

Select Board
Minutes of Tuesday, October 12, 2021
Virtual Meeting

I. Call to Order

Chairperson Chris Huntress called the Select Board Meeting of Tuesday, October 12, 2021 to order at 6:00 PM. Other members in attendance: Laura Gregory, Annie Gilbert, Alex Vispoli, Dick Howe.

Others in Attendance: Town Manager, Andrew Flanagan, Deputy Town Manager, Mike Lindstrom, Assistant Town Manager, Patrick Lawlor, Town Counsel Tom Urbelis, Interim Town Clerk, Melissa Ripley.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence and a Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

Andrew Flanagan announced that the Town has received the Distinguished Budget Award, the highest honor that can be given to any municipality for their budgeting efforts. The Town Manager thanked Patrick Lawlor and Donna Walsh who led the budget process and also the entire Finance Team. The Town Manager announced that the first meeting of the Town Seal Committee will be held tomorrow at 9:30 AM.

Tom Urbelis reported that a request of eight specific items was submitted to the Board from Michael Meyers that he wanted the Board to have for tonight's meeting and copied the Attorney General. Atty. Urbelis read the response from the Attorney General and the Asst. General, Sara Monahan who said the Open Meeting Law (OML) poses no obligation on Chairs of public bodies to place items on the agenda unless the Chair anticipates discussing a particular topic. The law requires that a meeting notice listing all topics the Chair reasonable anticipates be posted 48 hours in advance. The Chair does not violate the OML by not including topics or a notice not to discuss such topics at a meeting; the OML does not require a public body to allow public participation, but rather provides that no person shall address a meeting of a public body without permission of the Chair and all persons shall at the request of the Chair be silent. The law permits the Chair to decide who may speak at a meeting and for how long. The OML does not specify that a public body must take up any particular topics at the meeting or to describe certain details to be discussed even if the topic is included in a meeting notice.

Alex Vispoli congratulated ANDONA on a very successful Town Clown this past weekend. He also reported that the Town Manager's prior and present employment contracts are listed on the Town Website. Laura Gregory is pleased that the Town Seal Committee is meeting tomorrow and looks forward to moving this project along. Chris Huntress shared that it was a big day in Ballardvale today when the old fire station that served our community for over 100 years was taken down. The Ballardvale Preservation Committee salvaged posts and beams from the old fire station which will be cleaned and placed in the new fire station.

The Chair noted that Item C on tonight's agenda, establishment of the Town Manager's Salary, is being tabled to October 25, 2021 which will be an in-person meeting.

IV. Citizens Petitions and Presentations – None

V. Regular Business

<https://andoverma.gov/DocumentCenter/View/10102/10122021-Historic-Mill-District-Update>

A. Disposition of 11 Lewis Street (Old Town Yard)

The Town Manager shared a slide presentation of the different steps in the process that led to this point of the disposition of the Old Town Yard. Funding for the acquisition of 5 Campanelli Drive for the new Town Yard was approved at the 2016 Town Meeting. There were 52 public meetings beginning in February 2018 through February 2021 on the design guidelines and plans. A Request for Proposal (RFP) was put out in the marketplace for developers to respond to on March 8, 2021. The RFP for the disposal of 11 Lewis Street was issued on March 8, 2021.

The Town Yard Selection Committee was appointed on January 11, 2021, and identified four finalists based and ranked on the RFP criteria from which they developed their recommendation for the Select Board.

As part of the RFP developing process, they surveyed the community asking residents to list the top three items that were important to them which included; experience with redevelopment that is of similar size location and scope, the overall design of the redevelopment plan, and how quickly the redevelopment will take from beginning to end.

The Town Manager is recommending that the Board hold a special meeting for interviews of the finalists and to provide a period for public input. The Board will conduct a site visit, select a developer, and authorize the Town Manager to negotiate the final terms of disposition an agreement.

Chris Huntress suggested that the Board invite the #1 ranked firm for an interview, and then conduct a site visit after which, if they feel inclined to, invite the second ranked firm in for an interview. To be fair and objective, Alex Vispoli would like the top two firms to be interviewed. Laura Gregory agreed it would be useful to see at least two perspectives and Annie Gilbert also agreed to interviewing the top two ranked developers because it was a close vote. It was suggested that they ask the public to submit questions that could be consolidated and presented in the interviews. Alex Vispoli also suggested leaving an option between step 3 and 4 where the Board can go back and ask questions of the developers.

It was suggested that the public watch the previous meetings and presentations by the developers to see to what extent the developers were open to revising their proposals. The Selection Committee has wide expertise in this exact field and their questions were really constructive. Once a date for the first meeting is established, a PR communication will be sent out to the public to submit their questions. The overall timeline to complete the decision on the developer if everything lines up well, is the end of November/first week in December.

Next steps:

- Board to decide how many developers to invite for pre-qualification and interview.
- Board to hold special meeting for interviews – 1st reading will allow questions in advance which will be consolidated.
- Site visit.
- Board to vote to select a developer and authorize the Town Manager to negotiate the final terms of land disposition agreement - 2nd Reading.

Annie Gilbert moved that the Board approve the next steps of the Selection Process for the Disposition of 11 Lewis Street and that the community has an opportunity to submit questions. Motion seconded by Dick Howe. Roll call: A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y, D. Howe-Y, C. Huntress-Y. Motion passes 5-0.

A. Update on Pension Obligation Bonds (POB)

The Town Manager and Andrew Gribbel, Chair of the Investment Advisory Committee, (IAC) spoke to their recommendations and moving forward with the Pension Obligation Bonds. At the last meeting of the IAC, Andrew Gribble said the IAC unanimously voted to approve the recommendation for \$165M for Pension Obligation Bonds which they feel is a sufficient amount to cover the POB and gives us the capacity to borrow more money in the future.

They plan to request proposals from underwriters through October and are looking at an issuance in November 2021. A more formal presentation will be provided at the next meeting of the Select Board where they can vote the acceptance and vote on the actual issuance at a later date.

Members of the Select Board thanked Andy and the entire IAC for the work they have done. The Town Manager said they have more details on the POB at the October 25th Select Board Meeting.

B. Establishment of Town Manager's FY 2022 Annual Salary

Rescheduled to October 25, 2021.

VI. Adjourn

At 6:50 PM Alex Vispoli moved to adjourn the meeting of Tuesday, October 12, 2021.

The motion was seconded by Dick Howe. Roll call: A. Vispoli-Y, A. Gilbert-Y, D. Howe-Y, L. Gregory-Y, C. Huntress-Y. Motion passes 5-0.

Respectfully submitted,

Dee DeLorenzo

Dee DeLorenzo

Recording Secretary

Pursuant to S.2475 "An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency," which was enacted into law on June 16, 2021, this meeting of the Select Board will be conducted via remote participation to the greatest extent possible. The virtual meeting will be broadcast on 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. They will be admitted during Citizens Petitions and Presentations.

Members of the public who wish to ask a question on particular agenda item during the regular meeting can speak to a staff member by calling 311 from their landline or cell phone within the geographical boundaries of Andover or call 978-623-8311 from anywhere. Questions can also be emailed during the meeting by emailing manager@andoverma.us. Residents are encouraged to email their questions or comments ahead of the meeting – however, staff will be available to present the Select Board with questions and comments received during the meeting. Please include your name and address with your question or comment.

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 our 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.

MEETINGS ARE TELEVISED ON
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