



BOARD OF SELECTMEN

ANDOVER TOWN OFFICES
36 BARTLET STREET
ANDOVER, MA 01810
WWW.ANDOVERMA.GOV

MEETING AGENDA

MONDAY, FEBRUARY 6, 2017

7:00 P.M.

SELECTMEN'S CONFERENCE ROOM, ANDOVER TOWN OFFICES

- I. Call to Order– 7:00 P.M.
- II. Opening Ceremonies/ Moment of Silence/Pledge of Allegiance – 7:00 P.M.
- III. Communications/Announcements/Liaison Reports – 7:05 P.M.
- IV. Citizens Petitions and Presentations – 7:10 P.M.
- V. Regular Business of the Board – 7:15 P.M.
 - A. Change of Manager – (5 minutes)
Chateau Restaurant of Andover, 131 River Road, Andover, MA has applied for a change of Manager on its Liquor License. The new Manager of record will be Jason Sweet.
 - B. Annual Town Election Warrant- (5 minutes)
Board of Selectmen to sign the Annual Town Election Warrant.
 - C. Policy Guidelines Review 1st Reading – (15 minutes)
Board of Selectmen to conduct a policy review of Sections 2, 3, 5, 6, 9, & 10.
 - D. Train Idling – (20 minutes)
Board of Selectmen to discuss the idling of trains adjacent to Railroad Street and hear resident's concerns.
- VI. Consent Agenda - 8:00 P.M.
 - A. APPOINTMENTS – (Town Manager)

That the following appointments by the Town Manager be approved:

DEPARTMENT/ COMMITTEE	NAME	POSITION	RATE/ TERM	DOH
Recreation Division	Caroline Graham	Bradford Monitor	\$11.00/hr.	1/17/17
Recreation Division	Catherine Weiner	Ski Monitor	\$10.00/hr.	1/23/17

Recreation Division	Caroline Graham	Bradford Monitor	\$11.00/hr.	1/17/17
Youth Services	Rosano Giovanni	AYS Counselor 3	\$11.00/hr.	1/9/17
Youth Services	Clayton Puglisi	AYS Counselor 3	\$11.00/hr.	1/17/17
Youth Services	Lucas Ardagna	AYS Counselor 3	\$11.00/hr.	1/10/17
Green Advisory Board	Claire Stocker	Member- 3 year term		2/13/17
Green Advisory Board	Selen Aktar	Member- 3 year term		2/13/17
Green Advisory Board	Carina Schusterman	Member – 3 year term		2/13/17

VII. Approval of Minutes from Previous Board of Selectmen Meetings – 8:05 P.M
January 23, 2017 (Regular Meeting)

VIII. Adjournment – 8:10 P.M.

View documents associated with this agenda: www.AndoverMA.gov/Selectmen

Meetings are televised on Comcast Channel 22 and Verizon Channel 45 or may be viewed online at www.Andovertv.org

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Wendy Adams at 978-623-8210 or wadams@andoverma.gov in the Town Manager’s Office.

2.6.17
BOS Meeting

TOWN OF ANDOVER GENERAL LICENSE APPLICATION

TIME STAMP

APPLICANT'S D/B/A: Chateau Restaurant of Andover

APPLICANT NAME: Jason Sweet

APPLICANT'S ADDRESS: 77 Robbins St #2
Waltham MA 02453

APPLICANT'S TEL. NUMBER: 781 775 8199

CONTACT PERSON: Jason Sweet

TELEPHONE: 781 775 8199 E-MAIL: jsweet@chateaurrestaurant.com

MAILING ADDRESS: 77 Robbins St #2 Waltham MA 02453

TYPE OF LICENSE: LIQUOR LICENSE - CHANGE OF MANAGER

LOCATION OF LICENSE ACTIVITY: 131 River Rd Andover MA

APPLICATION/LICENSE FEE: \$125 BID/SS# 012-66-0969

DATE OF ACTIVITY N/A TIME from N/A to N/A

I certify under penalties of perjury, that the above information is true and that 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: Jason Sweet

OFFICE USE ONLY OFFICE USE ONLY OFFICE USE ONLY OFFICE USE ONLY

Date of log entry 1-10-17 By: (CDW) License Board Hearing Date: TBD

Prior Approval Required:	DATE SENT:	DATE APPROVED
Police Dept:	<u>1-10-17</u>	<u>1-11-17</u>
Fire Dept:	<u>↓</u>	<u>1-11-17</u>
GD&P Mgr:	<u>↓</u>	<u>1-11-17</u>
Town House:	<u>↓</u>	<u>↓</u>
Treasurer:	<u>↓</u>	<u>1-11-17</u>

Add'l conditions for license: _____

This license requires: (circle all that apply)

- Selectmen Approval
- Business Certificate
- Letter of Clearance

**Chateau Restaurant of Andover
Change of Manager**

I move to approve the application of Chateau Restaurant of Andover, 131 River Road, Andover, for a Change of Manager on its All Alcoholic Restaurant Beverage License; the new Manager to be Jason Sweet of 77 Robbins Street #2, Waltham, Massachusetts, subject to the condition that all other requirements of the Town are met prior to issuance of the license.

Moved by _____

Seconded by _____

Voted _____ to _____

**COMMONWEALTH OF MASSACHUSETTS
WARRANT
ANNUAL TOWN ELECTION**

ESSEX, SS.

To Either of the Constables of the Town of Andover

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the Inhabitants of said Town who are qualified to vote in Elections and Town Affairs to vote at:

Precincts 1 and 3

**THE CENTER AT PUNCHARD ALSO KNOWN AS THE ANDOVER SENIOR CENTER
WHITTIER COURT, ANDOVER, MASSACHUSETTS**

Precincts 4, 5, and 6

**WOOD HILL MIDDLE SCHOOL GYMNASIUM
HIGH PLAIN ROAD, ANDOVER, MASSACHUSETTS**

Precincts 2, 7, 7A, 8, and 9

**THE RICHARD J. COLLINS FIELD HOUSE ANDOVER HIGH SCHOOL
SHAWSHEEN ROAD, ANDOVER, MASSACHUSETTS**

on **TUESDAY, THE TWENTY EIGHTH DAY OF MARCH, 2017**

at seven o'clock A.M. to act upon the following articles:

ARTICLE 1. To elect a Moderator for one year, one Selectman for three years, one School Committee member for three years and two Trustees of the Punchard Free School for three years.

All of the above candidates are to be voted on one ballot. The polls will be open from seven o'clock A.M. to eight o'clock P.M.

And you are directed to serve this Warrant by posting attested copies and publication thereof, fourteen days, at least, before the time and place of said election as directed by the Bylaws of the Town.

Hereof fail not and make return of this Warrant with your doings thereon at the time and place of said voting.

Given under our hands this 6th day of February, 2017.

Paul J. Salafia, Chair

Daniel H. Kowalski

Alex J. Vispoli, Vice Chair

Robert A. Landry

Mary T. O'Donoghue, Secretary

Selectmen of: Andover, Massachusetts

Pursuant to the foregoing Warrant, I, the subscriber, one of the Constables of the Town of Andover, have notified the Inhabitants of said Town to meet at the time and place and for the purposes stated in said Warrant, by posting a true and attested copy of the same on the Town Hall, on each schoolhouse, and in no less than five other public places where bills and notices are usually posted and by publication in the *ANDOVER TOWNSMAN*. Said Warrants have been posted and published fourteen days.

_____, 2017.
Ronald Bertheim, Constable

WARRANT POSTING PLACES

Precinct One	Senior Center Town Offices Doherty Middle School
Precinct Two	Public Library Post Office (Stevens Street) Shawsheen School
Precinct Three	Town House (Main Street) YMCA (Haverhill Street)
Precinct Four	West Elementary School Greater Lawrence Vocational Technical High School
Precinct Five	High Plain Elementary School Wood Hill Middle School
Precinct Six	Post Office, Ballardvale Sanborn Elementary School
Precinct Seven	South Elementary School
Precinct Eight	Bancroft Elementary School
Precinct Nine	Andover High School West Middle School

II. Town of Andover Municipal Vehicle Policy

*Adopted by the Board of Selectmen on January 7, 2008
Amended May 3, 2010, March 12, 2012 and July 21, 2014*

II.1. PURPOSE AND SCOPE

The purpose of this policy is to set forth guidelines for the assignment, use and identification of Town-owned municipal vehicles and for the reimbursement and use of personal vehicles for Town business.

II.2. APPLICABILITY

The provisions of this policy apply to all employees of the Town of Andover. Employees whose employment is regulated by a collective bargaining agreement are subject to those provisions of this policy not specifically regulated by agreement.

II.3. CATEGORIES OF MUNICIPAL VEHICLE USE

Work Use Only – Vehicle is used at work only and remains in town at the end of the employee’s work shift (applies to personnel whose duties require the use of a Town vehicle during their working shift).

Work & Commuting Use – Vehicle is used at work and for commuting back and forth to the employee’s primary residence (applies to certain personnel whose duties require them to be on-call to regularly respond to work during nights and weekends).

24-Hour Use – Vehicle may be used at all times of the day for professional and personal use due to the 24/7 nature of the employee’s duties (applies to certain public safety personnel). *(Amended July 21, 2014)*

II.4. VEHICLE ASSIGNMENT & AUTHORIZATION

1. General Assignment – The general assignment of municipal vehicles to Town employees shall be made based on the specific duties of the position as defined in the position’s approved job description. Department heads who have municipal vehicles available to assist in carrying out specific departmental functions may assign such vehicles in a manner consistent with those responsibilities.

Additionally, under special circumstances (such as when it is anticipated that employees will need to be called back to work) a department head may authorize certain employees to take home a municipal vehicle for a night or weekend; or longer periods with the approval of the Town Manager.

2. Commuting Use – The assignment of vehicles for “commuting” use may only be authorized by the Town Manager, subject to the approval of the Board of Selectmen, after receipt of a written request and justification from a department head and Town Manager. Authorization for commuting use will be considered for employees who require a vehicle for the necessary performance of their job responsibilities. This category of use typically applies to personnel whose duties require them to be on-call to respond to work during nights and weekends on a regular basis. See Appendix A. *(Amended July 21, 2014)*

3. 24-Hour Use – The assignment of vehicles for “24-hour” use may only be authorized by the Town Manager, subject to the approval of the Board of Selectmen, after receipt of a written request and justification from a department head and Town Manager. Authorization for 24 hour use will be considered for employees who require a vehicle for the necessary performance of their job responsibilities. This category of use typically applies to certain public safety personnel who are required to rapidly respond to emergencies 24 hours a day, whether they are on duty or off, and regardless of their location. See Appendix A. *(Amended July 21, 2014)*

If an employee is transporting non-Town personnel in a municipal vehicle and is called to an emergency, then the employee will take all reasonable actions necessary to ensure the safety of the passenger for the duration of the emergency.

4. Change of Authorization – The Town Manager may rescind and/or change an existing vehicle assignment and use authorization whenever an applicable position becomes vacant; the authorized use is mis-used; an employee is on leave (paid or unpaid) for longer than thirty (30) days or when the position’s duties are changed to a significant degree to warrant such reassignment. The Town Manager may also seek to change or modify the existing authorized use of a municipal vehicle for any incumbent union employee during collective bargaining. For example, if a position’s on-call response requirement is infrequent, the Town Manager may elect to authorize the employee to have work-only use of a municipal vehicle.
5. Vehicle Replacement - The Town Manager shall obtain approval from the Board of Selectmen before authorizing replacement of a vehicle subject to assignment under this sub-section. In the event of attrition, promotion or change in role of a current employee or any additional or expanded position of a town employee in the town organizational structure, the Town Manager shall obtain approval of the Board of Selectmen before authorizing use of a Town vehicle for “Commuting Use” or “24 Hour Use.”

II.5. General Rules Governing Municipal Vehicle Use

1. Municipal vehicles may only be used for municipal business and, if applicable, authorized commuting purposes and other approved uses. If commuting use is authorized, then it is limited to travel to and from the employee’s residence and place of work. The vehicle should be driven over the most direct route taking into account road and traffic conditions. Other approved uses shall be authorized by the department head.
2. Municipal vehicles other than those designated for 24-hour use are to be used to transport individuals who are engaged in municipal business. Passengers shall be limited to Town employees and individuals who are directly associated with Town work activity.

3. Municipal vehicles should contain only those items for which the vehicle is designed. The Town shall not be liable for the loss or damage of any personal property transported in the municipal vehicle.
4. Employees are expected to keep municipal vehicles clean and to report any malfunction or damage to their supervisors immediately.
5. Employees are expected to park such vehicles in safe, legal locations.
6. Employees and passengers must wear seatbelts in municipal vehicles so equipped during operation of the vehicle.
7. Employees must turn the municipal vehicle ignition off, remove keys and lock the municipal vehicle when unattended unless the vehicle is being used in the performance of its duties.
8. Employees shall not operate municipal vehicles under the influence of alcohol, illegal drugs, or other substances which may interfere with effective and safe operation.
9. Employees who operate municipal vehicles must have a valid motor vehicle license issued by the state of their current residence and shall be required to provide annual proof of valid motor vehicle license.
10. Employees who incur parking or other fines in municipal vehicles will be personally responsible for payment of such fines.
11. Employees who are issued citations for any offense while using a municipal vehicle must notify their department head immediately when practicable but in no case later than 24 hours.
12. Any damage to the vehicle must be reported to the department head immediately when practicable but in no case later than 24 hours.
13. An employee who is assigned a municipal vehicle, or is using their personal vehicle for municipal business and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in a municipal or personal vehicle, must notify his or her supervisor immediately when practicable, but in no case later than 24 hours. Suspension or revocation of a motor vehicle license will be grounds for loss of municipal vehicle privileges and/or other disciplinary action.
14. The Town reserves the right to withdraw the privilege of using a municipal vehicle based on the employee's driving record.
15. Smoking is prohibited in all municipal vehicles.

16. During a leave (paid or unpaid) for longer than thirty (30) days, the employee will return the vehicle to their department.

II.6. IDENTIFICATION AND PROCUREMENT OF MUNICIPAL VEHICLES

1. All municipal vehicles, except certain police vehicles, shall be conspicuously marked as a Town of Andover vehicle with the name of the department on both sides of the vehicle and shall have municipal license plates. The Town Manager may grant special exception to this rule if sufficient written justification is presented by the department head. ~~(Amended July 21, 2014).~~
2. All municipal vehicles shall be purchased in accordance with applicable public procurement laws to ensure competitiveness and best price. The Town Manager shall pre-approve all purchases of municipal vehicles.
3. **ANDOVER FUEL EFFICIENT VEHICLE POLICY**

POLICY STATEMENT

The Town of Andover Board of Selectmen, in an effort to achieve long range energy efficiency, hereby adopts the revised Andover Fuel Efficient Vehicle Policy which will result in reduced fuel consumption, energy costs and carbon emissions. Under the policy, all Town and School departments and divisions shall purchase Fuel Efficient Vehicles when they are available and financially viable and meet the operational needs of the Town.

APPLICABILITY

This policy applies to all Town and School divisions and departments of the Town of Andover.

GUIDELINES

As of 10/17/11, Fuel Efficient Vehicles are defined by the US Environmental Protection Agency as having combined city and highway MPG no less than the following:

- 2 wheel drive car: 29 MPG
- 4 wheel drive car: 24 MPG
- 2 wheel drive small pick-up truck: 21 MPG
- 4 wheel drive small pick-up truck: 19 MPG
- 2 wheel drive standard pick-up truck: 17 MPG
- 4 wheel drive standard pick-up truck: 16 MPG
- 2 wheel drive sport utility vehicle: 21 MPG
- 4 wheel drive sport utility vehicle: 18 MPG

Hybrid or electric vehicles in these vehicle classes automatically meet these criteria.

The Plant and Facilities Department will maintain a vehicle inventory list for non-exempt vehicles, updated annually, and shall develop a plan for replacing these vehicles with vehicles that meet the minimum combined MPG requirements of the Green Communities Program.

See Appendix for current inventory.

The EPA maintains a database on vehicle fuel efficiency that is updated occasionally throughout the year, as new models are released. As increasing numbers of fuel efficient vehicle models are released, the minimum combined MPG requirements of the Green Communities Program may be revised. This policy may be updated from time to time to reflect any changes to the MPG requirements. The latest fuel efficiency MPG ratings are available through Massachusetts Department of Energy Resources Green Communities Program.

FUEL EFFICIENT VEHICLE REPLACEMENT PLAN

The Town of Andover, under this policy, requires that each department develop a five year plan to replace non-exempt vehicles with fuel efficient vehicles as these vehicles are removed from service. The annual Capital Budget is the process that will be used to replace vehicles, and set goals for when the existing fleet will be replaced.

QUESTIONS / ENFORCEMENT

All Town and School vehicle purchases must be approved by the Plant and Facilities Director to ensure compliance with this policy. The policy will be enforced by the Town Manager with the assistance of the Plant and Facilities Director.

DEFINITIONS

Combined city and highway MPG (EPA Combined fuel economy): The EPA combined fuel economy MPG ratings are derived from a combination of 43% city and 57% highway miles and is calculated as follows: $=1/((0.43/\text{City MPG}) + (0.57/\text{Highway MPG}))$

More information can be found on the United States Department of Energy Efficiency and Renewable Energy website www.fueleconomy.gov

Drive System: The manner in which mechanical power is directly transmitted from the drive shaft to the wheels. The following codes are used in the drive field:

- AWD = All Wheel Drive: four-wheel drive automatically controlled by the vehicle powertrain system
- 4WD = 4-Wheel Drive: driver selectable four-wheel drive with 2-wheel drive option

- 2WD = 2-Wheel Drive

Heavy-duty truck: A vehicle with a manufacturer’s gross vehicle weight rating (GVWR) of more than 8,500 pounds. By definition, all trucks over ½ ton are exempt from this policy.

Vehicle Exemptions:

- Heavy-duty vehicles such as fire-trucks, ambulances, and public works trucks over ½ ton that meet the definition of Heavy-duty vehicle are exempt from this criterion.
- Police cruisers, passenger vans and cargo vans are exempt from this criterion as fuel efficient models are not currently available. However, we commit to purchasing fuel efficient options if they become commercially available. Police and Fire department administrative vehicles are NOT exempt and must meet fuel efficient requirements.
- This policy does not apply to other equipment, such as backhoes, front-end loaders, sidewalk plows, lawn mowers, etc.

RELATED INFORMATION:

United States Environmental Protection Agency, Green Vehicle Guide

<http://tiny.cc/greenEPA>

(Section 6.3 added: May 3, 2010)

(Amended: March 12, 2012)

II.7. FRINGE BENEFIT TAX REPORTING

1. Federal and State law requires employers to include “Fringe Benefit Income” on employee W-2 forms submitted to the IRS and DOR. Such fringe benefits include the employee’s use of an employer-provided vehicle for commuting purposes at the \$3.00 per day commuting rate as established by the IRS (subject to any IRS changes). The Town shall use this method for tax reporting purposes.
2. Police and Fire vehicles may be exempt from the fringe benefit income reporting requirements as specified by IRS requirements.

~~*(Subsection 3 deleted July 21, 2014)*~~

II.8. USE OF PERSONAL VEHICLES FOR TOWN BUSINESS

1. Mileage Travel Reimbursement – Employees who “occasionally” use their personal vehicle for authorized work related travel shall be reimbursed according to the mileage rate (rounded down to the nearest cent) as periodically revised by

the Town based on the Internal Revenue Service rate for the business use of an automobile.

2. Monthly Travel Allowance – The Town Manager may authorize a monthly travel allowance, or a combination of a monthly travel allowance and a specified mileage rate, to certain employees as compensation for the “regular” use of their personal vehicle for Town business.
3. The mileage travel reimbursement and/or monthly travel allowance are intended to cover the costs of gasoline, repairs, insurance and general wear and tear on the employee’s personal automobile.
4. The Town will also reimburse an employee’s tolls and reasonable parking expenses for authorized work related travel outside of Andover, when receipts are provided. Employees will not be reimbursed for tolls which would be paid by the employee during their normal commute to work.
5. Town employees who use their own vehicles for work-related travel must have the following Massachusetts minimum levels of automobile insurance coverages:
 - Bodily Injury: \$20,000/\$40,000
 - Property Damage: \$5,000

However, it is recommended that the Town employees have the following Massachusetts levels of automobile insurance coverages:

- Bodily Injury: \$100,000/\$300,000
 - Property Damage: \$50,000
6. An employee who uses their personal automobile to travel from home to a temporary assignment, rather than their regularly assigned work location, shall be allowed personal automobile expenses between home and the temporary assignment and the regular work location, whichever is less. This does not apply to detail or overtime assignments.
 7. In the event that an employee's personal vehicle is damaged during authorized work-related travel, and the damage is not due to the negligence of the employee, the Town may reimburse the employee, upon receipt of a police report and verification of payment of a deductible (comprehensive or collision) to cover part of the cost of repair, up to a maximum of \$500 or the amount of the deductible, whichever is less, per occurrence.

II.9. SPECIAL CIRCUMSTANCES

This policy is intended to provide a basic framework governing the use of personal and municipal vehicles in the Town of Andover, and, as such, cannot contain procedures governing every situation that might arise. Department heads seeking clarification of or exemption from the provisions of this policy should contact the Town Manager who will provide such clarification and may authorize exceptions to the policy under mitigating circumstances.

II.10. SANCTIONS

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges as well as suspension, and/or termination of employment.

APPENDIX A to Municipal Vehicle Policy

POSITIONS WITH TOWN VEHICLES FOR WORK AND COMMUTING USE

(As of July, 2014)

- Department of Municipal Services Vehicle Maintenance Superintendent*
- Director of Department of Municipal Services
- Department of Municipal Services Water/Sewer Superintendent*
- Department of Municipal Services Town Engineer*
- Department of Municipal Services Water/Sewer General Foreman**
- Police Department K-9 Officer

**Eliminate at the retirement of the position incumbent*

***Eliminate through collective bargaining*

Commented [MJ1]: Check the status of these employees/vehicles

POSITIONS WITH TOWN VEHICLES FOR 24-HOUR USE

(As of July, 2014)

- Fire Chief
- Police Chief
- Police Department Operations Commander

For current list of vehicles refer to the Capital improvement Program vehicle schedule.

FUEL EFFICIENT VEHICLE INVENTORY LIST

(As of March 12, 2012)

NON-EXEMPT TOWN OF ANDOVER VEHICLES 2012					
MODEL AND MAKE (2WD unless noted)	YEAR	YEAR PURCHASED	EPA MPG-COMB (new)	GREEN MPG LIMIT	CLASS
<u>Town Manager:</u>					
Buick Lesabre Custom Sedan	2000	2000	20	29	CAR 2WD
<u>Administration:</u>					
Ford Escape 4x4	2006	2006	20	18	SUV 4WD
<u>Building Maintenance:</u>					
GMC Safari Cargo Van	2000	2000	17	21	SMALL VAN 2WD
GMC Safari Cargo Van	2000	2000	17	21	SMALL VAN 2WD
Chevy Colorado Pickup 4WD	2009	2009	21	19	SMALL PU 4WD
Ford Explorer 4x4	1998	1998	14	18	SUV 4WD
Chevy K1500 1/2 Ton Pickup 4X4	1997	1997	15	16	STAND PU 4WD
<u>Council on Aging:</u>					
Dodge Neon 4 Door Sedan	2001	2001	24	29	CAR 2WD
Dodge Neon 4 Door Sedan	2001	2001	24	29	CAR 2WD
Chevy Uplander Van	2008	2008	19	21	SMALL VAN 2WD
<u>Highway Department:</u>					
Ford Escape XLT 4WD 4Dr	2009	2009	20	18	SUV 4WD
Ford F150 1/2 Ton Supercab 4x4 SS X1E Pickup	2010	2010	14	16	STAND PU 4WD
Ford F150 1/2 Ton Supercab 4X4 Pickup	2003	2003	14	16	STAND PU 4WD
<u>Mechanical/Electrical:</u>					
GMC Safari Cargo Van	2000	2000	17	21	SMALL VAN 2WD
Chevy Astro Van	1999	1999	16	21	SMALL VAN 2WD
Chevy Colorado CT1565 PU	2006	2006	19	19	SMALL PU 4WD
Ford Transist Connect XL Cargo Van	2010	2010	23	21	SMALL VAN 2WD
Ford Transist Connect XL Cargo Van	2010	2010	23	21	SMALL VAN 2WD
Ford Transist Connect XL Cargo Van	2010	2010	23	21	SMALL VAN 2WD
<u>School Department:</u>					
Chevy Astro Van	1997	1997	16	29	CAR 2WD
Ford Windstar Van	1998	1998	18	29	CAR 2WD
<u>Tree Department:</u>					
Ford F150 Pick Up	2010	2010	16	16	STAND PU 4WD
Ford Ranger Pickup 4X4	1996	1996	16	19	SMALL PU 4WD
Ford Ranger 4X4 Pickup	2002	2002	16	19	SMALL PU 4WD
GMC K1500 1/2 Ton Pickup 4X4	2000	2000	15	16	STAND PU 4WD
<u>Water Department:</u>					
Ford F150 1/2 Ton Pickup w/ ext. cab.	2005	2005	14	16	STAND PU 4WD
Ford Ranger Pickup 4x4 w/ ext. cab.	2005	2005	16	19	SMALL PU 4WD
Ford Ranger Pickup 4x4 w/ ext. cab.	2005	2005	16	19	SMALL PU 4WD
GMC Envoy 4 Door	2006	2006	16	16	STAND PU 4WD
<u>Water Treatment:</u>					
Ford Escape Hybrid AWD	2006	2006	27	18	SUV 4WD
Ford Escape 4 Door AWD	2006	2006	20	18	SUV 4WD
Ford Escape 4 Door AWD	2006	2006	20	18	SUV 4WD
Ford F150 1/2 Ton Pickup	2009	2009	14	16	STAND PU 4WD
Ford F150 1/2 Ton Pickup 4x4 Cab	2003	2003	14	16	STAND PU 4WD
Ford F150 1/2 Ton 4x4 Pickup w/ Ext Cab	2001	2001	14	16	STAND PU 4WD
Ford F150 1/2 Ton Crew Cab 4x4 Pickup	2003	2003	14	16	STAND PU 4WD
Ford F150 1/2 Ton 4x4 Pickup	2005	2005	14	16	STAND PU 4WD
Ford F150 1/2 Ton 4x4 Pickup w/ Ext. Cab.	2005	2005	14	16	STAND PU 4WD

EXEMPT TOWN OF ANDOVER VEHICLES 2012			
MODEL AND MAKE (2WD unless noted)	YEAR	YEAR PURCHASED	CLASS
Building Maintenance:			
Ford F250 3/4 Ton Utility Body 4x4	2006	2006	Heavy Duty
Chevy Express Van 3/4 Ton	2006	2006	Cargo Van
Ford Ranger Ext.Cab Pickup 4x4	2002	2002	Heavy Duty
Chevy C3500 1 Ton Rack/Dump	1999	1999	Heavy Duty
Cemetery:			
Chevy 1 Ton Dump 4x2	2006	2006	Heavy Duty
Ford F350 1Ton Dump 4X4	2003	2003	Heavy Duty
John Deere Backhoe Loader 310E	2000	2000	Heavy Duty
Council on Aging:			
Ford Econo E450 1 1/2 Ton BW	2008	2008	Heavy Duty
Fire Department:			
Horton International 4300 Type 1 SBA LP 4X2 (Central)	2011	2011	Heavy Duty
Horton International 4300 Type 1 SBA LP 4X2 (West)	2008	2008	Heavy Duty
Horton Freightline FL50 Ambulance (Central)	2002	2002	Heavy Duty
Horton International 4300 Type 1 SBA LP 4X2 (Central)	2009	2009	Heavy Duty
Ford Explorer Utility (Central)*	2006	2006	Fire Response
Ford Chevy Tahoe CK10706 Trk 4Dr 4W*	2010	2010	Fire Response
Chevy Tahoe Utility 4x4 (Central)*	2008	2008	Fire Response
Ford Explorer XLT 4x4 4 Door (Central)*	2002	2002	Fire Response
Pierce Pumper Arrow XT (Central)	2009	2009	Heavy Duty
KME Renegade (Central)	1996	1996	Heavy Duty
KME Excell (B-Vale)	2001	2001	Heavy Duty
Pierce Pumper Dash R Series (West)	2007	2007	Heavy Duty
Chevy Expcut Box Truck (Central) (Air Supply) (Special Services)	2003	2003	Heavy Duty
Ford F450 1 1/2 Ton Utility Bucket Truck (West)	1994	1994	Heavy Duty
Ford Pickup 4X4 F-350 1Ton (Forestry Brush Truck) (West)	1996	1996	Heavy Duty
Ford F350 1 Ton Super Duty 2 Dr PU (Central)	2004	2004	Heavy Duty
Pierce Dash R Cummins ISM Ladder Truck (Central) (Reserve)	2005	2005	Heavy Duty
KME Aerial Cat Ladder Tower (Central)	1999	1999	Heavy Duty
Highway Department:			
Mack GU712 Dump Truck	2012	2012	Heavy Duty
Mack GU712 Dump Truck	2012	2012	Heavy Duty
Mack GU712 Dump Truck	2009	2009	Heavy Duty
Mack CV712 Dump Truck	2006	2006	Heavy Duty
Mack GU712 Dump Truck	2009	2009	Heavy Duty
Mack RD690P Dump Truck with catch basin cleaner	2003	2003	Heavy Duty
Mack GU712 Dump Truck	2012	2012	Heavy Duty
Mack CV713 Dump Truck	2005	2005	Heavy Duty
Mack RD 690P Dump Truck w/2 CACI Tanks	2000	2000	Heavy Duty
Mack RD Dump Truck w/2 CACI Tanks	1999	1999	Heavy Duty
Caterpillar Wheel Loader Model 938G	2000	2000	Heavy Duty
John Deere Loader 624J 4WD	2008	2008	Heavy Duty
Ford F550 2 Ton Super F57 Chassis Cab Drw 4x4 with plow	2008	2008	Heavy Duty
Ford F450 1 1/2 Ton F47 Chassis Cab Drw 4x4	2009	2009	Heavy Duty
Ford F450 1 1/2 Ton Supercab F4H	2011	2011	Heavy Duty
Ford F450 1 1/2 Ton Dump	2008	2008	Heavy Duty
Ford F450 1 1/2 Ton 4x4 Utility/Dump	2005	2005	Heavy Duty
Mack RD690P Dump Truck w/2 CACI Tanks	2002	2002	Heavy Duty
Mack 10-Wheeler w/2 CACI Tanks	2001	2001	Heavy Duty
Mack 10-Wheeler w/2 CACI Tanks	2001	2001	Heavy Duty
Ford F450 1 1/2 Ton 4x4 Fatbed w/crane	2008	2008	Heavy Duty
Bobcat Skidsteer 773T Loader	2001	2001	Heavy Duty
Bobcat Skidsteer 773T Loader	2001	2001	Heavy Duty
Holder Tractor C9.78 with attachments	2005	2005	Heavy Duty
Holder Tractor C9.78 with attachments	2005	2005	Heavy Duty
John Deere Backhoe Loader 3105E	2000	2000	Heavy Duty
LeeBoy 5 ton Riding Roller	1989	1989	Heavy Duty
3 Wheel Elgin Pelican Sweeper	2006	2006	Heavy Duty
Bombardier Sidewalk Tactor SW48HY With "V" plow	2007	2007	Heavy Duty
3 Wheel Elgin Pelican Sweeper	2006	2006	Heavy Duty

EXEMPT TOWN OF ANDOVER VEHICLES 2012			
MODEL AND MAKE (2WD unless noted)	YEAR	YEAR PURCHASED	CLASS
<u>Mechanical/Electrical:</u>			
Chevy 3500 Aerial Lift Bucket Truck	2001	2001	Heavy Duty
Ford F250 3/4 Ton Van	2011	2011	Heavy Duty
<u>Parks and Grounds:</u>			
Ford F350 1 Ton Rack 4x2	2009	2009	Heavy Duty
Ford F350 1 Ton Dump 4x2	2006	2006	Heavy Duty
Ford F350 1 Ton Rack w/taillight 4x2	2006	2006	Heavy Duty
Ford F350 1 Ton Dump 4X2	2001	2001	Heavy Duty
2001 Chevy 2500HD 3/4 Ton 4 Wheel Drive Pickup	2001	2001	Heavy Duty
Kubota Diesel Tractor	1999	1999	Heavy Duty
<u>Police Department:</u>			
Westwood GO-4 Interceptor-III 3-Wheel Motorcycle	2007	2007	Motorcycle
Ford Crown Victoria	2008	2008	Police Response
Ford Crown Victoria	2011	2011	Police Response
Ford Crown Victoria	2009	2009	Police Response
Ford Crown Victoria	2011	2011	Police Response
Ford Crown Victoria	2009	2009	Police Response
Ford Crown Victoria	2011	2011	Police Response
Ford Crown Victoria	2010	2010	Police Response
Ford Crown Victoria	2009	2009	Police Response
Ford Crown Victoria	2009	2009	Police Response
Ford Crown Victoria	2010	2010	Police Response
Ford Crown Victoria	2010	2010	Police Response
Ford Crown Victoria	2008	2008	Police Response
Ford Explorer XLS 4X4 4 Dr Utility*	2005	2005	Police Response
Ford Explorer XLS 4X4 4 Dr Utility*	2002	2002	Police Response
Ford Econovan (Animal Control)	2001	2001	Police Response
Ford Econovan	2000	2000	Police Response
Ford Excursion Utility (Chief)*	2001	2001	Police Response
Ford F150 1/2 Ton Pickup 4x4*	2006	2006	Police Response
Ford Taurus P2H SD	2011	2011	Police Response
Ford Crown Victoria	2010	2010	Police Response
Ford Crown Victoria	2007	2007	Police Response
Ford Crown Victoria	2008	2008	Police Response
Ford Crown Victoria (Chief)	2009	2009	Police Response
Ford Crown Victoria	2005	2005	Police Response
Ford Crown Victoria	2006	2006	Police Response
Ford Ex Utility 4X4 (NEMLEC TASK FORCE VEHICLE)	2003	2003	Police Response
Ford Econovan S350 (NEMLEC TASK FORCE VEHICLE)	1994	1994	Police Response
Ford Crown Victoria	2007	2007	Police Response
Harley Davidson FLHP Motorcycle	2011	2011	Police Response
<u>Tree Department:</u>			
Chevy C1500 Pickup Truck 4x4	2002	2002	Police Response
Chevy 3500HD 1-1/2 Ton Chipper/Dump Truck	2002	2002	Heavy Duty
Mack Crane Platform - Diesel	1997	1997	Heavy Duty
GMC Topkick Flatbed Truck - Diesel	1992	1992	Heavy Duty
GMC C Series Bucket Truck - Diesel	1999	1999	Heavy Duty
Kubota Tractor	2006	2006	Heavy Duty
<u>Vehicle Maintenance:</u>			
Chevy K3500 1 Ton Pickup	2000	2000	Heavy Duty
<u>Water Department:</u>			
Ford F350 1 Ton Utility Body w/ crane	2004	2004	Heavy Duty
Ford F350 1 Ton F31 Utility Body w/ plow	2004	2004	Heavy Duty
Ford F350 1 Ton F31 Utility Body w/ plow	2004	2004	Heavy Duty
Mack 10 Wheel Dump Truck CV713 w/ snow setup	2005	2005	Heavy Duty
John Deere Backhoe Loader 410J	2007	2007	Heavy Duty
Ford F550 2 Ton Cab Drw 4x4	2008	2008	Heavy Duty
Intl 700SER Truck	2005	2005	Heavy Duty

EXEMPT TOWN OF ANDOVER VEHICLES 2012			
MODEL AND MAKE (2WD unless noted)	YEAR	YEAR PURCHASED	CLASS
<u>Water Department:</u>			
Ford F350 1 Ton Utility Body w/ crane	2004	2004	Heavy Duty
Ford F350 1 Ton F31 Utility Body w/ plow	2004	2004	Heavy Duty
Ford F350 1 Ton F31 Utility Body w/ plow	2004	2004	Heavy Duty
Mack 10 Wheel Dump Truck CV713 w/ snow setup	2005	2005	Heavy Duty
John Deere Backhoe Loader 410J	2007	2007	Heavy Duty
Ford F550 2 Ton Cab Drw 4x4	2008	2008	Heavy Duty
Ford 700SER Truck	2005	2005	Heavy Duty
<u>Water Treatment:</u>			
Ford F250 3/4 Ton Pickup	2007	2007	Heavy Duty
Ford F350 1 Ton Utility Crane Truck	2006	2006	Heavy Duty
<u>Youth Services:</u>			
Ford Elkhart ELKC E450 1 1/2 Ton Coach Bus	2011	2011	Passenger Van
Ford Elkhart ELKC E450 1 1/2 Ton Coach Bus	2010	2010	Passenger Van
Ford XLT 138 1 Ton Van 15 Passenger	2005	2005	Passenger Van
Ford Ecowag E350 1 Ton Van	2001	2001	Heavy Duty
<u>*Vehicles are not in an exempt class, however their use as emergency response equipped vehicles makes them exempt.</u>			

V. DEPARTMENT OF PUBLIC WORKS POLICIES

V.1. PUBLIC WORKS ENGINEERING SERVICES POLICY

The Department of Public Works will procure engineering services for public works projects via a qualifications-based process in accordance with Massachusetts General Laws Chapter 30B. Public works projects are defined as “horizontal” construction such as roads, streets, bridges, water and sewer mains, landfills, sidewalks, site work, etc.

- A. The Department of Public Works will seek proposals for “continuing service agreements” for water, sewer and structural (bridge) projects. The “continuing service agreements” will provide for on-call engineering services for specific construction projects with an engineering cost estimate of less than \$25,000 per project or a total construction cost estimate of less than \$250,000 per project. The engineering contract would be for one year with the provision that it could be extended to three years.
- B. The Department of Public Works will seek proposals for “project specific service agreements” for any horizontal public works construction projects with an engineering cost estimate greater than or equal to \$25,000 per project or a total construction cost estimate greater than or equal to \$250,000 per project. The engineering contract would be for the life of the project.
- C. The Department of Public Works will seek price quotes for “project specific service agreements” for all other horizontal public works engineering services (such as sidewalks, landfills, stormwater/drainage, site work, etc.) with an engineering cost estimate of less than \$25,000 per project or a construction cost estimate of less than \$250,000 per project. The contract would be for the life of the project.

August 22, 2005

Commented [MJ11]: Except for the heading, I (from Larry) don't see any issues here. It has been reviewed by Public Works

Commented [MJ12]: Consider removing this policy and relying on state procurement laws

V.2. MANDATORY RECYCLING AND TRASH PICKUP

V.2.1: Mandatory Recycling

On July 23, 1990, the Board of Selectmen unanimously voted to support the following motion pertaining to Mandatory Recycling in the Town of Andover:

“I move that the Board of Selectmen vote to endorse the Mandatory Recycling Program for glass and paper that will go into effect on Monday, August 6, 1990. This action was authorized by the 1988 Annual Town Meeting vote on Article 55, entitled “Mandatory Recycling”. The Board encourages all residents to take part in our curbside glass and paper recycling program and in doing so help preserve our environment and save our financial resources”.

V.2.2: TRASH AND RECYCLING GUIDELINES

- Household rubbish is limited to 4 bags or barrels, no more than 50 pounds each, or the equivalent of 135 gallons maximum per residence.
- Recycling is Mandatory. ~~No particular enforcement authorized.~~
- Assistance in organizing recycling and trash may be requested of the Recycling Committee or the DPW.
- Exception will be made for extraordinary trash due to special events at home.

~~Section V.2.2 Voted: June 22, 2009~~

V.2.3: TRASH AND RECYCLING CURBSIDE PICKUP

The Town of Andover shall be responsible for curbside trash and recycling collection from residential dwellings which include all single family locations and multi-family locations that do not exceed six (6) units.

All multi-family complexes exceeding six units, businesses, not-for-profits, houses of worship and any other location that does not match the definition of single family locations and multi-family locations up to six units, shall be solely responsible for the collection of such recycling and trash, except that;

~~T~~he following multi-family locations shall be grandfathered and will continue pickup of recycling so long as recycling is brought curbside by the public roadway; Hunter’s Ridge, Meredith Village, Ballardvale Crossing, Hillcrest Townhouse, Temple Place Condominiums, 70-84 Essex Street Apartments, and 6-12 Maple Avenue Condominiums, and

~~T~~he following multi-family locations shall be grandfathered and allowed to continue pickup of household trash so long as trash is brought curbside by the public roadway; Hillcrest Townhouse and Temple Place Condominiums.

V.6. TOWN TREES

Whereas, Town trees are an integral part of the ecology and aesthetic look of the Town of Andover and should be preserved and nurtured whenever possible,

Commented [MJ13]: Proposed policy as discussed on 9/12/16

Commented [MJ14]: Review comparable policies in other towns.

Now therefore, the Board hereby establishes the following policy regarding the maintenance of trees on Town property with special attention to trees that line sidewalks on Town owned land.

1. If a Town tree needs to be removed at any of the Town owned parks, an appropriate tree will be bought to replace it at the town's expense within a reasonable amount of time, not to exceed one year.
2. Understanding that the Town has limited resources and that Andover citizens may want to maintain the aesthetic look of streets, if a Town tree is removed in the public way of a tree lined, sidewalked street, the following policy applies:
 - a) Shade tree removal is governed by MGL, Chapter 87 the Massachusetts Shade Tree Act. In addition to the notice provisions of Chapter 87, Section 3, the owners of residential property any portion of which is within 50 feet of the tree proposed for removal (abutters) shall receive written notice, via regular first class mail, of the public hearing under Chapter 87, Section 3 at least 7 days before the hearing. This shall not apply to removal of trees authorized under Section 5 of Chapter 87 or other lawful authority.
 - b) An abutter or abutters of a Town tree proposed for removal may petition the Forestry Division in writing to replace the tree provided as follows:
 - a) The Forestry Division will survey the area in which the replacement tree will be planted and discuss with the abutter(s) the type of tree that would fit into the space and be esthetically correct for the neighborhood. The type of replacement tree must be a tree that is acceptable to the Forestry Division.
 - b) The Forestry Division will make arrangements for the procurement of trees.
 - c) The abutter(s) will agree in writing to pay for the tree and the Town will agree to plant the replacement tree. The Forestry Division will provide forms for this purpose. The cost and size of the tree will be negotiated between the parties affected. The cost of the tree will be paid to the Town before the purchase. Every effort will be made to negotiate a size and cost that is affordable to the abutter(s). The money paid for the trees by the abutter(s) will go into a revolving fund for the purpose of replacing Town trees. Donations to this revolving fund may also be accepted to enhance this program. In the event of disagreement between the abutters the Forestry Division will have the final decision on the type, size and location of the new tree and, if any abutter opposes replacement, whether the tree should be replaced.

d) The replacement of a tree will be done within one (1) year of the removal, if practical.

e) If the abutter(s) decline to replace a tree, the Town will remove the tree stump to allow for the immediate abutter to replant grass in the area that is affected until such time the Town may decide to plant a tree on the Town owned property.

4. This program will also be available on a first come first served basis to any one who wishes to replace a tree that has already been removed. The replacement will be completed as time permits.

5. This policy will not apply for reconstructed streets that will require new trees as part of the overall plan for construction.

6. The Board of Selectmen will appoint a committee to develop a community tree bylaw to be completed and presented to the Town at the 2017 Annual Town Meeting.

VI. FEES/~~PUBLIC RECORD~~ POLICIES

VI.1. User Fees

Recognizing the constraints imposed by Proposition 2 ½, the desirability to minimize tax increases, and the reductions in Federal and State assistance, the Board of Selectmen supports the implementation of alternate funding sources for Town expenditures.

These funding sources may take the form of **user fees** (fees assessed for goods and services that a governmental body provides), **regulatory charges** (fees paid to conduct or regulate a specific activity or occupation) and **fin**es (fees assessed for violation of local requirements).

When implementing or increasing a fee, the Board of Selectmen may consider the following:

- 1) Confirmation that the Board of Selectmen has the statutory authority to set the fee.
- 2) How much services cost to maintain and deliver.
- 3) Whether or not taxpayers can be excluded.
- 4) Whether or not there is an easy way to collect the charge.
 - a) When the fee will be collected
 - b) How the fee will be collected
 - c) Cost of the collection
- 5) Comparison of similar charges to those of neighboring communities.

- 6) Review of past and projected service demand.
- 7) Review estimates of new revenue.
- 8) Public opinion (through public hearing)
- 9) Regular fee review if deemed appropriate.

The Town shall maintain a records of revenue received to be made available upon request~~Revenue Manual which will list all revenue sources on a prescribed form~~. Those fees that the Board of Selectmen is currently authorized to review and amend are as follows:

- Parking Tickets
- ~~Andover Housing Authority Fees (currently not applicable)~~
- ~~Use of Town Landfill~~
- Real Estate Taxes
- Personal Property Taxes
- New Building Permit (including additions & alterations)
- To Build Swimming Pool or Tennis Court
- To Raze Building
- To Move Building
- Sign Permit
- Change of Ownership
- Permit Renewals
- Release of Stop Work Order
- Amusement Park/Carnival Equipment and Tent Permits
- Air Conditioning Permit
- Heating Alterations
- Gravel Removal
- Chimney Permit
- To Install, Alter or Repair Elevators
- Conformance to Zoning Affidavit
- Zoning Verification for Business Certificate
- Construction Trailers and/or Emergency Mobile Homes
- Certificate of Occupancy
- Building Re-Inspection Permit
- Plumbing Fees
- Gas Fees
- Certificate of Inspection
- Electrical Permit
- Zoning Board of Appeals Application
- Meter Fees
- Recreational Park Rentals
- Field Rentals
- School Building Rentals
- Oil Burner and Oil Storage Permit
- Fire Reports
- Liquid Propane Gas Storage Permit
- Fireworks Display Permit
- Blasting Permit
- ~~Model Rocket Permit~~

Commented [MJ15]: Have finance and CD&P review this list.

Welding and Cutting Permit to Store
Storage Tank Inspection Permit
Tank Truck Inspection
Permit to Erect and Use a Tent
Explosive and Flammable Storage Permit
Ambulance Fees
Burial Fees
Lot Fees
Perpetual Care
Alarm Fines
Sale of Dogs
Off-Street Parking
Water Rates
Unauthorized Use of Hydrant.
Fire Service Water Demand Fee
Fine for Disconnected Meter
Water Service Taps
Thawing Fees
Test Backflow Preventers
Water Sale to Other Towns
Sewer Rates
Relieve Sewer Blockage
Retail Package Goods
Liquor Licenses
One-Day Liquor License
Second-Hand Motor Vehicle Seller's License
Taxi Licenses
Carriage of Passengers for Hire License
Junk Dealer/Collector License
Bowling Alley License
Town Maps, Town By-Laws, and Zoning By-Laws
~~Copy of Public Record~~

Authorization for the Selectmen to set the above fees is found within the Massachusetts General Laws or the Andover Town By-Laws. Particulars of the above fees may be obtained in the appropriate department.

Commented [MJ16]: The stricken language appears to have been incorrectly placed in the sub-section. It has been moved to Sub-section IV.4 Adopt an Island Program

VI.2. Meeting ~~Tape~~-Recording Policy

Meetings shall be electronically recorded when necessary equipment is available. Tape Policy for Implementation of Article 40 of the 1997 Annual Town Meeting:

“Upon motion made and duly seconded it was ~~moved~~-**VOTED by a Majority vote** that the Town raise by taxation and appropriate the sum not to exceed \$1,000.00 for the first ~~year~~-**years** operation and to require that henceforth all meetings of the School Committee, Planning Board, Finance Committee and the Board of Selectmen shall be recorded in their entirety by means of a tape recorder or by other means of sonic reproduction. Such recordings to be preserved for five **(5)** years, and copies shall be made to the public at no greater than actual cost”.

Commented [MJ17]: Revise language to reflect current technology.

1. ~~The School Committee, Planning Board, Finance Committee and Board of Selectmen will record all publicly posted meetings by means of a tape recorder.~~
2. ~~All recordings will be maintained in the department responsible for the public record.~~
3. ~~Tapes for this recording program will be purchased by the Finance Department and debited from the appropriate account assigned by the Finance Department. All monies collected from this recording program shall be deposited to the General Fund.~~
4. ~~The tape recording shall remain in the department for public inspection for one full year. Thereafter, unless an issue from a meeting is under legal appeal, the recordings will be maintained in the Town's record retention center in each designated Department area for four full years. Each Department will follow all established record retention and record retrieval procedures when filing these recordings (see the Town Clerk for these procedures). After five full years of record retention, the tapes may be transmitted to the Library for research purposes until they are no longer deemed useful.~~
5. ~~Requests for listening to tapes or copies of tapes will be processed through the Department responsible for the record.~~
 - ~~Regular size tapes may be copied through the School Department's dual recording device. A recorder will also be made available for listening requests.~~
 - ~~Micro tapes may be copied on a dual recorder. This micro dual recorder will be used for listening and the recording of the tapes. The recorder will be stored in the Town Clerk's office and will be signed out and returned by departments as needed.~~
 - ~~The cost of a copy of the recording will be the per hour salary of the lowest paid employee in the department that would be responsible for the task plus the cost of the tape. A good faith estimate of the cost will be provided to the requester before the request is processed and said fee will be paid in full prior to any reproduction.~~
 - ~~Listening to a recording will require an appointment.~~
 - ~~Copies of a recording will require a written or oral request to allow the time necessary to copy the tape~~

June 23, 1997

Commented [MJ18]: From Larry: The first paragraph of the Sub-section, as amended, is the verbatim vote from Article 40 of the 1997 ATM. The stricken language was adopted by the Board on June 23, 1997, but is out of date given technological advances and given that Andover TV is recording most meetings. I also need to do additional research on this. The Index to the Code of Bylaws under "Meeting" references "Recording of meetings, Art III, 5," but there is no Art. III, 5, suggesting that the 1997 ATM vote on Article 40 may have been repealed.

VI.3. Public Record Fees and Policy

1. Except where fees for copies and research of public records are prescribed by ~~State statute, or local bylaws,~~ Town departments and offices shall charge no more **for copies of public records** than the **following maximum fees permitted under 950 Code of Massachusetts Regulations 32.06, as the same may be amended from time to time.** ~~for copies of public records:~~

~~For photocopies of a public record of standard reproducible size: **\$.20 per page.**~~

- ~~B. For a *computer printout* of a public record: *\$.50 per page.*~~
- ~~C. For *requests* that require less than twenty (20) minutes to complete: *no charge.*~~
- ~~D. For *requests* that require performing a search and/or segregating exempt information that is longer than twenty (20) minutes: *a pro-rated fee will be assessed based on the salary of the lowest paid employee in the department that can perform the task.*~~
- ~~The fee assessed will reflect the time taken to search for the file(s), pull the file(s) to be inspected, segregate exempt information, copy a file(s) and return it to a file.~~
2. ~~The department or office in charge of a public record shall provide a good faith estimate of the search, copying and segregation time fees prior to complying with the request.~~
~~The custodian shall provide a written, good faith estimate of the applicable copying, search time and segregation time fees to be incurred prior to complying with a public records request where the total costs are estimated to exceed ten dollars.~~
3. ~~There will be no fees assessed for the time of the actual inspection of the record. The custodian may not assess a fee for the mere inspection of public records, unless compliance with such request for inspection involves "search time" as defined in 950 Code of Massachusetts Regulations 32.03 in which case a fee may be assessed as permitted under 950 Code of Massachusetts Regulations 32.06 as the same may be amended from time to time.~~

DOCUMENT AVAILABILITY

1. Requests for copies will be handled expeditiously and in compliance with the Public Records Law. In those instances when staff time is not available at the time of the request or if the records must be reviewed by staff for exempt information, a mutually agreeable time by both parties should be decided upon in order that the requester may view the records in a timely manner.
2. Requested copies must be made by staff.
3. Members of committees requesting copies of public records for the use of the whole committee will not be charged a fee. The request should come from the Chairman of the committee or the designated staff member who is responsible for the committee.

~~September 22, 1997~~

VI.4. Ambulance Billing

Beginning July 1, 1988, residents of Andover, as well as non-residents, will be billed for ambulance calls. Billing will be handled by a third-party billing company with the bill being

forwarded to the insurance companies. Residents will not be required to pay for the service if they do not have insurance.

Monies collected are dedicated to the Fire Department budget.

Commented [MJ19]: Seek comment from Chief Mansfield

5/9/88

~~Fire Dept. reviewed VI.4—no changes~~

~~VII. HOUSING/TAXES~~

~~VII.1. Fair Housing Plan~~

~~The purpose of the Town of Andover Fair Housing Plan is to achieve the aims of Executive Order No. 227, Governor's Code of Fair Practice; the Massachusetts General Laws Chapter 151B, Administrative Bulletin 75-14; Federal Executive Order No. 11063, EEO in Housing and the Federal Civil Rights Act of 1968, Title VIII Fair Housing as amended by the Housing and Community Development Act of 1974, to the extent that these prohibit discrimination in housing on the grounds of race, color, national origin, ancestry, age, religion, welfare status, children, marital status, handicapped, blindness or sex.~~

~~This plan utilizes the Fair Housing requirements for the Commonwealth of Massachusetts and its political subdivisions. The requirements shall be used to define and determine the Fair Housing obligations of the Town of Andover. This plan shall also be used by the Massachusetts Commission Against Discrimination (MCAD) in evaluating the fair housing performance of the Town of Andover.~~

~~The Town of Andover will address the Fair Housing issue in order to fulfill its obligations under the state and federal equal opportunity standards. The Town of Andover will conduct a comprehensive community profile which will identify over-concentration or under-representation of minorities and female-headed households.~~

~~The Town of Andover shall then undertake an analysis of its community profile and shall make a careful evaluation of its programs and policies to determine if there exists a disparate impact of housing access. If after this analysis the Town determines that over-concentration or under-representation does exist, then the Town of Andover shall develop a Fair Housing Plan which provides a statement of goal, objective and policies designed to eliminate barriers to equal access and choice.~~

~~The Town of Andover shall create a Fair Housing Committee whose objectives and purposes are those set forth in the aims of Executive Order No. 227, Governor's Code of Fair Practice; Massachusetts General Laws, Chapter 151B; Administrative 75-14, Federal Executive Order No. 1063 EEO in Housing and the Federal Civil Rights Act of 1968, Title VIII—Fair Housing as amended by the Housing and Community Development Act of 1974.~~

~~The Fair Housing Committee will facilitate the coordination of the factors that affect housing and equal access to housing.~~

~~(9/83)~~

Commented [MJ20]: The Planning Division submitted the following re-writes of Sections VII.1 & 2

VII.1. Fair Housing

One of the purposes of the Town of Andover Housing Plan is to achieve the aims of Executive Order No. 452,; the Massachusetts General Laws Chapter 151B,; Federal Executive Order No. 11063 (U.S. Department of Housing and Urban Development), the Federal Civil Rights Act of 1968 as amended, the Federal Fair Housing Act as amended and the Federal Equal Credit Opportunity Act as amended, to the extent that these prohibit discrimination in housing on the grounds of race, color, national origin, ancestry, age, religion, welfare status, children, marital status, Section 8 or public assistance, sexual orientation, military or veteran status, disability or sex.

A component of the plan utilizes the Fair Housing requirements for the Commonwealth of Massachusetts. The requirements shall be used to define and determine the Fair Housing obligations of the Town of Andover.

The Town of Andover shall periodically undertake an analysis of its community profile and shall make a careful evaluation of its programs and policies to determine if there exists a disparate impact of housing access. If after this analysis the Town determines that over-concentration or under-representation does exist, then the Town of Andover shall revise the Housing Plan which provides a statement of goal, objective and policies designed to eliminate barriers to equal access and choice.

The Andover Housing Partnership Committee shall facilitate the coordination of the factors that affect housing and equal access to housing.

VII.2. Regional Housing Opportunity Partnership and Housing Partnership Committee

In December 2003, the Town of Andover through its Board of Selectmen and its Housing Partnership Committee officially voted to join the North Shore HOME Consortium. The consortium is comprised of 27 north shore communities that continue the work as a regional housing opportunity partnership, execute an annual action plan and a five year consolidated housing plan as well as distribute federal funds for housing purposes.

The Andover Housing Partnership Committee is comprised of Andover residents.

The purpose of the housing partnership is:

1. To function as a regional forum; and
2. To serve as a link between local entities and state/federal agencies; and
3. To function as a coordination mechanism between communities and housing agencies.
4. To complete local housing needs studies, and
5. To develop and implement housing action plans, and
6. To actively participate in the review of Chapter 40B Comprehensive Permit proposals, and
7. To review and make recommendations on housing proposals that are seeking local support or permitting, and
8. To identify land suitable for housing development, and
9. To stay informed about available local, state and federal resources, and

10. To review and make recommendations on local zoning and land use regulations to future promote affordable housing, and
11. To work with local developers of affordable housing, and
12. To promote development that integrates affordable housing with the principals of smart growth, and
13. To be a credible community resource on housing issues, and
14. To increase public awareness through forums, workshops, and other community events.

The goal is twofold:

1. To provide housing for those of modest income; and
2. To insure that those with the greatest housing needs are allowed fair opportunities on a regional basis to obtain affordable housing.

VII.3. Tax Classification

Tax classification was first approved by the Board in 1984. ~~It was not the original intention for classification to become a permanent fixture; but, nevertheless, has been approved by the Board during every year since that time, though not usually unanimously.~~

Annual public hearings will be held, however, in order to review the impact of the current tax classification, to determine whether a change to the present structure is in order, and to allow for public input.

VIII. RECREATION

VIII.1. Haggetts Pond Usage

Upon recommendation of the Board of Health, the Selectman have voted to continue the practice of allowing rowboats, only, on Haggetts Pond, with permit and fishing license, and to not allow canoes, sailboats, windsurfers and/or any other waterborne craft. **The use of motors of any kind without the express written consent of the Director of Municipal Services is strictly prohibited.**

It was further suggested to put signs around Haggetts Pond indicating this restriction.

~~(8/28/85)~~

Commented [MJ21]: (Amended at suggestion of Health Dept.)

VIII.2. Haggetts Pond Winter Use

In the interest of public safety, the Board of Selectmen hereby prohibits “ice fishing”, “ice skating”, or any other related ice activities on Haggetts Pond during the winter.

~~(9/14/87)~~

VIII.3. Poms Pond Resident Sticker Program and User Policy

The following policies have been adopted for the convenience and benefits of the residents of the Town of Andover:

1. Residents may purchase a seasonal beach sticker or pay the daily rate before entering the Pond area. Swim lesson students, as well as an adult, will be checked for proof of residency (including a valid driver’s license, vehicle registration and vehicle to purchase pass, library card, current utility bill).

A second sticker may be purchased for an additional cost. Auto registration(s) must be presented when purchasing stickers. Stickers must be affixed to the driver’s side passenger back window.

2. Non-residents over the age of 2 must purchase a ~~sticker~~ **day pass** at a fee per person per day. This fee will be required throughout the day, including late afternoon hours at the discretion of the Department of Community Services.
3. Children under 10 must be accompanied by an adult.
4. Swimming is only allowed when guards are on duty
5. Swimming is allowed within bobber lines only.
6. Trash should be placed in barrels ~~and cigarettes in cans provided.~~
7. Dogs are not allowed on the beach.

Commented [MJ22]: DCS suggested changes to VIII.3 2 & 6

8. Consumption of alcoholic beverages is prohibited (marijuana?).

9. No Smoking

~~(6/4/90; updated: 2008)~~
~~DCS suggested changes to VIII.3.2 & 6~~

VIII.4. Non-Motorized Forms of Transportation

The Town of Andover, through its Board of Selectmen, declares it to be the policy of the Town to promote, encourage and support pedestrian, bicycle and other non-motorized forms of transportation and recreation. In furtherance of this policy, the Town staff shall take actions wherever possible to promote the growth, accessibility and safe use of such alternative forms of transportation and recreation. Specifically, the Town supports traffic calming efforts, bicycle and pedestrian friendly enhancements and the continued development of community paths, trails and linkages.

July 26, 1999

IX. TOWN MEETING

IX.1. Ordering of Warrant Articles

| The Board of Selectmen shall determine the ordering of articles in the warrant. The Board reserves the right to place one or two articles of high public interest in specifically determined positions in order to maintain a level of strong public attendance throughout the duration of Town Meeting.

X. WATER AND SEWER COMMISSIONERS

X.1. Sewer Commissioners Policy

Following standard “good engineering practices” it is expected that a thorough review by the Town’s Engineers, the Department of Public Works, the Board of Health and other appropriate departments will be completed prior to a review of any request of the Board of Selectmen acting in the capacity of Sewer Commissioners.

The purpose of a public hearing is for the Board of Selectmen, as Sewer Commissioners, to confirm the departmental reviews, to consider any concerns of said departments, and to allow for public comment. In general, however, matters will not be brought before the Sewer Commissioners unless and until all concerns have been addressed and satisfactorily resolved.

1/9/79

X.2. Self-sufficient Water & Sewer System

On June 4, 1984, the Andover Board of Selectmen adopted a policy of the gradual phase-in of a self-sufficient water and sewer system.

Subsequent votes of the Board, in consideration of periodic rate hikes in attainment of this goal, have been unanimously supported by the Board.

Commented [MJ23]: Is this policy still relevant and necessary?

X.3. Sewer Betterment Abatement Requests

The following is the Town’s procedure for addressing sewer betterment abatement requests:

1. All abatements are to be received and date-stamped in by the Assessor’s Office on an application for betterment abatement form.
2. The Assessor’s Office will then send the application to the **Division** of Public Works for their review and recommendation and a copy of the application will be sent to the Town Manager’s Office.
3. **The Division** of Public Works will review the request and return the application to the Town Manager’s Office with either a recommendation to deny the abatement request or a recommendation to adjust the betterment assessment no later than ten (10) working days from receipt of the request.
4. If the DPW recommends denial of the abatement request, then the Town Manager is authorized by the Water and Sewer Commissioners to send the applicant a denial letter with a copy to the Assessor’s Office.

5. If the DPW recommends an adjustment to the betterment assessment, then the Town Manager's Office will schedule a hearing before the Board of Selectmen in their capacity as Water and Sewer Commissioners.
6. If the Board of Selectmen, in their capacity as Water and Sewer Commissioners, does not act on the sewer betterment abatement request within four months from the date of the receipt of the application by the Assessor's Office, then the application is considered a "constructive denial".
7. If the applicant wishes to appeal the decision of the Water and Sewer Commissioners, they must file application with the Appellate Tax Board.

~~May 15, 2000~~

Commented [MJ24]: (On suggestion of Assessors - as written this is confusing and implies an appeal has to be filed in two places. The Appellate Tax Board is under the Executive Office of Administration & Finance. Appeals only need be filed with the ATB)

X.4. Sewer Betterment Assessment Policy for Land Not Built Upon

It is a goal of the Board of Selectmen to support the continued preservation of open space. Therefore, the Board of Selectmen seeks to encourage owners of property which has not been built upon to apply for a deferral of sewer betterment assessments in accordance with Massachusetts General Laws Chapter 83, Section 19.

Procedure

A property owner should make application for a deferral on a form to be provided after the Board of Assessors has added the sewer assessment charge to a property owner's tax bill. The Board of Selectmen may then vote to grant a deferral until the land is built upon or for a fixed time. As required by State law, such a deferral is subject to an interest charge of 4% of the assessment per year and the assessment must be paid in full within three months after the land is built upon.

Conservation Restrictions

The Board of Selectmen also wishes to promote the placement of conservation restrictions on land that has not been developed. The Board of Selectmen will abate sewer betterment **assessments** for parcels upon which a permanent conservation restriction approved by the Executive Office of Environmental Affairs has been recorded. The property owner is not required to make any payments for sewer betterment assessments for parcels that have a permanent conservation restriction.

~~MGL Chapter 83. Sewers, Drains and Sidewalks~~

~~Section 19. Assessments; extension of time for payment.~~

~~Section 19. The aldermen of a city or the sewer commissioners, selectmen or road commissioners of a town may extend the time for the payment of such assessments upon land~~

~~which is not built upon until it is built upon or for a fixed time; but interest at the rate of four percent per annum shall be paid annually upon the assessment from the time it was made, and the assessment shall be paid within three months after such land is built upon or at the expiration of such fixed time.~~

~~March 19, 2001~~

X.5. Water Supply Protection

The Board of Selectmen supports the efforts of the Conservation Commission, the Planning Board and other Town agencies in their ongoing attempts to provide protection of the Fish Brook/Haggetts Pond Watershed area, which is the source of water supply in Andover.

Goals and Objectives, as well as policy alternatives (considerations) were articulated in a consultant's study in February of 1986 entitled "The Fish Brook/Haggetts Pond Watershed: Water Supply in Andover". Because of the devastating effects of water contamination, it is recommended that these points be considered by Town Departments as well as the Board of Selectmen when setting priorities and courses of action in connection with the Town's water supply.

GOALS AND OBJECTIVES

"The goals for Andover's Fish Brook/Haggetts Pond watershed policy should be to reduce the unfavorable impact of existing development and to minimize the unfavorable impact of future development on water quality to the extent necessary to protect human health and to prevent the unnatural acceleration of eutrophication in Haggetts Pond. Objectives which will serve the stated goals include":

- 1) Identify the rate of eutrophication and primary cause of eutrophication in Haggetts Pond;
- 2) Refinement of the Town's system for response to transportation-related spills of hazardous materials;
- 3) Regular inspection of septic systems followed by cleaning, repair, or replacement as needed;

~~4)~~

- ~~5)4)~~ Rigorous enforcement of Town regulations concerning septic system installation, repair and replacement, as amended for watershed protection;

- ~~6)~~ Determination of the impact of farm animal wastes on water quality, with subsequent regulation if necessary;

~~7)~~

- ~~8)5)~~ Inspection for and repair of leaking sewers;

- ~~9)6)~~ Regular monitoring of leachate from Ledge Road landfill with subsequent collection and removal from watershed if necessary;
- ~~10)7)~~ Regulation of underground chemical storage tanks and other storage, use, or disposal of hazardous chemicals;
- ~~11)8)~~ Continued acquisition of lands judged particularly critical for protection from development;
- ~~12)9)~~ Management of Town-owned and AVIS-owned land in such a way as to protect water quality;
- ~~13)10)~~ Minimizing impact of storm runoff by minimizing volume and velocity of, and concentration of contaminants in the water;
- ~~14)11)~~ Reduction of use of fertilizers and pesticides;
- ~~15)~~ Minimizing rate of erosion and sedimentation due to construction;
- ~~16)~~
- ~~17)12)~~ A public education campaign to increase awareness that drinking water quality is directly related to individual activities such as use of fertilizers, pesticides, phosphate detergents, underground fuel tanks, septic systems, and hazardous chemicals, and to publicize watershed boundaries and flow patterns;
- ~~13)~~ Monitoring water quality at critical points in the watershed and at the Merrimack River intake, and responding to changes in water quality.
- ~~18)14)~~ Policy regarding reduction of salt use in Haggetts pond watershed area?

Commented [MJ25]: New policy regarding salt use?

POLICY ALTERNATIVES

- ~~1) Septic System and Sewer~~
- ~~1) Land Acquisition~~
- ~~2) Watershed Information and Monitoring~~
- ~~3) Emergency Response to Transportation-related Spills of Hazardous Materials~~
- ~~4) Zoning~~
- ~~5) Ledge Road Landfill~~
- ~~6) Chemical and Fuel Storage~~
- ~~7) Public Education~~
- ~~8) Fertilizer and Pesticides~~
- ~~9) Management of Town-owned Lands~~
- ~~10) Runoff~~
- ~~11) Erosion and Sedimentation~~
- ~~12) Agricultural Runoff~~
- ~~13) Moratorium~~

X.6 (NEW SECTION) Ownership of Water and Sewer Infrastructure

To be inserted.