



## Select Board Meeting

Monday, November 25, 2024  
Select Board Room, Town Offices  
36 Bartlet Street, Andover, MA 01810

7:00 PM

RECEIVED  
TOWN CLERK'S OFFICE  
2024 NOV 21 PM 2:57  
TOWN OF ANDOVER, MA

- 
- I. **Call to Order – 7:00 P.M.**
  - II. **Opening Ceremonies**
    - A. Moment of Silence/Pledge of Allegiance
  - III. **Town Manager Report**
  - IV. **Communications/Announcements/Liaison Reports**
  - V. **Public Comment**
  - VI. **Public Hearings**
    - A. Fiscal Year 2025 Tax Classification  
Board to discuss classification and taxation of all property in Town.
  - VII. **Regular Business**
    - A. Select Board Policy Review  
Board to review and consider voting on changes and/or additions to the Select Board Policy Manual. Policies to be reviewed include the Code of Conduct, Meeting and Hearing Procedures (3<sup>rd</sup> Reading).
    - B. Solid Waste Collection and Disposal  
Board to vote to authorize the Town Manager to sign a contract up to five years for the purposes of solid waste collection and disposal.
    - C. Lovejoy Road  
Board to consider potential next steps relative to traffic safety and speed regulations on Lovejoy Road.
  - VIII. **Approval of Minutes**
    - A. Board to approve minutes from the following meeting:
      1. November 4, 2024
  - IX. **Executive Session**
    - A. Board to vote to go into Executive Session pursuant 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 September 16, 2024, September 30, 2024, October 23, 2024, October 29, 2024 (Subcommittee and entire Select Board), and November 4, 2024; and not to return to open session.

**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](mailto:amy.heidebrecht@andoverma.us)*

MEETINGS ARE TELEVISED ON  
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45



**TOWN OF ANDOVER  
MASSACHUSETTS  
Board of Assessors  
(978) 623-8930  
Fax (978) 623-8993**

**DATE:** November 21, 2024

**TO:** Ms. Laura M Gregory, Chair  
And Members of the Select Board

**FROM:** Tristan Hoare, MAA  
Board of Assessors

**SUBJECT: Classification of Property - Fiscal Year 2025**

The Board of Assessors for the Town of Andover has determined the total valuation for all property in Andover for Fiscal Year 2025. The Department of Revenue has granted approval of the FY2025 assessments in Andover. With this approval we can determine the minimum residential factor that may be adopted by the Town of Andover pursuant to Chapter 40, Section 56, and the percentages of the local tax levy that may be borne by each class of property for the Fiscal Year 2025 tax.

In accordance with Chapter 390 of the Acts of 1982, the Andover select Board will hold a public hearing on November 25th 2023 at 7:00 p.m. in order to determine the following items as they pertain to the Fiscal Year 2025 tax rate:

**1) The adoption of a residential factor for the purpose of determining the percentage tax load to be borne by each class of property.**

The major decision for the Select Board is the annual determination of a residential factor in order to determine the tax burden to be borne by each class of property. The Commissioner of Revenue for the Commonwealth of Massachusetts has determined that the residential factor can be a minimum of 84.4335% and a maximum of 100% or a factor of 1. Selection of the minimum residential factor will establish a maximum commercial, industrial and personal property tax shift of 175%. A maximum residential factor of 1 will establish a uniform tax rate for all classes of property. The Select Board may select either of these factors or any factor in between the two.

**2) The determination of a discount factor of up to twenty-five percent (25%) for all land properly identified as "Open Space".**

The Select Board is entitled to grant a discount factor of up to twenty-five percent for all property classified as open space. This exemption is to preserve open space from development. These parcels are different from undevelopable land. Currently, Andover does not have any Open Space classed parcels. If the parcels are unbuildable, then there is no development potential and really are not "open space" from an assessment standpoint. As such, the previously classified open space parcels have been reclassified as they should be as vacant undevelopable land.

### **3) The determination of a residential exemption factor of up to thirty five percent (35%).**

The Select Board may grant an exemption of not more than thirty five percent (35%) of the **average value of all Class One, residential property**. The exemption is borne by the residential class and may only be applied to residential parcels that are the **principal residence** of the taxpayer as used by the taxpayer for state income tax purposes as of January 1, 2024. The average of all Class One value for Fiscal Year 2025 is \$935,153. (Note that this average includes all Class One value, not just single-family homes. The average single family home assessment for FY2025 is \$1,028,307. The maximum discount of 35% allowed for each eligible parcel would therefore be up to \$327,303. Based on these figures, every eligible parcel currently valued at less than \$935,153 would be subjected to a tax reduction. Conversely, each parcel valued greater than \$935,153 would be subjected to a tax increase. The less expensive residential properties would receive a tax reduction while more expensive properties would receive a tax increase.

### **4) The determination of a small commercial exemption of up to ten percent (10%).**

Commercial properties with an assessed value of less than one million dollars and having each and every business in the building appearing on a specific list, prepared by the Department of Employment Assistance, are eligible for a reduction in assessed value of up to ten percent (10%) of the existing assessed value. The resultant reduction in value and tax is to be borne by ineligible commercial and industrial property.

The information that follows in this packet is submitted to the Select Board to assist in understanding the impact of their votes. All tax rates and tax levy amounts are estimated in this document. The actual tax levy and the resultant tax rate/s cannot be calculated until the Select Board completes the Fiscal Year 2025 classification process

Respectfully submitted,  
Tristan Hoare MAA, Chief Assessor

### **Fiscal Year 2025 Property Valuation Changes**

**FY2025** assessments were derived using calendar year 2022 and 2023 sales. Single family home assessments increased from an **average** assessment of \$957,215 to **\$1,028,307** a **7.4%** increase. Condominium assessments increased from an average of \$448,699 to a FY2025 average of **\$506,102**, a **12.7%** increase. Multifamily assessments, two and three family homes, had an average assessment of \$809,040 in FY2024 that increased to **\$846,748** for FY2025, a **4.6%** increase. Commercial assessments increased **9.4%** from an average FY2024 assessment of \$2,907,201 to a FY2025 average assessment of **\$3,181,896**. Industrial properties had a FY2024 average assessment of \$6,810,100 increasing to an average assessment for FY2025 of **\$7,816,316**, a **14.7%** increase. These percentages represent overall changes in classes of properties. Individual assessment changes may be different.

In the previous fiscal year of **FY2024** assessments were derived using calendar year 2021 and 2022 sales. Single family home assessments increased from an average assessment of \$858,952 to \$957,215, a **11.4%** increase. Condominium assessments increased from an average of \$406,912 to a FY2024 average of \$448,699, a **10.3%** increase. Multifamily assessments, two and three family homes, had an average assessment of \$716,475 in FY2023 that increased to \$809,040 for FY2024, a **12.9%** increase. Commercial assessments increased **12.2%** from an average FY2023 assessment of \$2,590,325 to a FY2024 average assessment of \$2,907,201. Industrial properties had a FY2023 average assessment of \$5,828,734 increasing to an average assessment for FY2024 of \$6,810,100, a **16.8%** increase. These percentages represent overall changes in classes of properties.

## Fiscal Year 2025 Classification Data

### 1. Total Assessed Value by Class - Fiscal Years 2024 to 2025 Comparison

The following chart compares the Fiscal Years 2024 and 2025 total assessed values of property by class. The total assessed value of all property in Andover increased by \$1,036,418,250. The class breakdown for the percentage changes are shown on the following table: The below reflects the Andover Means Exemption.

Property Class	Fiscal 2024 Value	Fiscal 2025 Value	% Change
Residential	\$10,052,294,631	10,852,450,460	+7.9%
Open Space	\$0	\$0	0%
Commercial	\$766,160,279	\$842,920,155	+10%
Industrial	\$967,146,800	1,091,316,400	+12.8%
Personal Property	\$355,152,574	\$390,485,519	+9.9%
<b>TOTAL</b>	<b>\$12,140,754,284</b>	<b>\$13,177,172,534</b>	<b>+8.5%</b>

### 2. Total Assessed Value Residential v. Commercial Class - Fiscal Years 2024 to 2025 Comparison

The following chart compares the Fiscal Year 2024 property values of residential and commercial (CIP) property to Fiscal Year 2025 totals.

Property Class	Fiscal 2024 Value	Fiscal 2025 Value	% Change
Res. & Open Space	\$10,052,294,631	10,852,450,460	+7.9%
CIP	\$2,088,459,653	2,324,722,074	+11.3%
<b>TOTAL</b>	<b>\$12,140,754,284</b>	<b>13,177,172,534</b>	<b>+8.5%</b>

### Estimated Tax Rates for Fiscal Year 2025

The levy limit for Fiscal Year 2025 is \$192,422,261. This amount includes \$10,491,667 for debt exclusions. The estimated excess levy capacity for Fiscal Year 2025 is \$646,026. This will change when the tax rate is calculated due to rounding. The calculation of the excess levy capacity is done as follows.

Fiscal Year	Tax Levy Limit	Amount Levied	Excess Levy Amount
2025 (Estimated)	\$192,422,261	\$191,776,235	\$646,026
2024 (Actual)	\$184,266,780	\$182,740,778	\$1,526,002

The following table projects Fiscal Year 2025 estimated tax rates using various factors. **The FY2024 Shift Factor was 1.695%, which produced a residential rate of 12.88 and a commercial rate of \$25.48 for FY2024.**

<b>Residential Factor</b>	<b>Resulting CIP Shift Factor (%)</b>	<b>Residential Rate</b>	<b>Commercial Rate</b>
<b>1.00</b>	<b>100</b>	<b>\$14.57</b>	<b>\$14.55</b>
<b>95.7158</b>	<b>120</b>	<b>\$13.95</b>	<b>\$17.46</b>
<b>93.5737</b>	<b>130</b>	<b>\$13.64</b>	<b>\$18.92</b>
<b>91.4316</b>	<b>140</b>	<b>\$13.29</b>	<b>\$20.38</b>
<b>89.2894</b>	<b>150</b>	<b>\$13.16</b>	<b>\$21.83</b>
<b>89.0752</b>	<b>151</b>	<b>\$12.98</b>	<b>\$21.98</b>
<b>88.8610</b>	<b>152</b>	<b>\$12.95</b>	<b>\$22.12</b>
<b>88.6468</b>	<b>153</b>	<b>\$12.92</b>	<b>\$22.27</b>
<b>88.4326</b>	<b>154</b>	<b>\$12.89</b>	<b>\$22.41</b>
<b>86.0441</b>	<b>165.15</b>	<b>\$12.54</b>	<b>\$24.04</b>
<b>85.2194</b>	<b>169</b>	<b>\$12.42</b>	<b>\$24.60</b>
<b>85.1123</b>	<b>169.50</b>	<b>\$12.41</b>	<b>\$24.67</b>
<b>85.0052</b>	<b>170</b>	<b>\$12.39</b>	<b>\$24.74</b>
<b>84.7910</b>	<b>171</b>	<b>\$12.36</b>	<b>\$24.89</b>
<b>84.5768</b>	<b>172</b>	<b>\$12.33</b>	<b>\$25.03</b>
<b>84.3626</b>	<b>173</b>	<b>\$12.30</b>	<b>\$25.18</b>
<b>84.1484</b>	<b>174</b>	<b>\$12.27</b>	<b>\$25.32</b>
<b>83.9342</b>	<b>175</b>	<b>\$12.24</b>	<b>\$25.47</b>

- If you were to choose to keep the same percentage shares of the levy by class, so that residential and the commercial, industrial and personal property classes would pick up the same aggregate percentage of the levy as they did in Fiscal Year 2024, you would need to vote a residential factor of 85.1123 equating to a 165.15 shift. By adopting this factor the average residential tax bill would increase by 4.6%, the average commercial tax bill would increase by 3.3% and the average industrial tax bill would increase by 8.3%.
- If you were to choose to keep the tax increases as uniform as possible by class, then a vote of a residential factor of 85.6479 would have to be adopted, equating to a shift factor of 167. By adopting this factor the average residential tax bill would increase by 4.2%, the average commercial tax bill would increase by 4.4% and the average industrial tax bill would increase by 9.5%.
- If you were to choose to keep the same shift factor constant at a 169.5 shift, you would need to vote a residential factor of 85.1123. Should the Fiscal Year 2025 shift factor remain at 169.5, the average single family tax bill would increase by about 3.5% while the average commercial tax bill would increase by 6% and the average industrial tax bill would increase by 11.1%.

The average single-family value increased from \$957,215 to \$1,028,307 while the average commercial value increased from \$2,907,201 to \$3,181,896 and the average industrial value increased from \$6,810,100 to \$7,816,317.

**TOWN OF  
ANDOVER  
LEVY SHARE AT FULL VALUE**

<b>FISCAL YEAR</b>	<b>RES/OPN SPACE</b>	<b>RESID %</b>	<b>COMM/IND/PERSPROP</b>	<b>CIP %</b>
2024	10,052,302,417	82.73%	2,098,480,771	17.27%
2023	9,069,497,304	82.90%	1,871,073,735	17.10%
2022	7,986,757,090	82.69%	1,671,808,277	17.31%
2021	7,340,698,246	81.31%	1,686,972,311	18.69%
2020	7,175,327,051	81.55%	1,623,682,294	18.45%
2019	6,825,956,695	82.03%	1,495,380,731	17.97%
2018	6,347,884,255	81.39%	1,451,345,590	18.61%
2017	6,191,555,580	80.77%	1,473,754,609	19.23%
2016	6,117,465,085	81.11%	1,425,011,097	18.89%
2015	5,801,226,330	80.24%	1,428,720,404	19.76%
2014	5,483,302,185	80.16%	1,357,223,951	19.84%
2013	5,450,304,845	80.12%	1,352,415,081	19.88%
2012	5,448,632,321	80.14%	1,349,872,925	19.86%

**HISTORICAL TAX RATES**

<b>FISCAL YEAR</b>	<b>RES/OPN SPACE</b>	<b>COMM/IND PERS PROP</b>
2024	\$12.88	\$25.48
2023	\$13.66	\$27.32
2022	\$14.60	\$29.29
2021	\$15.29	\$28.09
2020	\$15.01	\$27.14
2019	\$15.27	\$27.51
2018	\$15.64	\$27.61
2017	\$15.18	\$26.46
2016	\$14.82	\$25.99
2015	\$14.97	\$24.77
2014	\$15.18	\$25.25
2013	\$14.51	\$24.26
2012	\$14.15	\$23.54

**CLASSIFICATION FACTORS**

<b>FISCAL YEAR</b>	<b>SHIFT</b>
2024	169.5
2023	171
2022	171
2021	159
2020	157.5
2019	157.5
2018	154.5
2017	152.5
2016	153.5
2015	146.5
2014	147
2013	147.5
2012	147

**PERCENTAGE CHANGES IN PROPERTY TYPE VALUES**

<b>CLASS</b>	<b>VALUE FY2024</b>	<b>VALUE FY2025</b>	<b>VALUE CHANGE</b>	<b>PERCENT CHANGE</b>
Single Family	8,359,355,996	8,985,350,700	\$625,994,704	7.49%
Condominium	902,782,900	1,022,326,100	\$119,543,200	13.24%
2 & 3 Family	186,888,200	197,908,800	\$11,020,600	5.90%
Multi-Family	458,068,700	493,914,400	\$35,845,700	7.83%
Vacant Land	71,728,900	78,629,400	\$6,900,500	9.62%
Other Residential	73,469,935	74,321,060	\$851,125	1.16%
Open Space	0	0	\$0	0.00%
Commercial	766,160,279	842,920,155	\$76,759,876	10.02%
Industrial	967,146,800	1,091,316,400	\$124,169,600	12.84%
Personal Property	355,152,574	390,485,519	\$35,332,945	9.95%
<b>TOTAL</b>	<b>12,140,754,284</b>	<b>13,177,172,534</b>	<b>\$1,036,418,250</b>	<b>8.54%</b>



**FY2025 DISTRIBUTION OF ASSESSMENTS OF SINGLE FAMILY HOME PARCELS**

<b>VALUE RANGE</b>	<b>NUMBER OF PARCELS</b>	<b>PERCENT OF TOTAL (COUNT)</b>	<b>AGGREGATE VALUE</b>	<b>PERCENT OF TOTAL (VALUE)</b>
0 to 300,000	3	0.0%	703,200	0.01%
300,001 to 400,000	21	0.2%	7,568,100	0.08%
400,001 to 500,000	74	0.8%	34,537,500	0.38%
500,001 to 600,000	329	3.8%	183,724,400	2.04%
600,001 to 700,000	720	8.2%	471,939,800	5.24%
700,001 to 800,000	1,138	13.0%	856,757,500	9.52%
800,001 to 900,000	1,486	17.0%	1,262,861,700	14.03%
900,001 to 1,000,000	1,380	15.8%	1,308,077,478	14.53%
1,000,001 to 1,100,000	967	11.0%	1,010,052,100	11.22%
1,100,001 to 1,200,000	696	7.9%	797,752,800	8.86%
1,200,001 to 1,300,000	545	6.2%	679,658,500	7.55%
1,300,001 to 1,400,000	377	4.3%	508,119,000	5.65%
1,400,001 to 1,500,000	241	2.8%	348,921,500	3.88%
1,500,001 to 2,000,000	547	6.2%	918,225,400	10.20%
2,000,000 AND UP	233	2.7%	610,788,100	6.79%
<b>TOTALS</b>	<b>8,757</b>	<b>100.0%</b>	<b>8,999,687,078</b>	<b>100.00%</b>

\*\* NOT ADJUSTED FOR ANDOVER MEANS EXEMPTION

FY2025 DISTRIBUTION OF ASSESSMENTS OF COMMERCIAL AND INDUSTRIAL PARCELS				
VALUE RANGE	NUMBER OF PARCELS	% OF TOTAL (COUNT)	AGGREGATE VALUE	% OF TOTAL (VALUE)
0 to 1,000,000	213	52.0%	68,577,600	3.55%
1,000,001 to 2,000,000	67	16.3%	92,265,300	4.77%
2,000,001 to 4,000,000	47	11.5%	139,103,100	7.20%
4,000,001 to 6,000,000	14	3.4%	67,716,600	3.50%
6,000,001 to 8,000,000	10	2.4%	66,794,500	3.46%
8,000,001 to 10,000,000	8	2.0%	71,469,200	3.70%
10,000,001 to 12,000,000	12	2.9%	131,744,600	6.82%
12,000,001 to 14,000,000	5	1.2%	67,365,900	3.49%
14,000,001 to 16,000,000	4	1.0%	60,218,600	3.12%
16,000,001 to 18,000,000	4	1.0%	67,876,300	3.51%
18,000,001 to 20,000,000	5	1.2%	92,475,400	4.78%
20,000,001 to 22,000,000	1	0.2%	21,598,800	1.12%
22,000,001 to 24,000,000	3	0.7%	69,474,700	3.59%
24,000,001 to 26,000,000	0	0.0%	0	0.00%
26,000,001 to 28,000,000	0	0.0%	0	0.00%
28,000,001 to 30,000,000	3	0.7%	86,456,500	4.47%
30,000,001 to 32,000,000	0	0.0%	0	0.00%
32,000,001 AND UP	14	3.4%	829,821,400	42.93%
	<b>410</b>	<b>100.0%</b>	<b>1,932,958,500</b>	<b>100.00%</b>

Average tax bill increases at 5 year and 10 year averages  
Effects of FY2024 shift on 5 and 10 year averages

FISCAL YEAR	AVERAGE SINGLE FAMILY	AVERAGE SINGLE FAMILY TAX	TAX BILL INCREASE	AVERAGE COMM VALUE	AVERAGE COMM TAX	TAX BILL INCREASE	AVERAGE INDUST VALUE	AVERAGE INDUST TAX	TAX BILL INCREASE	SHIFT
2024	957,215	\$12,328	5.07%	2,907,201	\$74,075	1.80%	6,810,100	173,521	8.97%	169.5
2023	858,952	\$11,733	5.94%	2,590,325	\$72,762	8.28%	5,828,734	\$159,241	6.21%	171
2022	758,570	11,075	4.20%	2,392,289	\$67,199	4.33%	5,118,906	149,933	12.10%	171
2021	695,153	\$10,629	3.97%	2,293,079	\$64,413	3.97%	4,761,648	\$133,755	3.70%	159
2020	681,094	\$10,223	2.51%	2,282,749	\$61,954	2.44%	4,752,441	\$128,981	2.80%	157.5
2019	653,104	\$9,973	3.98%	2,198,398	\$60,478	3.88%	4,561,024	\$125,474	4.74%	157.5
2018	613,260	\$9,591	4.60%	2,108,567	\$58,218	5.30%	4,338,749	\$119,793	6.20%	154.5
2017	604,053	\$9,170	2.51%	2,089,455	\$55,287	2.84%	4,262,878	\$112,796	2.23%	152
2016	603,550	\$8,945	3.43%	2,068,524	\$53,761	3.63%	4,245,399	\$110,338	4.52%	153.5
2015	577,689	\$8,648	3.65%	2,094,392	\$51,878	3.77%	4,261,954	\$105,569	5.85%	146.5
2014	549,622	\$8,343	4.73%	1,979,913	\$49,993	3.52%	3,546,256	\$89,543	5.89%	147.0
<b>5 yr avg 2023-2019</b>	<b>AVERAGE</b>	<b>AVERAGE</b>	<b>4.12%</b>			<b>4.58%</b>			<b>5.91%</b>	
<b>10 yr avg 2023-2014</b>	<b>AVERAGE</b>	<b>AVERAGE</b>	<b>3.95%</b>			<b>4.20%</b>			<b>5.42%</b>	



## Select Board Meeting

Monday, November 4, 2024

6:30 PM

Select Board Room, Town Offices

36 Bartlet Street Andover, MA 01810

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### I. Call to Order – 6:30 P.M.

Select Board Chair, Laura Gregory called the meeting to order at 6:30 PM

### II. Executive Session

On a motion by Alex Vispoli and seconded by Melissa Danisch, the Board to voted 5-0 to go into Executive Session pursuant to Purpose 2 of Massachusetts General Laws, Chapter 30, Section 21(a), to conduct strategy sessions in preparation for negotiations with nonunion personnel, i.e., the Town Manager; and return to open session. Roll call: Kevin Coffey-Y Melissa Danisch-Y, Ellen Townson-Y, Alex Vispoli-Y, and Laura Gregory-Y.

### Regular Session – 7:00 PM

### III. Opening Ceremonies

#### A. Moment of Silence/Pledge of Allegiance

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

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

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

### IV. Town Manager Report

Town Manager Flanagan introduced David Whitney, an Andover resident and a graduate of Andover Leadership Academy who has been engaged in a project called Andover at Work and will be taking pictures of town employees at work.

The Town Manager thanked the downtown businesses owners who helped prepare for Trick or Treat on October 29<sup>th</sup> and recognized Ann Ormond for the great job she did organizing the event and making the day a success.

The Town Manager announced that they will be releasing the Capital Improvement Program (CIP) and presenting it to the Board on November 18<sup>th</sup>. The Town Manager recognized the Department Heads for the time and effort they put into this process.

The Andover Veterans Day Services will be held at Ballardvale Green on Monday, November 11<sup>th</sup> at 11:11 AM.

The School Department is hosting a second community forum on redistricting on Thursday, November 14<sup>th</sup> at 6:30 PM in the Robb Center at which time the School Dept

will introduce the consulting firm recently selected to support the redistricting process. Andover's IT Department has been supporting the effort through data collection and mapping.

The Conservation Division's Merrimack River Clean-up held on October 24<sup>th</sup> was a great success and done in conjunction with Avis, and Town staff, and volunteers who collected a lot of trash. The final clean-up of floating debris by Clean Harbors will be conducted early this month or next. Thank you to everybody who participated.

A public forum on planned improvements to the Essex Street Corridor will be held on Wednesday, November 20<sup>th</sup> at 6:00 PM at Memorial Hall Library.

The RFQ has been issued for designer services for Andover High School and a walk-thru of the school will be held by November 7<sup>th</sup> those interested in participating should respond by that date.

The Town has received a MassWorks Infrastructure Grant for \$148,000 to conduct an evaluation of the sewer system off of River Road, a part of which is still on septic and hope to start the work soon.

Mike Lindstrom thanked everyone who came out on October 26<sup>th</sup> to help with the Pooches, Pumpkins, Pizza and Pours at Oak and Iron. It was a great event with about 65 dogs who were registered in the parade.

Patrick Lawlor remarked on the recent passing of Ann Berthhold, a long-time Finance Department employee who worked in the Assessor's Office for 27 years and retired last January.

Austin Simko reported on the upcoming November 5<sup>th</sup> Election. Anyone who has not mailed in their ballot should bring it to the Town Clerk's Office or put it in the drop box outside of Town Offices. Austin recognized the poll workers who spent many hours preparing for the Election.

Melissa Danisch also recognized the poll workers who have done an amazing job.

Town Counsel, Doug Heim attended the Andover Leadership Academy with Jemma Lambert and Brittney Lavoie today. In addition, he, along with Legal Administrator Kathryn Forina, gave a presentation on what the Legal Department does and answered questions.

Kevin Coffey was not able to attend attended the first Sue Tucker Award Ceremony today for Sydney's Rainbow as he was participating in the Department Leadership Program.

As we roll into budget season, Selectman Coffey would like to discuss the millions of dollars of interest that flows to the town based on cash holdings from exempt debt. It doesn't flow to offset the debt clause which would help reduce the cost of the bond. He looks forward to further discussions on that.

Alex Vispoli recognized Mark Comeiro and his team for assembling approximately 75 people yesterday to place flags on the graves of veterans, which included a lot of Scout groups.

Selectman Vispoli and Selectman Coffey also congratulated Sidney's Rainbows on receiving the First Sue Tucker Award this morning. It was great to remember Sue Tucker and all she did so much for the region. Congratulations to Sidney's Rainbows for the first award.

Ellen Townson also said it was an outstanding event this morning and it is nice to see positive acknowledgement of good things happening in the community. She also wanted to acknowledge that there are some incredible anniversaries in the Fire Department including the following:

Phil Boulanger	31 years
Matt Burke	31 Years
Brian DiCorsi	10 Years
Christine Watson	10 Years
Matt Kompineski	5 Years
Chris Carbone	5 Years

Thank you for your service to the Town.

**V. Communications/Announcements/Liaison Reports: None**

**VI. Public Comment: None**

**VII. Public Hearings**

**A. National Grid – Brady Loop**

Board to review and consider voting to approve an application from National Grid requesting permission to construct a line of underground electric conduits, including the necessary sustaining, and protecting fixtures, under and across Brady Loop.

David Boucher, Senior Designer of National Grid in North Andover spoke to the request for Brady Loop. Over time, there is an expansion and contraction of the groundway that causes cable faults and they have identified a 430' long section between #14 and #8 Brady Loop that is subject to several cable faults and outages and want to rebuild it as explained. Austin Simko reported that everything is in order and abutters have been notified.

Andy McBrien, 11 Brady Loop: The planned work will take place on the section of Brady Loop where he lives and along with others in the neighborhood who have often experienced a loss of electricity, so he is happy that National Grid is going to address the problem. Mr. Boucher said this will solve one problem, there could be more in the works and will inquire with National Grid on his behalf and find out the actual locations where the cable will be located. National Grid will notify the neighborhood if they must turn off the power.

Director of Public Works, Chris Cronin said National Grid will be responsible for removing/replacing any mailboxes, paving access to the homes, and restoring the driveways and roadways. There will be no interruption to emergency services.

Alex Vispoli moved to approve the application by National Grid for permission to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across Brady Loop. Motion seconded by Melissa Danisch and voted 5-0 to approve.

### **VIII. Regular Business**

#### **A. [Polyfluoroalkyl Substances \(PFAS\)](#)**

Board to receive a presentation regarding the regulation of Polyfluoroalkyl substances at Gillette-Andover.

Austin Simko provided an update on the PFAS for Gillette-Andover who is seeking to expand its facility in Andover to include new manufacturing processes. There have been public discussions with a group of Town staff representing many different departments on PFAS regulations in general through the context of Gillette's applications between the Planning Board and Conservation Commission.

Gillette obtained an order of conditions from the Conservation Commission and are seeking a special permit from the Planning Board which is pending. If issued, Inter-departmental reviews during the building permit/construction phases would follow and Fire Rescue would conduct reviews before occupancy.

There have been several public meetings about the regulation of PFAS at the local level, general information about PFAS Chemicals, and Gillette's proposed expansion in Andover, as well as Federal and State regulations and the role of Municipalities.

Some residents are appealing the Mass Dept of Environmental Protection Air Quality Permit.

Tom Carbone, Director of Public Health provided information on the PFAS chemicals involved and those that are currently regulated by Massachusetts Drinking Water and in the near future in wastewater. PFAS is well engaged, they are everywhere. PFAS are a type of forever chemicals and are very durable.

Mr. Carbone also shared a list of Gillette's proposed activities. The site is not located in a drinking water protection area. Gillette does not discharge PFAS, or any wastewater covered by State and Federal regulations into Andover waterways or municipal sewer. Gillette's proposed expansion triggered a non-major Air Quality Plan under MassDEP Air Pollution Regulations and have received their permit from DEP.

Gillette warrants that its process does not result in airborne emissions of PFAS of chemicals regulated by the EPA or Mass DEP and anticipates that a small amount of unregulated PFAS is included in its volatile organic compound (VOC) emissions. If there was a spill or release, it would kick off the 21E requirements. The material Gillette is proposing to use is not one of the PFAS six chemicals. Gillette anticipates that a small amount of unregulated PFAS is included in its volatile organic compound (VOC) emissions as part of that.

Town Counsel, Doug Heim spoke about the Federal and State Regulation of PFAS which are regulated in a number of ways, but one of the ways they are not heavily regulated is in airborne emissions. The US EPA regulates PFAS in Drinking Water standards and regulates six (6) PFAS chemicals; the regulations were amended in April 2024 effective in 2029. PFAS is regulated as hazardous material in Massachusetts. Massachusetts has 18 categories of chemicals, and the Federal Government has prioritized six that they have identified. As a Town, we don't have the expertise

The Massachusetts Drinking Water Standards are regulated through the MassDEP Clean Water Act. All chemicals, including PFAS are stored or used in industrial manufacturing may require a series of permits and annual reports to Andover Fire & Rescue and the Massachusetts Dept of Emergency Management, and they must have a Hazardous Waste Contingency Plan, specialized Fire Suppression Plans, and an Emergency Action Plan. Andover Fire utilizes a process like a peer review with an outside consultant.

In the event of an accidental release of hazardous materials, manufacturers are required to report any releases immediately. Release of Federally regulated hazardous materials are also subject to CERCLA requirements and of Superfund liability. PFAS is not regulated within the scope of Federal or State air pollution emission regulations. The chief controls on PFAS-related air pollution are regulations that govern PFAS6 materials from waste incineration disposal under MGL c. 21H. The PFAS we are talking about are not currently rated by the State. Andover is enforcing state laws, but we are not allowed to write our own regulations.

Director of Public Works, Chris Cronin provided information on the protection of drinking water with respect to PFAS. Andover water is monitored at intake and post-treatment stages and removes PFAS6 from the drinking water and treat with Granular Activated Carbon. The Town has not received notice from local manufacturers of any releases of PFAS under MGL c.21 and the Mass DEP PFAS sampling map has yet to report samples of PFAS that exceed limits within Andover. They keep hearing about the PFAS 6; Andover is measuring for 18 and keeping a log on the levels and how affective GAC is over a 4-year period. Any regulation of PFAS would be pre-empted by State law.

Austin Simko discussed local regulations and other considerations. As regulations at State and Federal levels evolve, Gillette will be subject to that advancing state of knowledge and regulation. It is unclear whether local regulations, even if legal, would have to match or surpass State and Federal regulations. Local PFAS regulations would apply to the Gillette Facility on a rolling basis and all other applicable Andover facilities will have to amend its' air permit and comply with then current regulations. The Town can and does protect our drinking water and regulates hazardous materials under the current state regulatory frameworks. As a next step, the Town could send letters to MassDEP or engage the legislation delegation to advance State regulations. The Board discussed the information provided and how this issue can be addressed.

Maria Bartlet, 26 Jenkins Road, is particularly concerned about the Teflon related PFAS and if that is one of the chemicals the Town is measuring. Chris Cronin said it is not one that they are measuring and will find out if they can or can't test for this and what they can do. Maria Bartlet said the level of concern is rising and there is legislation in the State

House now for regulation of the manufacture and sale of all consumer products that contain PFAS.

Clint Richmond, from the Massachusetts Sierra Club, has been contacted by many of their members and he has sent their comments to the Select Board. Mr. Richmond said there are over 15,000 PFAS and all of them are forever chemicals.

The Board asked several questions on air quality and would like to have a great relationship with Gillette, but not sure what that would look like; Gillette is concerned with meeting the requirements of the State. How do we ensure that the Town is doing everything possible in this permitting process to have the confidence it is either safe or whatever risk is mitigated; we will have one time to ask questions before they do the install. Right now, the Planning Board is looking at issuing a special permit and understand that as regulations evolve, Gillette will comply with them.

The Select Board can put pressure on our State and Federal officials to do whatever they can. Doug Heim is willing to engage Gillette to address their concerns other than that, they have no role to play. The Board will send their questions to the Town Manager. Paul Materazzo said the permit was submitted last April. Their last meeting was October 29<sup>th</sup> and heard from residents and experts, but were waiting for the Select Board to discuss. They have 45 days to issue a decision and can keep the hearing open if they want.

#### B. [Accessory Dwelling Unit \(ADU\)](#)

Board to receive a presentation regarding Accessory Dwelling Units.

Planning Director Paul Materazzo reported on the updates to the new ADU Law that was signed by Governor Healy on August 6, 2024 and authorizes \$5.16 billion in spending over the next five years with fifty policy initiatives. Section 7 & 8 of the AHA amends the Zoning Act and establishes new ADU laws and definitions to allow accessory dwelling units as of right with definitions clarified as part of the requirements.

Section 7 and 8 of the AHA amends the Zoning Act and establishes new ADU laws and definitions. The presentation included information on local options. ADU's can be attached, detached, in a home, or a stand-alone structure which would be limited to 900 square feet. The purpose is to create more housing in the community.

The Town can set restrictions on setbacks but they cannot require a special permit or other discretionary zoning approval for the use or rental of an ADU and or require more than one parking space for an ADU located outside 0.5 miles from a commuter rail station, or bus station, and cannot require parking for an ADU located within 0.5 miles from a commuter rail station. In addition, the Town cannot require owner occupancy for the ADU or the principal dwelling and cannot impose unreasonable restrictions.

The Andover Bylaw will impose reasonable restrictions for a site plan review, Title V requirements, regulations concerning dimensional setback and the bulk and height of structures. They cannot set prohibitions on short-term rentals (30 days or less).

Once the hearing is closed Paul Materazzo said it will be scheduled prior to Town Meeting.

### C. Commission on Diversity, Equity and Inclusion

Board to receive an update from members of the Commission on Diversity, Equity and Inclusion and consider voting to approve a revised Commission charge.

Jemma Lambert, Director of Equity & Inclusion and Co-Chair Ben Horner, provided an update on the work they have been doing on the staff side that has been meaningful for people, and built out an on-boarding program for everybody. They also had meaningful conversations with senior management and will be rolling out an initiative to identify mentors to get employees engaged. The programs have been well received. They have established an initiative in partnership with a local policy lab, who has volunteered to collaborate with them on a project to engage citizens outside of conversations around any public project. They will be doing more staff training in 2025.

Mr. Horner provided background information on DEI and they have engaged a significant number of volunteers. They have a mission statement they will be sharing and implementing the work on best practices, language, and information. The DEI Commission consists of three major groups: the Employee Group, the Community Engagement Group, and the Collaboration Group. They are proposing an added charge and requesting approval from the Select Board to expand their regular and associate members.

On a motion by Melissa Danisch and seconded by Alex Vispoli, the Board voted 5-0 to approve the proposed changes on Diversity, Equity and Inclusion, which include the expansion to eleven (11) regular members and ten (10) associate members.

### D. FY2025 Quarter 1 Financial Review

Town Accountant to present the results of Quarter 1 Fiscal Year 2025.

Haley Green provided an update on the first quarter ending September 30<sup>th</sup>.

The General Fund Revenue budget under local receipts shows that we are collecting more than expected due to motor vehicle excise, licenses and permits; collecting \$300,000 more than last year and offset by the investment income by less than \$187,000 from last year. We are in line with projections collecting about 35% of local receipts. We are in line with our projects due to ambulance receipts which more fees were collected. Property taxes and State Aid are on target, and they have collected \$55.7 million out of the \$223.5 million budget.

The report included Water and Sewer receipts: Haley said they have received about 26% of water receipts and about 23% of sewer receipts. Every section of town has been billed once. Haley reported that Water & Sewer Enterprise funds are above expectations. The transfers and adjustments are encumbrances carried over into this year.

General Government, Public Facilities, Police, Library and Schools show expenses in general. Reserve Account: there were two Town Meetings where \$321,323 was voted for. The Revolving Funds requires Town Meeting to approve a spending threshold each year. The balances of Capital accounts (CIP) and tax money not bonded balance is \$4.1M left of those seven years as of September 30<sup>th</sup>. The Board thanked Haley for the information.

**E. Reappointment of the Town Manager**

Board to provide an update regarding the reappointment of the Town Manager and vote to enter into a contract for such reappointment.

Laura Gregory announced that the Select Board has reached an agreement with the Town Manager on a new contract for the period July 1, 2025 through June 30, 2030. Which follows on the Select Board’s vote to reappoint the Town Manager and to enter into negotiations which has been completed and reached an agreement. The final decision was based on data on from other communities, including Andover’s population, form of government, the complexity of the Municipal organization and the Town Manager’s years of service were all considered.

Beginning July 1, the Town Manager’s annual salary will be \$262,000. The Town Manager’s benefits and salary will be consistent with comparable communities, and he will continue to receive a Town contribution to his retirement account, an auto allowance, and an allowance for disability and life insurance; all of which are consistent with the provisions of most Town Manager’s contracts. The Board’s approval of the contract will conclude the reappointment process which will become effective July 1, 2025.

On a motion by Melissa Danisch and seconded by Alex Vispoli, the Board voted 4-0-1 to approve and enter a new five-year contract with Town Manager Andrew P. Flanagan.

**IX. Consent Agenda**

**A. Appointments by the Town Manager**

Alex Vispoli moved that the Board vote to approve the following appointments by the Town Manager. Motion seconded by Melissa Danisch and voted 5-0 to approve.

<b>Department</b>	<b>Name</b>	<b>Position</b>	<b>Rate/Term</b>	<b>Date of Hire</b>
Department of Public Works	Charles Monoxelos <i>(Christopher Sharkey)</i>	Highway Equipment Operator	\$27.86/hour	11/05/2024
Innovation & Technology	Joseph Burke <i>(Jake Celentano)</i>	Platform Engineer	\$97,489.29/year	11/12/2024
Innovation & Technology	Tyler LaMontagne <i>(Bonnie Hajjar)</i>	Technical Specialist	\$66,914.69/year	11/12/2024

**X. 2025 Select Board Meetings**

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

Melissa Danisch moved to approve the Select Board Meetings of November 18, 2024, December 2, 2024, and December 16, 2024, January 6, 2025, February 10, 2025, and February 26, 2025. Motion seconded by Alex Vispoli and voted 5-0 to approve.

**XI. Executive Session Continued**

Melissa Danisch moved for the Board to vote to go into Executive Session pursuant to Purpose 5 of Massachusetts General Laws, Chapter 30, Section 21(a), to discuss strategy with respect to litigation Andover Community Trust v. Andover Zoning Board of

Appeals; and not to return to open session. Motion seconded by Alex Vispoli and voted 5-0 to approve. Roll call: Ellen Townson-Y, Melissa Danisch-Y, Kevin Coffey-Y, Alex Vispoli, and Laura Gregory.

**XII. Adjourn**

On a motion made and seconded the Select Board voted 5-0 to adjourn the Regular Meeting of November 4, 2024 and move to Executive Session not to return.

Respectfully submitted.  
Dee DeLorenzo,  
Recording Secretary