

## Select Board Meeting

Monday, June 5, 2023 6:30 PM

6:30 PM Executive Session

7:00 PM Regular Session

School Committee Room, School Administration Building  
30 Whittier Court, Andover, MA 01810

ANDOVER TOWN CLERK  
RCUD 2023 JUN 1 PM4:10

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### I. Call to Order – 6:30 P.M.

### II. Executive Session

Board to vote to go into Executive Session pursuant to purpose 3 to discuss strategy with respect to litigation filed by Fusion Learning, and for the Board to vote to approve and not release Executive Session Minutes of April 12, 2023, April 24, 2023 and May 15, 2023; and that the Chair declare that an open session may have a detrimental effect on the litigation position of the Town and to return to open session.

### III. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

### IV. Communications/Announcements/Liaison Reports

### V. Citizens Petitions and Presentations

### VI. Public Hearings

A. National Grid Request to Construct a Line of Underground Electric Conduits – Main Street and Locke Street

Board to review and consider voting to approve a petition from Massachusetts Electric Company d/b/a National Grid to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public ways of Main Street and Locke Street.

B. National Grid Request to Construct a Line of Underground Electric Conduits – Reservation Road

Board to review and consider voting to approve a petition from Massachusetts Electric Company d/b/a National Grid to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way of Reservation Road.

### VII. Regular Business

A. Land Disposition Agreement – 11 Lewis Street – 1<sup>st</sup> Reading

Board to receive an update on the Land Disposition Agreement between the Town of Andover and Minco Development and the revised Conceptual Program and Plan for the property located at 11 Lewis Street.

B. Review of Financial Considerations Discussion from the May 31, 2023 Joint Meeting of the Select Board, Finance Committee and Andover High School Building Committee

Board to review and discuss the financial considerations relating to a potential Andover High School Building Project.

C. Zoning Board of Appeals Appointments

Zoning Board of Appeals Subcommittee to recommend the appointment of one regular member and two associate members to Zoning Board of Appeals to terms that will expire on June 30, 2026. Board to consider voting to approve Subcommittee's recommended appointments.

D. Bond Anticipation Note

Board to vote to approve the issuance and details of a bond anticipation note.

**VIII. Consent Agenda**

A. Appointments by the Town Manager

Board to vote that the following appointments by the Town Manager be approved.

Department	Name	Position	Rate/Term	Date of Hire
Memorial Hall Library	Molly McIntyre <i>(Katherine Dugan)</i>	Children's Librarian	\$65,350.19/yr	6/6/2023
Andover Police Department	Ulises Perez <i>(Daniel Vining)</i>	Patrol Officer	\$67,037.44/yr	6/20/2023
Emergency Management	Patrick Keefe	Director	Term Expires 6/30/2024	7/1/2023
Forest Warden	Michael Mansfield	Fire Chief	Term Expires 6/30/2024	7/1/2023
Keeper of the Lockup	Patrick Keefe	Police Chief	Term Expires 6/30/2024	7/1/2023
Merrimack Valley Planning Commission	Jacki Byerley	Member	Term Expires 6/30/2024	7/1/2023
Merrimack Valley Regional Transit Authority	Jacki Byerley	Member	Term Expires 6/30/2024	7/1/2023
Merrimack Valley Regional Transit Authority	Paul Materazzo	Alternate	Term Expires 6/30/2024	7/1/2023
Merrimack Valley Regional Transit Authority	Lisa Schwarz	Alternate	Term Expires 6/30/2024	7/1/2023
Patriotic Holiday Committee	Mark Comeiro	Member	Term Expires 6/30/2024	7/1/2023
Patriotic Holiday Committee	Michael Mansfield	Member	Term Expires 6/30/2024	7/1/2023

Patriotic Holiday Committee	Calvin Perry	Member	Term Expires 6/30/2024	7/1/2023
Patriotic Holiday Committee	Brian Masterson	Member	Term Expires 6/30/2024	7/1/2023
Patriotic Holiday Committee	R. Scott Parrish	Member	Term Expires 6/30/2024	7/1/2023
Patriotic Holiday Committee	H. Francis Rittershaus	Member	Term Expires 6/30/2024	7/1/2023
Patriotic Holiday Committee	Andrew Sievert	Member	Term Expires 6/30/2024	7/1/2023
Patriotic Holiday Committee	James Bedford	Member	Term Expires 6/30/2024	7/1/2023
Patriotic Holiday Committee	Stephen Wallingford	Member	Term Expires 6/30/2024	7/1/2023
Town Seal Review Committee	Andrew Flanagan	Member	Term Expires 6/30/2024	7/1/2023
Town Seal Review Committee	Karen Van Welden-Herman	Member	Term Expires 6/30/2024	7/1/2023
Town Seal Review Committee	John Hess	Member	Term Expires 6/30/2024	7/1/2023
Town Seal Review Committee	Elaine Clements	Member	Term Expires 6/30/2024	7/1/2023
Town Seal Review Committee	Melissa Litton	Member	Term Expires 6/30/2024	7/1/2023
Town Seal Review Committee	Thomas Adams	Member	Term Expires 6/30/2024	7/1/2023
Veteran Service Agent	Mark Comeiro	Agent	Term Expires 6/30/2024	7/1/2023

**IX. Adjourn**

*If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Kathryn Forina in the Town Manager's Office at 978-623-8215 or by email at [kathryn.forina@andoverma.us](mailto:kathryn.forina@andoverma.us)*

**MEETINGS ARE TELEVISED ON  
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45**

Questions contact Dave Boucher 978-725-1461

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the Board of Selectmen  
Of Andover, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Locke St. - National Grid to relocate (1) JO pole 1294 on Locke St. beginning at a point approximately 183' SW of the centerline of the intersection of Main St. and continuing approximately 20' in a SE direction for new customers driveway. New JO pole 1294 will be located approximately 12' SW of existing old pole 1294 and installed is by the electric company. Once all utilities have been transferred to new pole, old pole will be removed.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - Locke St. - Andover, Massachusetts.

30385028

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a  
NATIONAL GRID *Dave Johnson/lla*

BY \_\_\_\_\_  
Engineering Department

VERIZON NEW ENGLAND, INC.

BY \_\_\_\_\_  
Manager / Right of Way

November 28, 2022

TOWN OF ANDOVER, MASSACHUSETTS



RECEIVED  
TOWN CLERK'S OFFICE  
AND JAN 26 AM 9:39  
TOWN OF ANDOVER, MASS

PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: nationalGRID 30385028  
PROJECT MANAGER NAME: David Boucher  
PROJECT MANAGER CONTACT NUMBER: 978-314-5069  
LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:  
  
\*PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL\*  
PICTURES HAVE BEEN ATTACHED YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

DPW  
SUPPORT PROJECT ( YES / NO ) SIGNATURE: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
COMMENTS:

POLICE DEPARTMENT  
SUPPORT PROJECT ( YES / NO ) SIGNATURE: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
COMMENTS:

FIRE DEPARTMENT  
SUPPORT PROJECT ( YES / NO ) SIGNATURE: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
COMMENTS:

TOWN OF ANDOVER, MASSACHUSETTS



RECEIVED  
TOWN CLERK'S OFFICE  
2022 JUN 26 AM 8:39  
TOWN OF ANDOVER, MASS

PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: nationalGRID **30385028**

PROJECT MANAGER NAME: David Boucher

PROJECT MANAGER CONTACT NUMBER: 978-314-5069

LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:

\*PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL\*

PICTURES HAVE BEEN ATTACHED YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

DPW

SUPPORT PROJECT (YES / NO) **YES** SIGNATURE: *[Signature]*

TITLE: *Town Engineer*

COMMENTS:

POLICE DEPARTMENT

SUPPORT PROJECT (YES / NO) SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMENTS:

FIRE DEPARTMENT

SUPPORT PROJECT (YES / NO) SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMENTS:

TOWN OF ANDOVER, MASSACHUSETTS



TOWN OF ANDOVER, MASS

1999 JUN 26 AM 9:39

RECEIVED  
TOWN ENGINEERING

PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: nationalGRID

PROJECT MANAGER NAME: David Boucher

PROJECT MANAGER CONTACT NUMBER: 978-314-5089

LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:

\*PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL\*

PICTURES HAVE BEEN ATTACHED YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

DPW

SUPPORT PROJECT ( YES / NO ) SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMENTS:

POLICE DEPARTMENT

SUPPORT PROJECT ( YES / NO ) SIGNATURE: *[Signature]*

TITLE: *Chief of Police*

COMMENTS:

FIRE DEPARTMENT

SUPPORT PROJECT ( YES / NO ) SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMENTS:

TOWN OF ANDOVER, MASSACHUSETTS



RECEIVED  
TOWN ENGINEERING  
2008 JUN 26 AM 9:39  
TOWN OF ANDOVER, MASS

PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: nationalGRID

PROJECT MANAGER NAME: David Boucher

PROJECT MANAGER CONTACT NUMBER: 978-314-5069

LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:

\*PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL\*

PICTURES HAVE BEEN ATTACHED YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

DPW

SUPPORT PROJECT ( YES / NO ) SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMENTS:

POLICE DEPARTMENT

SUPPORT PROJECT ( YES / NO ) SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMENTS:

FIRE DEPARTMENT

SUPPORT PROJECT ( YES / NO ) SIGNATURE: *MD Mansfield*

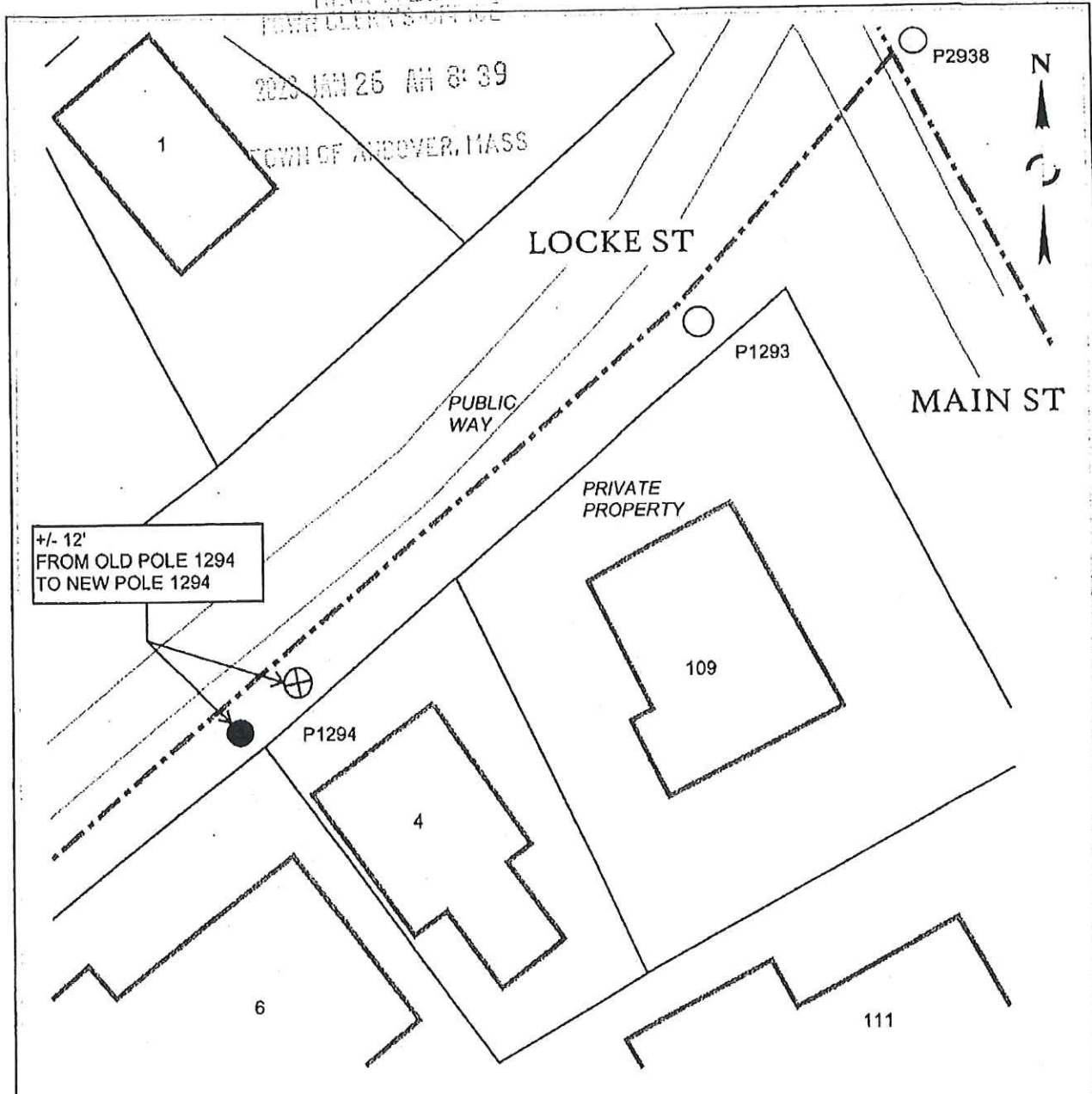
TITLE: *Fire Chief*

COMMENTS:

BLUE PLOT  
PLANNING OFFICE

2023 JAN 25 AM 8:39

TOWN OF ANDOVER, MASS



+/- 12'  
FROM OLD POLE 1294  
TO NEW POLE 1294

### JOINT OWNED POLE PETITION

#### LEGEND

- J.O. POLE TO BE INSTALLED BY ELECTRIC CO
- ⊕ J.O. POLE TO BE REMOVE BY TELCO
- EXISTING J.O. POLE
- OVERHEAD UTILITY LINES

Date: 11/22/22

Drawn by: DJB

DRAWING NOT TO SCALE. DISTANCES ARE APPROXIMATE.

WR # 30385028

## nationalgrid

and Verizon New England, Inc.

To The: TOWN OF ANDOVER MA

For Proposed:  
RELOCATION OF POLE 1294

Location:  
LOCKE ST

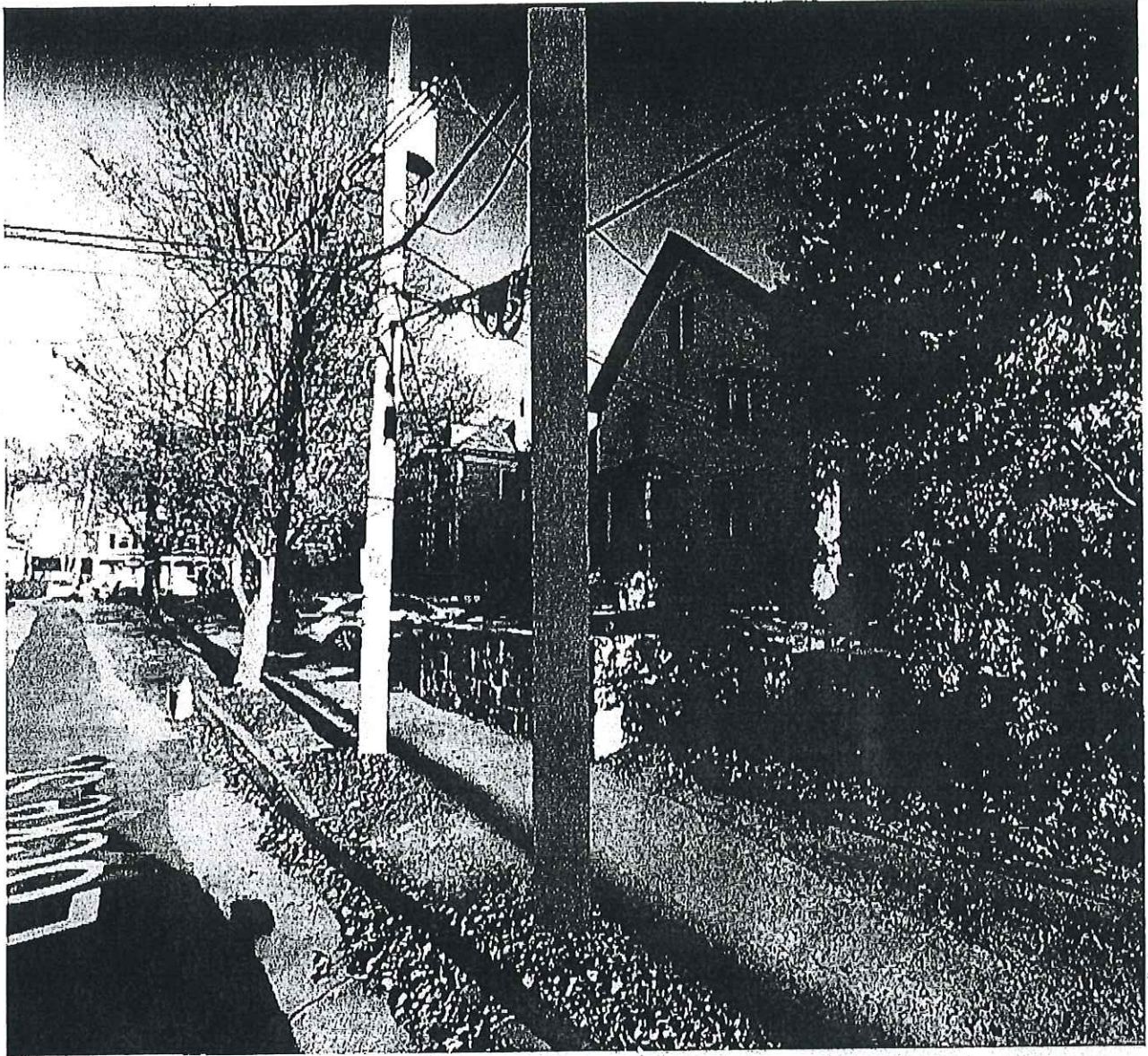
#### Sketch to accompany petition for:

RELOCATING EXISTING J.O. POLE# 1294 APPROX. 12' SW TO  
PROVIDE ACCESS FOR PARKING ON PRIVATE PROPERTY

PRESENT TO  
TOWN CLERK'S OFFICE

2000 JUN 26 AM 8:39

TOWN OF ANDOVER, MASS



Questions contact – Dave Boucher 978-314-5069

Petition of the Massachusetts Electric Company d/b/a National Grid of NORTH ANDOVER,  
MASSACHUSETTS

For Electric conduit Location:

To the Board of Selectmen of Andover, Massachusetts

Respectfully represents the Massachusetts Electric Company d/b/a National Grid of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Reservation Rd - Andover – Massachusetts.

The following are the streets and highways referred to: Plan number # 30737175.

Reservation Rd - National Grid to install beginning at a point approximately 807' feet north of the centerline of the intersection of Cutler Rd and continuing approximately 20 feet in an east direction. Install in Public Way: +/- 40' (2), 3" concrete encased conduits & (1) Heavy Duty Handhole from existing Pole # 10 to entrance of new Private Property home # 107 Reservation Rd to provide electric service.

Location approximately as shown on plan attached

Massachusetts Electric Company d/b/a  
NATIONAL GRID *Dave Johnson*

BY \_\_\_\_\_  
Engineering Department

Dated: February 27, 2023

# TOWN OF ANDOVER, MASSACHUSETTS



## PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: nationalGRID 30737175
PROJECT MANAGER NAME: David Boucher
PROJECT MANAGER CONTACT NUMBER: 978-314-5069
LIST OF ADDRESSES IMPACTED BY PROPOSED WORK: Abutters can be attained through Town office
*PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL*
PICTURES HAVE BEEN ATTACHED YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

<b><u>DPW</u></b>	
SUPPORT PROJECT ( YES / NO )	SIGNATURE: _____
COMMENTS:	TITLE: _____

<b><u>POLICE DEPARTMENT</u></b>	
SUPPORT PROJECT ( YES / NO )	SIGNATURE: _____
COMMENTS:	TITLE: _____

<b><u>FIRE DEPARTMENT</u></b>	
SUPPORT PROJECT ( YES / NO )	SIGNATURE: _____
COMMENTS:	TITLE: _____

# TOWN OF ANDOVER, MASSACHUSETTS



## PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: nationalGRID 30737175  
PROJECT MANAGER NAME: David Boucher  
PROJECT MANAGER CONTACT NUMBER: 978-314-5069  
LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:  
Abutters can be attained through Town office  
\*PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL\*  
PICTURES HAVE BEEN ATTACHED YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

**DPW**  
SUPPORT PROJECT (YES / NO)  YES  NO  
SIGNATURE: [Signature]  
TITLE: Town Engineer  
COMMENTS:

**POLICE DEPARTMENT**  
SUPPORT PROJECT (YES / NO) \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
COMMENTS:

**FIRE DEPARTMENT**  
SUPPORT PROJECT (YES / NO) \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
COMMENTS:

# TOWN OF ANDOVER, MASSACHUSETTS



## PRIVATE UTILITY PETITION CHECKLIST

### TO BE FILLED OUT BY PETITIONER

COMPANY: nationalGRID 30737175

PROJECT MANAGER NAME: David Boucher

PROJECT MANAGER CONTACT NUMBER: 978-314-5069

LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:  
Abutters can be attained through Town office

\*PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL\*

PICTURES HAVE BEEN ATTACHED YES

### TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

**DPW**

SUPPORT PROJECT (YES / NO) SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMENTS:

**POLICE DEPARTMENT**

SUPPORT PROJECT (YES / NO) SIGNATURE: [Signature]

TITLE: Chief

COMMENTS:

**FIRE DEPARTMENT**

SUPPORT PROJECT (YES / NO) SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMMENTS:

# TOWN OF ANDOVER, MASSACHUSETTS



## PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

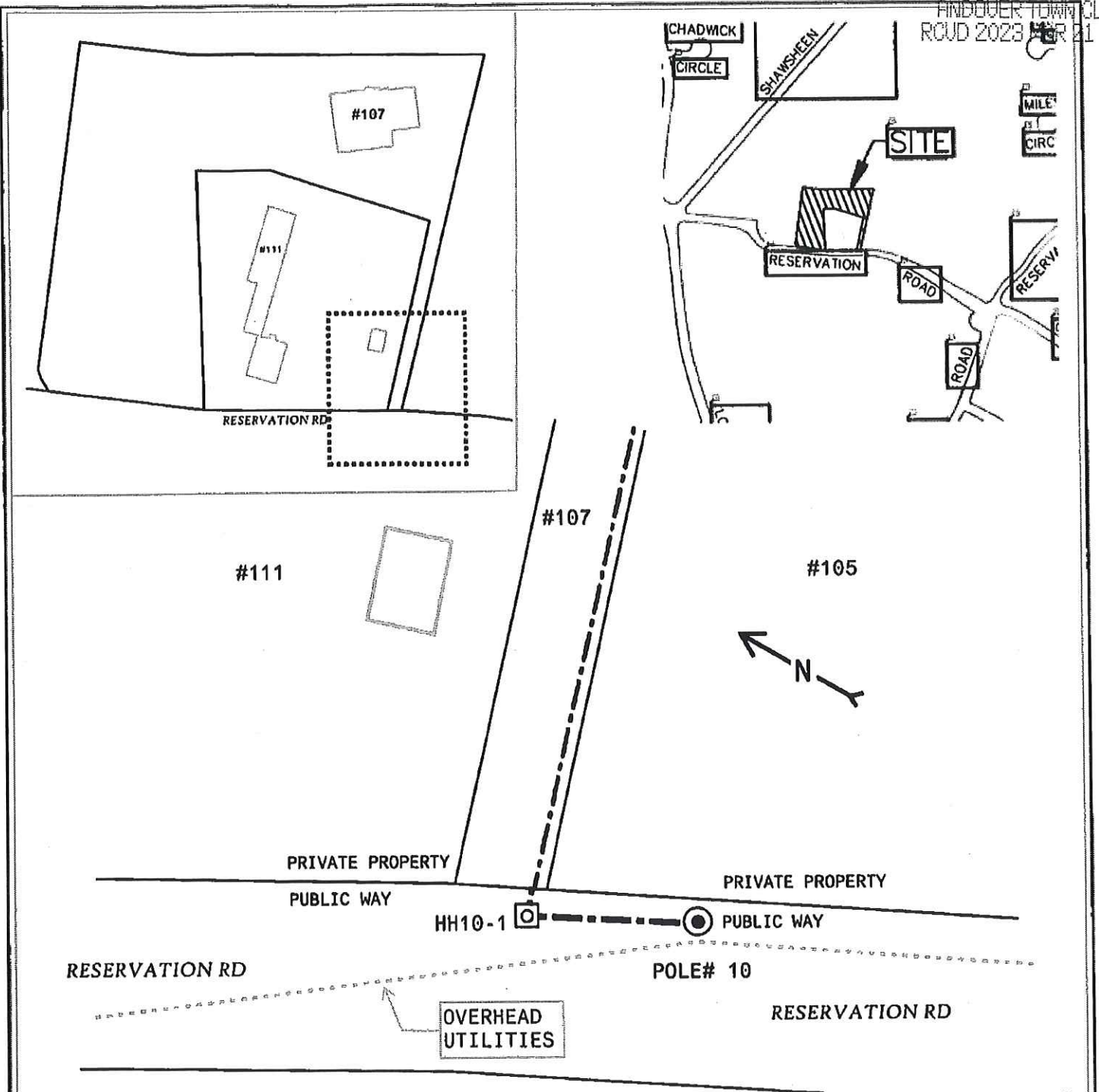
COMPANY: nationalGRID 30737175
PROJECT MANAGER NAME: David Boucher
PROJECT MANAGER CONTACT NUMBER: 978-314-5069
LIST OF ADDRESSES IMPACTED BY PROPOSED WORK: Abutters can be attained through Town office
*PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL*
PICTURES HAVE BEEN ATTACHED YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

<u>DPW</u>	
SUPPORT PROJECT ( YES / NO )	SIGNATURE: _____
COMMENTS:	TITLE: _____

<u>POLICE DEPARTMENT</u>	
SUPPORT PROJECT ( YES / NO )	SIGNATURE: _____
COMMENTS:	TITLE: _____

<u>FIRE DEPARTMENT</u>	
SUPPORT PROJECT ( YES / NO )	SIGNATURE: <i>MO Mansfield</i>
COMMENTS:	TITLE: <i>Fire Chief</i>



**DISTRIBUTION ELECTRIC UNDERGROUND PETITION** Plan Number 30737175

**LEGEND**

- ⊙ EXISTING J.O. POLE
- PROPOSED NEW HANDHOLE
- PROPOSED (2)3" CONCRETE ENCASED CONDUITS

**nationalgrid**

To The: TOWN OF ANDOVER, MA

<b>For Proposed:</b> UNDERGROUND ELECTRIC SERVICE	<b>Location:</b> RESERVATION RD
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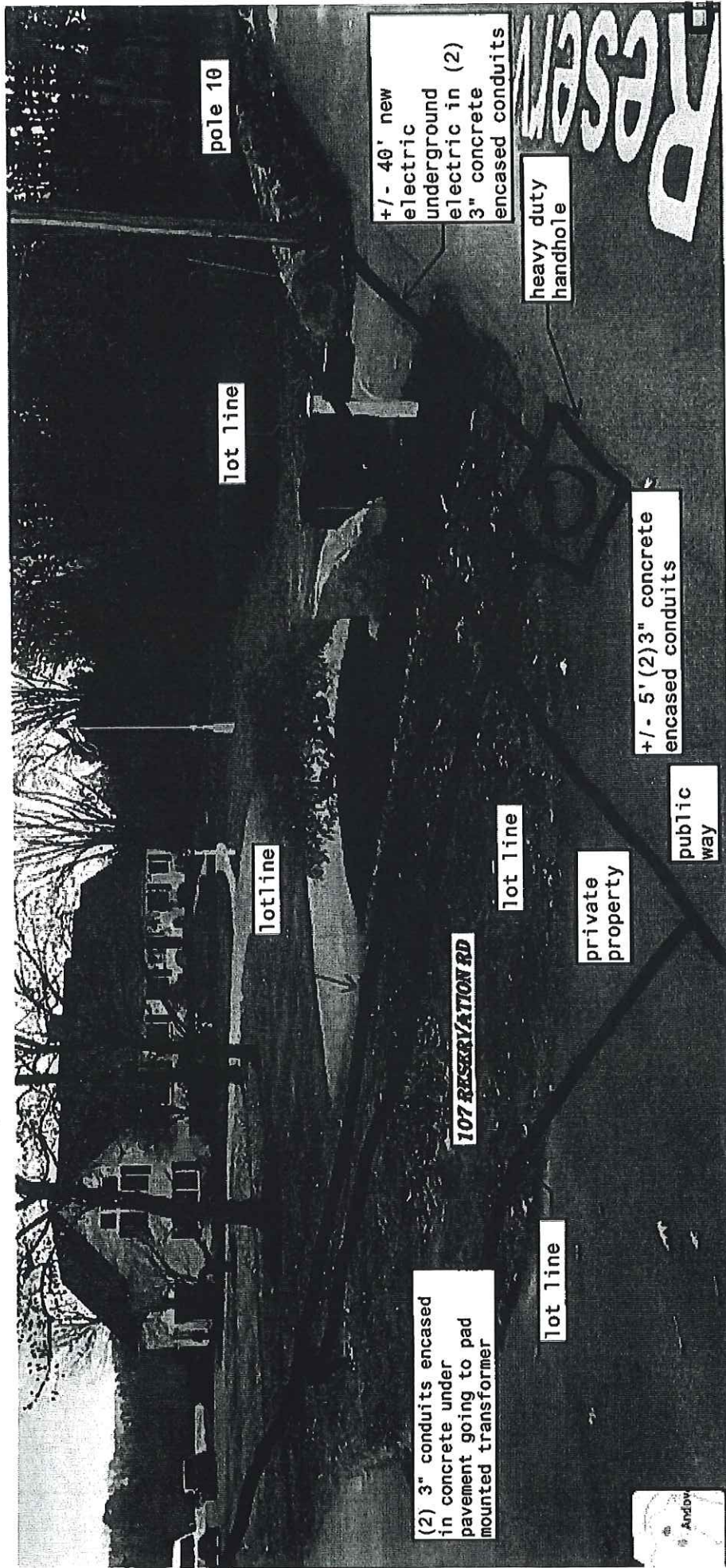
**Sketch to accompany petition for:**

+/- 40' (2)3" CONCRETE ENCASED CONDUITS  
 FROM EXISTING POLE# 10 TO NEW HANDHOLE# 10-1  
 THEN +/- 5' (2)3" CONCRETE ENCASED CONDUITS  
 INTO PRIVATE PROPERTY OF NEW HOME# 107 RESERVATION RD  
 FOR ELECTRIC SERVICE

Date: 2/27/23

Drawn by: DJB

**DRAWING NOT TO SCALE. DISTANCES ARE APPROXIMATE**



pole 10

lot line

+/- 40' new electric underground electric in (2) 3" concrete encased conduits

heavy duty handhole

+/- 5' (2) 3" concrete encased conduits

lot line

lot line

private property

public way

107 RESERVATION RD

(2) 3" conduits encased in concrete under pavement going to pad mounted transformer

lot line



30737175

## VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Andover, Massachusetts, certify that at a meeting of the board held June 5, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of a \$13,300,000 4.50 percent General Obligation Bond Anticipation Note (the “Note”) of the Town dated June 21, 2023, and payable December 15, 2023, to Jefferies LLC at par and accrued interest plus a premium of \$51,737.00.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 24, 2023, and a final Official Statement dated May 31, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: June 5, 2023

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Clerk of the Select Board