I. **Call to Order**  
Chairman Vispoli called the meeting of the Board of Selectmen to order at 7:30 P.M. in the Board of Selectmen’s Meeting Room at Town Offices. Present from the Board of Selectmen: Annie Gilbert, Chris Huntress, D. Koh, Laura Gregory, and Alex Vispoli. Also present: Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, Town Counsel, Tom Urbelis, and Town Clerk Austin Simko. The meeting was duly posted and cablecast live.

II. **Opening Ceremonies**  
A. **Moment of Silence/Pledge of Allegiance**  
The meeting began with a Moment of Silence followed by Pledge of Allegiance.

III. **Regular Business of the Board**  
Board to review and consider voting to adopt “Small Wireless Facility and similar structures Design Rules and Regulations” and a “Small Cell Wireless Policy”

The Town Manager reported on a meeting held at the State House on Tuesday where it was learned that the FCC put a deadline on municipalities to install 5G and small cell technologies, and it is unclear as to what the local order (timeline) would be for this kind of technology. The Board has the option to adopt a policy, a set of regulations, and an application for providers interested in installing in Andover, by April 14, 2019 or the Town waives their right to regulate this technology. Andrew recommends the Board adopt the 3 documents, then they will create a working group to review them and make recommendations if there are any that they can modify in the future.

The design rules are broad, the process is ambiguous and it will continue to be unless the Board adopts the rules and regulations and set forth in the process. Guidelines have had a preliminary review by Town Counsel and the Planning Board.

The Board shared concerns and talked about the three major carriers (plus others) having their own structures to roll 5G out. Concerns about the height of the poles (32-25 ft.) in alternate locations, and technical limits, is something the working group should look at. Much smaller poles come with the ability to be installed in a lot more spaces and hold a lot more products.

Annie Gilbert said Article 8 Section 6.1 of our current zoning bylaws already covers wireless facilities design standards for all of our wireless communication facilities, and wonders how this new policy will dovetail with our current policies. Tom Urbelis said there will be conflicts with our zoning and conflicts with the Telecommunications Bylaw, and where there is a conflict with the FCC having jurisdiction there will be some court
cases coming forward. Discussion on the bylaw and co-location of boxes. Order of
operations is to pass the policy now and then look at amending our current bylaw or
create a new bylaw.

Dan Koh moved that the Board vote to adopt and approve the Town of Andover Policy
for Application for Small Cell Wireless Installations, the Town of Andover Applications
for Small Cell Wireless Installation Cover Sheet, and the Town of Andover Small Cell
Wireless Facility and similar structures Design Rules and Regulations as amended.
Laura Gregory seconded the motion. The motion was approved on a vote of 5-0.

Laura Gregory recommended that after item #11 is removed from the Design
Guidelines, the pages be renumbered.

B. Article 1 of April 30, 2019 Special Town Meeting - Vicor Tax Increment Financing
   Agreement
   Board to consider voting to recommend approval of Article 1 of the April 30, 2019
   Special Town Meeting.

The Town Manager shared two items of the TIF proposal that have changed and which
benefit the Town. The first item speaks to when the Town can being receiving revenue.
The Town will begin receiving incremental revenue as soon as construction starts, Year 1
will begin when the Certificate of Occupancy is issued. From Year 1-6 revenue of
permits will be collected (est. $400,000). 2. VICOR has to create 40 new jobs and retain
100% of what their head count is today.

Laura Gregory, said we should clarify some floor limitation on the size of the project in
order for a TIF to apply. The Town Manager said if Town Meeting approves the Article,
it will come back to the Board to be signed and allow flexibility for changes to be made,
but he expects it will be addressed before the Town Meeting vote. The entire TIF
Agreement will be available on a link on the front-page of the Town’s website starting
tomorrow.

Laura Gregory read the recommendation from the Finance Committee who
recommended approval on a 7-0 vote.

Chris Huntress stated that VICOR’s base tax today should not get the benefit of the TIF.
Dan Koh, is inclined to vote for the TIF, but hopes we are not here in 6 years with
another TIF agreement, VICOR has done amazing work in this community and hopes
they stay in Andover, it is important for Andover to create incentives for companies to
stay here.

On a motion by Chris Huntress and seconded by Annie Gilbert, the Board voted 5-0 to
recommend approval of Article I.
IV. **Executive Session**  
Laura Gregory moved that the Board go into Executive Session to conduct a strategy session for negotiations with non-union personnel (Town Accountant, Haley Green) and also under Purpose 3 for the purposes of discussing potential litigation which the Chair has determined a public session would have a detrimental effect on the town’s potential litigation position and not to return to open session. The motion was seconded by Chris Huntress. Roll call: A. Gilbert-Y, C. Huntress-Y, D. Koh-Y, L. Gregory-Y, and A. Vispoli-Y.

V. **Adjourn**  
At 8:10 P.M. the Board adjourned from the Regular Session of April 11, 2019 and moved to Executive Session, not to return to Open Session.

Respectfully submitted  
Dee DeLorenzo  
Recording Secretary  
*April 11, 2019*