Life	\$	1,967,000.00	\$	2,197,730.00	\$	2,197,730.00
916	Medicare	\$	128,700.00	\$	136,000.00	\$	136,000.00

	Medicaid	\$	10,000.00	\$	10,000.00	\$	10,000.00
945	Liability	\$	170,000.00	\$	175,616.00	\$	175,616.00
193	Building	\$	2,500.00	\$	2,500.00	\$	2,500.00
	ARTICLE 3 BUDGET	\$	17,466,586.00	\$	18,085,166.00	\$	17,566,683.00

ARTICLE 4: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** 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.

ARTICLE 5: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to renew an Offset Receipts Account known as the Cross Connection Control Offset Receipts Account in accordance with M.G.L. Chapter 44, Section 53E.

ARTICLE 6: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to adopt the provisions of M.G.L. Chapter 32B, Section 20. To establish an account called "Other Post-Employment Benefits Trust Fund" or OPEB Trust Fund as defined in Governmental Accounting Standards Board, Statements 43 and 45 for the purpose of funding future financial obligations of the Town for health insurance benefits of retirees. The Town Treasurer shall be the custodian of the OPEB Trust Fund.

ARTICLE 7: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to transfer from the Septic Loan Receipts Account the sum of Ten Thousand Four Hundred Dollars and Thirty-Six Cents (\$10,400.36) 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.

ARTICLE 8: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Thirty-Seven Thousand Five Hundred Dollars (\$37,500) to be used towards the construction of a veterans' memorial park to be located behind the Avon public library.

THIS ARTICLE WAS TABLED.

ARTICLE 9: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to appropriate to the Methyl Tertiary Butyl Ether (MTBE) stabilization fund, established at the Special Town Meeting of Tuesday, May 5, 2009, the sum of Three Hundred Seventy-Three Thousand Two Hundred and Ninety-Seven Dollars and Seventy Seven cents (\$373,297.77) recovered from a class action suit.

ARTICLE 10: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred and Eighty Thousand Dollars (\$180,000) for the demolition and removal of the former Crowley Elementary School.

THIS ARTICLE WAS TABLED

Assistant Moderator Roly Blanchette took the gavel for the following article so that Moderator Staffier could speak on this Article. Moderator Staffier ruled that this article could not be voted on as there had been no Public Hearing on changing this Charter By-Law.

ARTICLE 11: To see if the Town will vote to amend the informal charter of the Town of Avon by repealing M.G.L. Chapter 41, Section 1 which calls for the election of two constables within the Town.

THIS ARTICLE WAS WITHDRAWN

ARTICLE 12: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty-Nine Thousand Five Hundred and Thirty Dollars (\$29,530) to be used to make repairs and/or improvements to the Town Hall building.

THIS ARTICLE WAS TABLED

ARTICLE 13: 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) to be used for the Town's 125th Anniversary Celebration.

THIS ARTICLE WAS TABLED

ARTICLE 14: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to accept, on terms and conditions acceptable to the Board of Selectmen, a gift of land located at 14 King Street, identified on Assessors' Map B7, Block 4, Lot 8, containing two (2) acres, more or less, owned by Elaine Wallace, Executrix of the estate of Barbara Tibnam, being described in a deed recorded in the Norfolk County Registry of Deeds at Book 20705, Page 69, with no encumbrances.

ARTICLE 15: A motion was made and seconded and **DEFEATED BY THE MAJORITY** to accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition, preservation, rehabilitation and restoration of historic resources, the acquisition, creation and preservation of land for recreational use, the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space, land for recreational use and community housing that is acquired or created as provided under said Act; to determine the amount of such surcharge on real property as a percentage of the annual real estate tax levy against real property and the fiscal year in which such surcharge shall commence; to determine whether the Town will accept any of the exemptions from such surcharge permitted under Section 3(e) of said Act.

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of money, or any other sums as may be necessary to defray the costs of the Fiscal Year 2011 Capital Improvement Plan outlined as follows:

Department	Item	Cost
Highway Department	Outfitted GVWR Dump Truck	\$64,776
Senior Center	Handicap ramp	\$7,000

Water Department

Vacuum system

\$23,906

THIS ARTICLE WAS WITHDRAWN

ARTICLE 17: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to transfer the sum of Sixty-Seven Thousand Four Hundred and Seventy-Five Dollars (\$67,475) from the Ambulance Revolving Fund to be used to pay the sixth of ten (10) payments of the lease purchase agreement on the Fire Department's Aerial Ladder truck.

ARTICLE 18: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to transfer the sum of Three Thousand Dollars (\$3,000) from the Ambulance Revolving Fund to be used for the purpose of reimbursing insurance companies for overpayments and to pay ALS mutual aid costs.

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Twelve Thousand Dollars (\$12,000) for the fencing on the Bartlett Street tennis courts and any other costs associated with this project.

THIS ARTICLE WAS WITHDRAWN

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Ten Thousand Six Hundred and Forty-Five Dollars (\$10,645) for the replacement of the white fence and gate at the Miller-Tracy Memorial Playground, located at the rear of the playground on Page Street and any other costs associated with the project.

THIS ARTICLE WAS WITHDRAWN

ARTICLE 21: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to accept the provisions of Mass. General Laws, Chapter 41, Section 81U, Paragraph 16 which allow the proceeds of any such bond or deposit to be made available to the Town for expenditure to meet the cost and expenses of the municipality in completing the work specified in an approved plan. If such proceeds do not exceed one hundred thousand dollars, the expenditure may be made without specific appropriation under Section 53 of Chapter 44; provided, however, that such expenditure is approved by the Board of Selectmen.

ARTICLE 22: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to amend the Town of Avon Zoning By-Laws with text and map pertaining to new mixed development/density zoning as posted with the Town Clerk and subject to a public hearing.

ARTICLE 23: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to amend the Town of Avon Zoning By-Laws as follows:

Replace Section 5-3, H. Other Principal Uses, 6. with the following;

6. Wireless or Broadcasting towers over
100 feet high erected on Federal, State,
County, or Town Property Only

AVON ZONING DISTRICTS				
Res.	Res.	Bus.	Ind.	Com.
<u>R-25</u>	<u>R-40</u>	<u>B</u>	<u>I</u>	<u>C</u>
SP	SP	SP	SP	SP

ARTICLE 24: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to amend the Town of Avon Zoning By-Laws with text pertaining to Wind Energy Conversion Facilities as posted with the Town Clerk and subject to a public hearing.

ARTICLE 25: To see if the Town will vote to amend the Town of Avon Personnel By Laws, with the text as posted with the Town Clerk and subject to a public hearing.
THIS ARTICLE WAS WITHDRAWN

ARTICLE 26: To see if the Town will vote to appropriate a sum money for the design and construction of parking and entrance and exit roadways at the Ralph D. Butler Elementary School located at Patrick Clark Drive and any other costs associated with the project; to determine whether this appropriation shall be raised by borrowing or otherwise.
THIS ARTICLE WAS WITHDRAWN

ARTICLE 27: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be placed in the Stabilization Account.
THIS ARTICLE WAS WITHDRAWN

A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to adjourn the 2010 Annual Town Meeting

Respectfully Submitted,

V. Jean Kopke
Town Clerk