



TOWN OF AVON
ANNUAL TOWN MEETING WARRANT

Tuesday, May 5, 2009

at 7:30 o'clock in the evening at Avon High/Middle School

Moderator Frank Staffier called the meeting to order at 7:30 p.m. Representative Stephen Lynch was introduced. He addressed the meeting. The meeting was recessed until the conclusion of the Special Town Meeting which was called to order at 7:15 P.M. The Annual Town Meeting reconvened at 9:02 the required quorum of 75 was present.

Moderator Staffier 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, 2008 and to waive reading 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.

ARTICLE 3: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** 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 2010, including salaries of the several elected officers of the Town and make appropriations for the same.

<u>Dept.</u>	<u>Description</u>	<u>FY 2008 Budget FY 08</u>	<u>FY 2009 Requested FY 09</u>	<u>FY 2009 Budget FY 09</u>	<u>Other Funding</u>
	MODERATOR				
114	Salary	\$1,000.00	\$1,000.00	\$1,000.00	
	Expenses	\$250.00	\$250.00	\$250.00	
	SELECTMEN				
122	Salary	\$15,000.00	\$15,000.00	\$15,000.00	
	Expenses	\$16,200.00	\$16,225.00	\$16,225.00	
	TOWN ADMINISTRATOR				
113	Salary	\$76,850.00	\$79,567.00	\$79,567.00	
	Expenses	\$4,000.00	\$4,800.00	\$4,800.00	
	FINANCE COMMITTEE				
131	Salary, Clerical	\$1,500.00	\$2,200.00	\$2,200.00	
	Expenses	\$4,500.00	\$4,500.00	\$4,500.00	
	RESERVE FUND				
132	Reserve Fund	\$85,000.00	\$85,000.00	\$85,000.00	

TOWN ACCOUNTANT				
135	Salary	\$47,595.00	\$54,859.00	\$54,859.00
	Expenses	\$40,460.00	\$32,005.00	\$32,005.00
ASSESSORS				
141	Salaries	\$8,700.00	\$8,700.00	\$8,700.00
	Expenses	\$19,570.00	\$19,765.00	\$15,565.00
TOWN TREASURER				
145	Salary	\$27,085.00	\$31,275.00	\$31,275.00
	Expenses	\$8,800.00	\$8,700.00	\$8,700.00
TAX COLLECTOR				
146	Salary	\$5,000.00	\$5,000.00	\$5,000.00
	Expenses	\$17,674.00	\$17,674.00	\$17,674.00
139	TECHNOLOGY SERVICE			
	Expenses	\$49,024.00	\$52,196.00	\$52,196.00
LEGAL				
151	Retainer, Town Couns.	\$11,250.00	\$11,250.00	\$11,250.00
	Expenses	\$60,000.00	\$60,000.00	\$60,000.00
	Assessors Legal	\$10,000.00	\$20,000.00	\$20,000.00
PERSONNEL BOARD				
152	Salary, Clerical	\$250.00	\$250.00	\$250.00
	Expenses	\$50.00	\$50.00	\$50.00
PAYROLL DATA PROCESSING				
155	Expenses	\$14,000.00	\$14,000.00	\$14,000.00
CLERICAL POOL				
159	Salaries	\$205,000.00	\$205,000.00	\$205,000.00
TOWN CLERK				
161	Salary, Town Clerk	\$27,085.00	\$30,275.00	\$30,275.00
	Expenses	\$4,410.00	\$4,350.00	\$4,350.00
ELECTION WORKERS & REGISTRARS				
162	Salary, Registrars	\$3,500.00	\$4,500.00	\$4,500.00
	Expenses,	\$4,000.00	\$3,500.00	\$3,500.00
CENSUS				
163	Expenses	\$2,350.00	\$2,100.00	\$2,100.00
CONSERVATION COMMISSION				
171	Salary	\$1,300.00	\$1,309.00	\$1,300.00
	Expenses	\$1,791.00	\$1,791.00	\$1,182.00

PLANNING BOARD				
175	Salaries, 5 Members	\$7,500.00	\$7,500.00	\$9,775.00
	Expenses	\$3,000.00	\$3,000.00	\$3,000.00
BOARD OF APPEALS				
176	Salary	\$2,280.00	\$2,280.00	\$2,280.00
	Expenses	\$1,000.00	\$1,000.00	\$1,000.00
INDUSTRIAL DEVELOPMENT COMM.				
182	Salary, Clerical	\$10.00	\$10.00	\$10.00
	Expenses	\$0.00	\$0.00	\$0.00
CABLE TV				
184	Expenses	\$5,200.00	\$5,200.00	\$2,000.00
TOWN HALL & BUILDING MAINT.				
192	Salary, Building Super.	\$48,328.00	\$48,328.00	\$48,328.00
	Expenses	\$55,661.00	\$55,661.00	\$55,661.00
TOWN REPORTS				
195	Expenses	\$4,500.00	\$4,500.00	\$4,500.00
POLICE				
210	Salary	\$1,333,449.00	\$1,381,406.00	\$1,381,406.00
	Expenses	\$121,600.00	\$123,720.00	\$123,720.00
	Police Cruiser		\$70,000.00	\$70,000.00
FIRE & POLICE DISPATCHERS				
215	Salary	\$245,949.00	\$249,949.00	\$249,949.00
FIRE DEPARTMENT				
220	Salary	\$869,063.00	\$1,020,442.00	\$853,421.00
	Salary from Ambulance fund	-\$73,600.00	-\$66,116.00	\$66,116.00
	Expenses	\$150,595.00	\$175,100.00	\$122,675.00
	Expense from Ambulance fund	-\$39,425.00	-\$52,425.00	\$52,425.00
BUILDING INSPECTOR				
241	Salary	\$20,000.00	\$24,000.00	\$21,000.00
	Alt. Inspector	\$1,000.00	\$1,500.00	\$1,500.00
	Expenses	\$5,200.00	\$5,582.00	\$5,582.00
GAS INSPECTOR				
242	Salary	\$5,000.00	\$7,000.00	\$5,500.00
	Alt. Inspector	\$300.00	\$500.00	\$500.00
	Expenses	\$600.00	\$600.00	\$600.00
PLUMBING INSPECTOR				
243	Salary	\$5,000.00	\$7,000.00	\$5,500.00
	Alt. Inspector	\$300.00	\$500.00	\$500.00
	Expenses	\$600.00	\$600.00	\$600.00

WIRE INSPECTOR				
245	Salary	\$12,000.00	\$13,000.00	\$12,500.00
	Alt. Inspector	\$500.00	\$600.00	\$600.00
	Expenses	\$1,000.00	\$1,200.00	\$1,200.00
ANIMAL CONTROL				
292	Salary	\$7,500.00	\$8,000.00	\$8,000.00
	Expenses	\$3,000.00	\$3,000.00	\$3,000.00
TREE WARDEN				
294	Salary	\$750.00	\$750.00	\$750.00
	Expenses	\$7,000.00	\$7,000.00	\$8,500.00
LOCAL EMERGENCY PLANNING				
299	Salary	\$0.00	\$0.00	\$0.00
	Expenses	\$4,000.00	\$4,000.00	\$4,000.00
AVON PUBLIC SCHOOLS				
300	Operating Expense	\$5,497,429.00	\$5,797,363.00	\$5,697,363.00
BLUE HILLS REGIONAL				
390	Operating Expense	\$649,547.00	\$761,016.00	\$761,016.00
	School to Career Prog.	\$12,350.00	\$12,350.00	\$12,350.00
HIGHWAY DEPARTMENT				
421	Salary	\$241,830.00	\$246,788.00	\$246,788.00
	Expenses	\$82,760.00	\$85,630.00	\$85,630.00
SNOW & ICE				
423	Expenses	\$65,000.00	\$65,000.00	\$65,000.00
STREET LIGHTING				
424	Expenses	\$88,700.00	\$88,700.00	\$90,000.00
WASTE DISPOSAL				
433	Rubbish Collection	\$412,216.00	\$430,271.00	\$430,271.00
	Recycling Expenses	\$9,000.00	\$4,000.00	\$4,000.00
WATER DEPARTMENT				
450	Salary	\$299,196.00	\$309,330.00	\$299,703.00
	Expenses	\$257,843.00	\$342,000.00	\$292,843.00
BOARD OF HEALTH				
510	Salary	\$55,200.00	\$56,700.00	\$56,700.00
	Animal Inspector	\$1,600.00	\$1,700.00	\$1,700.00
	Expenses	\$6,025.00	\$7,434.00	\$7,434.00
	Compost Attendant	\$5,000.00	\$5,000.00	\$5,000.00
HEALTH SERVICES				
529	Visiting Nurses	\$4,000.00	\$4,000.00	\$4,000.00
	B.A.A.R.C.	\$500.00	\$500.00	\$500.00
	Multi-Health	\$500.00	\$500.00	\$500.00
	Womanplace Center	\$3,500.00	\$3,500.00	\$3,500.00

COUNCIL ON AGING				
541	Salary	\$67,737.00	\$69,719.00	\$69,719.00
	Expenses	\$5,000.00	\$5,000.00	\$5,000.00
VETERAN SERVICES				
543	Salary, Agent	\$3,500.00	\$3,500.00	\$3,500.00
	Expenses	\$300.00	\$300.00	\$300.00
	Veterans Benefits	\$10,000.00	\$10,000.00	\$10,000.00
	Veterans Quarters	\$700.00	\$700.00	\$700.00
LIBRARY				
610	Salary	\$209,027.00	\$209,814.00	\$209,814.00
	Expenses	\$101,430.00	\$102,050.00	\$102,050.00
	Automation	\$20,797.00	\$20,658.00	\$20,658.00
PARKS & RECREATION				
650	Salary	\$19,598.00	\$24,098.00	\$21,598.00
	Expenses	\$31,409.00	\$31,600.00	\$31,600.00
HISTORICAL COMMISSION				
691	Expenses	\$500.00	\$500.00	\$500.00
CULTURAL COUNCIL				
695	Expenses	\$100.00	\$100.00	\$100.00
MEMORIAL DAY				
699	Expenses, parade	\$3,000.00	\$3,000.00	\$3,000.00
DEBT SERVICE				
751	Bond Payment	\$1,734,551.00	\$1,953,008.00	\$1,953,008.00
	Interest			exempt
752	Short Term Borrowing	\$2,000.00	\$1,000.00	\$1,000.00
760	Cost of Bond Issuance	\$4,000.00	\$3,000.00	\$3,000.00
PENSION & INSURANCE				
911	Norfolk County Retire.	\$608,488.00	\$662,278.00	\$662,278.00
911	Non-Contribu. Retire.	\$2,581.00	\$2,581.00	\$2,581.00
912	Workmens Comp	\$82,987.00	\$86,000.00	\$86,000.00
913	Unemployment	\$40,000.00	\$40,000.00	\$35,000.00
914	Medical & Life	\$1,787,004.00	\$1,814,000.00	\$1,814,000.00
916	Medicare	\$110,000.00	\$117,000.00	\$117,000.00
	Medicaid	\$10,000.00	\$10,000.00	\$10,000.00
945	Liability	\$215,100.00	\$225,000.00	\$225,000.00
193	Building	\$5,000.00	\$5,000.00	\$5,000.00
		\$16,349,059.00	\$17,533,166.00	\$17,186,534.00 \$188,541.00

ARTICLE 4: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** 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 **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** 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 **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to rescind the remaining amount of Twenty-Four Thousand Dollars (\$24,000) of the original authorization (Article 11, approved at the Annual Town Meeting of May 4, 1999, Adjourned to June 10, 1999) to borrow Two Hundred Thousand Dollars (\$200,000) for the Wastewater Engineering Study.

ARTICLE 7: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to rescind the remaining amount of One Hundred and Ninety Dollars (\$190) of the original authorization (Article 13, approved at the Special Town Meeting of September 25, 2006) to borrow Three Million One Hundred Forty-Four Thousand Two Hundred and Fifty Dollars (\$3,144,250) for the Water Filtration and Pumping Station.

ARTICLE 8: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to transfer the amended sum of Sixty Seven Thousand Four Hundred and Seventy-Five Dollars and Zero Cents (\$67,475.00) from the Ambulance Revolving Fund to be used to pay the fifth of ten (10) payments of the lease purchase agreement on the Fire Department's Aerial Ladder truck.

ARTICLE 9: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to transfer the sum of One Hundred and Fifty Thousand Dollars (\$150,000) from the Ambulance Revolving Fund for the purpose of purchasing and equipping a new brush truck for the Fire Department.

ARTICLE 10: To see if the Town will vote to transfer the sum of Three Thousand Dollars (\$3,000) from the Ambulance Revolving Fund to Article 19 of the 2007 ATM to be used for the purpose of reimbursing insurance companies for overpayments and to pay ALS mutual aid costs, or take any other action in relation thereto.

ARTICLE 11: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to transfer the sum of Ten Thousand Dollars (\$10,000) from the Ambulance Revolving Fund to Article 21 of the 2007 ATM to be used for Emergency Medical Technician training (all levels), continuing EMS education and related expenses.

ARTICLE 12: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to accept the provisions of Chapter 43D of the MA General Laws as amended pursuant to Section 11 of Chapter 205 of the acts of 2006, and to approve the filing of

an application with the Interagency Permitting Board for the designation of land at One Kiddie Drive (Map B6, Parcel 1) as a Priority Development Site.

ARTICLE 13: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to transfer from free cash Eighteen Thousand Dollars (\$18,000) for the repair of the HVAC system at the Town of Avon Public Library.

ARTICLE 14: A motion was made to **WITHDRAW** the request to raise and appropriate the sum of Six Thousand Dollars (\$6,000) for the construction of a concrete shed to be located on the ball field off of Patrick Clark Drive, behind the Ralph D. Butler School.

ARTICLE 15: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to raise and appropriate the sum of Nine Thousand Dollars (\$9,000) to replace damaged playground equipment at the Lundgren Playground, located off of Patrick Clark Drive, behind the Ralph D. Butler School.

ARTICLE 16: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to raise or appropriate through borrowing or such other means as the Town may determine, the sum of Eight Hundred Thousand Dollars (\$800,000), or any other sum of money, for purposes of acquiring architectural design and related services in connection with a public safety facility for the town; said facility to provide headquarters and operational space for the town's police, fire, and emergency preparedness departments, including as part thereof related site improvements, necessary demolition, and original equipment; said facility to be placed upon the current public safety building location and adjoining town-owned property; including as part thereof authorization and instruction to the Board of Selectmen to grant or obtain any necessary rights in real estate to carry out this project; and including as part thereof authorization and instruction to the Treasurer with the approval of the Board of Selectmen to borrow said sums or any part thereof; and including as part thereof authority and instruction to the Board of Selectmen, the Treasurer, the Building Committee appointed by the Town Meeting of May 2006, and any other town entity to otherwise take any other action necessary to carry out this project; including as part thereof the provision that this vote shall not take effect until the Town votes to exempt or exclude from the limitation on total taxes imposed by General Laws Chapter 59, Section 21C (Proposition 2 1/2) amounts required to pay the principal and interest on the borrowing, if any, authorized by this vote

ARTICLE 17: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to raise and appropriate the sum of Forty-Eight Thousand Dollars (\$48,000) to upgrade the Town Accountant's Financial Management System which will no longer be supported by Data National (WTI) after July 1, 2010 and convert to Fundware.

ARTICLE 18: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to amend the Town of Avon Zoning By-Laws with the text as posted with the Town Clerk and subject to a public hearing, the substance of which is to address language that pertains to the Master Plan, by amending Section I, Subsection 1-4, "Purposes"; Section III, Subsection 3-3 "Changes to Map"; Section IV, Subsection 4-1 "Interpretation, conflict of laws"; and Section VI, Subsection 6-1 "Effect of this Section"

ARTICLE 19: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to amend Section V, Subsection 5-3 "Table of Use Regulations – Principal

Uses” of the Town of Avon Zoning By-Laws with the text as posted with the Town Clerk and subject to a public hearing, the substance of which is to modify allowable uses through Special Permit and or use by right for renting of rooms, multi-family units, non-profit libraries or museums, retail sale of merchandise, dancing or live entertainment, lumber yards, recycling facilities and tree surgeon/landscape gardener.

ARTICLE 20: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to amend the tables found in the Town of Avon Zoning By-Laws with the text as posted with the Town Clerk and subject to a public hearing, the substance of which is to address language that pertains to Density Regulations as found in Section VI, Subsection 6-4 “Dimensional and Density Regulations Table” and Land Space requirements as found in Section VII, Subsection 7-5A “Specific Requirements for Particular Uses by Special Permit”

ARTICLE 21: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to amend Section V11, Subsection 7-5 “Specific Requirements for Particular Uses by Special Permit” of the Town of Avon Zoning By-Laws by:

Striking the last line of subsection J ”Temporary Additional Living Quarters” and inserting the following;

“It is the intention of this provision that such additional living quarters shall not be used as an apartment for hire, but only as a convenience for a member of the owner’s family under special circumstances, **and that it shall not exceed 770 square feet in gross floor areas.**”

Striking subsection I, ”Home Occupations,” item 4 and inserting the following;

“There shall be no exterior display or storage of materials and no other exterior indication of the use of the premises for other than residential purposes except for an exterior sign, **either stationary or portable**, as may be permitted by Section X of the bylaw.”

ARTICLE 22: A motion was made and seconded and **UNANIMOUSLY VOTED IN THE AFFIRMATIVE** to amend the Avon Personnel By Laws, with the text as posted with the Town Clerk and subject to a public hearing, held on March 10, 2009

ARTICLE 23: A motion was made and seconded to **WITHDRAW** a request to raise and appropriate or transfer from available funds a sum of money to be placed in the Stabilization Account.

Respectfully Submitted,

V. Jean Kopke
Town Clerk/Treasurer