

# Select Board Meeting

---

---

Monday, May 3, 2021

Virtual Meeting Broadcast on Comcast Channel 22 Verizon Channel 45

---

---

## I. Call to Order

Chairperson Annie Gilbert called the Select Board Meeting of Monday, May 3, 2021 to order at 7:00 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, and Jemma Lambert, Director of Community Services.

## 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. Communications/Announcements/Liaison Reports

The Town Manager made the following announcements:

- The 2021 paving season is about to begin, the street listings and interactive map is available on the Andover website. <https://andoverma.gov/>
- Nominations for the Virginia Cole Award are open through May 14<sup>th</sup>; the nomination forms are on the Andover website. <https://andoverma.gov/>
- Public Outreach for the Integrated Financial Plan will continue to be held on Tuesday nights through June 5<sup>th</sup> and Virtual Office Hours for questions about the plan on Thursdays. The process is going exactly as hoped, the version of the plan is different than what it was when we started. They look forward to continuing the community dialogue.
- The Steering Committee for the Master Plan will kick off their forum this Thursday.

Mike Lindstrom said the public comment period for Andover Community Power is open and available on the Town Website until May 17<sup>th</sup>.

Austin Simko reported that the last date to register to vote at the June 5<sup>th</sup> Town Meeting is Monday, May 17<sup>th</sup>; the Town Clerk's office will be open until 7:00 PM. The June 15<sup>th</sup> Special Election ballots are ready and residents can email the Town Clerk's Office to request a ballot by mail.

Laura Gregory shared that Memorial Hall Library is offering a program on Wednesday May 5<sup>th</sup> at 6:30 PM via Zoom titled: The Ethics of Anti-Racism: A Virtual Evening with Dr. Eddie S. Glaude. Sign up is available on the MHL Website.

Alex Vispoli congratulated the Free Christian Church in Andover who is celebrating the 175<sup>th</sup> anniversary of their founding this year. There is an outdoor display showing the

history of the church. Alex and Annie Gilbert both attended a ceremony at the church to celebrate the event.

Annie Gilbert acknowledged the Dept. of Public Works for hosting the neighborhood clean-up last weekend that included 26 different teams of residents who cleared up 19 sections of the Town on Earth Day. Annie also pointed out that there is a wonderful large-scale woven art mural on display on the fence at the Andover Center for History & Culture on Main Street. The mural was created by Andover residents Emily O'Hara, Molly Foley, and Morgan von Prelle Pecelli.

**IV. Citizens Petitions and Presentations**

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

**V. Public Hearings**

A. Monarch Lane Street Acceptance

Board opened a public hearing at 7:09 PM to consider the layout and acceptance of Monarch Lane as a Public Way. Tom Urbelis said this request was on the warrant but there is a title problem with regard to the street that has to be rectified with the land court that will take a while. The Planning Board recommended that it not be laid out at this time and that it will be withdrawn from the Town Warrant.

Dick Howe moved that the Board to vote to not layout Monarch Lane and to recommend withdrawal of Article 2 at Town Meeting. Motion seconded by Alex Vispoli. Roll call: A. Vispoli-Y, D. Howe-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 4-1. Chris Huntress abstained.

**VI. Regular Business**

A. Acceptance of Open Space Deed – Monarch Lane Open Space Lot

Board to consider voting to accept of the deed from Twin Birch Development, LLC, for the open space lot in the Monarch Woods Subdivision, to be under the care, custody, control and management of the Conservation Commission. Tom Urbelis reported that approximately 3 acres of open space is to be conveyed to the Town. The Conservation Commission has already signed off on the deed and the Board is being asked to take a vote to authorize the Chair to sign the deed which will then be recorded at the Registry.

Laura Gregory moved that the Select Board accept the deed from Twin Birch Development, LLC to the Open Space off Monarch Lane located in the Monarch Woods subdivision and authorize the Chair to sign the acceptance on behalf of the Select Board. Motion seconded by Alex Vispoli. Roll call: L Gregory-Y, A. Vispoli-Y, D. Howe-Y, A. Gilbert-Y. Chris Huntress abstained. Motion passes 4-1.

B. 375<sup>th</sup> Anniversary Gift Acceptance and Expenditure

Board to consider voting to accept gifts and approve expenditures pertaining to the town's 375<sup>th</sup> Anniversary Celebration. Paul MacKay of the 375<sup>th</sup> Committee reported that they intend to do some fundraising to support all of the events they are planning. To expediate the process as much as possible, they are requesting the Board allow them

to take in donations and make expenditures without having to come to the Board each time. The donations and expenditures would be for the events and promotions previously outlined.

Alex Vispoli asked if all of the expenses will come out of these gifts. The Town Manager said the majority of the costs will come through this mechanism, but there could be some other expenses paid out of the budget (ancillary costs) that support celebrations.

Alex Vispoli moved for the Select Board to accept gifts and approve expenditures pertaining to the Town's 375<sup>th</sup> Anniversary Celebration. Motion seconded by Dick Howe. Roll call: D. Howe-Y, C. Huntress-Y, L. Gregory-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 5-0.

#### C. Robb Center Room Naming

Board to consider voting to approve sponsored room names and a process for approving engraved bricks at the Robb Center. The Town Manager said that donors could donate a sum of money to have a room named for a company or for someone; this was part of the project and a critical piece of the discussion. The Board passed a naming policy, and now the Town Manager is asking the Board to approve all of the naming of the spaces in the Senior Center. A memo listing the requests has been provided to the Select Board. They are they are also seeking approval for the engraving of the bricks purchased.

Paul MacKay said they received a sponsorship for a number of the rooms, 240 engraved bricks were purchased, and they sold a number of benches. The total funds raised to date (net of expenses) is in excess of more than \$450,000; the goal was \$500,000 and they have two more months to raise additional funds. Annie Gilbert said part of the naming policy adopted by the Select Board references the fact that the use/function of any named room could change at some point in the future.

Alex Vispoli moved that the Select Board approve the sponsored room names as printed and also a process for approving the engraved bricks and benches at the Robb Center. Motion seconded by Chris Huntress. Roll call: D. Howe-Y, C. Huntress-Y, A. Vispoli-Y, L. Gregory-Y, A. Gilbert-Y. Motion passes 5-0.

#### D. Diversity Audit

Board to hear findings and recommendations from Diversity Audit.

The Town Manager said that a Community Forum on Diversity Equity, and Inclusion was held almost a year ago. At that time, we committed to hold a community-wide assessment kicking off 10-months of work to develop a better understanding of the areas we need to move forward with as an organization and as a community. Mr. Flanagan thanked Jemma Lambert, Director of Community Services, who has done extraordinary work in leading this effort. The Town Manager also thanked Rick Pinderhughes from Visions Inc. and the supporting cast of residents who have been actively involved. Jemma Lambert said we would not have been able to move this important work forward without the help of the many community volunteers.

Mr. Pinderhughes shared the results of the survey which yielded over 1,400 responses and findings from the focus groups with residents on the racial climate in Andover and how the community is responding. Over 700 of the 1,400 respondents filled out the three open-ended questions. Most of the respondents had a lot to say about strengths, and challenges and about recommendations that they put a lot of effort in terms of suggestions.

The presentation included a summary of key Andover challenges and the findings which included lots of strengths showing and that Andover is very welcoming and organized. The schools are seen as very effective in engagement and building skills to respond to conversations in the classroom and facilitating. Town Community Service was seen as very strong, especially the employees at the Memorial Hall Library who continue to offer events on diversity. Elder and Youth Services was also cited for their support. The perception is that Andover and is a well-intentioned community. The Town support for Businesses and the Faith Community are both very strong. Town Leadership was seen as committed and that we are engaging in this process and showing persistence in moving this along, as well as the attempt to make affordable housing in the community which was seen as a positive. School Curriculum was seen as needing adjustments, relevant to the overall cultural conversations in education today to balance current and historic perspectives.

Some of the key challenges included: The lack of diversity in many different sectors (School and Town Leadership). A significant amount of response of people not wanting to engage in conversations. Other responses included: Andover needs more community cultural events, frequent instances of demeaning comments experienced and observed, stereotype based on race including gender and class. Reports that people of color are stopped more frequently than whites and often in their own neighborhood. The Town does not effectively intervene when made aware of concerns.

Recommendations from the survey and the focus groups, showed it was clear the representation piece was on people's mind. Hiring a more diverse workforce is seen as one of the most needed and recommended action steps by the community. Training is needed for town employees, leadership, school staff and faculty, boards, elected officials and interested community and faculty to build the skills to effectively participate in and implement a long-term initiative to improve the racial climate and culture. Provide opportunity for all employees and leadership to improve skills for having cross cultural, challenging conversations; enhance problem-solving using a multicultural lens.

The complete report is posted on the Town's website on the main page and can also be found on the Andover Diverse Webpage accessed through the Community Services Page.

Jemma Lambert said that the Diversity Commission is new and hugely diverse with a lot people who are well equipped to move all of this forward. In the short term, she envisions have a public meeting in the next few weeks followed by an open Commission Forum and then a full-day retreat to discuss what they would like to do in what order. They will be setting a strategic direction as a group.

Laura Gregory thanked everyone who worked in the group and completed the surveys, it was an excellent report. She thinks that representation may be a challenge but something we need to work hard on. She is very interested in learning more and having trainings for boards which is essential. We work really hard to communicate as well as we can, but we are missing a significant group of people, how can we do better? The Board is restricted to Open Meeting Law constricting them to the timing of their responses and one of the reasons there is a problem in their being responsive.

In response to the comments indicating that there is a feeling that nothing will ever change, Annie Gilbert hopes that the Board can ensure that this topic stays on the front burner and incorporate this work on a real-time basis.

#### E. Town Governance Study Committee

Board to receive update from Town Governance Study Committee regarding the committee's recommendations relative to Andover's form of government.

Several members of the Town Governance Study Committee were present. Chair of the Committee, Jon Stumpf, thanked the Board for inviting them to the meeting. The overview began with the process and forms of government. Paula Colby-Clements discussed various town governments they looked at noting that they held seven public forums, 25 sub-committee meetings, and received 42 online feedback submissions. They examined models of government in various communities and identified Andover's strengths and weaknesses.

The Committee deliberated on Representative Town Meeting, Council-Manager, and Open Town Meeting and unanimously voted to recommend an Open Town Meeting with Reform. Political infighting or rapid growth or other changes were not identified as problems in Andover. Town Meeting defects include low attendance, uneven representation and bad decisions. Decisions in Andover can be made as a community and friends and neighbors are the ultimate check and balance in Town Meeting. Generally, 500 residents attend the Annual Town meeting with up to 2,500 residents attending for the big issues.

Benefits of Open Town Meeting include having a unique right to sponsor debate and vote, attendance, and only you can represent you best. Decisions drawn on the talented population and the maximum transparency must persuade the community as a whole. Residents who don't attend are well represented by many others that do attend. All communities can speak for themselves. People who come to our open town meeting are engaged, the size alone should not dictate who we are. Andover's Town Meeting still represents us well.

Paula discussed the forms of alternative governance, what the arguments were and why towns chose the form of government they did. They took real arguments from the community and delved into them.

Austin Simko said the Committee looked at various reforms which included the following: Adoption of in-person and electronic voting which will shorten the meeting and allow for confidential voting. Recommend consolidation of discussion of related articles even if separate votes are required. Support Town Meeting endorsement of conduct that is civil, honest, respectful of the time of others, and respectful of the rights of others to vote. Encourage submission of amendments for public review prior to Town Meeting and give priority in consideration to those amendments that are pre-filed. Prohibit events on Town/School property during Town Meeting nights. Provide pre-Town Meeting discussion of articles virtual and in-person streamed and recorded. Provide online Town Meeting training videos to improve the process and provide a welcome packet to orient new residents on Town Meeting. They also recommend that remote electronic voting be actively explored by the Town as technological and legal dimensions are better understood over time.

Jon Stumpf reviewed the next steps and dates with other items that still need to be considered. A report will be completed by November and issued in December. In April 2022, they will advise the Select Board and help to plan for the Annual Town Meeting. The Board thanked the Town Governance Committee for the very thoughtful and informative presentation and process and for extending the process due to COVID.

F. Reopening and Closing Town Meeting Warrant

The Town Manager reported on the request to open and close the Annual Town Meeting Warrant in order to replace the existing Article P-34 Land acquisition which they are modifying to include the actual parcels being voted on and to pull Article P-34, Shawsheen School-home rule to close the school and to wait until the project passes this year and vote next year on this Article in 2022.

Dick Howe moved that the Board re-open the 2021 Town Meeting Warrant to replace the existing Article P-34 Land Acquisition and to remove Article P-34 Shawsheen School and to close the warrant. Motion seconded by Alex Vispoli. Roll call: L. Gregory-Y, D. Howe-Y, A. Vispoli-Y, C. Huntress-Y, A. Gilbert-Y. Motion passes 5-0.

Town Articles	
P4	Fiscal Year 2022 Budget \$ 202,928,693 Chris Huntress moved to recommend approval of WA 4, the FY 2022 Operating Budget totaling \$205,050,163, less budgeted revenues of \$2,121,470 for a net total of \$202,928,693. Motion seconded by Laura Gregory. Roll call: L. Gregory-Y, C. Huntress-Y, D. Howe-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 5-0
P32	Street Acceptance – Monarch Lane (vote taken earlier in the meeting)
P34	Land Acquisition: 138 Chandler Rd. 44.41 acres in the amount of \$4,025,000. Laura Gregory moved to recommend approval of WA 34 Land Acquisition. Motion seconded by Alex Vispoli. Roll call: L. Gregory-Y, A. Vispoli-Y, D. Howe-Y, C. Huntress-Y, and A. Gilbert-Y. Motion passes 5-0.

G. Annual Town Meeting Warrant

Alex Vispoli moved that the Select Board sign the 2021 Annual Town Meeting Warrant as printed. Motion seconded by Chris Huntress. Roll call: D. Howe-Y, C. Huntress-Y, A. Vispoli-Y, L. Gregory-Y, A. Gilbert-Y. Motion passes 5-0.

H. Annual Town Meeting Articles

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

Private Articles	
P35	Merrimack River Solid Waste Collection & Removal Project from Free Cash. Alex Vispoli moved to recommend disapproval of Article P5. Motion seconded by Chris Huntress. Roll call: C. Huntress-Y, A. Vispoli-Y, D. Howe-Y, L. Gregory-Y, and A. Gilbert-Y. Motion passes 5-0.
P36	Form of Government Ballot Question presented by Joe Albuquerque. Alex Vispoli moved to recommend disapproval of Article P-36 as written. Motion seconded by Dick Howe. Roll call: A. Vispoli-Y, D. Howe-Y, L. Gregory-Y, C. Huntress-Y, and A. Gilbert-Y. Motion passes 5-0.
P37	Town Election Date presented by Joe Albuquerque Alex Vispoli moved to recommend disapproval of P37. Motion seconded by Dick Howe. Roll call: D. Howe-Y, C. Huntress-Y, L. Gregory-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 5-0.
P38	Terms for Boards, Committees & Commissions presented by Joe Albuquerque. Dick Howe moved to recommend disapproval of P38. Motion seconded by Alex Vispoli. Roll call: D. Howe-Y, A. Vispoli-Y, C. Huntress-Y, L. Gregory-Y, A. Gilbert-Y. Motion passes 5-0.
P39	Noise and Vibration Standards Bylaw presented by Joe Albuquerque. Laura Gregory moved to recommend disapproval of P39. Motion seconded by Dick Howe. Roll call: L. Gregory-Y, D. Howe-Y, A. Vispoli-Y, C. Huntress-N, A. Gilbert-Y. Motion passes 4-1.

VII. Consent Agenda

A. Appointments by the Town Manager

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

Department	Name	Position	Rate/Term	Date of Hire
Fire Rescue	Michael Oteri <i>(William Loehr)</i>	Lieutenant	\$100,227.61/year	5/2/2021
Public Works	Randy Farnan <i>(Matthew Byrne)</i>	Equipment Operator I	\$56,001.20/year	5/4/2021

Police Department	Alexander King <i>(David Carriere)</i>	Patrolman	\$54,148.49/year	5/10/2021
Police Department	Benjamin Hardy <i>(William Bruner)</i>	Public Safety Communicator	\$53,576.41/year	5/16/2021
CD&P – Planning	Rebecca Anoli	Part-Time Administrative Secretary	\$24.00/hour	5/4/2021

**VIII. Approval of Minutes**

A. Board to approve minutes from the following meetings:

Laura Gregory moved to approve the Minutes of March 24, 2021 as printed. Motion seconded by Alex Vispoli. Roll call: L. Gregory-Y, A. Vispoli-Y, C. Huntress-Y, A. Gilbert-Y. Motion passes 4-1. Dick Howe abstained.

Laura Gregory moved to approve the Minutes of April 5, 2021 as printed. 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.

**IX. Adjourn**

At 10:43 PM Alex Vispoli moved to adjourn from the meeting of May 3, 2021. The motion was seconded by Chris Huntress. Roll call: C. Huntress-Y, D. Howe-Y, L. Gregory-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 5-0.

Respectfully submitted,

Dee DeLorenzo  
Recording Secretary