

# Select Board Meeting

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Monday, April 5, 2021

Virtual Meeting Broadcast on Comcast Channel 22 Verizon Channel 45

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## I. Call to Order

Chairperson Annie Gilbert called the Select Board Meeting of Monday, April 5, 2021 to order at 7:05 PM. Members in attendance: Laura Gregory, Chris Huntress, Alex Vispoli, D. Howe.

**Others in Attendance:** Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Assistant Town Manager Patrick Lawlor, Town Clerk Austin Simko, Town Counsel Tom Urbelis.

## II. Opening Ceremonies

### A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by a Salute to the Flag.

## III. B. Communications/Announcements/Liaison Reports

The Town Manager made the following announcements:

~The Annual Departmental Budget Hearing will be held on Saturday April 10 starting at 9:00 A.M.

~The Integrated Financial Plan (IFP) Public Outreach Program will be held 7:00 PM on April 6<sup>th</sup> and going forward he will be holding virtual office hours at noon on Thursdays to answer questions about the IFP as well as some morning and afternoon presentations

~Residents can visit the Customer Service kiosk in the lobby at Old Town Hall to pay a bill.

Mike Lindstrom thanked Tom Carbone and his team on the vaccination clinics held at the AHS Field House, the last being on Wednesday, March 31<sup>st</sup> with just under 500 residents fully vaccinated in total. On March 27, the Town held the first of the Shared Streets Pedestrian and Bicycle Tune-up Event. It was a shared street pilot to make Andover streets more accessible. The next event will be held on April 11<sup>th</sup>. Information is available on the Town website.

Chris Huntress reported that an update on the Downtown Project to make the area immediately behind Old Town Hall more pedestrian friendly, greener, and more exciting, will be held on April 13<sup>th</sup> from 9:00 AM to 10:00 AM. Additional information can be found on the Town website [www.andoverma.us](http://www.andoverma.us)

Laura Gregory reminded everyone to continue following the mask and social distancing protocol for Covid and urged everyone to get a vaccine at their earliest opportunity. Visit the Memorial Hall Library Website to order your very own White Oak seedling.

Alex Vispoli congratulated the Community Development and Planning team, specifically Lisa Schwartz, on receiving a \$250,000 grant towards linking the Town Center together. The funds will offset the amount we had allocated to the project. The

Bike event was a success, and he saw the pilot for Punchard Avenue. Alex also shared that the 375<sup>th</sup> Committee adopted a theme for the celebration, which will be a one-year rolling event, Andover Thrives at 375.

**IV. Citizens Petitions and Presentations - none**

To provide public comment during Citizens Petitions and Presentations visit:  
[www.andoverma.gov/JoinSelectBoardMeeting](http://www.andoverma.gov/JoinSelectBoardMeeting)

**V. Public Hearings** (Annie Gilbert recused herself at this time)

**A. Transfer of Wine and Malt Retail Package Store License**

Board to review and consider voting to approve the application of Energy North Incorporated, 2 International Way, Lawrence, MA, for a transfer of a Wine and Malt Retail Package Store License from Verc Enterprises, Inc., 309 Lowell Street. Mobile on Rte. 133/Lowell Street transfer to Energy North Inc. Austin Simko reported that all departments have reviewed and signed off on the application. Alex Vispoli asked if the employees serving the alcohol have changed. Atty. Kass, representative Energy North, said there will be no change of employees in the operation.

Alex Vispoli moved to approve the application of Energy North Incorporated, 2 International Way, Lawrence, MA, for a transfer of a Wine and Malt Retail Package Store License from Verc Enterprises, Inc., 309 Lowell Street, Andover, MA, subject to the condition that all other requirements of the Town are met prior to issuance. Motion seconded by Laura Gregory. Roll call: D. Howe-Y, L. Gregory-Y, A. Vispoli-Y, C. Huntress-Y. Motion passes 4-0.

Annie Gilbert returned to the meeting.

**VI. Regular Business**

**A. Retirement Board Appointment**

1. Board to interview candidates, deliberate and consider voting to appoint a fifth member to the Retirement Board. The Board thanked all of the candidates for submitting their application to serve on the Retirement Board. The applicants are: James Bonfanti, Harold Melandri, Stuart Rubin, and Blackwell "Bojay" Taylor.

Questions asked of the applicants included:

1. How would you approach decisions on decisive issues?
2. What do you know about the Retirement Board (RB) and what do you believe are the greatest challenges facing the pension system?
3. The Town may consider issuing Pension Obligation Bonds (POB) as part of a larger plan to fund our major liabilities, what do you know about POB and how do you see them as a potentially usable tool?
4. The annual pension appropriation is a major factor in the Town budgeting process how do you see the RB in the context of a larger budgeting discussion?
5. As with any Board, members of the RB may have to take positions on potentially divisive issues. In general, how would you approach these issues and how would your experience?

Discussion: Chris Huntress asked the Town Manger if the candidates have been reviewed for potential conflicts? Andrew said they have no reason to believe there are any conflicts at this time. PERAC reviewed the candidates in advance.

All of the candidates have good experience to bring to the Retirement Board. The Board deliberated on the candidates and the attributes they would bring to the position.

Chris Huntress moved that the Select Board appoint Blackwell 'Bojay' Taylor as a representative on the Retirement Board. Motion seconded by Alex Vispoli.

Further discussion: None

Roll call: C. Huntress-Y, D. Howe-Y, L. Gregory-Y, A. Vispoli-Y, A. Gilbert-Y.

Motion passes 5-0 to appoint Bojay Taylor as the 5<sup>th</sup> member of the Retirement Board.

#### B. Re-Organization of the Board

The Board to elect a Chair, Vice Chair and Clerk for 2021-2022 to be effective following the 2021 Annual Town Meeting scheduled for June 5, 2021.

Alex Vispoli moved to appoint Chris Huntress as Chair of the Select Board. The motion was seconded by Dick Howe. Roll call: A. Vispoli-Y, D. Howe-Y, L. Gregory-Y, A. Gilbert-Y, C. Huntress-Y. Motion passes 5-0. Chris Huntress accepted the appointment.

Chris Huntress moved to appoint Alex Vispoli as Vice Chair of the Select Board. Motion seconded by Dick Howe. Roll call: D. Howe-Y, C. Huntress-Y, L. Gregory-N, A. Vispoli-Y, A. Gilbert-Y. Motion passes 4-1. Alex Vispoli accepted the appointment.

Laura Gregory moved to appoint Dick Howe as Clerk of the Select Board. The motion was seconded by Alex Vispoli. Roll call: L. Gregory-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, Dick Howe-Y. Motion passes 5-0. Dick Howe accepted the appointment as Clerk of the Select Board.

#### C. Vehicle for Hire Policy Amendments

Austin Simko provided information on the proposed amendments to the Town of Andover Rules & Regulations for Public Vehicles for Hire.

The regulations for vehicles for hire (taxis or liveries) have not been updated since 2008 and the Town Clerk's Office faces a perennial waste of Town resources on multi-vehicle livery licenses. Almost all livery licensees with multiply vehicles submit incomplete applications, failed vehicle inspections, and erroneous information on where the vehicles are garaged. We have to do driver background checks and find multiple infractions, failed vehicle inspections, missing insurance coverage information. There are six multi-vehicle licenses and one single vehicle licensee in Andover.

The proposed amendments to the policy include: no longer offering licenses to multi-vehicle operators, offer to single vehicle businesses only with the requirement that a

member of the applicant’s firm must reside in the Town of Andover, and not just operate via a PO Box. Clarification of the definitions of taxicab and livery vehicle, strengthening trip logs requirements and the rules regarding licensees OUI convictions, motor vehicle citations, sex offender registration status and correcting scrivener’s errors. The changes would cost the Town approximately \$7,000.

The Select Board discussed the information presented by the Town Clerk and determined that this would be a first reading of the proposed amendment changes.

D. Town Manager and Select Board Goals Update (Progress Overview)

Significant progress has been made in all of the endeavors despite the pandemic.

Strategic Goals. Andrew of the overarching goals have made significant progress in all endeavors despite the pandemic.

Long Range Financial Planning

Work with Revenue & Expenditure Task Force	Completed
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Develop a Revenue Recommendation for the FY-2022 Operating Budget and present to Select Board	Completed
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Hold Tax Information Meeting to review and evaluate projected and estimated tax impacts of the proposed budget, and debt service to fund a major CIP Item outside of the levy limit. Include a tax impact statement in the Town Manager’s Annual Budget & Financial Plan.	Completed
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Increase resident engagement by identifying a funding source for a participatory Budget Program and incorporate it as a component of the CIP.	In process
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Develop a plan and funding model for the Town’s Major Obligations including the construction of a new West Elem/Shawsheen School and unfunded pension liability.	In process
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Citizen Response Management and Engagement

Continue to expand the fully integrated Customer Service model within town offices including extending self-service functions, cross training of Town staff, and making of physical improvements to the Town Offices facility.	In process
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Reorganize existing resources to maximize productivity and establish efficiencies through collective bargaining when necessary.	In process
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Develop & implement a Data Center and continue to develop	Completed
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to develop and promote Andover Central with shared goals of increasing the efficiency of service delivery through performance metrics, service level agreements, and process improvements.

Provide the Board w/update on Departmental division goals including relevant metrics and outcomes and potential barriers. In process - April 10

Analyze and share with the community the Resident Public Opinion Survey Results. Completed

Expand effective Public communication systems. On-going

Capital Improvements:

Manage transition of operations to new Ballardvale Fire Station and expanded Robb Center. In Process

Finalize Design and develop implementation schedule for access and customer service improvements to Town Offices with a focus on meeting space, ADA compliance, Customer service and user experience. In Process - late April

Continue to implement the Gas Disaster Recovery Plan and provide incremental updates to the Select Board. On-going

Begin implementing the sidewalk program to be continued continued into FY-22-26 CIP. Completed

Work with School Committee and West Elem School Building Committee to provide direction and oversight of the project. On-going

Downtown Andover & Historic Mill District

Work with business community to support businesses Through the summer/fall and develop legal and logistical methods to make outdoor dining permanent. Completed

Begin and provide oversight to the parking and hardscape improvement project behind Old Town Hall. In process

Pending Town Meeting approval develop a process for the disposition of 11 Lewis St, including issuance of the community authored RFP and public selection process of a potential acquisition. Completed

River & Open Space Access

Finalize design and begin permitting of the Merrimack In process

River Access Project along the Heffron Right of Way and The Gr. Lawrence Tech School easement.

Appoint the newly formed Open Space Task Force and develop process for identifying and prioritizing parcels for potential acquisition. Completed

Continue to work collaboratively with Merrimac River District Commission on regional solutions to improving the overall health of the Merrimack River. The part-time Land Manager begins in April. On going

Increase access to our region's most scenic resources by constructing public pathways for recreation. On going

Energy and Sustainability

Develop a climate & sustainability action plan to address climate impacts, disaster preparedness, and sustainability for town and residents. On-going

Work with Andover Green Advisory for Andover's Community Choice Aggregation Program and make recommendation to Select Board in the Winter of 2021. On-going

Explore opportunities to invest in Climate Resiliency through the MVP Grant program and submit an application. On-going

Complete Street Tree Inventory and Management Program and develop a sustainable funding source to implement Street Tree Program. View TreeKeeper software on website. On-going

Diversity, Equity and Inclusion – Andover DIVERSE.

Complete community survey, create educational opportunities for resident and businesses on anti-racism on implicit bias. Work with HR to identify and implement training opportunities for town and school employees, appoint a permanent resident and staff joint committee to work on developing a charge for Andover DIVERSE and to support their work. On-going

Work with Visions Inc. to complete a community assessment. Completed

Identify and fund a dedicated resource focused on the Town's work around diversity, equity and inclusion goals. Evaluate opportunities. On-going

E. Annual Town Meeting Articles

Board to consider voting to take a position on the following articles:

P8	<p>Minor Financial Articles (A through D)            Alex Vispoli moved to recommend approval of WA P8 as presented.            Motion seconded by Chris Huntress. Roll call: C. Huntress-Y, L. Gregory-Y, D. Howe-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 5-0.</p>
P9	<p>General Housekeeping Articles (A through G)            Alex Vispoli moved to recommend approval of WA P9 as presented.            Motion seconded by Dick Howe. Roll call: D. Howe-Y, A. Vispoli-Y, L. Gregory-Y, C. Huntress-Y, A. Gilbert-Y. Motion passes 5-0.</p>
P10	<p>Unpaid Bills            Alex Vispoli moved to recommend approval of WA P10 as presented.            Motion seconded by Chris Huntress. Roll call: C. Huntress-Y, A. Vispoli-Y, L. Gregory-Y, D. Howe-Y, A. Gilbert-Y. Motion passes 5-0.</p>
P15	<p>Capital Projects from General Fund Borrowing            Dick Howe moved to recommend approval of WA P15 as presented.            Motion seconded by Alex Vispoli. Roll call: L. Gregory-Y, A. Vispoli-Y, C. Huntress-Y, D. Howe-Y, A. Gilbert-Y. Motion passes 5-0.</p>
P16	<p>Capital Projects from Free Cash            Alex Vispoli moved to recommend approval of WA P16 as written.            Motion seconded by Dick Howe. Roll call: C. Huntress-Y, A. Vispoli-Y, D. Howe-Y, L. Gregory-Y, A. Gilbert-Y. Motion passes 5-0.</p>
P19	<p>Establish New Revolving Fund – Student Technology Rental            Chris Huntress moved to recommend approval of WA P19 as presented            Motion seconded by Laura Gregory. Roll call: L. Gregory-Y, C. Huntress-Y, A. Vispoli-Y, D. Howe-Y, A. Gilbert-Y. Motion passes 5-0.</p>
P21 P22 P23	<p>Alex Vispoli moved to recommend approval of WA's: P21, P22 and P 23 as presented. Authorize Lease of Land/Rooftop Space at Sanborn School for Solar Photovoltaic Facilities. Motion seconded by Chris Huntress.            Roll call: D. Howe, C. Huntress-Y, L. Gregory-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 5-0.</p>
P24	<p>Shawsheen School – To Be Withdrawn</p>
P26	<p>Andover High School Design            Laura Gregory moved to recommend approval of WA P26 as presented.            Motion seconded by D. Howe. Roll call: L. Gregory-Y, D. Howe-Y, A. Vispoli-Y, Gilbert-Y. Motion passes 4-0-1 Chris Huntress abstained.</p>
P29	<p>General Bylaw Amendment – Outdoor Dining or Retail License Bylaw.</p>

	Laura Gregory moved to recommend approval of WA P29 as presented. Motion seconded by Alex Vispoli. Roll call: L. Gregory-Y, A. Vispoli-Y, C. Huntress-Y, D. Howe-Y, A. Gilbert-Y. Motion passes 5-0.
P30	Amend Andover Zoning Bylaw Article VIII Chris Huntress moved to recommend approval of WA P30 as presented. Motion seconded by Alex Vispoli. Roll call: C. Huntress-Y, L. Gregory-Y, D. Howe-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 5-0.
P33	Amendment of Open Space Land Acquisition Bonding Appropriations. Alex Vispoli moved to recommend approval of WA P33 as presented. Motion seconded by Laura Gregory. Roll call: L. Gregory-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 4-0. Dick Howe Recused himself from the vote.

**VII. Consent Agenda**

A. Appointments by the Select Board

Alex Vispoli moved that the Select Board vote to approve following appointments as printed. Motion seconded by Chris Huntress. Roll call: A. Vispoli-Y, C. Huntress-Y, L. Gregory-Y, D. Howe-Y, A. Gilbert-Y. Motion passes 5-0.

Department	Name	Position	Rate/Term	Date of Hire
Town Clerk	Kenneth Gasse	Poll worker	\$9.25/hour	3/29/2021

B. Appointments by the Town Manager

Laura Gregory moved that the Board vote to approve the following appointments by the Town Manager. Motion seconded by Alex Vispoli. Roll call: A. Vispoli-Y, D. Howe-Y, C. Huntress-Y, L. Gregory-Y, A. Gilbert-Y. Motion passes 5-0.

Department	Name	Position	Rate/Term	Date of Hire
Facilities	Gary McKenney <i>(Michael Gillespie)</i>	Custodian	\$24.09/hour	4/19/2021
Youth Services	Samantha Racca	Seasonal	\$13.50/hour	3/30/2021
Master Plan Steering Committee	Morgan von Prella Pecelli	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Ann Knowles	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	James Bonfanti	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Lelani Foster	Member	Term Expires 6/30/2024	4/5/2021



Master Plan Steering Committee	Brian Masterson	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Matthew Quinlan	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Melissa Cryan	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Richard Padova	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Allison Lex	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Patricia Bechard	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Michael Shyu	Member	Term Expires 6/30/2024	4/5/2021
Master Plan Steering Committee	Amy Brearley	Member	Term Expires 6/30/2024	4/5/2021

**VIII. 2021 Board of Selectmen Meetings**

A. Board to accept the following Board of Selectmen Meeting Schedule:

May 3, 2021, May 17, 2021, June 21, 2021, July 19, 2021, August 2, 2021, and August 16, 2021.

Alex Vispoli moved to accept the following meeting schedule as printed for 2021. Motion seconded by Chris Huntress. Roll call: C. Huntress-Y, L. Gregory-Y, D. Howe-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 5-0.

**IX. Approval of Minutes**

A. Board to approve minutes from the following meetings:

March 9, 2021, March 17, 2021, March 18, 2021, and March 19, 2021.

Laura Gregory moved to approve the Meeting Minutes of March 9, 2021, March 17, 2021, March 18, 2021, and March 19, 2021. Motion seconded by Chris Huntress. Roll call: L. Gregory-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y. D. Howe- abstained. Motion passes: 4-0-1

**X. Executive Session**

Chris Huntress moved that the vote to go into Executive Session for confidential communication with Town Counsel and pursuant to option 6 to discuss the purchase,

exchange, lease or value of real property, for the Chair to declare that an open session may have a detrimental effect on the negotiating position of the Town; and not to return to open session. The Chair so declared. Motion seconded by Dick Howe.

Roll call: A. Vispoli-Y, L. Gregory-Y, C. Huntress-Y, D. Howe-Y, A. Gilbert-Y.

Motion passes 5-0.

**XI. Adjourn**

The Select Board adjourned from the Regular Meeting of April 5, 2021 at 10:19 PM.

Respectfully submitted,

Dee DeLorenzo

Recording Secretary

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Select Board will be conducted via remote participation to the greatest extent possible. For this meeting, members of the public who wish to watch the meeting may do so in the following manner: Andover TV COMCAST CHANNEL 22 AND VERIZON CHANNEL 45.

Members of the public who wish to provide public comment on an item that is *not* on the agenda may do so by visiting [www.andoverma.gov/JoinSelectBoardMeeting](http://www.andoverma.gov/JoinSelectBoardMeeting). They will be admitted during Citizens Petitions and Presentations.

To ask a question on particular agenda items during the regular meeting can do so by calling 311 from their landline or cell phone within the geographical boundaries of Andover or by calling 978-623-8311 from anywhere or by emailing [manager@andoverma.gov](mailto:manager@andoverma.gov). Residents are encouraged to email their questions ahead of the meeting, however, staff will be available to present the Board with questions received during the meeting. Please include your name and address with your question.

Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town's website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting.