

Select Board Meeting

Wednesday, July 17, 2024

5:30 PM Executive Session

6:15 PM Regular Session

Select Board Room, Town Offices

36 Bartlet Street Andover, MA 01810

RECEIVED
TOWN CLERK'S OFFICE

2024 JUL 15 PM 5:01

TOWN OF ANDOVER, MASS

I. Call to Order – 5:30 P.M.

II. Executive Session

Board to vote to go into Executive Session pursuant to Purpose 3 for confidential communication with Counsel to discuss strategy with respect to litigation filed by William Fahey, and to also discuss potential litigation regarding a class action against Generic Opioid Manufacturers/Distributors, and Purpose 6 to discuss the purchase, exchange, lease, or value of real property, i.e., the Old Town Yard/11 Lewis Street, and for the Chair to declare that an open session may have a detrimental effect on the negotiating position of the Town; and Purpose 7, to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (the Open Meeting Law) to vote to approve and release or not release executive session minutes of June 3, 2024; and to return to open session.

III. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

IV. Communications/Announcements/Liaison Reports

V. Public Comment

VI. Regular Business

A. Alcoholic Beverages License – Event on Town Owned Property

Board to discuss and consider voting to approve an application from Oak & Iron Brewing Co., located at 18 Red Spring Road, Andover, for a Wine and Malt One-Day Liquor License for use on Town property for Recreation Summer Concerts in The Park on July 31, 2024 and August 21, 2024 (rain dates to be the following day) under Select Board Liquor Regulations Section XI.2.N "Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property."

B. Historic District Study Committee

Board to discuss and consider voting to appoint members of a subcommittee of the Board for the purpose of interviewing candidates for appointment to the Central Street Historic District Study Committee.

C. Town Government Structure Overview

Town Counsel to provide a Town government structure overview.

D. Review of Financial Controls and Procedures

Town Manager and Town Accountant to respond to Board questions about financial controls and procedures as they relate to expenditures not explicitly identified in Capital Improvement Plan or approved budget, e.g., fish tank.

VII. **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
Andover Police Department	Justin Murray	Police Officer	\$79,983.89/year	07/18/2024
Community Development & Planning	Loraine Welch <i>(Margaret Terrio)</i>	Assistant Office Administrator	\$61,943.88/year	07/29/2024
Department of Public Works	Katy Dorandi <i>(Lyn Fragala)</i>	Office Assistant II	\$53,091.56/year	07/22/2024
Department of Public Works	Declan Scully	Engineering Intern	\$21.00/hour	07/18/2024
Board of Health	James Bonfanti	Member	06/30/2027	07/01/2024
Board of Health	Jennifer Darfoor	Member	06/30/2027	07/01/2024
Board of Health	Adam Knoll	Member	06/30/2026	07/01/2024

VIII. **2024 Select Board Meetings**

A. Board to consider voting to accept the following Select Board Meeting Schedule:

- August 19, 2024
- September 16, 2024 (Hold)
- September 23, 2024
- October 7, 2024
- October 21, 2024

IX. **Approval of Minutes**

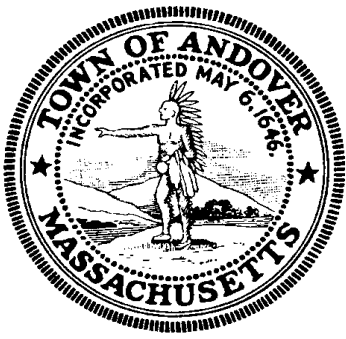
A. Board to approve minutes from the following meetings:

1. February 14, 2024 Joint Meeting
2. April 22, 2024 Select Board
3. May 8, 2024 Tri-Board Workshop
4. May 20, 2024 Select Board
5. May 28 2024 Tri-Board Workshop
6. June 3, 2024 Select Board
7. June 17, 2024 Select Board
8. June 18, 2024 Select Board

X. **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 Amy Heidebrecht in the Town Manager's Office at 978-623-8213 or by email at amy.heidebrecht@andoverma.us

MEETINGS ARE TELEVISED ON
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45



Joint Meeting of the Select Board, Finance Committee, School Committee, Conservation Commission, Commission on Disability, Planning Board and Commission on Diversity, Equity and Inclusion

Wednesday, February 14, 2024 7:00 PM
Wood Hill Middle School Auditorium
11 Cross Street, Andover, MA 01810

I. Call to Order – 7:00 P.M.

Select Board Chair Melissa Danisch called the meeting of February 14 2024 to order. Present from the Select Board: Annie Gilbert, Laura Gregory, and Chris Huntress.

Others in attendance, Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Patrick Lawlor, Chief Administrative & Financial Officer, Douglas Heim Town Counsel, Patrick Lawlor Chief Administrative & Financial Officer and Austin Simko Deputy Town Manager/Town Clerk.

School Committee Chair Lauren Conoscenti called the School Committee to order. Present from the School Committee, Susan McCready, Sandis Wright. Others in attendance Superintendent Dr. Magda Parvey, Assistant Superintendent of Finance and Administration Keith Taverna.

Finance Committee Chair Paula Colby-Clements called the Finance Committee to order. Present from the Finance Committee, Vice Chair Kim Perry, Brian Major, William Haskell, Andrew McBrien, Yican Cao, and Paul MacKay.

Present from the DEI Commission: Jemma Lambert, Dianne Domenech-Borgos, Benjamin Hoerner, Frank Fitzpatrick, Sishan Wang, Rajiv Chapra, Emran Baqui, Lis Tamarkin, Champa Bilwakesh, Trish Leeman, Katherine Anannis, Justin Copola, Mary Eileen Reilly, Carlene Bell-Flanagan, Hannah Wilen, Stephen Surette.

Present from the Conservation Commission Chair Don Cooper, Mindy Chaves, Ellen Townsend, Floyd Greenwood, Alix Driscoll, Ruby Brown, Jon Honea.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

Melissa Danisch said the Town received a petition to call a Special Town Meeting on January 30, 2024, which under State Law requires the Town to call a special Town Meeting within 45 days. The Select Board first meeting after January 30th was scheduled for February 12th. March 11, 2024 was the only date they could feasibly schedule the Collins Center for a meeting. The Select Board does not have

discretion to refuse or delay the Special Town Meeting. The Town of Andover is also required to publish the Special Town Meeting Warrant 14-days prior to the Special Town Meeting. The Town sends residents copies of the Finance Committee Report which contains the petitioner summaries of their articles and any recommendations by Town Boards and Commissions. This week, was the only time that the Boards could meet.

Town Meeting will have a Special Town Meeting as part of the deliberations on April 29, 2024 which is for consideration of the MBTA Zoning deliberations. Special Town Meeting petitioners have the option to wait until the April 29th Special Town Meeting within the Annual Town Meeting to have tonight's articles heard then and known to them prior to filing their articles but was petitioned for anyway which is their right under the law. The purpose of tonight's meeting is to allow the petitioners to present their articles and to allow for questions and allow for discussion and develop a report and recommendation to residents before the Finance Committee Report.

Two of the articles concern zoning and all three are driven to improve the Haggetts Pond Trail. The Planning Board is required by Mass General Law Chapter 48 to have a separate hearing on all articles before the Town and to advertise hearings for two weeks. A vote cannot be taken tonight. This is not a hearing tonight on this project as the Conservation Commission are required to follow a certain process.

First, all three petitioners will present their articles and then a representative of Town Staff will present a response. The Boards will then have a joint opportunity of petitioners or staff to raise points about the articles and engage in a joint discussion. Public comment will be limited to thirty-minutes and people will have two minutes to speak. Boards and committees can discuss their recommendations, no boards are required to take a position tonight. The Finance Committee needs information for Town Meeting by Monday next week.

III. Special Town Meeting Articles

A. Select Board, Finance Committee, School Committee, Conservation Commission, Commission on Disability, Planning Board and Commission on Diversity, Equity and Inclusion to consider voting to take a position on the following articles:

Article 1	Zoning Bylaw Amendment Watershed Protection Overlay District
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Don Schroeder (petitioner), Haggetts Pond Road, has submitted the petition and has been talking about this for several months with various boards and a number of residents contacted him that they wanted to go forward with a Special Town Meeting. Along with the petition he also submitted an amendment to the Bylaw for restricting the paving of the trail. The ADA requirements do not require paving or an 8' trail. They require equal treatment and a firm and stable surface. He feels there should be improvements to the trail that are more fitting instead of paving.

Article 2	General Bylaw Amendment Woodland Trail Preservation
N/A	Petitioner not present
Article 3	Zoning Bylaw Amendment Article XIV Wetland Protection By-Law Petitioner Jenica Angler, 20 Hemlock Road. This is a zoning bylaw for the water oversight protection not the wetlands. We need an ADA accessible trail however she does not think that it should be in this particular location because there are a variety of reasons why the Haggetts Pond Trail area is not ideal for any sort of land disturbance or activities. It could be made accessible by investing in all terrain wheelchairs that can be rented out to make it more accessible. The article encourages the Town to look at other areas that do not have the variety of issues that are unique to the Haggetts Pond trail.

Deputy Town Manager, Mike Lindstrom provided a brief presentation that included the timeline, the impacts of the Special Town Meeting, a project overview, ADA requirements, site selection, trail selection and water protection all related to the Haggetts Pond Rail Trail.

Articles 1 and 3 seek to amend the zoning bylaw to remove exceptions for paved pathways in the Watershed Protection Overlay District which would apply not only to the Town, but the schools and private property.

Article 2 seeks to amend the Wetlands Bylaw to prohibit paving of any ‘woodland trails’ within 100 feet of a body of water.

Impacts of Article 2

Impacts many property owners both public and private upon which a ‘woodland trail’ is placed or the abutters to property owners who have a ‘woodland trail’ on their property.

All of these articles would be applied to all public and private property ranging from conservation trails, public sidewalks, school pathways, golf courses, and walkways on private property to which a “woodland trail” exists. It would take away the Conservation Commissions ability to decide each project on its own merits and circumstances and would potentially subject the Town to legal liability. Many Town and private undertakings and potential future project will be adversely impacted.

Impacts of Article 1 and Article 3

It would impact future recreational infrastructure and community gardens as part of the Parks/Property/Chandler Road project. It would limit maintenance and trail improvement projects for volunteer organizations and Conservation staff that requires any trail disturbance. It would impact paths/neighborhood connections to several schools that are located within the Watershed Protection Overly District as well as several AVIS owned open spaces and trails with in the WPOD.

They conducted site visits and researched the viability of maintaining a stone dust trail and collected guidance from authorities including the Mass Office on Disability,

Andover Commission on Disability, Dept of Conservation and Recreation and US Access Board Technical Guide as well.

Article 3 would have impacts to road and bridge repairs.

Asphalt offers trails the best chance to be accessible on day one, and every day forward. They also provide the best surface in order for people with mobility challenges who use wheelchairs, etc. can freely stroll and enjoy nature.

As part of the project development, the Town filed with the Planning Dept, and recorded with the Registry of Deeds, an ANR (approval not required) plan for the rail trail that may reserve the projects rights under current zoning. Retroactive application of a new zoning bylaw provision may not apply to Haggetts Pond.

The proposed project would:

~Create an 8' wide paved shared use path from Haggetts Pond Road to High Plain Road covering 1.2 miles.

~Create a parking area at each end of the accessible path with a capacity of 28 total parking spots (14 at each end).

~Construct a new boardwalk that will offer a scenic vantage point at Haggetts Pond for residents of all abilities.

~Improve drainage by keeping runoff away from the pond.

~Install trash barrels and dog waste stations with regular pickup to be placed at each of the two parking areas.

ADA Requirements:

Andover has an obligation under Title II of the American with Disabilities Act to provide people with disabilities an equal opportunity to benefit and participate in the Town's programs, services, and activities. The Town is currently out of compliance without an ADA accessible trail.

The selection process of Haggetts Pond, as the location for the first Andover accessible trail, began in the fall of 2015 with a working group of disability advocates and Town departments. In 2016, the Institute for Human Centered Design, which also runs the training and educational N.E. ADA Center, was hired to help the Town envision an accessible trail at Haggetts Pond Rail Trail. Current conditions show that it is not currently accessible.

Minimum removal of organic topsoil can reach hard packed underground surface that would support a developed trail. This pre-preparation means less disturbance of the area. Haggetts Pond location has minimal grade changes over the length of the trail. The railroad bed does not exceed 5% grade in any area.

Four soil samples were analyzed from the trail to evaluate whether soil contamination was a concern. No contaminants were detected at concentrations exceeding their respective Reportable Concentrations established by the MA DEP, soil contamination

is not an issue. The construction contractor will be required to follow best practices for erosion and sediment.

Stone dust is very difficult to remove from wetlands as particles easily spread and integrate with existing soil. Asphalt trails provide consistent and reliable ADA accessibility, less maintenance and minimal to no wetland disturbance. During storm events, runoff will be directed into the vegetated filter strip on the opposite side of the trail offering additional protection.

Stone-dust only remains in compliance for a short time, a good rainstorm and pedestrian traffic can bring stone dust out of compliance and trigger the MOAF obligations. Not meeting the MOAF obligations is a civil rights concern, not just building code compliance.

The proposed trail compromising 68,000 sq. ft. of pavement represents an increase of less than 1% of paved area within the Haggetts Pond Watershed Overlay Protection District. The trail will not allow motorized vehicles so it will not increase the AADT within the watershed and the project treats the stormwater it generates as well as treating currently untreated storm water contributions from both High Plain and Haggetts Pond Road.

Water Protection

Runoff from Lakeside Circle and Haggetts Pond Road at the current parking area currently discharges untreated stormwater into the pond. This project will provide treatment of this collected runoff in accordance with the MassDEP standards.

This project will provide treatment of the runoff from the High Plain Road catch basin in the area of existing parking areas also discharges untreated runoff in the adjacent wetlands. The two new parking areas have been designed to treat and infiltrate runoff collected per MassDEP standards.

The existing rail bed from High Plain Road to Haggetts Pond Road is essentially impervious. The rail bed is comprised of thick well compacted gravel. The proposed trail will be constructed over this material and not create an additional impervious area.

The presentation included a list of all Public Information Sessions and Committee meetings.

Highlights:

Relocation of the boardwalk and modifications will eliminate direct ground contact with wetlands.

- Elimination of the smaller Haggetts Pond parking lot. The two accessible parking spots have been added to the larger Haggetts Pond Parking lot.
- Reduction of the High Plain Parking lot.
- Installation of solar push button crosswalk lights for Haggetts Pond Road crossing.
- Long-term Operation and Management Plan developed.

The Town Manager introduced staff who were present at the meeting to answer any questions of the audience that included Deputy Town Manager Mike Lindstrom, Town Counsel Doug Heim, Director of Facilities Janet Nicosia, Dept. of Public Works Director

Chris Cronin, Chief Administrative, and Financial Officer Patrick Lawlor, Deputy Town Manager/Town Clerk Austin Simko.

Public Comments:

Chris Huntress said the timing and submission of these articles could have afforded the applicants the opportunity to submit for the Annual Town Meeting later this year; why did they request a Special Town Meeting?

Don Schroeder, Haggetts Pond Road said they chose to submit now because there is a June 30th deadline for the funds to be encumbered. Because of the project going forward at the end of April, they felt it was important to let the Board's know their feelings and to call a Special Town Meeting. He has also submitted an amendment to his petition. The bylaw he submitted does not prevent the trail to become ADA accessible but restricts the paving of the trail. There should be improvements to the trail and most people want to leave it as is. He is requesting it not be paved and other types of materials be used instead.

Chair Danisch said there was a meeting on January 30th where they walked through the timeline of the date for the Annual Town Meeting and that there would be a special within the Annual Town Meeting. This petition could have waited because the project would not start until later. Don said they did discuss it but the decision and felt it was important to go forward with the timeline of what was planned and called for a Special Town Meeting.

Floyd Greenwood, Conservation Commission said it seems these articles would significantly curtail the Conservation Commission's ability to manage the land that is in their care and custody which includes the access, accessibility, safety, and the management of critical resources.

Town Counsel replied that the Conservation Commission has a standard and process-oriented by-law as it sits today. If you apply the Wetlands Protection Act it can go further with the local wetlands bylaw. Article one and three would divest some of that discretion through zoning with respect to these specific types of amenities (pathways, sidewalks) Article two is in conflict with the rest of the bylaw itself. It could limit the discretion for certain types of projects within 50' of the area. The woodland trails would hamstring your jurisdiction and contradict other parts of the bylaw.

Brian Major asked about the 5th slide shown by Mike Lindstrom which highlighted Article One and Three that prohibits adding paved pathways within 50' of all water bodies and water courses and if it has any impact on the renovation or complete reconstruction of sidewalks and roadways that are there now? Mike Lindstrom responded that it is their understanding that it would.

Don Cooper, Conservation Commission spoke about unintended consequences of the articles being presented. He asked if there were responses from the project proponents. Don Schroeder said there are no sidewalks within 50' of the area. Chris Cronin said there are a number of sidewalks within the Watershed Overlay District and there is a very long sidewalk that's being proposed (Greenwood Road) that also follows some waterways.

Jennifer Engler, 20 Hemlock Road asked if there would be some suggested language that could be added to further restrict the Waterway Protection Area and would amend her article to be narrower in scope, more specifically around the Haggetts Pond Railbed.

Atty. Heim said zoning designates what uses are allowed in a certain area but it is divided into districts, you are not allowed to do spot zoning for a specific parcel or specific use.

Annie Gilbert said that Article 3 specifies that any pedestrian walkway paved or not within 50' that requires land disturbing activities or excavation or structure, would be a prohibition against those activities. What about normal typical trail maintenance or building a boardwalk on existing trails which are activities important to what our conservation lands is about. Bob Douglas agreed that anything that requires moving and distribution would trigger the activity in Article 3. Paul Colby-Clements said the Article seems to tell private land owners things they can no longer do with their land and asked if a court could find this is something that could trigger eminent domain. Doug Heim does not think it impacts what residents would do throughout the Town. He later spoke about the possibility that the Town has the right to apply a zoning freeze. (changes to the zoning by-law).

Andover is out of compliance with the ADA, that would mean the loss of the grant money if these articles did not pass; without the grant funding, the articles would not be possible (\$500,000).

Janet Nicosia reported on the studies of trails they have looked at many of which use stone dust. They want people of all levels of disabilities at all different levels be able to use that space. They are looking to using stone dust for maintaining a trail that has not been able to have been accomplished by the DCR, by Mass Audubon by Walden Pond; none of these trails have been able to stay compliant consistently. Many trails have been able to stay compliant using asphalt. It is cheaper to maintain stone dust but none of the experts will support that. All of these articles looking to stop pavement at Haggetts Pond are crafted to find some way whether it affects people all over Town, whether it affects people with disabilities who require asphalt to never get within 100' of a waterway they still want these articles to pass. They want people of all disabilities to enjoy that same space.

Discussion continued on the intent of Article 3, environmental issues, accessibility and the watershed overlay district and other trails throughout the Town. Unintended consequences could make these articles dangerous. It is possible that school property could be affected by the bylaw. The Town wants to apply local bylaws but on the other hand they have obligations under the ADA.

Justin Coppola, Andover Commission on Disability, said they voted to approve the paving because there are residents who medically who can/cannot walk on paved surfaces.

Public Comment

Several town residents came forward to speak in support of not paving the Haggetts Pond Trail and several spoke in support of paving the trail.

Susan Stott, member of AVIS urges the Town Boards recommend disapproval. They support accessible trails, but not paving. Steve Whalther, Morton Street, suggested the Board support the article so it can be brought before Town Meeting for a decision.

Rhonda Page, Harding Street, has expertise in the regulations of ADA and knows how sincere everyone in this group is and said that the Town is not required to provide the

maximum feasibility; they require that this is a law that was made to get between buildings, to get to work, to get to your car. This is a nature trail and ADA says this trail is accessible as many people as we can possibly have access it can access it.

The grant was written to be a shared use path which has different requirements and says that they will consider unimproved natural surfaces; the surface that is a firm and stable surface.

Select Board Chair, Melissa Danisch, said the impact that the votes have on the Town, suggest they deliberate as is or make more time to bring it to the Annual Town Meeting. A member of the Finance Committee asked if the petitioner would consider withdrawing from the Special Town Meeting and bring it to the Annual Town Meeting instead so they would have more time to understand and make recommendations. Town Counsel said the Special Town Meeting has to convene. Brian Major pointed out that they can't make amendments to the petition until they get to Town Meeting due to the specific language in it that people signed.

The Boards discussed the three articles before them; Articles I, II, and III.

Article I: Zoning Bylaw Amendment/Prohibition on paved pathways in Watershed Protection Overlay District.

Chris Huntress said all three of the articles are site specific for a project and material and a zoning bylaw amendment is not the proper way to deal with a site-specific project specific issue. Article I is too broad to achieve its desired goal and its impact would go well beyond what the original intention. Selectman Huntress would not support Article I and would not recommend approval at Town Meeting.

Annie Gilbert agrees with Chris Huntress and is extremely concerned about Article II III. There is so much vagueness in the articles and the sheer number of properties within the Town that could be impacted in numerous ways. Article II as written prevents the Town and Town's Land Trust, Trustees of Reservations from doing any of their trail maintenance activities if they are within 50' of an waterbody. Laura Gregory agrees that zoning is a very big change to a very big portion of Town is not an appropriate and would not have the impact that she thinks the petitioners are taking. Melissa Danisch said the zoning changes would be quite comprehensive in a large district of the Town and are looking at a zoning change for the MBTA project. This is a real challenge to have something that was filed in January and now voted in a few weeks especially with the amendments. Melissa Danisch would recommend disapproval of the articles.

Chris Huntress moved that the Town recommend disapproval of Article I. Motion seconded by Annie Gilbert and voted 5-0 to recommend disapproval.

Annie Gilbert moved to recommend disapproval of Article II. Motion seconded by Laura Gregory and voted 5-0 to recommend disapproval of Article II.

Annie Gilbert moved to recommend disapproval of Article III. Motion seconded by Laura Gregory and voted 5-0 to recommend disapproval.

The School Committee appreciates the input from the public on the Articles. Given the concerns and the discussion and impacts to school property Sandis Wright cannot support the articles as written and presented.

Susan McCready moved that the Andover School Committee vote to recommend disapproval of Article I as presented. Motion seconded by Sandis Wright and voted 3-0 to disapprove.

Susan McCready moved that the Andover School Committee vote to recommend disapproval of Article II as presented. Motion seconded by Sandis Wright and voted 3-0 to disapprove.

Susan McCready moved that the Andover School Committee vote to recommend disapproval of Article III as presented. Motion seconded by Sandis Wright and voted 3-0 to disapprove.

Ellen Townson moved that the Conservation Commission recommend disapproval of Article I at Special Town Meeting. Motion seconded by Commissioner Driscoll and unanimously voted to recommend disapproval of Article I.

Ellen Townson moved that the Conservation Commission recommend disapproval of Article II at Special Town Meeting. Motion seconded by Commissioner Driscoll and unanimously voted to disapprove Article II. Ellen Townson would like to hear the potential amendment but they are voting specifically with what is being presented tonight.

Ellen Townson moved that the Conservation Commission recommend disapproval of Article III at Special Town Meeting. Motion seconded by Commissioner Driscoll and unanimously voted to disapprove Article III.

Jemma Lambert, Director of Commission on Diversity Equity and Inclusion (DEI) thinks the three articles are reactionary and intended to target positions to a specific project and would recommend voting no on all three articles. Members of the DEI Commission members spoke about the broad scope of the article, the way it is written and that the enormity of the Town going forward is a risk. She also believes that Article I would tie the hands of the Town for their ability to provide access in all future locations throughout the Town.

The position recommended by the Chair was to recommend disapproval of the three articles: Article 1, Article 2, and Article 3.

The Commission on Disability unanimously recommends disapproval of Article I. The Commission on Disability members voted to unanimously disapprove Article II. The Commission on Disability members voted unanimously to recommend disapproval of Article III.

IV. Adjourn

At 9:35 PM on a motion by Brian Major and seconded by Yican Cao, the Finance Committee voted to adjourn.

At 9:35 PM on a motion by Susan McCready and seconded by Lauren Conoscenti the School Committee voted 3-0 to adjourn.

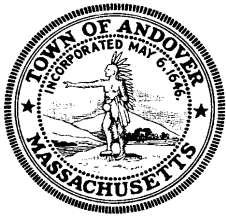
At 9:36 PM on a motion by Annie Gilbert and seconded by Chris Huntress the Select Board voted to adjourn.

On a motion by Miranda Chave and seconded by Jon Honea the Conservation Committee voted to adjourn.

At 9:36 PM the DEI Commission unanimously voted to adjourn

Respectfully submitted,

Dee DeLorenzo
Recording Secretary



Select Board Meeting

Monday, April 22, 2024

7:00 PM

School Committee Room, School Administration Building

30 Whittier Court, Andover, MA 01810

I. Call to Order – 7:00 P.M.

The Chair, Melissa Danisch, called the Select Board Meeting of Monday, April 22, 2024 to order at 7:00 PM.

Members in attendance: Alex Vispoli, Laura Gregory, Kevin Coffey, Ellen Townson.

Others in Attendance: Town Manager Andrew Flanagan, Chief Administrative & Financial Officer, Patrick Lawlor, Town Counsel Doug Heim, and Deputy Town Manager and Town Clerk Austin Simko.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

The Town Manager reported that Monday, April 29 is the Annual Town Meeting, and the review of selected Town sponsored articles will be held this week at the Public Safety Center.

The total cost of Article 4 for running the School District is proposed at \$234,267 of which about 67% of tis allocated to school expenses every year. A Schedule 19 is filed which is what the per pupil cost is calculated taking into account various expenses that may lie in other line items that support the School District ,such as health insurance for employees, debt service on school buildings, solid waste facilities, maintenance and any capital non-teaching staff retirement contributions, general liability insurance and any shared staff; of the \$234M, \$15,000,59465 could be allocated as the cost of running the District.

General questions regarding FTEs within the budget the Business Services Division which is \$178,00. The increase is because it was zero last year. In last year's adopted goals, they said they were going to establish a new division called the Business Service Division which included a full-time position and a part time position for Paul Puzzanghera, long-time CEO, who helped with the technical business transaction type of activities and business structure and to look at some of the mechanics of the organization. FTE's have gone down again in the 2025 budget.

Alex Vispoli asked for clarification Paul Puzzanghera's position. The Town Manager said it would be a part-time Town position that is benefitted because Paul would be receiving his benefits whether he is retired or an active employee, but there are no new benefits. The Town Manager further explains that this position is funded for a year and is to be considered an internal consultant.

Patrick Lawlor has received a lot of general questions about Town Meeting; information can be found at andoverma.gov/ budget FAQ provides information.

Austin Simko encouraged voters to start coming to Town Meeting on Monday at 6:00 PM. at the Collins Center. The meeting starts promptly at 7:00 PM. This will be the first town meeting they are using the electronic handheld devices and using poll pads for log-in.

This will be Doug Heim's third Andover Town Meeting and he recognized Kathryn Forina for the prep work she has been doing in advance of town Meeting. He is excited to be joining the Andover Leadership Academy being held the Wednesday night before Town Meeting

Kevin Coffey looks forward to seeing the road signs announcing Town Meeting. Alex Vispoli said there was a remembrance this weekend for Joanne Marden who led the Finance Committee for over 30-years Also, residents have had questions about Andover Power. There is still some confusion on opting in/opting out. The Town Manager Andrew said a follow-up mailing will be going out to residents.

Ellen Townson shared the following updates. There is a Youth Sustainability Fair on Saturday at the Cormier Youth Center which is a led youth led engagement opportunity for kids in school/to discuss environmental and sustainability issues. Arbor Day coming up on Friday, April 26th and the Town will be celebrating at the corner of Clark Road and Andover Street and will be giving away native environmentally appropriate trees for planting. Earth Day cleanup on April 27, from 8:00-12:00 pm Sign up available on the Town website. The Conservation Commission is holding an Earth Day hike at Pole Hill Conservation Land on Wednesday at 10:00 AM. Attendees will meet at 18 Pole Hill. Laura Gregory said Andover Community Power will be having a table at the Youth Summit.

Melissa Danisch discussed the communications available on the website for Town Meeting. The Finance Committee will meet to go over relevant topics and the three boards will meet to go over the topics for Town Meeting go over questions about the budget. The Finance Committee information will be going out in the mail as will the School Committee.

Melissa Danisch attended the Andover Community Power Information Session at Memorial Hall Library. There is a recording online on the Town website of the April 12th meeting along with a slide deck along with questions and answers.

IV. Citizens Petitions and Presentations

Mr. Pasquale, 47B Whittier Street, thanked the two members for the time they are going to spend to make the Town a better place He shared his observation on the mandated substantiated goals that will help to lower our electricity rates; we cannot lower rates without customers, so he encouraged residents to please turn in your card.

This is about the money and if we are out of compliance we will pay fines. You can't get the rate down unless you know how many customers you will have, and you need to know a break point before negotiating. He suggested they call other towns and benchmark the response.

Also, Mr. Pasquale also said there are 24 warrant articles, with which only four of the Selectmen voted; the data is skewed.

V. Public Hearings

A. Alcoholic Beverages License – Alteration of Premise

Board to review and consider voting to approve the application of Andover Café, LLC, doing business as LaRosa's, at 7 Barnard Street, for a seasonal alteration of premise on its On Premise All Alcoholic Beverages License.

Austin Simko provided background information on the rules that were relaxed during Covid for outdoor dining. One allowance was to expand the premises to include the outdoor space (town property) those were temporary alterations due to COVID and extended year to year. This year that allowance expired, and they are now requesting permanent license.

Those temporary alternations expired this spring. They have asked that they apply for a license for a permanent alteration of premises. The requests are for licensees who are attempting to setup a durable sustainable outdoor dining area. It can only occupy the expended premise pursuant to an outdoor dining permit by the Town and can only serve alcohol there if they obtained a license to conduct outdoor dining. This is the first step a of an outdoor process.

The Town Clerk said all paperwork is in order.

Alex Vispoli moved approve the application of Andover Café, LLC, doing business as LaRosa's, for an Alteration of Premises to its' On Premise All Alcoholic Beverages License at 7 Barnard Street, Andover, subject to the condition that all other requirements of the Town are met prior to issuance; provided that the licensee may only serve alcohol within the outdoor portion of its licensed premise pursuant to an annual outdoor dining license issued by the Town of Andover, if the Town issues such license in its absolute discretion, and that such alcohol service comply with the conditions provided in such outdoor dining license. Motion seconded by Laura Gregory and voted 5-0 to approve.

Alex Vispoli moved that the Board find that the application of Andover Café, LLC, doing business as LaRosa's, for an Alteration of Premises to its On Premise All Alcoholic Beverage License at 7 Barnard Street, Andover is not detrimental to the educational and spiritual activities of Free Christian Church at 31 Elm Street, Andover; Christ Church at 10 Park Street, Andover; and Andover Baptist Church at 6 Essex Street, Andover. Motion seconded by Laura Gregory and voted 5-0 to approve.

Mr. Pasquale asked who will police the plaza area across the street. Austin Simko reported that when they get a request, the appropriate Town Departments are asked to review the application. The Andover Police Department has approved the request.

B. Alcoholic Beverages License – Alteration of Premise

Board to review and consider voting to approve the application of Sal's 34 Park, LLC, doing business as 34 Park, at 34 Park Street, Andover, for a seasonal alteration of premise on its' On Premise All Alcoholic Beverages License. This operation involves is on private property and a review goes through the Building Department. There have been no violations, and they try to police the parking as best as possible.

Eric Frelick, Manager of Lillian Montalto Realty, 32 Park Street said the impact of this setup is significant when it comes to both parking and activity in the downtown area. the People were parking in their parking lot. Andrew Flanagan said the tenant should post parking/non parking signs. Mr. Frelick reported on the changes and the loss of parking spaces in the downtown area.

Town Counsel Doug Heim said the best place to articulate these concerns is with the Building Inspector to see if everything is compliant with the special permit the operation of business is anchored to see if they are complying with the conditions of the permit. Austin Simko said he would be happy to assist with this. Kevin Coffey asked if this requires additional consideration by the Building Dept for approval should the Select Board follow up with the Building Dept.

Motion 1: Alex Vispoli moved to approve the application of Sal's 34 Park, LLC, doing business as 34 Park, for an Alteration of Premises to its On Premise All Alcoholic Beverages License at 34 Park Street, Andover, subject to the condition that all other requirements of the Town are met prior to issuance; provided that the licensee may only serve alcohol within the outdoor portion of its licensed premise pursuant to an annual outdoor dining license issued by the Town of Andover, if the Town issues such license in its absolute discretion, and that such alcohol service comply with the conditions provided in such outdoor dining license. Motion seconded by Laura Gregory and voted 5-0 to approve.

Ellen Townson moved that the Board find that the application of Sal's 34 Park, LLC doing business as 34 Park, for an Alteration of Premises to its on Premise All Alcoholic Beverage License at 34 Park Street, Andover is not detrimental to the educational and spiritual activities of the Free Christian Church at 31 Elm Street, Andover; and Christ Church at 10 Park Street, Andover. Motion seconded by Laura Gregory and voted 5-0 to approve.

C. Alcoholic Beverages License – Transfer and Alteration of Premise

Board to review and consider voting to approve the applications of Andover Mithai Group, LLC, doing business as Monica's Mithai Café & Bar, at 16 Post Office Avenue, Andover to (a) transfer an On Premise All Alcoholic Beverages License from CSB Restaurant Group, LLC, doing business as Yella, and (b) for a seasonal alteration of premise on said license.

Austin Simko said this is a seasonal alteration of premises and transferring to the new Licensee.

Motion 1: Laura Gregory moved to approve the application of Andover Mithai Group, LLC, doing business as Monica's Mithai Café & Bar, at 16 Post Office Avenue, Andover to transfer an On Premise All Alcoholic Beverages License from CSB Restaurant Group, LLC, doing business as Yella, at 16 Post Office Avenue, Andover; and that Dillon Patel, 30 Shattuck Road, Unit 3302, Andover be the designated manager; subject to the condition that all requirements of the Town are met prior to issuance. Motion seconded by Alex Vispoli and voted 5-0 to approve.

Motion 2: Laura Gregory moved that the Board find that the application of Andover Mithai Group, LLC, doing business as Monica's Mithai Café & Bar, at 16 Post Office Avenue, Andover to transfer an On Premise All Alcoholic Beverages License from CSB

Restaurant Group, LLC, doing business as Yella, at 16 Post Office Avenue, Andover, is not detrimental to the educational and spiritual activities of the Christ Church at 10 Park Street, Andover; the Free Christian Church at 31 Elm Street, Andover; and the Andover Baptist Church at 6 Essex Street, Andover. Motion seconded by Alex Vispoli and voted 5-0 to approve.

D. Alcoholic Beverages License – Event on Town Owned Property

Board to consider voting to approve an application from Oak & Iron Brewing Co., 18 Red Spring Rd, Andover, MA, for a Wine and Malt One-Day Liquor License for use on Town property under Select Board Liquor Regulations Section XI.2.N “Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property.”

Motion 3: Laura Gregory moved to approve the application of Andover Mithai Group, LLC, doing business as Monica’s Mithai Café & Bar, at 16 Post Office Avenue, Andover for an Alteration of Premises to its On Premise All Alcoholic Beverages License at 16 Post Office Ave, Andover, subject to the condition that all other requirements of the Town are met prior to issuance; provided that the licensee may only serve alcohol within the outdoor portion of its licensed premise pursuant to an annual outdoor dining license issued by the Town of Andover, if the Town issues such license in its absolute discretion, and that such alcohol service comply with the conditions provided in such outdoor dining license. Motion seconded by Ellen Townson and voted 5-0 to approve.

Laura Gregory moved that the Board find that the application of Andover Mithai Group, LLC, doing business as Monica’s Mithai Café & Bar, at 16 Post Office Avenue, Andover for an Alteration of Premises to its On Premise All Alcoholic Beverages License at 16 Post Office Ave, Andover, is not detrimental to the educational and spiritual activities of the Christ Church at 10 Park Street, Andover; the Free Christian Church at 31 Elm Street, Andover; and the Andover Baptist Church at 6 Essex Street, Andover. Motion seconded by Kevin Coffey and voted 5-0 to approve.

James Cass from Oak and Iron Brewing Co provided information on the Beer Garden to be held at Clown Town at The Park on May 18th and includes a pizza stop meets the requirement for a food-beer alcohol connection. There will be approximately 12,00 sq. ft. occupancy for 100 people and will have an all-alcohol security fence. They can expand the space if needed. They will have an ID checker at the entrance with ten high-top stations. The security plan for controlling alcohol; includes requiring the proper ID, hands will be stamped; one stamp, one beer. Mr. Cass provided operational details on date and time, pouring and transactions, food, trash, supply chain and estimated sales.

Alex Vispoli asked if two people is enough to manage with the amount of people expected and how will they gauge who will come in. Mr. Cass said anyone can come in, they will only stamp and serve those who are 21 years of age and above and have spent a lot of time talking with ANDONA and based it on events they have participated in the past.

Alex asked that they look at the amount of people they have on hand and to err on the side of caution and have more staff.

Kevin Coffey moved that the board approve an application from Oak & Iron Brewing Co., 18 Red Spring Road, Andover, MA, for a Wine and Malt One-Day Liquor License for use on Town property under Section XI.2.N “Special One-Day Alcohol License Policy &

Application for Outdoor Events on Town-owned Property,” where the event will be “Clown Town” located at Town Park, 34 Bartlet Street, and where the manager of the liquor license will be Jim Cass; provided that all conditions of the Town are met prior to issuance. Motion seconded by Alex Vispoli and voted 5-0 to approve.

VI. Regular Business

A. Vehicle for Hire License – Business Class Limo, Inc.

Board to review and consider voting to approve the application of Business Class Limo, Inc. located at 50 Colonial Drive, Unit 6, Andover, for Vehicle for Hire License. Austin Simko reported on this request and said all paperwork is in order. Alex Vispoli asked if vehicles will be housed in Andover. There is only one vehicle and does not allow for more vehicles.

Alex Vispoli moved to approve the application of Business Class Limo, Inc., located at 50 Colonial Drive, Unit 6, Andover, for a Vehicle for Hire License, subject to the condition that all other requirements of the Town are met prior to issuance. Motion seconded by Laura Gregory and voted 5-0 to approve.

B. Amendments to Traffic Rules and Regulations

Resource Officer Paolera from the Vocational School presented. He has noticed that people do not want to wait for the lights on River Road to change. Putting the signage in will help the situation.

Board to discuss and consider voting on the following changes to the Traffic Rules and Regulations as proposed by the Andover Safety Officer.

Schedule 4, Article VII, Section 18 – No “U-Turn”/reversing direction

1. Install No U-Turn signs in the area of 146 & 152 North Street.

Alex Vispoli moved to approve the request to install No U-Turn sign(s) in the area of 146 and 152 North Street as presented by Andover Safety Officer and Paolera. Motion seconded by Ellen Townson and voted 5-0 to approve.

C. Reorganization of the Board

Board to elect a Chair, Vice Chair and Clerk for 2024-2025 to be effective following the 2024 Annual Town Meeting.

Ellen Townson nominated Laura Gregory as Chair of the Select Board effective after Town Meeting 2024. Motion seconded by Melissa Danisch and voted 5-0 to nominate Laura Gregory as Chair.

Ellen Townson nominated Alex Vispoli as Vice Chair Select Board effective after Town Meeting 2024. Motion seconded by Kevin Coffey and voted 5-0 to approve.

Laura nominated Ellen Townsman as Clerk effective after Town Meeting 2024. Motion seconded by Kevin Coffey and voted 5-0 to approve. The Board thanked on Melissa for being Chair this past year.

VII. Consent Agenda

A. Appointments by the Town Manager

Board to vote that the following appointments by the Town Manager be approved. The Town Manager congratulated their new Deputy Fire Chief, Michael Oteri. Ryan Knowles spoke to his appointment as the Chief Innovation Officer.

Alex Vispoli moved to approve the appointment of Ryan Knowles as Chief Innovation Officer to replace the role that Paul Puzzanghera has held for the past 10+ years. Kevin Coffey seconded the motion. Motion voted 5-0 to approve.

Alex Vispoli moved to approve the appointment of Michael J. Oteri as Andover Fire Rescue Chief. Motion seconded by Kevin Coffey and voted 5-0 to approve.

Alex Vispoli moved to approve the remaining appointments as listed. Motion seconded by Laura Gregory and voted 5-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Andover Fire Rescue	Michael J. Oteri <i>(Kyle Murphy)</i>	Deputy Chief	\$140,593.63/yr	04/14/2024
Andover Police Department	John Teichert <i>(David Cantone)</i>	Parking Control Supervisor	\$74,307.32/yr	05/06/2024
Department of Public Works	Lyn Fragala <i>(Lisa Ring)</i>	Office Assistant III	\$35.89/hr	04/23/2024
Innovation & Technology	Ryan Knowles <i>(Paul Puzzanghera)</i>	Chief Innovation Officer	\$148,000/yr	05/20/2024
Permanent Town Building Advisory Committee	Emily DiCesaro	School Committee Representative	Term Expires 06/30/20. 26	04/23/2024

VIII. Approval of Minutes

A. Board to approve minutes from the following meetings:

1. February 26, 2024 Select Board
2. March 4, 2024 Select Board
3. April 8, 2024 Select Board

Alex Vispoli moved to approve the Select Board Minutes of February 26, 2024 and March 4 2024. Motion seconded by Laura Gregory s and voted 3-0 to approve.

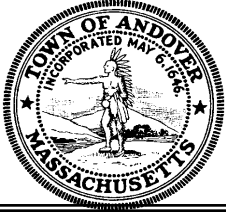
Kevin Coffey and Ellen Townson abstained.

Alex Vispoli moved to approve the Select Board Minutes of April 8th as printed. Motion seconded by Laura Gregory and voted 5-0 to approve.

IX. Adjourn

At 8:29 PM on a motion by Alex Vispoli and seconded by Laura Gregory the Select Board voted 5-0 to adjourn the meeting of Monday, April 22, 2024.

Respectfully submitted,
Dee DeLorenzo
Recording Secretary



Select Board, Finance Committee and School Committee Workshop

Wednesday, May 8 2024 7:30 PM
Memorial Hall, Memorial Hall Library
2 North Main Street, Andover, MA 01810

I. Call to Order

The Triboard Workshop was called to order at 7:33 PM in the Memorial Hall located in Memorial Hall Library.

Present from the Select Board: Chair Laura Gregory, Vice-Chair Alex Vispoli, members Melissa Danisch, Ellen Townson, and Kevin Coffey.

Present from the School Committee: Chair Lauren Conoscenti, School Committee called the School Committee to order. Members in attentions Emily DiCesaro, Vice Chair Sandis Wright, Lauren Diffenbach, and Shauna Murray.

Finance Committee: Chair Paula Colby-Clements called the Finance Committee to order. Members in attendance, Vice Chair Kim Perry, Members Brian Major, Bill Haskell, Paul Mackay, Andy McBrien, and Yican Cao.

Others in Attendance

Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Chief Administration & Financial Officer Patrick Lawlor, Deputy Town Manager/Town Clerk Austin Simko, and Town Counsel Doug Heim. School Superintendent Dr. Magda Parvey, Asst. School Superintendent of Finance and Administration Keith Taverna.

III. Financial Considerations

Discuss FY-2025 budget and take any actions related thereto.

The Town Manager provided an overview of the FY-2025 budget which was approved but is not balanced (appropriations currently exceed available revenues). The budget must be balanced by the time the tax rate is set approved at Town Meeting. The overview included the presentation from the School Department, impacts of using Free Cash for recurring expenses, and a summary of the total budget allocation.

Overview:

Article 4 (The FY-25 budget) was amended to increase the School Department Budget by \$1,876,000, the amount the budget is out-if-balance by. Available options to balance the budget include increasing revenues or reducing expenses, increasing or making additional appropriations that require Town Meeting approval, and reducing Town Department budgets which also requires Town Meeting approval.

Dr. Parvey, Superintendent of Schools provided an overview and recap of the FY-2025 School Dept Budget and the FY-2026 Projected Budget. On January 9th they presented several options on how to balance the FY-25 Budget which included increasing Preschool tuition by 2.5% (\$4,250), making non-salary reductions of 2% (\$126,750), and to consider a reduction in FTE's (34-35 personnel) for a total budget reduction of \$2,709,039. \$2.78M. They had 6.8 retirements and 13.6 resignations/unfilled positions and one (1) reduction in force for a total savings of \$2,578,039. (35.1 FTE's).

Staff reductions were made by looking at their class size policy, enrollment trends, and FTE history. Enrollment declined between 2014 and 2024 resulting in a decrease of 662 students or 11%; but staffing has increased.

Based on what was heard at Town Meeting, one-time funding is to be used for restoring positions. They want to show what that looks like and how to use the \$1.8M appropriated to the School Dept. They are looking at Special Education contracts, legal settlements, as well as reimbursements to the Town for services provided, i.e. snow removal, IT support, and one-time supplies and equipment. etc.

Recurring Expenditures: Salaries, compensation, transportation contracts, lease payments, yearly textbook licenses/workbooks/ software licenses and any contracts that happen on a recurring basis.

Dr. Parvey shared a chart of the FY2026 projected level service increases and decreases. Looking ahead to the 2026 School year, they anticipate another deficit due to multi-year contracts. Utilities are within the level service budget, but transportation contracts have increased. The level school service increase at 3.75% is \$3,880,492 but the actual increase is \$4,235,773 which is a difference of \$147,369. As a result of next year's deficit, they will have to decrease 22.24 positions.

An additional example of the FY-2026 projection with \$1.875M of additional one-time revenue and recurring expenses was also shared.

FY-26 Projected Deficit	(1,747,715)
FY-25 One-Time-Revenue recurring expense	<u>(1,875,000)</u>
Total Projected Deficit	(3,622,715)

Assumes that one-time revenue is used to fund recurring expenses in FY25.

Reduction of FTE's in FY26 would be approximately 45.88).

Example 3 shows the FY26 Projected deficit	\$(1,747,715)
FY-25 One-time recurring expenses	\$(1,282,652)
FY-25 Prepaid DMS Debt	\$ 537,625
For a Total Projected Deficit of	\$ (2,42,7420)
Reduction of FTE's would be 31.57	

The FY26 projected deficit of \$1.747M plus the \$1.282M of recurring expenses funded with one-time revenue will be offset by the prepayment of the DMS Debt Service.

Projected deficit	(\$1,747,715)
FY-25 One Time Revenue recurring expenses	(1,875,000)
Total Projected Deficit.	(\$3,622,715)

The vote at Town Meeting was for one -time money to preserve positions for the year. One-time revenue will not be recurring and will end up with about a \$1.6M deficit for FY-26.

Other possibilities for use of one-time revenues were \$1,875,000 additional one-time funding \$1,289,652 would be utilized for personnel and \$992.46 utilized to pre-pay Doherty Debt Service.

Example 3: The number of FTE's to be reduced in FY26 (31.57). Total projected Deficit (2,492,742).

In FY-27 the projected deficit of \$1.5M is due to transportation costs. They will have approximately \$55,000 balance and a reduction of about 18 positions.

Example 4 for Illustrative Purposes: The FY26 projected deficit of \$1.747M will be offset by the prepayment Of the Doherty Debt Service of \$537,625 and a reduction of 15.33 positions.

Future use projections – restore 3.32 positions in FY-29.

Utilizing the \$1.875M, approximately 3.48 future years of DMS Debt Service could be prepaid. As a result, saving is seen into future fiscal years, resulting in smaller FTE reductions. In FY-30, funding needs to be restored to restart the annual payments as prepaid debt payments end.

Not having any use of the one-time funds of \$1.8M would result in the reduction of 22 Staff Members.

Example #2. Using all funds for recurring expenses the result is a deficit of (\$3,622,715) and a reduction of 46 positions.

Example #3 Splitting up the funds to spend some on recurring expenses and a prepayment for a debt service would result in a reduction of 31.5 positions.

Example #4 Using \$1.875M for One-time expense, prepaying DMS Debt of \$537,625 Apply total amount to results in the reduction of 15.33 positions.

The Town Manager provided examples of the impacts of using Free Cash for recurring expenses that were presented at Town Meeting and last week's Select Board meeting. At the end of four years, we would have a Free Cash deficit.

Brian Major asked how this would affect from our rating agency and if it would have a negative impact. The Dept. of Revenue recommended not to go that route.

The Total Budget Allocation slide showed the composition of the projected tax bill for FY-25 with the Andover School Dept receiving the highest percentage and Town Depts being about 19% which includes the IT Budget (town and school). The intent is to show some of the legitimacy of the challenges to reduce town departments.

Kevin Coffey said there is still an operational deficit in FY 27-FY29. The Town Manager said that would happen if we used Free Cash.

Next Steps:

Schedule a Community Forum to answer questions from the public.

Schedule a Triboard Workshop to discuss and vote recommendations.

Call a Special town Meeting when we have a plan to reconcile the budget and sign the Warrant.

Questions:

Can any action of the Special Town Meeting impact the budget, is the Special Town Meeting bound by that? Doug Heim said any action would be an amendment to a budget that has already been passed (with important caveats as needed) They can amend the school budget to increase or decrease; we need to have a balanced budget. If the Select Board called a meeting for an override and it failed, we would be in the same situation we are in now. Having an operational override (specific to the school budget) as explained by Brian Major, and if it passed, we would have a balanced budget; make it contingent on the override vote. If we don't find a solution \$1.875 deficit.

If there was an override it must happen in enough time to set the tax rate.

Town Meeting is voting on a budget, if the Select Board puts an override on a ballot, there is a specific dollar amount with a general purpose the first year. As of now we don't where the money is coming from to balance the budget. The Town Manager said that the \$1.8M override will only solve the financial problem for FY-25; and restricted for the specific appropriation. After that, the levy amount is part of the budget. Having an existing approved budget, you are amending an existing budget; and will need articles to present to Special Town Meeting.

The members of the Triboard discussed having an override, an understanding of what the Town Meeting vote was, and to consider a contingent override which would be an expansion on some of the conversations that happened.

At the next meeting the Town Manager said they will provide a list of options. They are also planning an in-depth budget summit in the fall.

Alex Vispoli asked if the Town Manager could provide the various options to consider. It was clear that there was not an understanding of what the impact of the \$1.875M budget deficit would be.

Brian Major suggested taking the Town Departments off the agenda in trying to balance the budget. It is important the boards build consensus on what is going to be off the table. There is no place to cut from the Town Departments.

Kevin Coffey commented that he heard that the intention is not to cut Town Department budgets and not have an override, but to have more of a conversation to have more trade-offs in the School Department. This is a long-running structural problem not a one-time ask. There are some fundamental things to build support for in the school community and that the School Department conduct the conversation with the community.

What happened at the last Town Meeting could look the same as the next Town Meeting. We must make solid and sound financial decisions for the Town. Shauna Murray said it is sometimes difficult for us to say that other people might feel a different way but that is what our Town Meeting spoke about, it is difficult to count on what the sentiment will be for the next Town Meeting.

The Town Manager suggested they have a community forum if the other Boards agree. Paula Colby-Clements asked that the things we talk about at the Public Forum be aimed at the budget solution and what the School Department wants to do. We must get a balanced budget and agree to tighten the discussion so we can get a voted balance budget at Town Meeting. Mr. Coffey said that if we agree there is a need to talk about trade-offs that it would be up to the School Committee how to do that.

It was very clear to most everyone there and after that what the impact of the \$1.875M is. Melissa Danisch does not feel she heard the community say to hire all the teachers back. The Town looks to the board to determine the impacts of the vote.

Alex Vispoli moved that the assumptions moving forward that the Town Departments do not get touched with the budget that has been passed. Motion seconded by Ellen Townson and voted 5-0 to approve.

Brian Major moved that the Finance Committee does not support taking e funds from Town Departments to rectify the situation. Motion seconded by Kim Perry and voted 6-0 to approve.

Emily DiCesaro moved that the School Committee does not approve to take the \$1.875 from the Town budget. Motion seconded Sandis Wight and voted 5-0 to approve.

IV. Adjourn

At 9:00 PM on a motion by Ellen Townson and seconded by Alex Vispoli the Select Board voted to adjourn.

On a motion by Brian Major and seconded by Kim Perry the Finance Committee voted to adjourn.

On a motion by Sandis Wright and seconded by Lauren Diffenbach the School Committee voted to adjourn.

On a motion by Brian Major and seconded by Kim Perry

Respectfully submitted,
Dee DeLorenzo, Recording Secretary



Select Board Meeting

Monday, May 20, 2024

7:30 PM

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

I. Call to Order – 7:30 P.M.

Alex Vispoli, called the Select Board Meeting of Monday, May 6, 2024, to order at 7:30 PM in the School Committee Room in the School Administration Building at 30 Whittier Court, Andover, Mass. The meeting is being recorded and broadcast live.

Members in attendance: Alex Vispoli, Kevin Coffey, Melissa Danisch, Ellen Townson.
The Chair, Laura Gregory arrived after the meeting opened.

Others in attendance: Town Manager Andrew Flanagan, Deputy Town Manager, Mike Lindstrom, Patrick Lawlor and Chief Administrative & Financial Officer, Austin Simko, Deputy Town Manager and Town Clerk, Town Counsel, Doug Heim.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

Mike Lindstrom said the 2024 Memorial Day Parade and Ceremonies will begin on Monday starting at West Parish Church at 7:00 A.M. and then at St. Augustine's Cemetery at 8:00 AM followed by ceremonies at Spring Grove Cemetery. The parade will at 10:00 am starting off at the corner of Elm Street and Florence Street.

Patrick Lawlor said there are a number of openings on various Town Boards and Committees. There are a few openings on the Finance Committee and the Board of Assessors. Interested residents should submit a Talent Bank Form available on the Town website.

Austin Simko reported that a solicitation has gone out to highlight vacancies that will be created on the Board of Health. They would like to expand the Board from three to five members. Anyone interested should submit a Talent Bank Form and/or contact Tom Carbone or Austin Simko. Applicants do not need to be an Medical Doctor to be on the Board of Health.

Kevin Coffey reported that Clown Town went well this weekend. On Sunday, various groups replaced the flags on the veteran graves for Memorial Day and on Sunday he joined Boy Scout Troops 77 and 79 to help replace flags.

Melissa Danisch attended Crafts in the Park and Sydney's Rainbow Day this past weekend. and attended the Citizens Who Care Celebration and the Andover Cultural Counsel Celebration.

Ellen Townson reported that the Conservation's monthly hike will be held on Wednesday, May 29th from 9:00 AM -11:00 AM. They will be hiking Foster's Island Reservation. Participants will meet at the end of Rec Park Road. In addition, On Monday, June 3, Memorial Hall Library is holding a lecture titled "In Your Backyard" to learn how to recognize common and invasive plants. The Conservation Committee along and the Pollinator Pathways will be conducting free visits to people's homes to help those who would like to have a pollinator pathway in their yards. On Friday, May 31st, Walk-Bike Andover will be joining the Commission on Disability for a walk

through the Downtown to see how accessible it is or is not for residents with different types of ability challenges.

Alex Vispoli reported that the Andover Chamber of Commerce Breakfast will be held the Indian Ridge Country Club at 7:30 AM on June 6th to recognize those who have contributed to Andover and to include prior elected officials. Andover Days is scheduled for September 21st. The website is up for anyone interested in being a sponsor or getting a tent to display can go on the website for more information.

IV. Public Comment - None

V. Regular Business

A. Election Equipment

The Select Board to discuss and consider voting to approve the use of a high-speed ballot tabulator for use in all elections held within the Town of Andover.

Austin Simko reported on the request for the Select Board to endorse the use of the high-speed ballot tabulator to tabulate in-person and early vote-by-mail tablets; and any ballots received before Election Day. Austin explained how the process would work.

Andover has eleven precincts and voting at the polling place(s) requiring 30-35 extra people and takes up space. The tabulation of these ballots is interspersed with live ballots being cast. They will be able to tabulate all of the ballots at a central location and it would still be a public process and posted and accessible to observers.

The high-speed tabulator can tabulate all of the ballots in question at a central tabulation facility and has the ability count 100 ballots per minute (in-person and vote-by mail ballots) over the course of the day). It would be a more streamlined operation used for all elections. The Central tabulation will be held at Town Office with results posted at the end of the voting day. The tabulation will be open to the public and the cost covers the machine and a laptop. They are not getting rid of any of the current tabulators in case they are needed. Ballots sorted and counted will be escorted by the Andover Police to the Town Clerk's Office.

Melissa Danisch moved that the board approve the use of the ImageCast Central high-speed ballot tabulator for all elections held within the Town of Andover. Motion seconded by Kevin Coffey and voted 4-0 to approve.

B. Amendments to Traffic Rules and Regulations

Board to discuss and consider voting on the following changes to the Traffic Rules and Regulations as proposed by the Andover Safety Officer Ota. The residents from Red Spring Road who are requesting the change were present at the meeting. It was shown and explained how cars parked in these locations block the resident's sight lines for getting in and out of their driveways. The issue is the lack of visibility for cars coming up Red Spring Rd. Daniel Murphy of 49 Red Spring Road said they brought this to the attention of the Safety Officer because of the sight restrictions especially for school busses.

Melissa Danisch moved to approve the amendments to the Traffic Rules and Regulations as listed above and imposing a parking restriction of no parking on the north side of Cuba Street at 29 Cuba Street as presented by the Andover Safety Officer. Motion seconded by Kevin Coffey and voted 4-0-1 to approve. Laura Gregory arrived at this time and so abstained from voting.

Melissa Danisch moved to approve the amendments to the Traffic Rules and Regulations imposing a parking restriction of No Parking on the north side of Cuba Street at 29 Cuba Street for a distance of approximately 20 feet as presented by the Andover Safety Officer.

Melissa Danisch moved to approve the amendments to the Traffic Rules and Regulations imposing a parking restriction of No Parking on the north side of Red Spring Road at 49 Red Spring Road for a distance of approximately 40 feet as presented by the Andover Safety Officer. Motion seconded by Kevin Coffey and voted 4-0-1. Laura Gregory abstained.

C. Zoning Board of Appeals Appointment Criteria

Board to discuss and consider voting on criteria for appointments to the Zoning Board of Appeals. Laura Gregory said this item was discussed by the Select Board at a previous meeting and the positions need to be completed by the end of June.

Comments by the Select Board

Melissa Danisch said the Select Board Policy provides some guidance regarding the Zoning Board of Appeals (ZBA) which consists of five members and three associate members. The interviews will take place at 10-minute intervals prior to a Regular Meeting of the Select Board Meeting. Public consideration and announcement of the appointment will take place at the first Select Board Meeting following the date of the interviews. Melissa Danisch listed off qualifications required and on the process.

The subcommittee developed a list of questions that vary a little depending if the applicant is already on the board or a new applicant. Having a breadth of experience, ability to communicate, and understanding is helpful as it may take some time to understand the issues and being an Associate Member is an opportunity for someone to learn the process. Kevin Coffey, asked that in what other requirements the Select Board might be looking for and how do they access the scope of community values, sometimes there are controversial requests. Ellen Thomson said there are precedents to consider as well.

The Board discussed possible questions and criteria they might consider asking the applicants when interviewed.

D. Presentation on Open Meeting Law. By Town Counsel Doug Heim

Town Counsel, Doug Heim provided an overview of the Open Meeting Law and recognized Legal Administrator, Kathryn Forina who has been a wonderful resource in providing information.

The presentation included information on transparency before during and after action by a public body and the Open Meeting Law basics (not applied to Town Meeting.) . All public bodies must post notice, agendas for any and all meetings that include date, time, location and details of the issues and minutes of the meeting. Posting must be made with the Town Clerk 48 hours prior to the meeting excluding Saturday, Sunday and legal holidays. Andover adopted the Municipal Website option for posting. The Attorney General's Office recommends waiting for duly posted meetings they do allow for unanticipated matters, emergency meetings and additions to proposal noticed Meetings require updated postings.

Notice under the Open Meeting Law does not satisfy all hearing requirements. There is no specific exception for responding to resident comments which don't need to be addressed in a meeting.

Definition of deliberations: Must be open to the public except for statutory exemptions.
i.e. Executive sessions.

Please click on the link above for the full presentation.

E. Review of Select Board, Finance Committee and School Committee (Tri-Board) Workshop and Special Town Meeting

Board to discuss May 8, 2024 Tri-Board Workshop and potential Special Town Meeting.

The Town Manager discussed the limited options to balance an unbalanced budget. Town Meeting approved to increase the school budget by \$1,875.00; there are limited options on how to approach the increase. The School Committee is holding a School Budget Hearing at the Collins Center on Thursday, May 23, 2024. At their last School Committee meeting, they went through a number of different funding scenarios including the \$404,000 in State Aid, allocation to the Andover School Budget (which would increase by about \$200,000), and the gap would go down. The School Committee will take a position on how to spend the funds. The School Committee will meet to decide how the funding will be spent.

To address the budget deficit of \$1.875M.

May 23 School Committee Budget Forum 7:00 PM Collins Center
The Town Manager and Patrick Lawlor will attend to respond to possible questions.

May 28 Triboard – discuss budget options 7:00 PM MHL

June 18 Special Town Meeting 7:00 PM Collins Center

The Town Manager reported that the State Aid number has gone up \$404,000 from the Governor's initial budget. Normally, the funds are split 70/30 (Town/School) so the allocation to the APS budget would be about \$283,000. Automatically reducing the budget gap.

The School Committee and Superintendent to decide how to use the additional funds. The School Committee will take a position conceptually on how they would spend the money, possibly adding student facing positions that meet current needs of the School District and use the balance for DMS debt service as the Superintendent presented.

The goal is to have a Special Town Meeting on June 18th at the Collins Center. The Finance Committee will produce a report to be mailed to residents prior to the Special Town Meeting

By law, the Town is required by to have a balanced budget. The Town Manager shared the options were discussed by the Board.

Special Town Meeting has to approve the additional funds which is why we have to go back to Town Meeting to appropriate the \$1.875 or another amount.

Consent Agenda

A. Appointments by the Town Manager

Alex Vispoli moved to vote that the following appointments by the Town Manager as printed be approved. Motion seconded by Ellen Townson. Motion voted 5-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Andover Green Advisory Board	Willow Cheeley	Member	06/30/2027	07/01/2024
Andover Green Advisory Board	Philip Martin	Member	06/30/2026	05/21/2024
Andover Housing Trust Fund Board of Trustees	David Brown	Member	06/30/2027	07/01/2024
Andover Housing Trust Fund Board of Trustees	Patricia Dell Ross	Member	06/30/2027	07/01/2024
Audit Committee	Mary Ellen Logee	Member	06/30/2026	05/21/2024
Audit Committee	Steven Sintros	Member	06/30/2026	05/21/2024

Ballardvale Historic District Commission	Remi Machet	Member	06/30/2027	07/01/2024
Board of Assessors	Lewis Trumbore	Member	06/30/2027	07/01/2024
Commission on Disability	Carlene Belle Flanagan	Member	06/30/2027	07/01/2024
Council on Aging	Edward Plowey	Member	06/30/2027	07/01/2024
Cultural Council	Yuantai Du	Member	06/30/2027	07/01/2024
Elderly & Disabled Tax Fund Committee	Kimberly Butler-Rainen	Member	06/30/2027	07/01/2024
Elderly & Disabled Tax Fund Committee	Thomas Rando	Member	06/30/2027	07/01/2024
Investment Committee	Andrew Betts	Member	06/30/2027	07/01/2024
Merrimack Valley Planning Commission	Jacki Byerley	Alternate Member	06/30/2025	07/01/2024
Merrimack Valley Planning Commission	Lisa Schwarz	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	Calvin Deyermund	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	Brian Masterson	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	Edward Ratyna	Member	06/30/2025	07/01/2024
Preservation Commission	Karen Van Welden-Herman	Member	06/30/2027	07/01/2024
Scholarship Committee	Kate Allard	Member	06/30/2027	07/01/2024
Scholarship Committee	Philip Giguere	Member	06/30/2027	07/01/2024
Scholarship Committee	Carolyn Hanson	Member	06/30/2027	07/01/2024
Towle Fund	Gloria Wager	Member	06/30/2027	07/01/2024
Trustees of Spring Grove Cemetery	Mark De Lisio	Member	06/30/2027	07/01/2024
Trustees of Spring Grove Cemetery	Gail Ralston	Member	06/30/2027	07/01/2024
West Elementary School Building Committee	Lauren Conoscenti	School Committee Representative		05/21/2024

VI. Approval of Minutes

1. April 8, 2024 Select Board (Minutes. with revisions).

On a motion by Alex Vispoli and seconded by Kevin Coffey the Select Board voted 5-0 to approve the Minutes of April 8, 2024 with revisions.

VII. Adjourn. 9:47 PM

At 9:47 PM on a motion by Alex Vispoli and seconded by Melissa Danisch, the Select Board Unanimously voted to adjourn the meeting of May 20, 2024.

Respectfully submitted,
Dee DeLorenzo
Recording Secretary



Select Board Meeting

Tuesday, May 28, 2024

8:30 PM

Memorial Hall, Memorial Hall Library

2 North Main Street, Andover, MA 01810

I. Call to Order – 8:30 P.M.

The Chair, Laura Gregory called the Select Board to order at 7:00 PM. Members in attendance: Vice Chair Alex Vispoli, Melissa Danisch, Kevin Coffey.

In attendance: Town Manager Andrew Flanagan, Patrick Lawlor Chief Administrator, Town Counsel Doug Heim, Deputy Town Manager/Town Clerk Austin Simko.

Paula Colby-Clements, Chair of the Finance Committee, opened the meeting for the Finance Committee. Committee members in attendance: Vice Chair Kim Perry, William Haskell, Aaron Buzay, and Brian Major.

School Committee Chair Lauren Conoscenti called the School Committee to order. Members in attendance: Sandis Wright, Emily DiCesaro, Lauren Diffenbach, and Shauna Murray. Others in attendance: Superintendent Dr. Parvey, Assistant Superintendent of Finance and Administration Keith Taverna.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

III. Special Town Meeting - June 18 2024

Town Manager Andrew Flanagan reported on the goal of having a Special Town Meeting on June 18, 2024 at the Collins Center and provided a recap on use of additional School Committee funds should they be appropriated and a discussion on potential Warrant Articles for Special Town Meeting that included:

- The FY 2025 School Department Operating Budget transfer from Free Cash to balance the budget.
- The FY 2025 School Operating Budget (revote the budget as initially proposed at Town Meeting.
- FY 2025 School Operating Budget with contingent appropriation.
- Reserve Fund appropriation.
- Board and Committee recommendations.

The Select Board will have a discussion, open the Warrant, submit Articles to be included and then close and sign the Warrant followed by recommendations of the Board and the Committee.

As they begin to further discuss how the \$1.85M may be spent and the possible funding source, Dr. Parvey said that the School Committee voted to allocate any additional Free Cash funds to only fund strategic and sustainable one-time expenses. She appreciates that closing a budget deficit requires difficult choices, some of which may be unpopular and understands

the concerns and perspectives shared by those in the community. She is confident the budget is sound and responsible.

To close the budget deficit, they will reduce 35 positions which are necessary given the fiscal constraints and are manageable without significant impact to the schools. Over the past ten years, they have seen a significant decline in enrollment which allows them to reduce sections in some grade levels and subject areas while maintaining reasonable class sizes. Parents will not see a reduction in key service to our students.

Twenty-one staff members indicated that they did not plan to return the district next year. Fourteen teachers were not renewed and did not have professional teacher status. Some staff members have transferred to another position within the district that match their qualifications. Teachers have already started planning work for the transition.

Next year, they will have 933 staff members who are ready to work and ensure that approximately 5,500 students are supported and challenged every day. They are anticipating a modest allocation of additional Chapter 70 funds from the State and depending upon how the budget works out, they will be able to fund four positions and will make strategic decisions over the summer on where greatest needs for student support is. Dr. Parvey is confident that the plans they are making today will enable them to deliver on that promise.

The Board continued with discussion on potential Articles for Town Meeting that included:

Fiscal Year 2025 Operating Budget Transfer from Free Cash

Article for the FY-2025 Operating Budget Transfer from Free Cash the supplemental amount of \$1,591,913 as previously voted under Article 4 of the Annual Town Meeting held on April 29, 2024 to fund amounts previously appropriated for the Fiscal Year beginning July 1, 2024 and ending on June 30, 2025 for a total of \$104,353,334 for the Andover School Department. This article balances what was already presented to Town Meeting.

Fiscal Year 2025 School Department Operating Budget

To see if the Town will vote to appropriate, including appropriations from available funds, to defray charges and expenses of the Town including debt and interest to provide for a reserve fund for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025 the sum of \$102,761,421 for the Andover School Department and further appropriate a supplemental sum of \$1,591,913 for FY 2025 school operations expressly contingent upon approve of the voters of Prop 2 ½ override question in accordance with GL C.59%21C(g) or take any action related thereto.

Finance Committee Reserve Fund Appropriation in the amount of \$121,313 to the Finance Committee Reserve Fund or take any action related thereto.

1. Using Free Cash to make up the difference between State Aid. (Free Cash Article) which would be a one-year solution.
2. Chances of an operational override
3. This is a multi-year issue
4. School deficit recurring next year

Brian Major said that the action taken by the School Committee last Thursday for any monies from Free Cash reserves would be used for one-time expenses was important. Next year, we will have a \$1.75M deficit just with the existing contracts based on the level of FTE's.

The Boards had a lengthy discussion on the Warrant Articles, use of cash reserves, and the process. The Town Manager said that the first Warrant Article for use of cash reserves is a safety valve for Town Meeting. Town Counsel explained the process and options to consider. The discussion also included what would happen if the Article(s) passed or failed and if there would be a balanced budget.

The Town Manager said that the Article balances the budget with increased State Aid and Free Cash; balancing the budget dependent on an override is risky with just one Article. There is a chance we could leave Town Meeting with an unbalanced budget. We would have an approved budget but not a balanced budget which is needed by mid -September, and therefore, would have to have another Special Town Meeting to approve the budget.

The first article balances the budget, using the increase in State Aid and Free Cash. The other option is to balance the budget and have an override.

Article for Finance Committee Reserve Fund Appropriation

The Committee members continued their discussion on the FY-2025 Budget, and a budget using Free Cash. Doug Heim said they should be aware the possibility of a citizen petition for a Special Town Meeting to take a different course of action.

Laura Gregory said there are two positions the Board potentially must take; one is to what to put on the Warrant and once on the Warrant what the Board's position is. She would not support the use of Free Cash for this use.

Ellen Townson moved to submit into the Warrant the Fiscal year 2025 operating budget transfer from Free Cash on the request of the Select Board and also the Fiscal year 2025 School Dept. Operating Budget on the request of the Select Board and that they also put into the Warrant the article for the Finance Committee Reserve Fund Appropriation. Motion seconded by Melissa Danisch and voted 5-0 to approve.

Alex Vispoli moved that the Select Board recommend disapproval of the first article for the FY-2025 Operating Budget Transfer from Free Cash. Motion seconded by Kevin Coffey and voted 5-0 to recommend disapproval.

Alex Vispoli moved that the Select Board recommend approval of the fiscal year 2025 School Department Operating Budget Article. Motion seconded by Melissa Danisch and voted 5-0 to recommend approval.

Alex Vispoli moved that the Select Board recommend approval of the Article entitled Finance Committee Reserve Fund Appropriation. Motion seconded by Melissa Danisch and voted 5-0 to approve.

Sandis Wright moved to recommend disapproval of the Article FY-2025 Operating Budget Transfer from Free Cash. The motion was seconded by Emily DiCesaro and voted 3-2 to recommend disapproval.

Emily DiCesaro moved to recommend approval of the FY-2025 School Department Operating Budget. Shauna Murry seconded the motion. Motion passes 5-0.

Emily DiCesaro moved to approve the article for the Reserve Fund Appropriation. Motion seconded by Sandis Wright and voted 5-0 to approve.

Finance Committee Chair Paula Colby-Clements reported that the Finance Committee had high level discussion at their meeting and it seemed to them that any transfer of free cash would be kicking the can down the road.

Brian Major moved that the Finance Committee recommend disapproval of the FY-2025 Operating Budget Transfer from Free Cash. Motion seconded by Kim Perry and voted 5-0 to recommend disapproval.

Brian Major moved that the Finance Committee recommend approval of the 2025 School Department Operating Budget. Motion seconded by Bill Haskell and voted 5-0 to recommend approval.

Brian Major moved that the Finance Committee recommend approval of the Finance Committee Reserve Appropriation. Motion seconded by Bill Haskell and voted 5-0 to recommend approval.

Alex Vispoli moved that the Select Board order the Warrant Articles as follows:

Article I. FY-2025 Operating Budget from Free Cash

Article 2 FY-25 School Department Operating Budget

Article 3 FY-25 Finance Committee Reserve Fund Appropriation.

Motion seconded by Ellen Townson and voted 5-0 to approve.

Special Town Meeting

Melissa Danisch moved that the Board approve and vote to sign the June 18th, 2024 Special Town Meeting Warrant as discussed specifically Article One FY-2025 Operating Budget transfer from Free Cash, Article Two Fiscal Year 2025 School Department Operating Budget and Article Three Finance Committee Reserve Fund appropriation. Motion seconded by Alex Vispoli and voted 5-0 to approve.

On a motion by Alex Vispoli and seconded by Kevin Coffey the Select Board voted 5-0 to close the Warrant. The motion was seconded by Alex Vispoli and voted 5-0 to approve.

IV. Adjourn

At 8:36 PM on a motion by Alex Vispoli and seconded by Melissa Danisch, the Select Board and voted 5-0 to adjourn.

On a motion by Brian Major and seconded by Bill Haskell the the Finance Committee to unanimously voted to adjourn.

On a motion by Shawna Murray and seconded by Lauren Diffenbach, the School Committee voted to adjourn.

Respectfully submitted,

Dee DeLorenzo, Recording Secretary



Select Board Meeting

Monday, June 3, 2024,

7:00 PM

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

I. Call to Order – 7:00 P.M.

The Chair, Laura Gregory called the meeting to order at 7:03 PM.

Members in attendance: Vice Chair Alex Vispoli, Clerk, Ellen Townson, Kevin Coffey, and Melissa Danisch.

Others in attendance: Austin Simko, Town Clerk & Deputy Town Manager and Town Counsel Doug Heim. Andrew Flanagan, Town Manager, arrived late due to graduation.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

Austin Simko reported that the next voter registration to vote at the June 18th Special Town Meeting is June 8th. If it is on Saturday, you can register at the Safety Center or register to vote on-line or in-person.

Alex Vispoli thanked the Patriotic Holiday Committee for the great Memorial Day Parade and Ceremony which was well attended. Andover Day is set for September 21st forms are online for those wants to enter.

Laura Gregory and Melissa Danisch attended the Pride Parade and picnic yesterday. Laura read the proclamation proclaiming the Month of June 2024 as LGBTQ Pride Month in the Town of Andover and urges all residents to take part in activities.

IV. Public Comment

Kristen Wise, Inman Lane – does not understand why the having the funding of the school-budget is the first warrant article and does not see where the Chapter 70 funds are being approved by Town Meeting and questioned using the reserve fund. Town Counsel reported that there is always a school/town split of Chapter 70 funds; additional funds not anticipated and represented in the budget votes. The first article was only about transferring money to Free Cash, Article 2 is to see if Town Meeting will revote the budget to accept the additional State Aid. Town Meeting votes on the bottom-line budget for the school Department but does not for the Town budget. The money put in specific reserve fund can only be approved by the Finance Committee if they feel it is appropriate.

V. Public Hearings

A. National Grid – Webster Street

Board to review and consider voting to approve an application by National Grid to relocate one SO pole on Webster Street beginning at a point approximately 380 feet

Southwest of the centerline of the intersection of Webster Street and Stevens Street. National Grid proposes to relocate pole 3198 on Webster Street 10 feet Northeast for new riser for 8T2 feeder.

Dave Boucher, Senior Designer National Grid, 1101 Turnpike Street, North Andover reported on the hearing requests by National Grid. National Grid has not heard any complaints or concerns by residents.

On a motion by Alex Vispoli and seconded by Melissa Danisch the Board voted 5-0 to approve the request by National Grid to relocate one SO pole on Webster Street as described.

B. National Grid – Webster Street

Board to review and consider voting to approve an application by National Grid to remove 1 SO pole on Webster Street beginning at a point approximately 15 ft. southeast of the centerline of the intersection of Webster Street and Stevens Street. National Grid proposes to remove pole 8-A on Webster Street.

Alex Vispoli moved to approve an application by National Grid to relocate one SO pole on Webster Street beginning at a point approximately 15 feet southeast of the centerline of the intersection of Webster Street and Stevens Street. National Grid proposes to remove pole 8-A on Webster Street. Motion seconded by Melissa Danisch and voted 5-0 to approve.

C. National Grid and Verizon – River Road

Board to review and consider voting to approve an application by National Grid to install one JO pole on River Road beginning at a point approximately 103 ft. southwest of the centerline of the intersection of Avery Lane and River Road. National Grid will install pole# 177-50 at approximately 42° 39' 36.6" N 71° 14' 23.1" W. This station is directly across the street from River Road and putting a feeder monitor on it to give them more data to use.

Melissa Danisch moved to approve the application by National Grid to install one JO pole on River Road beginning at a point approximately 103 feet Southwest of the centerline of the intersection of Avery Lane and River Road. National Grid will install pole# 177-50 at approximately 42° 39' 36.6" N 71° 14' 23.1" W. Motion seconded by Alex Vispoli and voted 5-0 to approve.

D. Eversource – Wildwood Road

Board to review and consider voting to approve an application by Eversource to replace the existing gas regulator station and associated piping at the intersection of Wildwood Road and Route 125 due to aging infrastructure and traffic safety concerns. The new station will be moved to the Town Right of Way and the existing station will be abandoned.

Louis Deroche, Senior Project Engineer spoke to the application request to move the station from the MASS DOT right of way to the Town right of way. Eversource would be seeking easements from the property owners. The existing station is underground, and pipe abandoned once the project is in and installed, they file all maps and daily reports filed.

Kevin Coffey to approve the application by Eversource to replace the existing gas regulator station and associated piping at the intersection of Wildwood Road and Route 125 due to aging infrastructure and traffic safety concerns. The new station will be moved to the Town Right of Way and the existing station will be abandoned. Motion seconded by Melissa Danisch and voted 5-0 to approve.

VI. Regular Business

A. Alcoholic Beverages License – Location Closure Update

Board to receive update from MRG Asset Holdings LLC, dba Pazzo Pizza Co., pursuant to the Select Board Regulation XI.2.C.5, regarding location closure.

David Malloy, owner of MRG Asset Holdings LLC, said the company closed in January and a commercial broker is looking to find a buyer for the property. Austin Simko said there is a mechanism for a transfer of license and the procedure is similar to applying for a new one. For this class of license, we can give up about six additional licenses. No motion required.

B. Petition to Place Questions on Annual Town Election Ballot

Board to review and consider voting to take action on the petition of Kathleen Grant asking that the Select Board place questions on the March 24, 2025, Annual Town Election ballot.

Austin Simko provided background on this petition to place non-binding questions on a local ballot; it is a distinct channel to get a question on the ballot. The statute requires ten signatures, and the petition has fourteen signatures. This petition has three versions, not four. Doug Heim said it is not three separate petitions, it is only one petition with three questions. Each question will have to have separate answer (yes/no). The Board discussed the request.

Kathy Grant, Morton Street provided background information on the three questions for the article and what Andover voters would like to see and discuss.

Ellen Townson asked when petitioners come forward, would that be two different types of questions on the ballot? Town Counsel said it depends on the timing of the petition; this is for the 2025 Annual Election. On a ballot question, the Board is allowed to have a meeting to discuss and debate but they cannot use town resources to advocate for it. Austin Simko said they would want to talk to the Office of Campaign & Finance for additional answers. The Charter Commission approach is prescribed by State Law.

The Board had a lengthy discussion on the process and requirements for gathering signatures and getting question(s) on a ballot. The statutory requirements are extensive. The Town Manager explained the Charter process.

Austin Simko explained that if the questions were to be put on the ballot, public education of the outcome of what a Charter Commission is would be helpful. To be on the March 2025 ballot they would need 90-days before the 4th Tuesday in March. Town Counsel explained the Charter Commission process. The Board will address this question at a future meeting. Laura Gregory suggested addressing this after the Special Town Meeting.

C. Information Technology Surplus Property Disposal

Board to consider voting to authorize the Town Manager to dispose of some or all of the 591 units of information technology surplus property. Wally McKenzie from the Town IT Department presented information on the process of Andover IT recycling and disposal guidelines broken up into operation and non-operation items; 85% of the devices they are recycling are prior to 2013. The estimated value of what will be recycled is \$1,700. Town Disposal and recycling guidelines are followed. There are 12.8 cubic yards of devices to recycle.

Ellen Townsman moved that the Board vote to authorize the Town Manager to dispose of some or all of the 592 units of information technology surplus property as described on the list presented to the Select Board and for the Town Manager to do so at his discretion by public auction or competitive bids pursuant to Mass General Laws 30B. Motion seconded by Melissa Danisch and voted 5-0 to approve.

D. Affordable Unit Right of First Refusal – 6 Overlook Drive, Unit 302

Denise Johnson, Sunset Rock Road spoke to the request for selling 6 Overlook Drive, Unit 302, and asking the Board to vote to not exercise its right of first refusal to purchase the affordable housing unit at 6 Overlook Drive, Unit 302. This unit is priced at \$364,000; affordable housing gets a 2% real estate fee.

Alex Vispoli moved to not exercise the Board's right of first refusal to purchase the affordable housing unit at Overlook Drive, Unit 302. Motion seconded by Kevin Coffey and voted 5-0 to approve.

E. Grant of Utility License

Board to review and consider voting to grant a utility license to Massachusetts Electric Co. at 86 North Street, Andover, MA. Town Counsel Doug Heim spoke to this agenda item.

This license will support infrastructure for support of utilities, and they want to get an easement for this because it is on conservation property; the Conservation Commission has already granted approval. This license will be similar to operating in perpetuity. This is just for the license. Question was asked if abutters were notified. The Board decided to hold on this request for more information by the applicant and confirmation of abutter notification. No action taken.

VII. Consent Agenda

A. Appointments by the Town Manager

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

Alex Vispoli moved to approve the following appointments by the Town Manager. Motion seconded by Ellen Townson and voted 5-0 to approve.

And voted 5-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Andover Police Department	Kerry Hoey <i>(Mary Burke)</i>	Data Specialist	\$73,520.60	06/17/2024
Conservation Commission	Alexandra Driscoll	Member	06/30/2027	07/01/2024
Housing Trust Fund Board of Trustees	Walter McGinness	Member	06/30/2025	06/04/2024
Investment Committee	Brian Carbone	Member	06/30/2027	07/01/2024
Investment Committee	Aidan Forde	Member	06/30/2027	07/01/2024
Investment Committee	Andrew Gribbel	Member	06/30/2027	07/01/2024
Investment Committee	Nancy Kimelman	Member	06/30/2027	07/01/2024
Patriotic Holiday Committee	Stephen Wallingford	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	James Bedford	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	Kyle Murphy	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	R. Scott Parrish	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	Calvin Perry	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	Francis Ritterhaus	Member	06/30/2025	07/01/2024
Patriotic Holiday Committee	Andrew Sievert	Member	06/30/2025	07/01/2024
Trustees of Memorial Hall Library	Laurence Lamagna	Member	06/30/2027	07/01/2024
Trustees of Memorial Hall Library	Marilyn Santagati	Member	06/30/2027	07/01/2024
Trustees of Memorial Hall Library	Anthony Straceski	Member	06/30/2027	07/01/2024

VIII. Executive Session

Alex Vispoli moved that the Board vote to go into Executive Session pursuant to Purpose 6 of Massachusetts General Laws, Chapter 30, Section 21(a), to consider the purchase, exchange, lease or value of real property; and to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (Open Meeting Law, G.L. c. 30A, s. 22); specifically, to perform a review of executive session minutes of April 23, 2018 through February 12, 2024 to determine whether all or portions thereof may be publicly released; and to vote to approve and release or not release executive session minutes of February 12, 2024; and 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 that an open session may have a detrimental effect on the negotiating position of the Town. Motion seconded by Melissa Danisch.

Roll call: Alex Vispoli-Y, Kevin Coffey-Y, Melissa Danisch-Y, Ellen Townson-Y, and Laura Gregory-Y.

IX. Adjourn

At 8:50 PM on a motion by Alex Vispoli and seconded by Melissa Danisch, the Select Board voted 5-0 to adjourn from Open Session and move to Executive Session not to return to Open Session.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary



Select Board Meeting – Amended 06/13/2024

Monday, June 17, 2024

6:00 PM

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

I. Call to Order – 6:00 P.M.

Chair, Laura Gregory called the Select Board Meeting of June 17, 2024 to order at 6:00 PM in the School Committee Room, School Administration Building at 30 Whittier Court, Andover, Mass.

Members in attendance: Vice Chair Alex Vispoli and Ellen Townson, Kevin Coffey, and Melissa Danisch.

Others in attendance: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Chief Administrative & Financial Officer, Patrick Lawlor, Town Counsel Doug Heim, and Town Clerk/Deputy Town Manager, Austin Simko.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

The Town Manager said there are three articles on the agenda for the Special Town Meeting that will be held tomorrow, June 18th at the Collins Center, Shawsheen Road, Andover. If anyone has questions that still need to be answered let him know. Mr. Flanagan also thanked the School Department for hosting the Select Board in their School Committee Room for the last few years while the Town Select Board Meeting has been under construction.

The Town Manager also reported on some small ARPA grant funds available to be used for signage, public art installation, amenities and improvements for the downtown area. They have used the funds to purchase the ‘yellow cow’ located behind Old Town Hall at a cost of \$5,000 which is mobile, low-cost and has been well received by the public.

They also purchased a ‘wellness’ fish tank to be located in Town Offices to support the work force. The initiative was created by employees and revenues generated from employee health insurance contributions.

Mike Lindstrom said the next public information session to regarding the Lincoln Street pedestrian safety improvements will be on Tuesday, June 25th at 6:30 PM in the West Middle School Auditorium to bring the committee back together to discuss options on how to improve that corridor.

Patrick Lawlor reported that in July the Board will be presented with a sewer rate plan and recognize the long-term capital needs of the sewer enterprise and costs and any adjustment to the rate plan the Board makes in July would not be effective until September and billed in December.

Austin Simko said check in for Town Meeting starts at 7:00 PM tomorrow night and electronic devices will be used for voting.

Melissa Danisch spoke about events held around Town this weekend that included the Farmer’s Market held at South Church, information on the Commission on DEI, Sydney’s Rainbow, and a petting zoo. The Village Food Pantry in Ballardvale setup a contribution table which has been a great partnership. Melissa attended the 4th Juneteenth Celebration as did Ellen Townson who shared that there is the opportunity for all Andover Residents who use Snap benefits to have access to free snap benefits that can be used at the Farmer’s Market for fresh produce.

Alex Vispoli along with several Board members and town employees participated in a walk around downtown presented by Walk-Bike Andover to identify areas that are difficult to walk around. Paul Materazzo suggested purchasing some temporary rubber speed tables to placed downtown which are usually coordinated with cross walks and may be included them in the CIP.

Laura Gregory supports the wellness efforts for our Town employees and to involve them in ways to spend funds that come out of their health insurance benefits. Andover benefits from our extraordinary employees and their loyalty to the Town just as we benefit from many residents that volunteer for our committees.

The Public Hearing will start at 7:00 PM.

IV. Public Comment – None

V. Regular Business

A. Year End Transfers and Revolving Fund Spending Limit

Board to consider voting to approve year end transfers and Revolving Fund Spending Limit Increase(s).

Patrick Lawlor reported on the Year End Operating Budget Transfers Per Mass Law CH4 section 33B, during May, June and the first 15-days in July, when the Select Board and the Finance Committee may transfer any amount from a department or other appropriation to any other appropriation, except for the School Department. They are requesting transfers for the following:

<u>From</u>	<u>Amount</u>	<u>To</u>
Community Service	\$200,000	General Government
Community Services	\$150,000	Public Safety- Police
Library	\$75,000	Public Safety
Technical Schools	\$55,000	Public Safety

Funds are an accumulation of efficiencies realized within the departments and divisions, salary savings, and the Technical School assessment which was lower than expected. In General Government, the main drivers are from additional costs outside of the budget for expenses related to the three Special Town Meetings, Finance Committee Reports, expenses related to the transition to In-house Counsel, Public Safety Officers out on injury leave, and the cost to fill those shifts that comes from overtime.

Kevin Coffey asked if these are specific needs that were outside the budget? Patrick Lawlor responded that they were due to unexpected consequences i.e. when an officer is out on an injury leave it which creates additional funding not anticipated.

Maura Conrad, 82 North Street, asked what the transfers for the Tech School is for. Patrick Lawlor said they had an available balance of \$55,000 that was transferred to Public Safety.

Revolving Fund Increases: Patrick Lawler explained that each year with the approval of the Select Board and Finance Committee, Town Meeting approves the spending limit for revolving funds. The current expenditure limit is \$20,000 and they expect it to be closer to \$30K and the Field Maintenance Account limit is \$150,000 which is expected to be closer to \$210,000; much of it due to irrigation and sprinklers.

Revolving Fund	Current Expenditure Limit	Requested Expenditure Limit
Recreation	\$1,000,000*	\$1,750,000
CDMP Legal Notices	\$ 20,000	\$30,000
Field Maintenance	\$ 150,000	\$ 220,000

*User fees

Alex Vispoli moved to approve the year end transfers and revolving fund spending limit a presented. Motion seconded by Melissa Danisch and voted 5-0 to approve.

B. Massachusetts Clean Water Trust Loan

Board to consider voting to approve and sign related closing document for the issuance and details of a loan (DWLC-23-105) from the Massachusetts Clean Water Trust. The Clean Water Trust Loan was explained by Patrick Lawlor. They were able to borrow up to \$1.8M for this project at a 0% interest rate and a 40% principal forgiveness for lead service line placement that will only cost the rate payers a little over \$1M. These are private service lines to homes.

Alex Vispoli moved that the votes presented to this meeting relating to Loan Number DWLC-23-105 are hereby adopted and the text of such votes are hereby incorporated into the minutes of this meeting. Motion seconded by Melissa Danisch and voted 5-0 to approve.

C. Zoning Board of Appeals Appointments

Zoning Board of Appeals Subcommittee to recommend the appointment of two regular members and one associate member to the Zoning Board of Appeals to terms that will expire on June 30, 2027. Board to consider voting to approve Subcommittee's recommended appointments. The Select Board subcommittee included Melissa Danisch and Ellen Townson.

Melissa Danisch reported that three public meetings were held followed by interviews of the ten candidates for the three positions; two of the positions are permanent members and one position is for an associate member. The Subcommittee recommends that the three members voted to stay on the Board. Elizabeth Oltman, Kathy Faulk, and Atty. Michael Novaria who has been on the Board for one-term.

Kevin Coffey still has a concern that having the same people engaged on one board for too long and suggested that the Select Board develop a philosophy that they ask the ZBA to address. The Board discussed Selectman Coffey's suggestion.

Melissa Danisch moved to appoint Michael Novaria as an associate member of the Zoning Board of Appeals and to appoint Kathy Faulk and Elizabeth Oltman as regular members of the Zoning Board of Appeals to terms ending June 30, 2027. Motion seconded by Ellen Townson and voted 5-0 to approve.

D. Historic District Study Committee

<http://andoverma.gov/DocumentCenter/View/14902/06172023-Historic-District-Study-Committee>

The Select Board to discuss and consider voting to establish a Local Historic Study Committee for Central Street area.

Austin Simko provided a presentation (see link) on the process to establish a Historic Study Committee. The discussion included the resident-driven rationale for the Study Committee, the Study Committee Charge, the Appointment Process, and the Study Committee Process.

John O'Hara 63 Central Street reported on the rationale for a study committee. Together the neighbors and residents spoke with Karen Hermann, Preservation Commission Chair as well as the Ballardvale Historic District Commission. The residents of the area would like to see a study committee formed and to move forward and make it through to a Town meeting vote.

Karen Herman, Chair of the Preservation Committee, spoke about their charge and the process they are requesting approval of. They reviewed exterior changes to ensure the compatibility and integrity of the Historic District and information is available at MHL. She is asking that the Select Board approve the request to establish a local Preservation Committee for the Central Street area.

Austin Simko provided information on the process and the path forward. If the Board votes to create a study Committee the suggested charges come from the Provisions of MA GL Chapter 40c to make an investigation and report on the historic significance so the buildings, structures, features sites or surroundings included in the Central Street area, and other adjacent areas. If a committee is appointed, the first step would be to appoint committee members. and establish a study committee of 3-7 members appointed by the Select Board.

A preliminary plan would be submitted to the Planning Board and the Massachusetts Historical Commission. Public hearing(s) with notice to property owners would be sent out.

Immediate next steps –

- The Select Board to establish a study committee
- The Town advertises study committee positions
- The Town Manager makes recommendations to the Select Board for appointments.
- The Select Board appoints study committee members.

Public comment: None

Melissa Danisch moved that the board vote to establish a Local Historic District Study Committee under the provisions of Massachusetts General Law Chapter 40C, which shall make an investigation and report on the historic significance of the buildings, structures, features, sites or surroundings included in the Central Street area, and other adjacent areas as the committee may recommend, and that the Study Committee shall submit to the (2025) Town Meeting a final report with its recommendations after a public hearing, together with a map of the proposed district and a draft of the proposed bylaw. Motion seconded by Alex Vispoli and voted 5-0 to approve.

Amendment:

Kevin Coffey moved that the Town Manager advertise the Study Committee positions, and surface candidates to be interviewed by a subcommittee of the Select Board who will ultimately recommend candidates for the Board's approval with the intention of there being a seven-member board formed. Motion seconded by Ellen Townson and voted 5-0 to approve.

E. Grant of Utility License

Board to review and consider voting to grant a utility license to Massachusetts Electric Co. at 86 North Street, Andover, MA.

Nick Brown from TIC Companies and design contractor for National Grid, spoke on the utility license request. The three poles on North Street are part of a project by NGrid to feed a new customer.

Ellen Townson moved to grant Massachusetts Electric Company, 170 Data Drive, Waltham, Massachusetts 02451 a license to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, three (3) push brace(s), (which may be erected at different times) and all necessary foundations, braces, fittings, equipment and appurtenances over, across, under and upon land at 86 North Street in Andover, Essex County MA to service Town of Andover Property and others. Motion seconded by Melissa Danisch and voted 4-1 to approve. Alex Vispoli voted in the negative.

VI. Public Hearings

A. Alcoholic Beverages License – The Andover Wine Merchant, LLC

Board to review and consider voting to approve the application of The Andover Wine Merchant, LLC, DBA The Andover Wine Merchant, for a Wine & Malt Retail Package Store Alcoholic Beverages License at 63 Park Street, Unit 6, Andover MA, with Audra Prout of 29 Morton Street, Andover, MA as the proposed designated manager; subject to the condition that all requirements of the Town are met prior to issuance.

Attorney Mark Johnson represented Audra and Michael Prout, managers of the LLC. Mr. and Mrs. Prout presented their request to the Board. Austin Simko said all paperwork is in order.

The resident at 46 Chestnut Street lives directly behind the address for Andover Wine Merchant LLC, and has concerns about people who park and idle their cars, the noise, and the length of time the store will be open. The resident at 44 Chestnut Street, which is adjacent to this building said that the lighting from the building is so bright they can't keep their windows open and he also has concerns about the noise. Laura Gregory said Andover has an idling ordinance.

Alex Vispoli moved to approve the application of The Andover Wine Merchant, LLC, DBA The Andover Wine Merchant, for a Wine & Malt Beverages Retail Package Store Alcoholic Beverage License at 63 Park Street, Unit 6, Andover, subject to the condition that all requirements of the Town are met prior to issuance. Motion seconded by Kevin Coffey and voted 5-0 to approve.

Alex Vispoli moved the Board find that the application of the Andover Wine Merchant, LLC, DBA The Andover Wine Merchant, for Wine & Malt Beverages Retail Package Store Alcoholic Beverage License at 63 Park Street, Unit 6, Andover is not detrimental to the educational and spiritual activities of the Free Christian Church at 31 Elm Street, Andover. Motion seconded by Kevin Coffey and voted 5-0 to approve.

B. Final Public Hearing for Verizon License Renewal

Board to provide the public an opportunity to comment on the community's cable-related needs as part of the cable television license renewal process for Verizon New England, Inc. due to expire on June 25, 2024 and to consider voting to renew the license with Verizon New England, Inc. The Select Board Chair read the Verizon License Renewal and requirements.

Patrick Lawlor provided an overview of the License Renewal. Atty. Bill August and John Harrington from Verizon were present via Zoom.

Verizon will provide 5% of gross revenues to the Town which will go to AndoverTV. Right now, there are three channels, Verizon will be adding a fourth channel and providing \$71,348 in capital for AndoverTV. This is a license that will continue annual funding levels for Andover TV. Operational and capital funding will be provided and in terms of the local channels, we have an option to request a 4th level channel for high-definition. We are using a licensed document that other communities have vetted. The Chair thanked Wess Murphy and Patrick Lawlor for their work. *Verizon always reserved an option in every single license (despite the 5-year term) to negotiate after a 3-year term.*

Alex Vispoli moved to approve Acting in its capacity as the statutory cable television license Issuing Authority pursuant to Mass. General Laws Chapter 166A, and finding that the cable license renewal proposal of Verizon reasonably meets the license and cable-related renewal needs and interests of the public and Town; and finding that Verizon's financial and technical qualifications, and Verizon's support for the local programming channels, studio, facilities and services are reasonable to meet Town cable license needs; and based on support for continuing Verizon as a Licensee serving the Town, moved the Andover Select Board hereby approves the Verizon-proposed non-exclusive renewal license effective June 26, 2024 immediately following the expiration of the current license on June 25, 2024.

Motion seconded by Melissa Danisch and voted 5-0 to approve.

C. National Grid – North Street and Webster Street

Board to review and consider voting to approve an application by National Grid to install 1 JO pole on North Street, relocate 3 JO poles on North Street and relocate 1 JO pole on Webster Street beginning at a point approximately 33 feet Northeast of the centerline of the intersection of Webster Street & Stevens Street and continuing approximately 3000' in a Northwest direction. National Grid will install new pole 15- 84 on North Street, relocate pole 2, P15 and P16 on North Street and relocate pole 7-A on Webster Street.

Nick Brown representing National Grid request is to support a new customer at 300 Minute Man Drive. Austin Simko said the request was approved by Police and Fire and abutters were notified.

Melissa Danisch moved to approve the application by National Grid to install 1 JO pole on North Street, relocate 3 JO poles on North Street and relocate 1 JO pole on Webster Street beginning at a point approximately 33 feet Northeast of the centerline of the intersection of Webster Street & Steven Street and continuing approximately 3000' in a Northwest direction. National Grid will install new pole 15- 84 on North Street, relocate pole 2, P15 and P16 on North Street. Motion seconded by Alex Vispoli and voted 5-0 to approve.

D. National Grid – Webster Street, North Street, River Road and Old River Road

Board to review and consider voting to approve an application by National Grid to install underground facilities, beginning at a point approximately 0 feet North of the centerline of the intersection of Webster Street & Stevens Street and continuing approximately 7,128 feet in a Northwest direction. National Grid will install new manholes, ducts or new 35KV feeder from substation on Webster Street to Minuteman Road and install 23 new manholes on Webster Street, North Street, River Road & Old River Road locations.

Several residents had questions and concerns on the installation and length of the project which opens up a conduit for more commercial development. This is a huge undertaking and it was suggested the project be put on hold for more information. Andover will have an engineer on site during the project.

Alex Vispoli said a project of this nature should have an overview from beginning to end and asked if National Grid could come back to the Board with an overview of the project to address all of the questions before a final vote is taken by the Board. The Town Manager suggested the Board consider calling another Select Board meeting before June 22, 2024.

E. Eversource– Eastman Road, Woburn Street, Abbot Street, Charlotte Drive, River Street, Lowell Junction Road and Biotechnology Drive

Board to review and consider voting to approve an application by Eversource to install 3.75 miles of 12" Steel-High Pressure gas main from 2024- 2025 on the roads listed as part of the EGMA Safety Assessment mandated by the Massachusetts Department of Public Utilities to increase reliability in the gas system in the Andover area: Eastman Road, Woburn Street, Abbot Street, Charlotte Drive, River Street, Lowell Junction Road and Biotechnology Drive.

Audrey Nason, 21 Charlotte Drive, asked about the capacity of the pipes. The Eversource representative said it will connect point A to B even though the pipe sizes may change, the gas is not increasing because of the path it will take. They will be working with the DPW.

Alex Vispoli moved to approve the application by Eversource to install 3.75 miles of 12" Steel-High Pressure gas main from 2024- 2025 on the roads listed as part of the EGMA Safety Assessment mandated by the Massachusetts Department of Public Utilities to increase the reliability in the gas system in the Andover area: Eastman Road, Woburn Street, Abbot Street, Charlotte Drive, River Street, Lowell Junction Road and Biotechnology Drive and that the as built plans get recorded to Andover Police and Fire. Motion seconded by Melissa Danisch and voted 5-0 to approve.

VII. Regular Business Continued

F. Alcoholic Beverages License – Event on Town Owned Property

Board to consider voting to approve an application from Oak & Iron Brewing Co., located at 18 Red Spring Road, Andover, for a Wine and Malt One-Day Liquor License for use on Town property under Select Board Liquor Regulations Section XI.2.N "Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property." Presentation provided by Jim Cass.

Kevin Coffey moved that the Select Board approve the application from Oak & Iron Brewing Co., 18 Red Spring Road, Andover, MA, for a Wine and Malt One-Day Liquor License for use on Town property under Section XI.2.N "Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property," where the event will be "Andover Unified Pickleball Classic" located at Recreation Park, 147 Abbot Street, and where the manager of the liquor license will be Jim Cass; provided that all conditions of the Town are met prior to issuance. Motion seconded by Melissa Danisch and voted 5-0 to approve.

G. Amendments to Traffic Rules and Regulations

Board to discuss and consider voting on the following changes to the Traffic Rules and Regulations as proposed by the Andover Safety Officer Edgerly.

Motion: Melissa Danisch moved to approve the amendments to the Traffic Rules and Regulations installing an All-Way Stop at Walnut Avenue and Carmel Road as presented by the Andover Safety Officer. Motion seconded by Alex Vispoli and voted 5-0 to approve.

Motion: Melissa Danisch moved to approve the amendments to the Traffic Rules and Regulations by installing four-hour parking at Indian Ridge Road as presented by the Andover Safety Officer. Motion seconded by Alex Vispoli and voted 5-0 to approve.

1. Schedule 3, Article VII, Section 9 – Isolated Stop Signs
Location: Walnut Avenue at Carmel Road
Amend to: All-way stop at Walnut Avenue at Carmel Road
2. Schedule 1, Article V, Section 2 – Parking Locations and Prohibitions
Location: 24 Cuba Street at Indian Ridge Playground
Amend to: 4-hour parking at Indian Ridge Playground located at 24 Cuba Street for a distance of 100 feet, which consists of 7 spaces and 2 handicap spaces for a total of 9 spaces.

H. Town Manager Strategic Goals Update

<http://andoverma.gov/DocumentCenter/View/14901/06172023-Strategic-Goals-Update>

The Town Manager provided a review of the FY-2024 goals and deliverables and Select Board Strategic Goals and Objectives. The presentation includes Administration and Finance Goals, Deliverables, current year status and long-term plans.

GOALS

- *Economic Development & Housing*
- *Active Transportation*
- *Develop Complete Street Prioritization Plan*
- *Investigate Elm Square Safety Improvements*
- *In July-August the State will be bringing back safety audit and identify the slip lanes entering onto the Main Street*
- *Open Space and River Access*
- *Nason's Landing – the lead through the help of DPW 13 yards of and testing should come back with acceptable levels.*
- *Andover Power - the first bill will **be sent out for June 2024 this July.***
- *Diversity, Equity and Inclusion*
- *Goals and Deliverables*

The Select Board will hold an initial discussion on the preliminary FY-2025 Goals at their July 22nd meeting and vote on the goals at their August 6, 2024 meeting. The Town Manager's evaluation is scheduled for July 12th with a review by the Select Board on July 22nd.

VIII. Consent Agenda

A. Appointments by the Town Manager

Alex Vispoli moved that the Board vote to approve the appointments by the Town Manager as listed on the consent agenda. Motion Seconded by Melissa Danisch and voted 5-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Andover Fire Rescue	Shea Adams <i>(James Bancroft)</i>	Firefighter	\$64,308/year	07/01/2024
Community Services	Joseph Connelly <i>(Christopher Dempsey)</i>	Director of Recreation	\$135,000/year	07/22/2024
Community Services	Avre Vickers <i>(Guilford Allen)</i>	Program Coordinator	\$73,055.44/year	06/24/2024
Department of Public Works	Matthew Byrne <i>(Christopher Kun)</i>	Equipment Operator 2	\$30.12/hour	06/18/2024
Information Technology	James Chen	Summer Intern	\$15.50/hour	06/18/2024
Information Technology	William Johnson	Summer Intern	\$15.50/hour	06/18/2024
Information Technology	Sharayu Josh	Summer Intern	\$15.50/hour	06/18/2024
Information Technology	Janisah Landry	Summer Intern	\$15.50/hour	06/18/2024
Commission on Disability	Peter Brown	Member	06/30/2027	07/01/2024
Diversity, Equity & Inclusion Commission	Shamita Athreyas	Student Representative	06/30/2027	07/01/2024
Diversity, Equity & Inclusion Commission	Emran Baqui	Member	06/30/2026	07/01/2024
Diversity, Equity & Inclusion Commission	Rajiv Chopra	Member	06/30/2026	07/01/2024
Diversity, Equity & Inclusion Commission	Carissa Dessin	Student Representative	06/30/2027	07/01/2024
Diversity, Equity & Inclusion Commission	Frank Fitzpatrick	Andover Police Department Representative	06/30/2027	07/01/2024
Diversity, Equity & Inclusion Commission	Kavita Goyal	Member	06/30/2027	07/01/2024
Diversity, Equity & Inclusion Commission	Benjamin Hoerner	Member	06/30/2027	07/01/2024
Diversity, Equity & Inclusion Commission	Amie Joof Senghore	Faith Representative	06/30/2027	07/01/2024
Diversity, Equity & Inclusion Commission	Jing Lu	Member	06/30/2027	07/01/2024
Diversity, Equity & Inclusion Commission	Sandis Wright	Andover Public School Representative	06/30/2027	07/01/2024

IX. Approval of Minutes

A. Board to approve minutes from the following meetings:

1. April 29, 2024, and May 6, 2024 (April 22, 2024 to be revised and approved at the next Select Board meeting).

On a motion by Alex Vispoli, and seconded by Kevin Coffey, the Select Board voted 5-0 to approve the minutes of April 29, and May 6, 2024 as presented.

Regarding the April 22, 2024 minutes, it is not clear to Kevin Coffey if the position for Paul Puzzanghera is a part-time consulting or if a new position is being created. The Town Manager reported that the position would be a part-time employee. The minutes of April 22nd will be revised and presented for approval at the next Select Board Meeting.

X. Adjourn

At 9:53 PM on a motion by Melissa Danisch and seconded by Alex Vispoli, the Select Board voted 5-0 to adjourn the meeting of June 17, 2024.

Respectfully submitted,

Dee DeLorenzo

Recording Secretary

1.0

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Amy Heidebrecht in the Town Manager's Office at 978-623-8213 or by email at amy.heidebrecht@andoverma.us

MEETINGS ARE TELEVISED ON
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45

Select Board Meeting
Tuesday, June 18, 2024 6:00 PM
Andover High School. Room 112
Andover, MA 01810

I. Call to Order – 6:30 P.M.

Chair, Laura Gregory called the Select Board Meeting of June 18, 2024 to order at 6:34 PM in Room 112 at Andover High School, Shawsheen Road, Andover, Mass.

Members in attendance: Vice Chair Alex Vispoli, Kevin Coffey and Ellen Townson.
Melissa Danisch arrived after the meeting opened.

Others in attendance: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Town Counsel Doug Heim, and Town Clerk & Deputy Town Manager, Austin Simko.

II. Board to discuss and decide how to address the currently unbalanced FY-2025 Operating Budget. Town Counsel Doug Heim explained what happens if Article I and/or Article II passes or does not pass. The funds are already appropriated so it leaves the door open for other consideration. If Article I is passed, the Superintendent can decide what to do with the funds.

Town Counsel suggested the Board withdraw Article II if Article I is passed. After July 1, it would be a supplemental budget appropriation for the School Department. The Board discussed options and scenarios for articles I and II.

Article I: Fiscal Year 2025 Operating Budget Transfer to Free Cash.

To see if the Town will vote to transfer from available free cash to the supplemental sum of \$1,591,913 to the FY-25 Operating Budget as previously voted under Article 4 of the Town Meeting held on April 29, 2024 to fund the amounts previously appropriated for the Fiscal Year beginning July 1, 2024 and ending June 30, 2025, for a total amount of \$104,353,334 for the Andover School Department, or take any other action related there to.

Article II: Fiscal Year 2025 School Department Operating Budget

To see if the Town will vote to appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, and to provide for the Fiscal Year beginning July 1, 2024 and ending June 30, 2025 the sum of \$202,761,421 for the Andover School Department or take any action related there to.

Alex Vispoli moved that the Board withdraw Article II if Article I is passed. Motion seconded by Ellen Townson and voted 4-0 to approve.

Article III: Finance Committee Reserve Fund Appropriation

To see if the Town will vote to appropriate the sum of \$121,323 to the Finance Committee Reserve Fund, or take any action related thereto.

Alex Vispoli moved to approve to appropriate the sum of \$121,323 to the Finance Committee Reserve Fund. Motion seconded by Ellen Townson and voted 4-0 to approve.

III. Consent Agenda

A. Alex Vispoli moved that the Board vote that the following appointments by the Town Manager be approved. Motion seconded by Ellen Townson and voted 4-0 to approve.

<u>Department</u>	<u>Name</u>	<u>Position</u>	<u>Rate/Term</u>	<u>Date of Hire</u>
Planning Board	Ann Knowles	Associate Member	06/30/2029	07/01/2024
Planning Board	Rocky Leavitt	Member	06/30/2029	07/01/2024
Planning Board	Morgan von Prella- Pecelli	Member	06/30/2029	07/01/2024

IV. Adjourn

At 6:45 PM on a motion by Ellen Townson and seconded by Alex Vispoli the Select Board moved to adjourn from the Regular Pre-Town Meeting Session and move to Town Meeting not to return to Regular Session.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary



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2024 JUN 21 PM 12:33

**TOWN OF ANDOVER
TOWN CLERK'S OFFICE**

TOWN OF ANDOVER, MASS

36 Bartlet Street
Andover, MA 01810
978-623-8230
www.andoverma.gov

**SPECIAL ONE DAY LIQUOR LICENSE FOR AN OUTDOOR EVENT ON TOWN PROPERTY
APPLICATION**

BUSINESS/ORGANIZATION INFORMATION	
BUSINESS/ORGANIZATION NAME:	OAK & IRON Brewing Co.
BUSINESS/ORGANIZATION ADDRESS:	18 Red Spring Rd Andover MA 01810
IS THIS A BUSINESS OR NON PROFIT ORGANIZATION?	<input checked="" type="checkbox"/> BUSINESS <input type="checkbox"/> NON PROFIT ORGANIZATION
SOCIAL SECURTY/FID #:	[REDACTED]
INDIVIDUAL APPLICANT INFORMATION (THIS INFORMATION IS REQUIRED FOR ALL APPLICATIONS)	
NAME:	James Cass
ADDRESS:	[REDACTED]
PHONE:	[REDACTED]
EMAIL:	[REDACTED]
DRIVER'S LICENSE #/STATE OF ISSUE:	[REDACTED]
DATE OF BIRTH:	[REDACTED]
EVENT INFORMATION	
DATE OF EVENT:	07. 21 ³¹ . 2024 + 08.21. 2024
TIME:	Start Time 5 :30 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM End Time 8 :00 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
PURPOSE OF EVENT:	CONCERTS in the Park.
LOCATION OF LICENSED ACTIVITY:	Town Park on Bartlet St. ANDOVER MA
DESCRIPTION OF OUTDOOR AREA:	A beer garden, ~2000 sq. ft. (fenced) Set up on the park, along Bartlet St. Access to the beer garden from the park.

WILL THERE BE ENTERTAINMENT?	YES
IS THE EVENT BEING CATERED?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (if no, will food be served? <input type="checkbox"/> YES <input type="checkbox"/> NO)
APPROX NUMBER OF PEOPLE ATTENDING:	Adults ~ 200 Children ?

PURCHASE AND SERVICE	
IS THE ALCOHOL BEING DONATED?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
WHERE IS THE LIQUOR BEING PURCHASED FROM?	OAK & IRON Brewing Co.
ARE THEY A LICENSED WHOLESALER?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
WHO WILL BE SERVING THE ALCOHOL?	OAK & IRON Brewing Co.
IS AT LEAST ONE SERVER TIPS CERTIFIED OR HAVE COMPARABLE SAFETY TRAINING?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

SECURITY PLAN	
1. DESCRIBE A PLAN FOR CROWD CONTROL.	This is a small event. In the event of crowd surge, we will halt entrance to the beer garden @ the tent. Jim Cass will be the on-site manager.
2. DESCRIBE A PLAN FOR DEALING WITH UNRULY PATRONS.	<ul style="list-style-type: none"> • Highly unlikely given the audience, time of day, nature of event • All servers are TIPS certified and trained not to overserve • O&I management will be in control of the space • Call Police if needed
3. DESCRIBE A PLAN FOR EMERGENCY EVACUATIONS.	<ul style="list-style-type: none"> • Alcohol perimeter easily pushed over • Pop up tent easily removed
4. DESCRIBE A PLAN FOR CONTROLLING ACCESS TO ALCOHOL BY UNDER AGED PATRONS.	<ul style="list-style-type: none"> • ID checks • Proper ID right hand stamp • Server checks stamp before serving, ONE stamp, one beer

I certify under the pains and penalties of perjury that the above information is true and that I will comply with all applicable Alcohol Control Laws of the State of Massachusetts and policies and regulations of the Town of Andover.

SIGNATURE:

James R. Cass

DATE:

06.21.2024

This application must be pre-approved by the Police Department, Fire Department, Health Department, Building Division, and Treasurer before final approval by the Select Board.



**TOWN OF ANDOVER
TOWN CLERK'S OFFICE**

36 Bartlet Street
Andover, MA 01810
978-623-8230
www.andoverma.gov

TAX FORM

APPLICANT NAME: James R. Cass

I certify under penalties of perjury that the above named applicant has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Signature of Individual or Corporate Name:
(Required for all applicants) James R. Cass / Oak & Iron Brewing Co.

Name of Corporate Officer:
(Required if applicant is a corporation) James R. Cass

Social Security #:
(Required if applicant is an individual) [REDACTED]

Federal Identification Number (FID #):
(Required if applicant is a corporation or non-profit): [REDACTED]

This license will not be issued unless the certification clause is signed by the applicant.

Your social security or FID number will be furnished to the Massachusetts Department of Revenue to determine if you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass General Laws c. 62, s. 49A.



Hayley Green
Town Accountant/Assistant
Finance Director

TOWN OF ANDOVER

Accounting
36 Bartlet Street
Andover, MA 01810
978-623-8620
www.andoverma.gov

To: Select Board
Finance Committee
School Committee
Revenue and Expenditure Task Force

From: Hayley Green, Town Accountant/Assistant Finance Director

CC: Andrew Flanagan, Michael Lindstrom, Austin Simko, Patrick Lawlor, Magda Parvey,
Keith Taverna, Martha Sybert, Tara Bicknell, Town Website

Date: July 2, 2024

Re: ***FY 2024 Financials***

The attached reports summarize the Town's financial position through May 31, 2024. Included are the following:

- Executive Summary
- Budgeted versus Actual Revenues – General Fund and Enterprise Funds
- Revenue Comparison Graphs
- Personal Services and Other Expenditures by Department
- Reserve Account and Compensation Fund Analysis
- Chapter 44 § 53 E $\frac{1}{2}$ Revolving Funds
- Capital Projects status – FY18 – FY24

Feel free to contact me, should you have any questions regarding the reports.

The attached reports of the Town Accountant summarize FY 2024 revenues and expenditures for the General Fund, Enterprise Funds, Reserve Fund, Revolving Funds and Capital Projects through May 31, 2024.

General Fund

The total general fund receipts of all sources collected through May 31, 2024 are greater than annual projections through the eleventh period of the year. FY 2024 local receipts are \$2,464,824 greater than FY 2023 collections through the same period of time. This is primarily due to the increase in investment income as interest rates have risen in the past year. Off-set receipts collections are consistent with FY23 collections through the same period last fiscal year.

General fund personal services and other expenses are lower than FY 2024 projections through May 2024. Encumbrances are adjusted throughout the year and interdepartmental transfers are made at year-end with approval of the Select Board and Finance Committee.

Water Enterprise Fund

The total water enterprise fund collections are lower than annual projections through May 2024, but user charge receipts are \$318,584 more than prior year receipts through the same period. Water personal services and other expenses are lower than FY 2024 projections through May 2024.

Sewer Enterprise Fund

The total sewer enterprise fund collections are in line with projections through May 2024 and user charges receipts are \$694,043 more than prior year receipts through the same period. Sewer personal services and other expenses are lower than FY 2024 projections through May 2024.

Reserve Fund

Town Meeting approved a reserve fund balance of \$200,000. The Finance Committee authorized \$100,000 to be transferred to the Town Clerk's Office for Special Town Meeting expenses.

Revolving Accounts

Town Meeting voted to approve 16 revolving funds with a total spending limit of \$2,490,000. In June 2024 the authorization limits for CD&P Legal Notices, Recreation Special Services and Facilities Field Maintenance were increased with Select Board and Finance Committee approval.

Capital Projects

These projects are part of the Town's capital improvement plan voted at Town Meeting from taxation. There is a balance of \$2,768,205 available for the most recent seven years of approved projects.

Town of Andover
FY 2024 General Fund Year-To-Date Revenue Report
Budgeted vs. Actuals 5/31/2024 and 5/31/2023

	FY 24 Budgeted	FY 24 YTD	%	FY 23 Budgeted	FY 23 YTD	%	Change in	Change in
Local Receipts	Receipts	Revenues	Collected	Receipts	Revenues	Collected	Budgets	YTD Receipts
Motor Vehicle Excise	5,708,009	6,129,696	107.4%	5,651,834	5,639,426	99.8%	56,175	490,270
Hotel/Motel/Meals	1,841,700	2,608,262	141.6%	1,799,000	2,222,429	123.5%	42,700	385,833
Penalties and Interest on Taxes and Excises	405,000	477,342	117.9%	480,000	372,163	77.5%	(75,000)	105,178
Fees	38,000	85,313	224.5%	61,000	40,249	66.0%	(23,000)	45,064
Payments in Lieu of Taxes	467,463	475,783	101.8%	451,731	2,016	0.4%	15,732	473,767
Other Departmental Revenues	234,586	156,834	66.9%	213,000	366,553	172.1%	21,586	(209,718)
Other Departmental Revenues - School Medicare	275,000	340,892	124.0%	200,000	310,878	155.4%	75,000	30,014
Non-Recurring Revenues	-	6,301	0.0%	5,000	61,107	1222.1%	(5,000)	(54,806)
Licenses and Permits	2,401,315	2,659,018	110.7%	2,377,540	3,384,702	142.4%	23,775	(725,684)
Fines & Forfeits	132,500	173,910	131.3%	132,500	145,709	110.0%	-	28,201
Investment Income	275,794	5,499,819	1994.2%	204,000	3,603,707	1766.5%	71,794	1,896,113
Special Assessments	-	678	N/A	-	87	N/A	-	591
Total Estimated Receipts	11,779,367	18,613,850	158.0%	11,575,605	16,149,026	139.5%	203,762	2,464,824
	FY 24 Budgeted	FY 24 YTD	%	FY 23 Budgeted	FY 23 YTD	%	Change in	Change in
Off-Set Receipts	Receipts	Revenues	Collected	Receipts	Revenues	Collected	Budgets	YTD Receipts
Recreation	556,531	460,037	82.7%	531,531	482,505	90.8%	25,000	(22,469)
Elder Services	106,000	107,836	101.7%	106,000	110,117	103.9%	-	(2,282)
Public Facilities - Rental Receipts	60,000	100,045	166.7%	40,000	93,265	233.2%	20,000	6,780
Cemetery - Interment Fees	60,000	71,843	119.7%	60,000	57,958	96.6%	-	13,885
Public Safety - Police Detail Fees	70,000	53,941	77.1%	60,000	65,584	109.3%	10,000	(11,643)
Public Safety / Fire - Ambulance Receipts	1,750,000	1,615,278	92.3%	1,300,000	1,595,277	122.7%	450,000	20,001
Total Off-Set Receipts	2,602,531	2,408,979	92.6%	2,097,531	2,404,706	114.6%	505,000	4,273
	FY 24 Budgeted	FY 24 YTD	%	FY 23 Budgeted	FY 23 YTD	%	Change in	Change in
Other Revenues	Receipts	Revenues	Collected	Receipts	Revenues	Collected	Budgets	YTD Receipts
Property Taxes (inc. Tax Titles)	182,687,607	181,938,293	99.6%	174,778,254	173,723,499	99.4%	7,909,353	8,214,794
State Aid	16,716,855	15,250,551	91.2%	14,794,019	13,441,891	90.9%	1,922,836	1,808,660
Total Other Revenues	199,404,462	197,188,844	98.9%	189,572,273	187,165,390	98.7%	9,832,189	10,023,454
Total Revenues	213,786,360	218,211,673	102.1%	203,245,409	205,719,122	101.2%	10,540,951	12,492,551

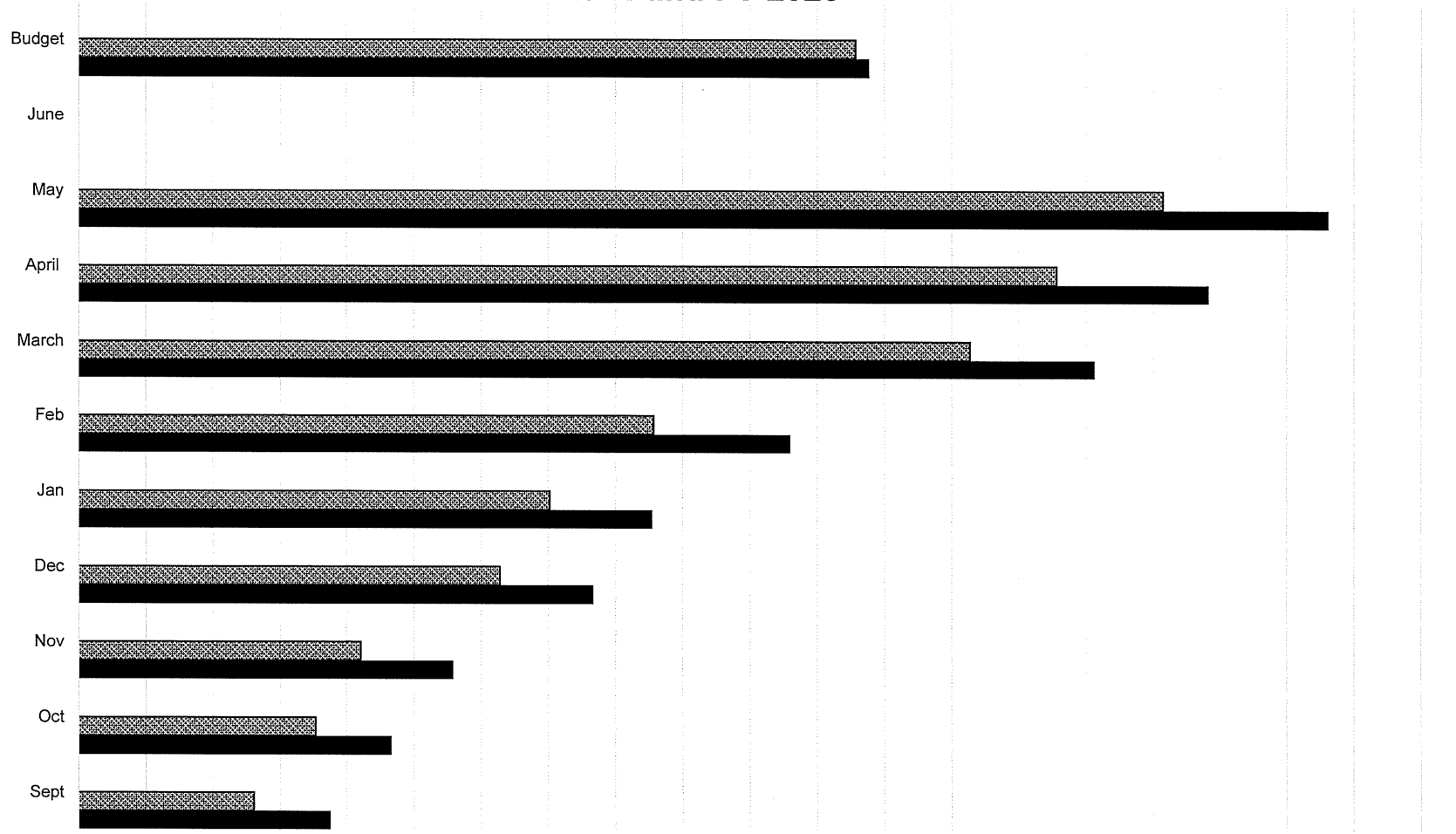
Town of Andover
FY 2024 Enterprise Funds Year-To-Date Revenue Report
Budgeted vs. Actuals 5/31/2024 and 5/31/2023

Water Fund	FY 24 Budgeted Receipts	FY 24 YTD Revenues	% Collected	FY 23 Budgeted Receipts	FY 23 YTD Revenues	% Collected	Change in Budgets	Change in YTD Receipts
User Charges	12,777,571	9,991,221	78.2%	10,445,844	9,672,637	92.6%	2,331,727	318,584
Water Connection	5,000	11,322	226.4%	7,500	5,032	67.1%	(2,500)	6,290
Water Testing Fees	5,000	22,855	457.1%	12,000	5,075	42.3%	(7,000)	17,780
Meter Installations	10,000	8,731	87.3%	10,000	8,225	82.3%	-	506
Fire Flow Test	5,000	4,590	91.8%	5,000	9,773	195.5%	-	(5,183)
Special/Final Reads	15,000	13,360	89.1%	25,000	14,136	56.5%	(10,000)	(775)
Backflow/Cross Connection Fees	80,000	92,765	116.0%	87,500	75,910	86.8%	(7,500)	16,855
Water Tap	-	650	N/A	-	1,575	N/A	-	(925)
Liens	70,000	77,060	110.1%	85,000	83,486	98.2%	(15,000)	(6,426)
Fire Suppression	250,000	201,966	80.8%	280,000	197,907	70.7%	(30,000)	4,059
Interest /Misc Revenue	-	8,400	N/A	2,500	4,098	163.9%	(2,500)	4,302
Non-Revenue Interest	26,445	17,778	67.2%	7,500	33,671	448.9%	18,945	(15,893)
Total Water Receipts	13,244,016	10,450,698	78.9%	10,967,844	10,111,524	92.2%	2,276,172	339,175

Sewer Fund	FY 24 Budgeted Receipts	FY 24 YTD Revenues	% Collected	FY 23 Budgeted Receipts	FY 23 YTD Revenues	% Collected	Change in Budgets	Change in YTD Receipts
User Charges	5,354,484	4,682,429	87.4%	5,173,301	3,988,385	77.1%	181,183	694,043
Committed Interest/Income	130,000	114,003	87.7%	110,000	136,662	124.2%	20,000	(22,660)
Liens	50,000	48,048	96.1%	55,000	42,956	78.1%	(5,000)	5,092
Apport Assmnts	400,000	434,804	108.7%	340,000	452,886	133.2%	60,000	(18,083)
Deferred Property Tax	-	13,426	N/A	-	10,800	N/A	-	2,626
Interest /Misc Revenue	-	8,805	N/A	3,500	1,286	36.7%	(3,500)	7,519
Non-Revenue Interest	25,000	54,344	217.4%	6,500	36,468	561.0%	18,500	17,877
State Reimb/Grants	-	-	N/A	-	5,630	N/A	-	(5,630)
Total Sewer Receipts	5,959,484	5,355,859	89.9%	5,688,301	4,675,074	82.2%	271,183	686,415

Total Enterprise Revenues	19,203,500	15,806,557	82.3%	16,656,145	14,786,598	88.78%	2,547,355	1,025,590
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Town of Andover Local Receipts FY 2024 and FY 2023

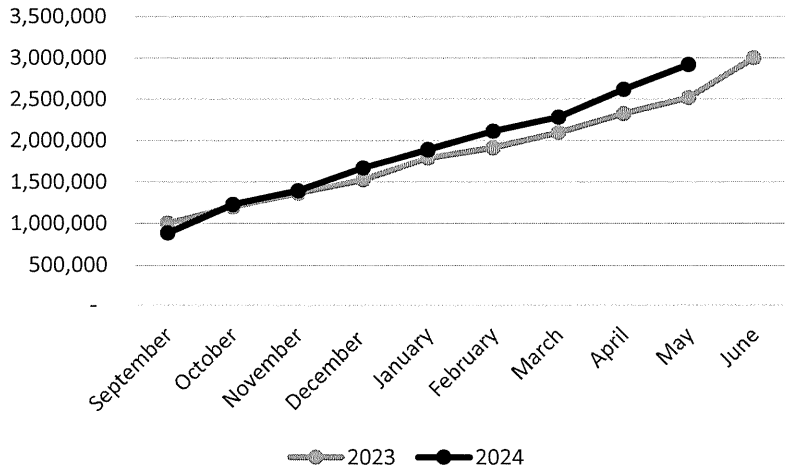


	0	\$1 M	\$2 M	\$3 M	\$4 M	\$5 M	\$6 M	\$7 M	\$8 M	\$9 M	\$10 M	\$11 M	\$12 M	\$13 M	\$14 M	\$15 M	\$16 M	\$17 M	\$18 M	\$19 M	\$20 M
	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Budget										
■ FY 2023 % of Budget	22.6%	30.5%	36.3%	54.2%	60.7%	74.0%	114.7%	125.9%	139.5%	0.0%	100.0%										
■ FY 2024 % of Budget	31.9%	39.6%	47.4%	65.1%	72.6%	90.0%	128.5%	142.9%	158.0%	0.0%	100.0%										
■ FY 2023 Receipts	\$2,618,268	\$3,535,004	\$4,202,086	\$6,277,272	\$7,023,054	\$8,565,820	\$13,276,207	\$14,571,134	\$16,149,026	\$0	\$11,575,605										
■ FY 2024 Receipts	\$3,752,141	\$4,659,961	\$5,577,813	\$7,669,262	\$8,546,116	\$10,597,265	\$15,133,862	\$16,832,407	\$18,613,850	\$0	\$11,779,367										

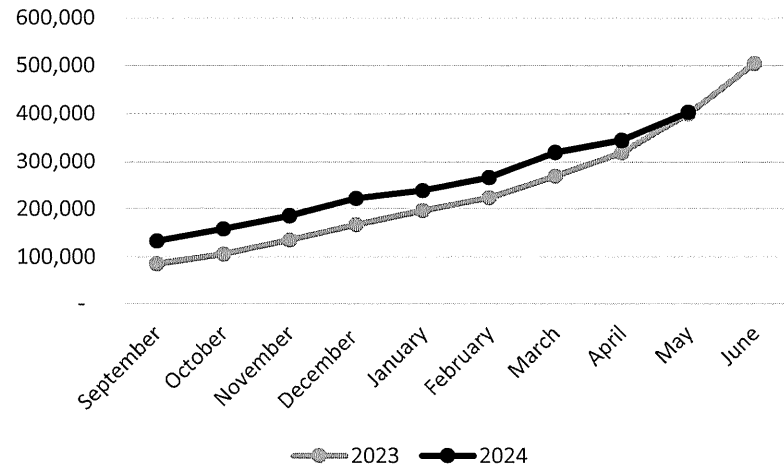
Town of Andover
FY 2024 Year-To-Date Budget Report
Personal Services and Other Expenditures thru 5/31/2024

	Original Appropriation	Transfers/ Adjustments	Revised Budget	YTD Expended	Encumbrances	Available Balance	% Expended & Encumbered	% Expended
Personal Services								
General Government	7,771,063	-	7,771,063	7,033,563	-	737,500	90.5%	90.5%
Community Services	1,956,387	-	1,956,387	1,439,565	-	516,822	73.6%	73.6%
Public Facilities	2,732,130	-	2,732,130	2,438,492	-	293,638	89.3%	89.3%
Public Safety - Fire	9,255,441	350,000	9,605,441	8,524,616	-	1,080,825	88.7%	88.7%
Public Safety - Police	8,579,059	-	8,579,059	7,712,306	-	866,753	89.9%	89.9%
Public Works	3,930,369	74,070	4,004,439	3,665,655	-	338,784	91.5%	91.5%
Library	2,383,930	-	2,383,930	2,083,378	-	300,552	87.4%	87.4%
School	79,732,097	-	79,732,097	66,411,120	12,794,669	526,308	99.3%	83.3%
Total Personal Services - General Fund	116,340,476	424,070	116,764,546	99,308,696	12,794,669	4,661,180	96.0%	85.1%
Water Enterprise	2,395,322	-	2,395,322	2,036,416	-	358,906	85.0%	85.0%
Sewer Enterprise	378,940	-	378,940	278,219	-	100,721	73.4%	73.4%
Total Personal Services - Enterprise Funds	2,774,262	-	2,774,262	2,314,636	-	459,626	83.4%	83.4%
Other Expenses								
General Government	2,911,145	470,558	3,381,703	2,913,243	290,938	177,523	94.8%	86.1%
Community Services	617,115	113,146	730,261	402,455	138,151	189,655	74.0%	55.1%
Public Facilities	1,446,400	112,124	1,558,524	1,228,973	215,348	114,203	92.7%	78.9%
Public Safety - Fire	749,465	46,696	796,161	697,248	69,343	29,570	96.3%	87.6%
Public Safety - Police	1,047,300	55,998	1,103,298	953,090	190,929	(40,720)	103.7%	86.4%
Public Works	6,445,997	945,228	7,391,225	6,096,972	1,086,431	207,822	97.2%	82.5%
Library	674,179	2,207	676,386	577,846	71,388	27,152	96.0%	85.4%
School	19,868,827	1,053,127	20,921,954	15,392,892	4,849,285	679,776	96.8%	73.6%
Technical Schools	1,312,220	-	1,312,220	1,253,767	-	58,453	95.5%	95.5%
Debt Service	25,503,634	-	25,503,634	23,454,548	-	2,049,086	92.0%	92.0%
Insurance	1,280,400	-	1,280,400	1,242,825	21,861	15,714	98.8%	97.1%
Health Insurance	23,835,094	-	23,835,094	13,356,304	-	10,478,790	56.0%	56.0%
Unemployment	168,100	29,031	197,131	149,417	-	47,715	75.8%	75.8%
Retirement	7,124,644	-	7,124,644	7,124,844	-	(200)	100.0%	100.0%
Reserve Fund	200,000	(100,000)	100,000	-	-	100,000	0.0%	0.0%
OPEB Appropriation	1,812,834	-	1,812,834	1,812,834	-	-	100.0%	100.0%
Total Other Expenses - General Fund	94,997,354	2,728,115	97,725,469	76,657,257	6,933,673	14,134,539	85.5%	78.4%
Water Enterprise	8,759,225	1,024,434	9,783,659	6,902,134	1,236,073	1,645,451	83.2%	70.5%
Sewer Enterprise	4,819,026	871,202	5,690,228	4,799,467	675,956	214,805	96.2%	84.3%
Total Other Expenses - Enterprise Funds	13,578,251	1,895,636	15,473,887	11,701,602	1,912,029	1,860,257	88.0%	75.6%
Total - General Fund	211,337,830	3,152,185	214,490,015	175,965,953	19,728,343	18,795,719	91.2%	82.0%
Total - Enterprise Funds	16,352,513	1,895,636	18,248,149	14,016,237	1,912,029	2,319,883	87.3%	76.8%

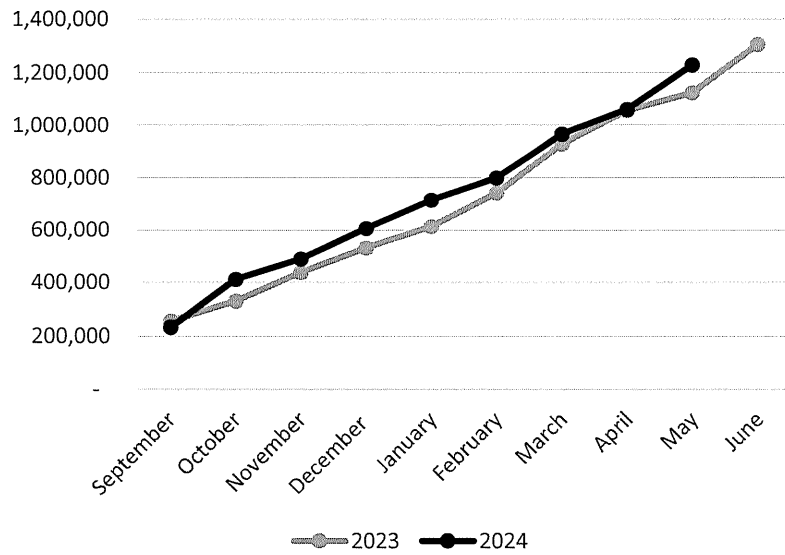
General Government Expenses



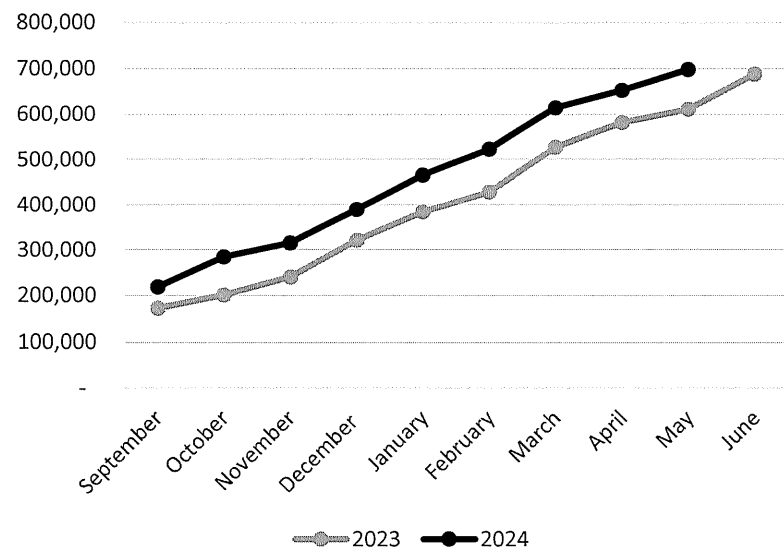
Community Services Expenses



Public Facilities Expenses

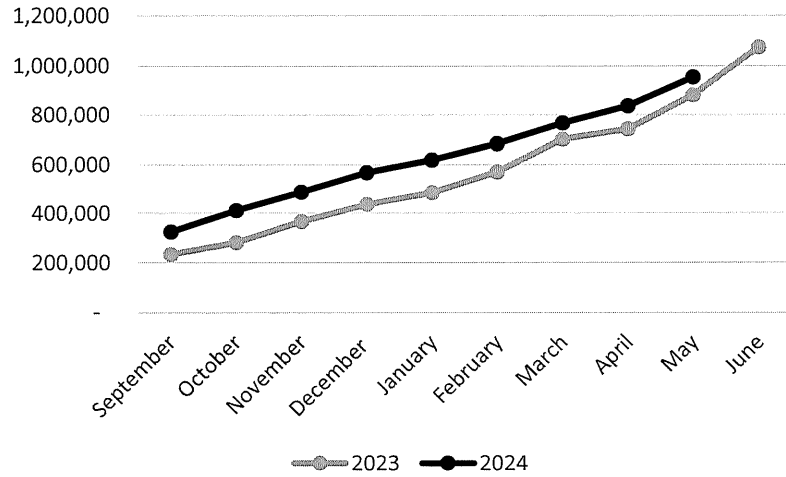


Fire Expenses

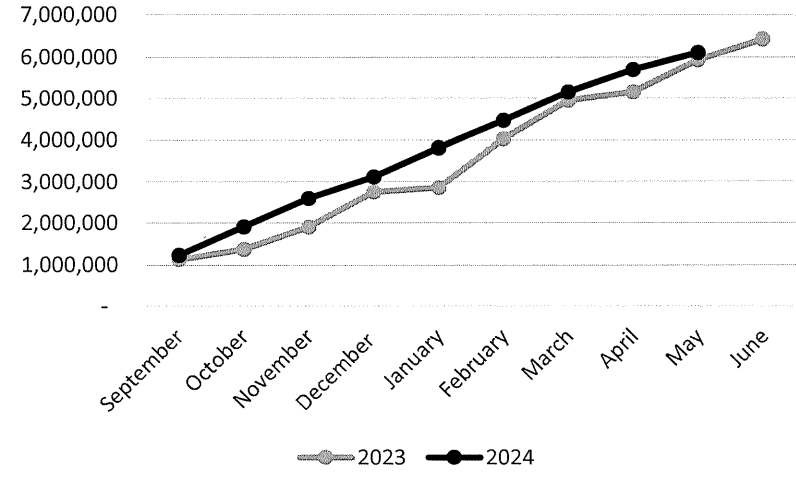


*Expenses vary from year to year due to timing and departmental needs, but can still be on budget.

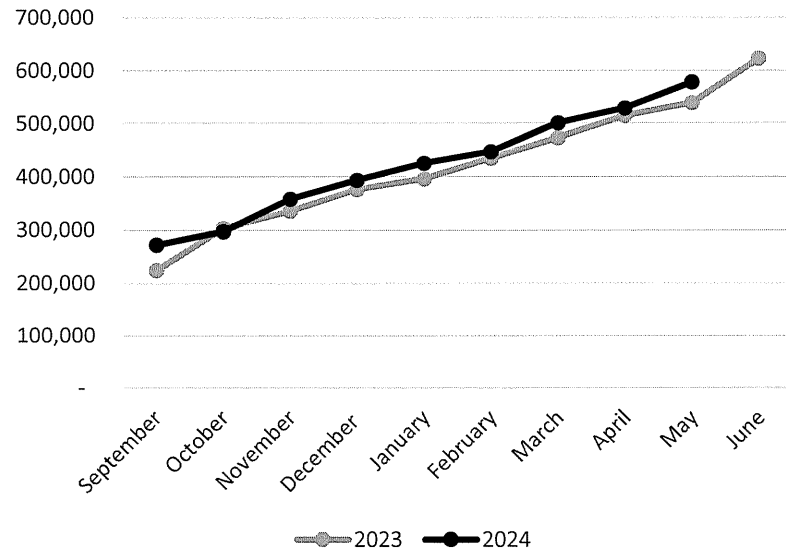
Police Expenses



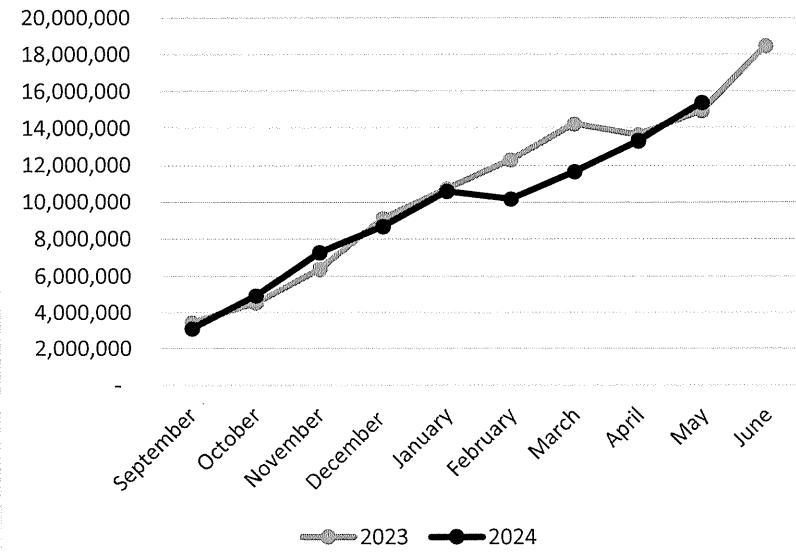
Public Works Expenses



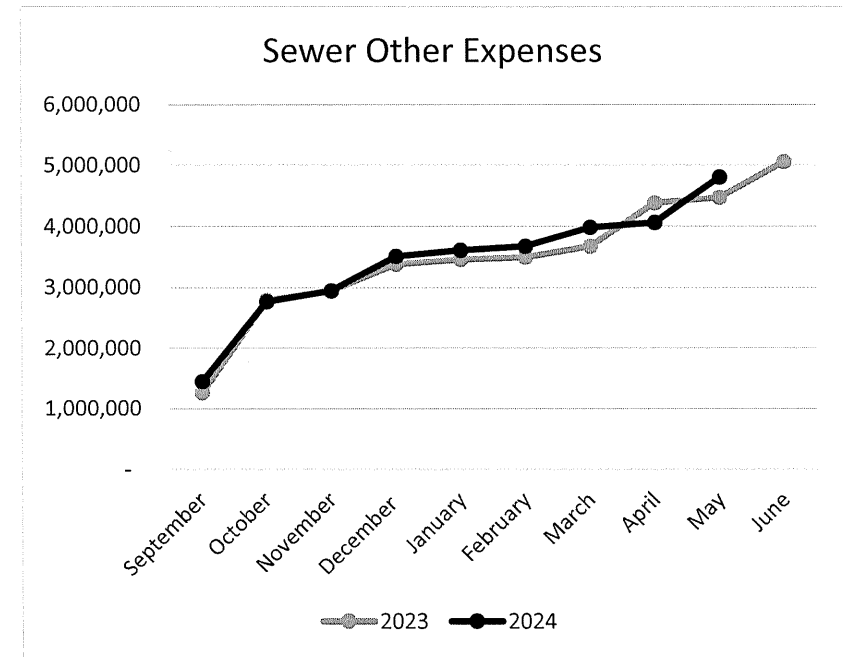
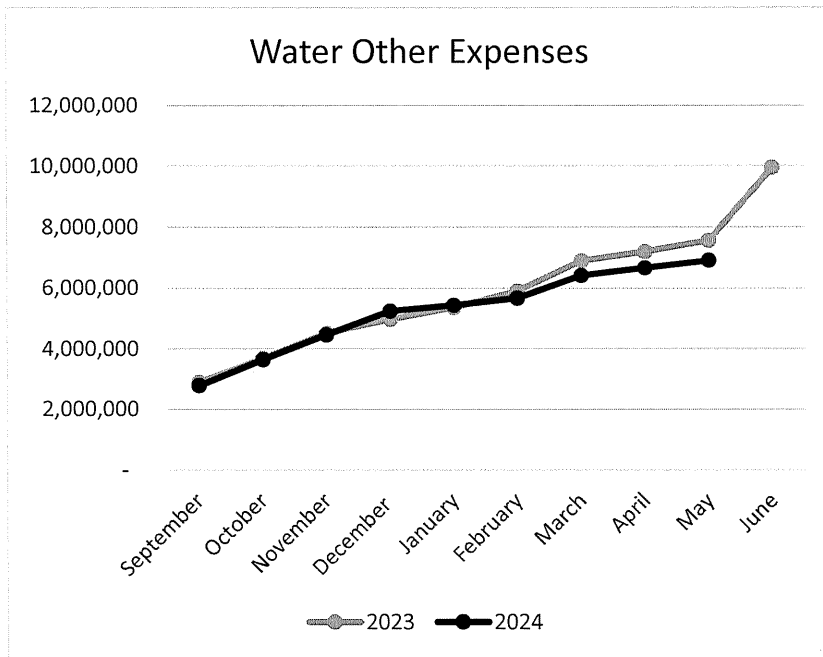
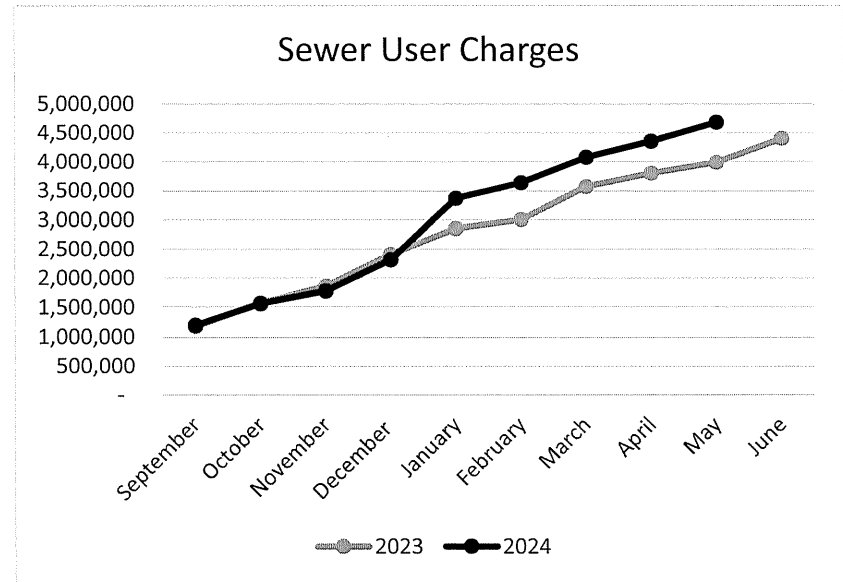
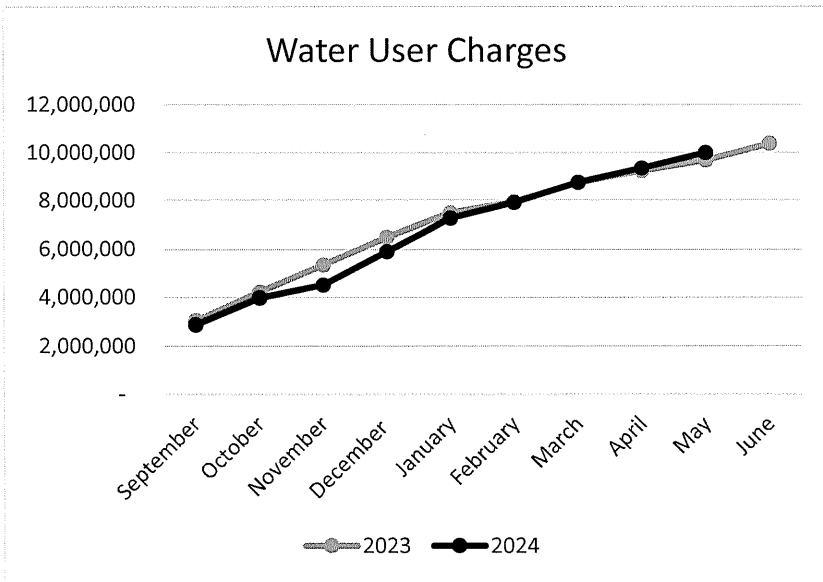
Library Expenses



School Expenses



*Expenses vary from year to year due to timing and departmental needs, but can still be on budget.



*Expenses vary from year to year due to timing and departmental needs, but can still be on budget.

Town of Andover
FY 2024 Reserve Account
As of 5/31/24

RESERVE FUND

Appropriation by Vote of Town Meeting May 2023	\$ 200,000.00
Transfers by Vote of Town Meeting	0.00
Transfers by Authority of the Finance Committee	
Special Town Meeting Expenses	(100,000.00)
Available Balance	<u>\$ 100,000.00</u>

Town of Andover
FY 2024 Revolving Accounts
(M.G.L. CH. 44, § 53 E1/2)
As of 5/31/24

	CD & P Legal Notices Acct 5550	Library Lost/Damaged Materials Acct 5631	CD & P Health Services Clinics Acct 5557	Recreation Special Services Acct 5552	Youth Services Acct 5553	Facilities Field Maintenance Acct 5622	Elder Services Acct 5554	Police Antenna Uses Acct 5653	School Photocopy Fees Acct 4510	Facilities Compost Program Acct 5666	DPW Solid Waste Fees Acct 5667	CD & P Stormwater Management Acct 5668	Fire Emergency Billing Acct 5669	Health Services Inspections Acct 5670	School Professional Development Acct 4500	Student Technology Rental Acct 4260
Balance thru 6/30/2022	24,288	18,086	13,920	1,041,163	341,339	155,602	141,987	53,645	41,855	36,334	89,403	0	681	150,066	3,279	46,503
Receipts thru 6/30/2023	30,230	3,965	73,295	1,935,462	293,757	96,210	123,989	5,247	8,743	29,956	34,215	0	0	63,540	0	34,975
Expenditures thru 6/30/2023	20,000	3,163	34,139	1,546,422	200,020	27,601	86,427	0	0	32,093	40,000	0	0	37,130	95	29,624
Balance thru 6/30/2023	34,517	18,887	53,076	1,430,203	435,076	224,211	179,548	58,892	50,598	34,197	83,617.47	0	681	176,476	3,184	51,854
Receipts thru 5/31/2024	24,003	2,865	40,959	1,915,361	337,671	80,528	157,757	5,319	2,673	29,371	10,474	0	0	55,570	0	9,750
Expenditures thru 5/31/2024	21,692	1,797	2,559	1,463,085	158,852	139,020	97,918	0	0	44,403	10,647	0	0	1,743	0	20,390
Balance thru 5/31/2024	36,828	19,955	91,475	1,882,479	613,895	165,718	239,387	64,211	53,271	19,165	83,444	0	681	230,303	3,184	41,214

Spending Authorization	\$20,000	\$20,000	\$60,000	\$1,000,000	\$400,000	\$150,000	\$225,000	\$50,000	\$10,000	\$60,000	\$40,000	\$5,000	\$100,000	\$100,000	\$50,000	\$200,000
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Y-T-D % Spent	108.46%	8.98%	4.27%	146.31%	39.71%	92.68%	43.52%	0.00%	0.00%	74.00%	26.62%	0.00%	0.00%	1.74%	0.00%	10.20%
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**Town of Andover
Capital Projects
5/31/2024**

	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY23</u>	<u>FY24</u>	<u>Total Available</u>
Budget	1,495,643	1,040,000	1,011,600	1,150,000	1,185,000	1,271,500	1,338,000	
Expended	1,495,643	1,040,000	1,007,600	1,098,631	1,115,190	878,138	436,121	
Encumbered	-	-	-	8,122	13,936	110,251	168,036	
Total School CIP			4,000	43,247	55,874	283,111	733,843	1,120,075
Budget	579,018	487,000	1,069,098	902,108	137,000	150,000	95,000	
Expended	555,672	458,690	931,369	818,763	131,283	86,977	2,914	
Encumbered	9,300	3,517	17,938	16,863	130	3,900	44,565	
Total General Government CIP			119,790	66,483	5,587	59,123	47,521	337,344
Budget	32,214	-	-	-	-	-	-	-
Expended	32,214	-	-	-	-	-	-	-
Encumbered	-	-	-	-	-	-	-	-
Total Youth Services CIP			-	-	-	-	-	-
Budget	-	-	10,000	50,000	-	-	-	-
Expended	-	-	10,000	18,840	-	-	-	-
Encumbered	-	-	-	29,080	-	-	-	-
Total Library CIP			-	2,080	-	-	-	2,080
Budget	800,000	946,000	1,303,000	468,000	1,180,000	1,165,000	1,130,000	
Expended	798,173	942,538	1,302,540	426,692	1,096,358	870,452	343,713	
Encumbered	1,827	713	460	6,752	53,131	102,467	216,606	
Total Facilities CIP		2,749	-	34,556	30,511	192,082	569,681	829,579
Budget	293,500	250,077	195,000.00	195,000.00	255,000	-	40,000	
Expended	293,500	250,077	195,000.00	195,000.00	254,948	-	34,257	
Encumbered	-	-	-	-	52	-	-	
Total Police CIP			-	-	-	-	5,743	5,743
Budget	63,500	214,000	-	96,000	88,000	-	185,000	
Expended	61,353	209,279	-	96,000	77,383	-	-	
Encumbered	-	4,721	-	-	-	-	-	
Total Fire CIP			-	-	10,617	-	185,000	197,664
Budget	415,000	328,000	400,000	-	165,000	170,000	102,000	
Expended	366,924	328,000	399,119	-	145,000	63,393	-	
Encumbered	1,944	-	-	-	-	-	-	
Total DPW CIP			881	-	20,000	106,607	102,000	275,620
Budget	2,183,232	2,225,077	2,977,098	1,711,108	1,825,000	1,485,000	1,552,000	
Expended	2,107,836	2,188,584	2,838,028	1,555,295	1,704,972	1,020,822	380,884	
Encumbered	13,071	8,950	18,398	52,695	53,313	106,367	261,170	
Total Town CIP		27,543	120,671	103,118	66,715	357,812	909,945	1,648,130
Budget	3,678,875	3,265,077	3,988,698	2,861,108	3,010,000	2,756,500	2,890,000	
Expended	3,603,479	3,228,584	3,845,628	2,653,926	2,820,162	1,898,960	817,005	
Encumbered	13,071	8,950	18,398	60,816	67,249	216,617	429,206	
Grand Total		27,543	124,671	146,366	122,589	640,922	1,643,789	2,768,205