

Select Board Meeting - Agenda Amended 05/09/2025

Monday, May 12, 2025 6:15 PM

Select Board Room, Town Offices

36 Bartlet Street Andover, MA 01810

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TOWN CLERK'S OFFICE

2025 MAY -9 AM 11:49

TOWN OF ANDOVER, MA

-
- I. **Call to Order – 6:15 P.M.**
 - II. **Executive Session**
 - A. Board to vote to go into Executive Session pursuant purpose 7 to approve and release or not release Executive Session minutes of April 29, 2025; for the Chair to declare that an open session may have a detrimental effect on the negotiating position of the Town; and/or
 - B. Board to vote to go into executive session to discuss strategy with respect to litigation and for the Chair to declare an open session may have a detrimental effect on the ligation position of the Town – Kathy Grant et al. v. Town of Andover, et al.; and return to open session.
 - III. **Opening Ceremonies**
 - A. Moment of Silence/Pledge of Allegiance
 - IV. **Town Manager Report**
 - A. Department Updates – Human Resources
 - V. **Communications/Announcements/Liaison Reports**
 - VI. **Public Comment**
 - VII. **Public Hearings**
 - A. National Grid and Verizon – Haverhill Street

Board to review and consider voting to approve an application from National Grid and Verizon requesting permission to locate, erect and maintain poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across Haverhill Street.
 - VIII. **Regular Business**
 - A. Boards, Commissions and Committees

Board to receive an update on opportunities for residents to serve on boards, commissions and committees.
 - B. Zoning Board of Appeals Appointment Process

Board to discuss and consider voting to approve the process for appointments to the Zoning Board of Appeals.
 - C. Affordable Unit Right of First Refusal – 1 Powder Mill Square, Unit 302

Board to vote to not exercise its right of first refusal to purchase the affordable housing unit at 1 Powder Mill Square, Unit 302.

D. Select Board Policy Review

Board to discuss and consider voting on the following Select Board Policies:

1. Board Operations: Officers, Employees and Appointments (1st Reading).
2. Retiring Prior Board Operations Policies: 1.1 – 1.6; 1.8.

IX. **Consent Agenda**

A. Appointments by the Town Manager

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

Board/Commission	Name	Position	Start	Expiration
Commission on Diversity, Equity & Inclusion	Sandis Wright	Member	05/13/2025	06/30/2027
Permanent Town Building Advisory Committee	Shauna Murray	School Committee Representative	05/06/2025	06/30/2026

X. **Approval of Minutes**

A. Board to approve minutes from the following meetings:

- April 14, 2025
- April 29, 2025

XI. **2025 Select Board Meetings**

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

- Monday, July 14, 2025
- Monday, July 28, 2025
- Monday, August 11, 2025
- Monday, August 25, 2025

XII. **Adjourn**

Summary of Town Manager Staff Appointments

The Town Manager is pleased to announce the following appointments:

Department	Name	Position	Rate/Term	Date of Hire
Public Works	Daniel Perez (Patrick Scholl)	Highway Division Equipment Operator	\$27.86/hour	05/12/2025
Community Services	Kimberly Lanteigne (Sarah Carroll)	Office Assistant IV	\$80,170.46/year	06/01/2025

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

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TOWN OF ANDOVER, MA

TOWN OF ANDOVER, MASSACHUSETTS



PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: NATIONAL GRID	# 29973433
PROJECT MANAGER NAME: CASEY SILVA	
PROJECT MANAGER CONTACT NUMBER: 617-420-7797	
LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:	
170-174 HAVERHILL ST ANDOVER MA, 111 PETERS ST, 0 and 175 HAVERHILL ST, N ANDOVER MA	
PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL	
PICTURES HAVE BEEN ATTACHED	YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

<u>DPW</u>	
SUPPORT PROJECT (YES / NO)	SIGNATURE: <u>[Signature]</u>
COMMENTS:	TITLE: <u>4/17/25</u>

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

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

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TOWN OF ANDOVER, MA

TOWN OF ANDOVER, MASSACHUSETTS



PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: NATIONAL GRID	# 29973433
PROJECT MANAGER NAME: CASEY SILVA	
PROJECT MANAGER CONTACT NUMBER: 617-429-7797	
LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:	
170-174 HAVERHILL ST ANDOVER MA, 111 PETERS ST, 0 and 175 HAVERHILL ST, N ANDOVER MA	
PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL	
PICTURES HAVE BEEN ATTACHED YES	

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

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

<u>POLICE DEPARTMENT</u>	
SUPPORT PROJECT (YES / NO)	SIGNATURE: <i>J. E. Don</i>
COMMENTS:	TITLE: <i>Executive Officer</i>

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

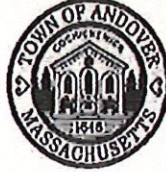
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TOWN OF ANDOVER, MA

TOWN OF ANDOVER, MASSACHUSETTS



PRIVATE UTILITY PETITION CHECKLIST

TO BE FILLED OUT BY PETITIONER

COMPANY: NATIONAL GRID # 29973433

PROJECT MANAGER NAME: CASEY SILVA

PROJECT MANAGER CONTACT NUMBER: 617-429-7797

LIST OF ADDRESSES IMPACTED BY PROPOSED WORK:

170-174 HAVERHILL ST ANDOVER MA, 111 PETERS ST, 0 and 175 HAVERHILL ST, N ANDOVER MA

PETITIONER IS REQUIRED TO ATTACH PICTURES SHOWING AREA OF PROPOSAL

PICTURES HAVE BEEN ATTACHED YES

TO BE FILLED OUT BY TOWN OF ANDOVER STAFF

DPW

SUPPORT PROJECT (YES / NO) SIGNATURE: _____

TITLE: _____

COMMENTS:

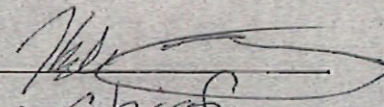
POLICE DEPARTMENT

SUPPORT PROJECT (YES / NO) SIGNATURE: _____

TITLE: _____

COMMENTS:

FIRE DEPARTMENT

SUPPORT PROJECT (YES / NO) SIGNATURE: 

TITLE: Fire Chief

COMMENTS:

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TOWN OF ANDOVER, MA

Questions contact Central Design - Obrayn Cortes - 508-298-1024 or OCortes@trccompanies.com

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the Board of Selectmen
of Andover, Massachusetts

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

Haverhill Street - National Grid to relocate 1 JO pole on Haverhill Street beginning at a point approximately 60 feet Southwest of the centerline of the intersection of Peters Street and Haverhill Street. Relocate pole 4553 Haverhill Street due to DOT roadwork, Andover, MA.

Location approximately as shown on plan attached.

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

No.# 29973433

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

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

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

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.

BY *fb* _____
Manager / Right of Way

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TOWN OF ANDOVER, MA

nationalgrid

January 27, 2025

To the Board of Selectmen of Andover, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Obrayn Cortes (508) 298 – 1024 or OCortes@Trccompanies.com

Please notify National Grid's Jennifer Iannalfo of the **hearing date / time** to Jennifer.Iannalfo@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Jennifer Iannalfo, 1101 Turnpike Street; North Andover, MA 01845.

Very truly yours,

Dave Johnson

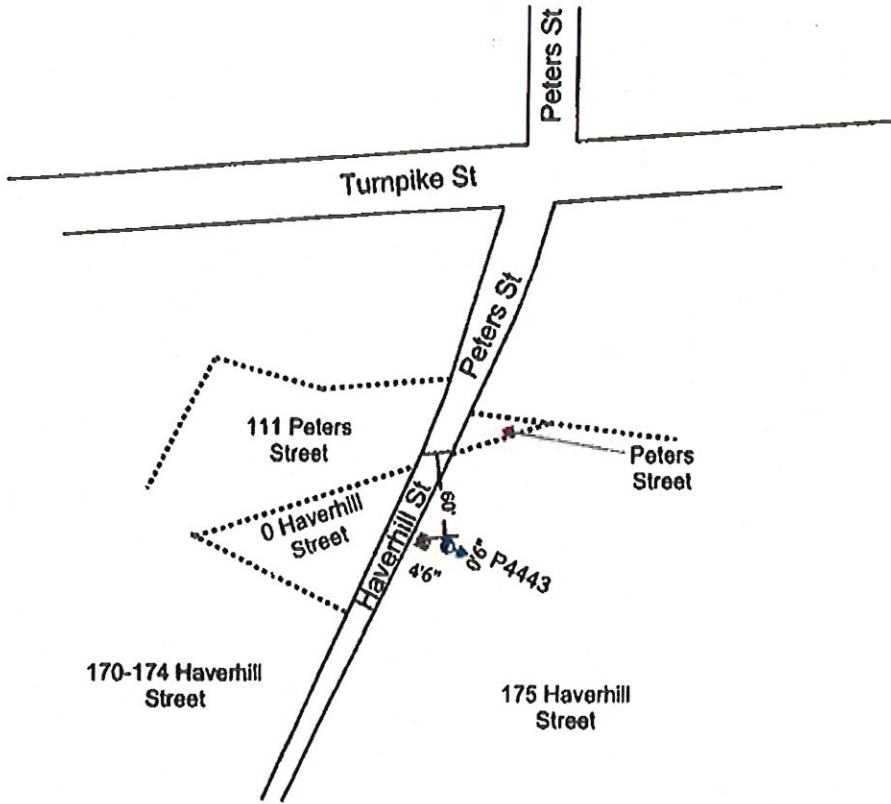
Dave Johnson
Supervisor, Distribution Design

Enclosures

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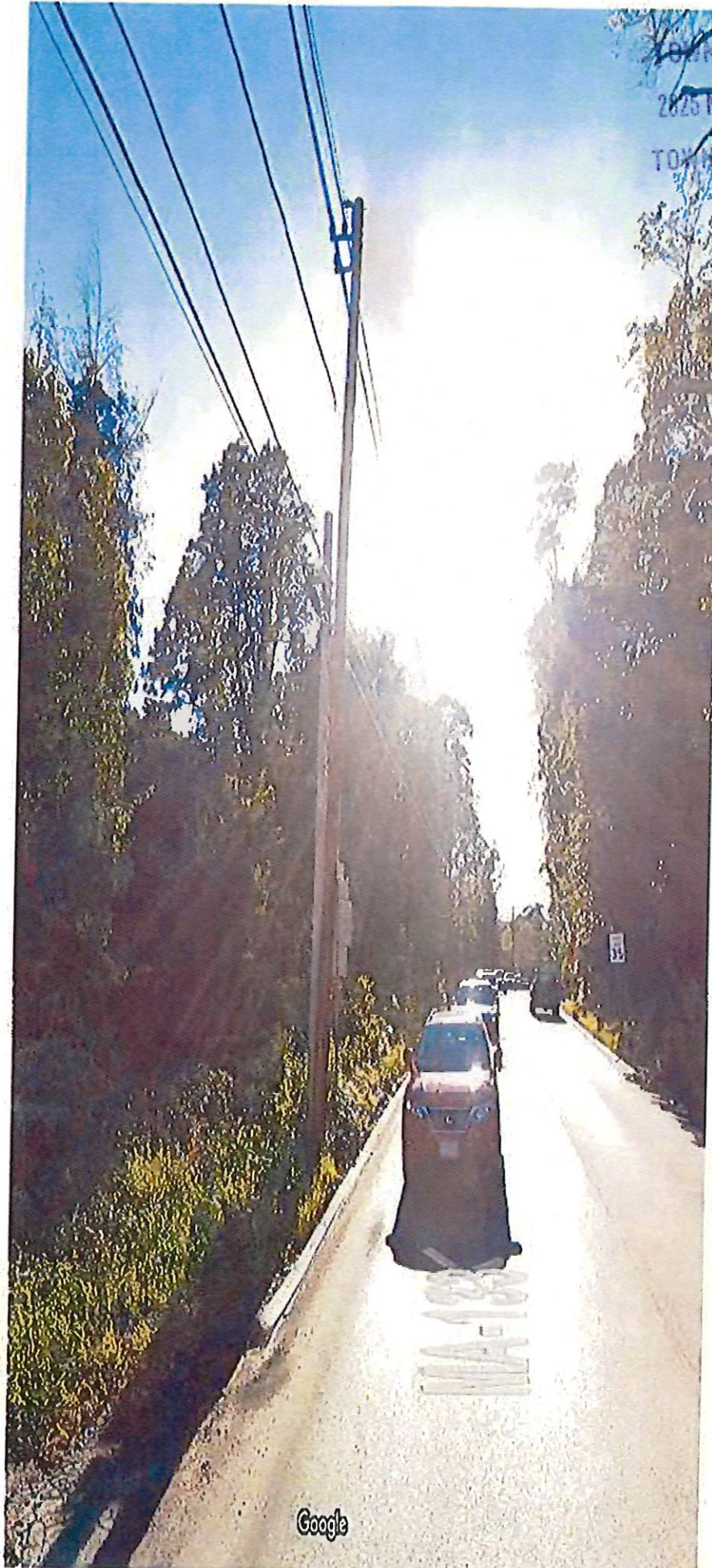
TOWN OF ANDOVER, MA



LEGEND	
.....	Property Line
↖	Proposed Anchor

JOINT OWNED POLE PETITION		nationalgrid And Verizon New England, Inc.	
⊕	Proposed NGRID Pole Locations	Date:	1/10/2025
○	Existing NGRID Pole Locations	Plan Number:	29973433
Ⓜ	Proposed J.O. Pole Locations	To Accompany Petition Dated:	
Ⓜ	Existing J.O. Pole Locations	To The: Town	Of Andover
Ⓜ	Existing Telephone Co. Pole Locations	For Proposed:	Pole: 4553 Location: Haverhill St
Ⓜ	Existing NGRID Pole Location To Be Made J.O.	Date Of Original Grant:	
Ⓜ	Existing Pole Locations To Be Removed		
DISTANCES ARE APPROXIMATE			

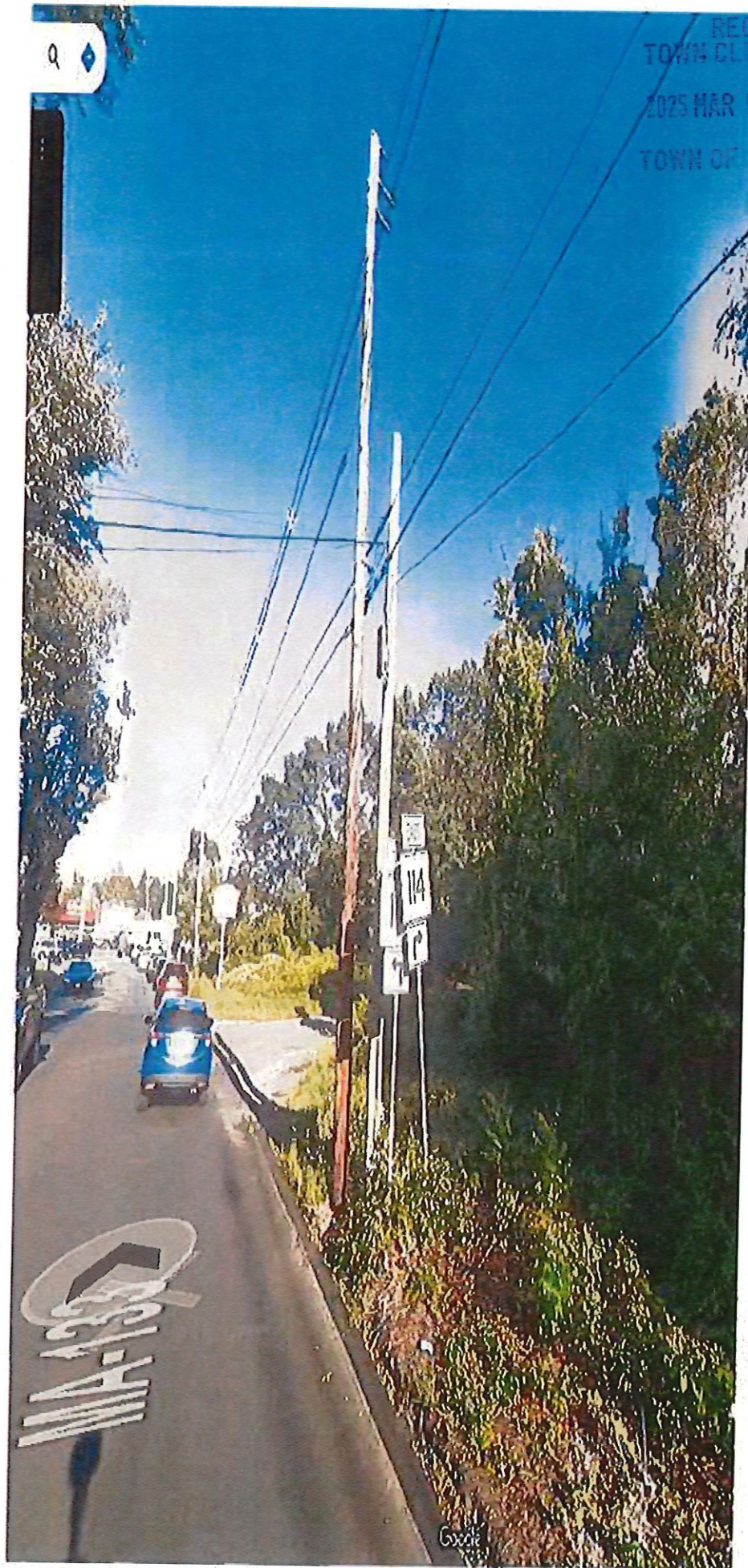
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TOWN OF ANDOVER

Town Clerk's Office
36 Bartlet Street
Andover, MA 01810
978-623-8230
www.andoverma.gov

NOTICE

You are hereby notified that a Public Hearing will be held by the Andover Select Board on May 12th, 2025 in the Select Board Conference Room, 3rd Floor, Town Offices, 36 Bartlet Street, at 7PM.

This hearing is being held on the petition of National Grid and Verizon requesting permission to locate, erect and maintain poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the public way hereinafter named in accordance with the plan filed herewith marked – “Haverhill Street – Andover, Massachusetts”:

#29973433 – Haverhill Street - National Grid to relocate 1 JO pole on Haverhill Street beginning at a point approximately 60 feet Southwest of the centerline of the intersection of Peters Street and Haverhill Street. Relocate pole 4553 Haverhill Street due to DOT roadwork, Andover, MA.

If you would like to obtain a copy of the plan(s) of the proposed work related to this utility petition, please email the Town Clerk's office at townclerk@andoverma.gov.

Representatives from the utility companies will present their petition during the meeting and will also be available at 6:45 PM on the above date to answer questions you may have relating to the proposed work.

By order of the
Select Board

Austin Simko
Deputy Town Manager/Town Clerk

Plan No.: 29973433
Date: May 1, 2025



TOWN OF ANDOVER

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

May 5, 2025

Re: Re-sale of an affordable unit at 1 Powder Mill Square, Unit 302, and the Town's Right of First Refusal

Dear Select Board,

When an affordable unit becomes available for re-sale, in some circumstances, the Town of Andover has the Right of First Refusal. An affordable unit at Powder Mill Square will become available this month, at a calculated price (based on 80% of the greater Lawrence Area Median Income) of \$281,1000 as calculated by the Executive Officer of Housing and Livable Communities (EOHLC).

It has two bedrooms, one bathroom and is 933 square feet. It is recommended that we try to find an eligible buyer for the unit instead of exercising the Town's Right of First Refusal. There are two reasons for this:

- 1) there are not sufficient funds in the Housing Trust Fund account to purchase the unit, and
- 2) the Town has been successful working with Andover Community Trust (ACT) and EOHLC to find an eligible buyer.

Households with income less than 80% Lawrence Area Median Income:

- 1 person \$72,950; 2 people \$83,400; 3 people \$93,800; 4 people \$104,200
- Maximum Household Liquid Asset Limit \$75,000.
- First time home buyer status.
- Down payment of at least 3%.
- Pre-approval of a fixed rate mortgage.

Recommended vote: The Select Board moves to *not* exercise its Right of First Refusal for an affordable unit located at 1 Powder Mill Square, unit 302.

As soon as the Select Board vote is taken, Andover Community Trust and the Planning Division may begin marketing to find a buyer for the unit.

Sincerely,

Lisa Schwarz, AICP
Assistant Planning Director



Douglas W. Heim
Town Counsel

36 Bartlet Street
Andover, MA 01810
douglas.heim@andoverma.us

Town of Andover
Legal Department

To: Select Board; Andrew Flanagan, Town Manager;

Cc: Austin Simko, Town Clerk/Deputy Town Manager; Michael Lindstrom, Deputy Town Manager; Patrick Lawlor, Chief Administrative Officer; Amy Heidebrecht, Assistant to the Town Manager; Kathryn Forina, Legal Administrator

Date: 5.9.25

Re: Select Board Policy Updates: Approval of Chapter 4 and Retirement of Policy Guidelines Section I.

Members of the Board,

Please find enclosed for first reading a draft of Chapter 4 of your new Operating/Policy Manual: “Board Operations: Officers, Employees & Appointments.” You previously approved revised policies for Chapters 1 – 3 (Introduction to Select Board Governance, Practice and Procedure; Code of Conduct; and Board Meetings & Hearing Procedures). Once the Board approves this addition to your revised manual, the first section of your previously titled “Policy Guidelines” is ripe for retirement consistent with a motion provided below.

To assist in your assessment and deliberation, attached are relevant sections of your previous Policy Guidelines collection – sections I.1 through I.8. This memo also serves to highlight significant changes proposed in Chapter 4 of your new Policy Manual from the current corollary in your Guidelines, as well as a summary of the policies to be retired from your Guidelines. The Board may of course adopt, adopt with modifications, or reject the proposal before you.

Chapter 4 Highlights: Officers, Employees & Appointments

A. General Modifications

The draft before you condenses and recodifies sections I.4.1 (“Organization”) and I.8/I.9 (“Employees of the Board”) and portions of section I.3 (“Policy Guidelines – “Vacancies on the Board”) of your Policy Guidelines collection into a single, leaner Chapter.

B. Modifications to I.3: Vacancies on the Board

This section describes the process afforded under the Town Charter when a Select Board seat is vacant whereby the remaining members vote to appoint a temporary member until the Annual Election. The current Policy Guidelines suggest the Board may not appoint an interim member if there are only 100 days remaining before the Town Election. This provision is likely rooted in G.L. c. 41 § 10, which limits residents' ability to petition for a special election to fill a vacancy on the board within 100 days of the Town Election. In any case, the Board may have good cause to appoint a member in the 100 days preceding an election and are afforded such right by the Charter. As such the proposed language affords the Board its full flexibility to fill a vacancy by appointment. It also notes that the Board may call an organizational meeting to elect new officers if a vacancy leaves a Board officer role unfilled.

C. Modifications to I.4.1: Organization

Changes under this section were in three categories: editorial changes, providing guidance for who serves as Chair for remote and hybrid meetings, and eliminating reference to the Recording Secretary. The proposed chapter changes the title of Board "Secretary" to "Clerk" (consistent with your current practice) and emphasizes the Clerk's role in ensuring maintenance of accurate and timely minutes without setting forth a specific process or personnel necessary to perform such duty. The policy change is not seeking to eliminate the work of the Recording Secretary as presently practiced. It recognizes that the Recording Secretary is not an employee of the Select Board and that some of the functions described have been modified significantly by live broadcast and recording of meeting on Andover TV.

D. Modifications to I.8/I.9: Employees of the Board¹

The most significant changes to this section were breaking out "Employees of the Board" into three separate sections – Board Employees, Board Approval of Manager Appointees, and Statutory Appointments of the Select Board; as well the elimination of information which may be more detailed than necessary or which is better housed elsewhere. Specifically, this section was revised to more clearly delineate the distinctions between the two critical employees directly appointed by the Board, and the Board's role in other appointments. Brief sections were added or edited to account for the Board's role in approving certain appointments made by the Town Manager, and to note the Board's role in appointing an Acting Manager in the event of an unanticipated vacancy.

The proposed Chapter also eliminates the insertion of job descriptions in the body of your policy for two reasons. First, a job description is more readily updated and adjusted if approved by the Board and housed with Human Resources than the Board's policy documents. Second, the Manager's duties and responsibilities are already described in detail in the Town Charter and Town Bylaws.

¹ "Employees of the Board" is listed as Section I.8 in the Policy Guidelines Table of Contents, but I.9 in the body of the text of same.

Similarly, the proposal before you eliminates the detailed articulation of the role of a Board of Registrars and qualifications for their appointment, which contains lengthy recitations of the general laws. Details on the Zoning Board of Appeals remains given the Board's emphasis on the Zoning Board's role and importance of their appointments in recent years. Additional areas of experience attractive to the Board were updated to include "Construction" and "Public Health" given the evolving landscape of residential development in Andover, particularly with respect to ADUs.

Finally, a provision for re-appointments and holdover appointments was added in the interests of clarity and recognizing the challenges of staffing Andover's more than 40 committees and commissions.

If the Board is inclined to adopt Chapter 4, an appropriate motion would be:

I move to adopt the Select Board Policy entitled "Officers, Employees & Appointments" as recommended by Town Counsel and modified by [insert any edits or modifications agreed upon by the Board] for the Board's Revised Policy Manual.

Retirement of Section I of the Policy Guidelines

If and when the Board is prepared to approve Chapter 4 of the new manual, Section I "Board General Operations" of your Policy Book is ripe for retirement (with limited exception) given your previous approvals of Chapters 1 – 3. This Office recommends retaining your policies of Utility Hearing Procedures, Street Acceptance, and Street Acceptance Guidelines and Procedures for the time being. The following, however, are recommended for rescission:

- I.1 Select Board Vision Statement & I.2 Mission Value & Statement (eliminated and/or articulated throughout policies and Board Goals)
- I.3 Select Board Policy Guidelines (reframed in Chapter 1 of Manual)
- I.4 Select Board Rules of Order and Procedure (updated in Chapter 3)
- I.5 Select Board Internal Operation – Members Interaction (edited and moved to Chapter 2)
- I.6 Public Comment at Select Board Meetings (updated and moved to Chapters 2 & 3)
- I.7 Select Board Resident Complaint Resolution Policy (eliminated)
- I.7/I.8 Hearing Procedures (updated and moved to Chapter 3)
- I.8/I.9 Board Employees (updated and moved to Chapter 4)

If the Board is prepared to retire the foregoing policies, an appropriate motion would be:

I move to rescind and retire Select Board policies I.1 "Select Board Vision Statement" through I.9 "Board Employees," set forth in the Board's Policy Guidelines, except retain policies on Utility Hearing and Street Acceptance, and Street Acceptance Guidelines until further notice.

4. Board Operations: Officers, Employees & Appointments

The Select Board is responsible for hiring the Town Manager and Town Accountant, approving critical hires made by the Town Manger outlined in the Town Charter, and making or approving appointments to Town boards, committees, and commissions. The Board also selects its own internal officers by election.

I. Board Officers & Elections

The officers of the Select Board shall be Chair, Vice-Chair, and Clerk elected annually by majority vote at the first meeting following the Town Election or as soon as otherwise practicable. Each officer shall each serve a term of one year, beginning after Annual Town Meeting has concluded, or for the remainder of a one-year term in the event of election caused by a vacancy of an officer of the Board. The election of officers shall, to the extent possible, take place with all five members present.

A. Chair

The Chair shall preside over all meetings of the Select Board in which they are present in-person or in which all members participate remotely. The Chair also serves as the ceremonial chief civil officer of the Town representing the Board at meetings, conferences, and gatherings unless other members are so designated by vote of the Board. The Chair creates and reviews Board agendas in concert with the Town Manager and serves as the spokesperson of the Board. The Chair shall exercise care to distinguish between when they represent the position of Select Board and when they express their individual opinion.

B. Vice-Chair

The Vice-Chair performs all the duties of the Chair in the latter's absence, or as requested by the Chair. In the event of meetings in which some members are present in-person and some members are participating remotely, the Vice-Chair shall perform the duties of the Chair if they are present in-person and Chair is participating remotely.

C. Clerk

The Clerk is responsible for maintaining accurate and complete minutes in compliance with the Open Meeting Law in coordination with Town staff and serves as the Board's clerk for any legal documents that require their certification.

D. Board Liaisons

Each Select Board member is also assigned by the Chair to serve as a liaison between the Board and one or more Town boards, committees, and commissions, attending meetings of such bodies as appropriate for the purposes of enhancing communication between the Select Board and other public bodies of the Town. The Board annually makes and/or continues liaison assignments but may revisit liaison assignments on a rolling basis.

E. Board Vacancies

Pursuant to §1 of the Town Charter in the event of a Select Board vacancy for any reason other than the expiration of a term, the remaining Select Board members may (but are not required) appoint a board member to fill the vacancy until the next Town Election, at which the voters shall elect a Select Board Member for the remainder of the unexpired term. As necessary, the Board may hold an organization meeting to elect any officers of the Board due to a member vacancy.

II. Board Employees

The Select Board directly appoints and may remove the Town Manager as provided in §§ 6 and 8 of the Town Charter. The Board also directly appoints and may remove the Town Accountant pursuant to G.L. c. 41 sec. 55 and §3(b) of the Town Charter.

While the hiring and supervision of all Board-appointed Town employees is firmly vested within the Board, the Select Board as a body should utilize the professional expertise and resources of the Town Human Resources Director. The Board sets compensation and other material conditions of employment it deems appropriate by written contract, so long as such terms and conditions are consistent with the Town Charter and the General Laws of the Commonwealth.

A. Appointment of the Town Manager

The Board appoints the Town Manager in accordance with and subject to the qualifications and restrictions established in §6 of the Town Charter for a term of five years subject to re-appointment. The Board endeavors to utilize the best current practices to provide for the search for, and recruitment of Town Manger candidates in the event of a manager vacancy.

B. Acting Manager in the Event of a Vacancy

Per §7 of the Town Charter, while the appointment of a Town Manager is pending, or in the event a vacancy of the manager position or the failure of the Town Manager to timely designate a temporary manager, or during the suspension of the Town Manager, the Select Board shall appoint a suitable person to perform the duties of the office.

III. **Board Approval of Manager Appointed Employees**

Pursuant to §§ 3(d) and 10 of the Town Charter, the following appointments of the Town Manager require Select Board approval:

- Deputy Town Manager,
- Police Chief,
- Fire Chief,
- Finance Director/ Chief Financial Officer,
- Town Clerk,
- Town Counsel,
- Members of public bodies including members of the:
 - Board of Public Health,
 - Planning Board,
 - Board of Assessors,
 - Board of Library Trustees, and
 - Other committees and commissions of the Town not provided by statute or created and/or appointed by other elected officials and committees.

IV. **Statutory Appointments of the Select Board**

In accordance with §3(b) of the Town Charter and Massachusetts General Laws, the Board is also vested with the authority and responsibility to directly appoint certain boards and Town officials including, but not limited to the following:

- The Zoning Board of Appeals,
- Registrars of Voters (except the Town Clerk),
- Election Officers, including warden, clerks, inspectors, and other officers for precincts as required;
- The Andover Cultural Council;
- A member of the Retirement Board; and
- Certain Special Police Officers as appropriate.

A. Zoning Board of Appeals

The Andover Zoning Board of Appeals (ZBA) consists of five (5) regular members and four (4) associate members. To ensure consideration of all citizens interested in serving on the ZBA, impending or actual vacancies on the ZBA will be announced on the Town's website and in the local media to the extent practicable, and public interviews will be conducted by the Select Board or a subcommittee of the Select Board.

It is highly desirable that the ZBA include persons with various educational and professional experience and training, including, but not limited to the following fields:

- Engineering,
- Architecture and Design,
- Law,
- Environmental Protection and/or Conservation,
- Construction, and
- Public Health.

V. **Re-Appointments and Holdover Appointees**

The Board recognizes the value of both veteran board and committee members and fresh perspectives of new board and committee members. Appointees nearing the end of their terms are encouraged, though not required, to provide the Select Board with advanced notice of their intentions to seek reappointment, as well as any information which would assist the Board members in determining whether re-appointment should be made in advance of the expiration of the relevant term.

If an appointee has not resigned, been reappointed or replaced by a new appointee by the date of the expiration of their term, such person will be considered a holdover appointee. A holdover appointee shall continue to serve with all the duties and responsibilities of their position, but is subject to replacement or removal at any time by vote of the Board.



POLICY GUIDELINES

SELECT BOARD

TOWN OF ANDOVER, MASSACHUSETTS

Members:

Laura M. Gregory, Chair
Annie Gilbert, Vice-Chair
Daniel Arrigg Koh, Clerk
Christian Huntress
Alex J. Vispoli

Originally Adopted: 1978

Revised: 1990

Revised: 2008

Reorganized and Confirmed: 2008

Section II.6.3 Fuel Efficient Vehicle Policy, Added: May 3, 2010

Section XII Investment Policy Added: June 7, 2010

Section I.4.3 Agenda, Amended: August 9, 2010

Section IV.2.3 Use of Town Owned Land, Amended: October 25, 2010 & November 22, 2010

Section XI.2 Alcoholic Beverages Licenses Hours of Operation Section 12 Licenses Amended: Feb. 28, 2011

Section XI.2 Alcoholic Beverages Licenses Subsection 18(d) added, Fee Schedule Amended: May 9, 2011

Sections V.2, Recycling & Trash Pickup, XI.2 & XI.5 Alcoholic Bev. Licensing Policy Amended: July 11, 2011

Section IV.2.3 Use of Town Owned Land, Amended: August 8, 2011

Section XI.2, 18. (a) Events With Alcohol In General: Amended October 3, 2011

Section II.6.3. Fuel Efficient Vehicle Policy, Amended: March 12, 2012

Sections XI.1 & XI.2 Licensing Policies, Amended: October 7, 2013

Section IV.1 Land Use, Amended: November 4, 2013

Section XII.8 PILOT Policy, Added: December 16, 2013

Section XII Misc. Policies Added XII.2 Customer Service & XII.3 Code of Conduct Policies & renumbered sections: June 2, 2014

Section XIII Investment Policy, Amended: June 16, 2014
Section II Municipal Vehicle Policy, Amended: July 21, 2014
Section XII.11 Miscellaneous Policies, Naming Facilities, Added January 14, 2019
Section XIV Small Wireless Facility Design Rules and Regulations, Added: April 11, 2019
Section I.6 Public Comment at Select Board Meetings, Amended: October 7, 2019
Throughout, Updated Title of Board to “Select Board,” Amended: December 9, 2019
Section XI.2.L Alcoholic Beverage Licenses on Town Owned Property, Amended: February 24, 2020
Section XI.2.N Special One-Day Alcohol License Policy for Outdoor Events on Town Owned Property, Added:
February 24, 2020

INDEX

I. Board General Operations

- I.1. Select Board Vision Statement
- I.2. Mission & Value Statement
- I.3. Select Board Policy Guidelines
- I.4. Select Board Rules of Order and Procedure
 - 1.4.1. Organization
 - 1.4.2. Select Board Meetings
 - 1.4.3. Select Board Agenda
 - 1.4.4. Miscellaneous
- I.5. Select Board Internal Operation – Members Interaction
- I.6. Public Comment at Select Board Meetings
- I.7. Hearing Procedures
 - I.7.1. Utility Hearing Procedure
 - I.7.2. Street Acceptance Policy
 - I.7.3. Street Acceptance Guideline and Procedures
- I.8. Employees of the Board
 - I.8.1. Town Accountant
 - I.8.2. Town Manager
 - I.8.3. Board of Registrars
 - I.8.4. Zoning Board of Appeals
 - I.8.4.a. Zoning Board Procedures

II. Municipal Vehicle Policy

III. Minority Business Enterprise Program

IV. Land Use

- IV.1. The Park Regulations
- IV.2. Use of Undeveloped Town-Owned Land – Rules and Regulations
- IV.3. Open Space Policy
- IV.4. Adopt an Island Program
- IV.5. Islands Maintained by Parks & Grounds

V. Department of Public Works Policies

- V.1. Public Works Engineering Services Policy
- V.2. Mandatory Recycling and Trash Pickup

VI. Fees/Public Record Policies

- VI.1. User Fees
- VI.2. Meeting Tape Recording Policy
- VI.3. Public Record Fees Policy
- VI.4. Chandler Road Landfill Regulations and Policies
- VI.5. Ambulance Billing Policy

VI.6. Memorial Hall Library Parking

VII. Housing/Taxes

VII.1. Fair Housing Plan

VII.2. Regional Housing Opportunity Partnership

VII.3. Tax Classification

VIII. Recreation

VIII.1. Haggetts Pond Use

VIII.2. Haggetts Pond Winter Use

VIII.3. Poms Pond Resident Sticker Program and Policy

VIII.4. Non-Motorized Forms of Transportation

IX. Town Meeting

IX.1. Ordering of Warrant Articles

X. Water and Sewer Commissioners

X.1. Sewer Commissioners Policy

X.2. Self-Sufficient Water And Sewer System

X.3. Sewer Betterment and Abatement Requests

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

X.5. Water Supply Protection

XI. Licensing Policies

XI.1. Granting of Licensing/Special Permits

XI.2. Alcoholic Beverage License Policy

XI.3. Rules and Regulations for Public Vehicles for Hire

XI.4. Video Machines

XI.5. Regulations For Outdoor Dining Licenses

XII. Miscellaneous Policies

XII.1. Courtesy

XII.2. Customer Service Policy

XII.3. Code of Conduct Policy

XII.4. Use of Town Seal

XII.5. Street Lighting

XII.6. Skate Boards

XII.7. Silly String

XII.8. Sidewalk Displays

XII.9. John F. Kennedy Day

XII.10. PILOT Program Policy

XII.11. Naming Facilities

XIII. Finance/Investments Policies

XIII.1 Investment Policy Statement

XIV. Small Wireless Facility Design Rules and Regulations

- XIV.1. Background
- XIV.2. Adoption
- XIV.3. Siting Prohibitions
- XIV.4. Aesthetic Requirements for Small Cell Wireless Facilities
- XIV.5. Antennas
- XIV.6. Signage/Logos/Lights/Decals/Cooling Fans
- XIV.7. Location Requirements
- XIV.8. Pedestrian Path and Amenity Zone
- XIV.9. Access, Circulation and Sight Distances
- XIV.10. Other Required Submission Information
- XIV.11. Limitations
- XIV.12. Effective Date of Policy

XV. Appendix

- XIII.1. Town Safety Policy
- XIII.2. ADA Policy
- XIII.3. Sexual Harassment Policy
- XIII.4. Affirmative Action
- XV.5. Anti Fraud Policy

I. SELECT BOARD OPERATIONS

I.1. VISION STATEMENT

The Town of Andover, more than a place to live, is a way of life. Its legacy of democracy shall be preserved. Each citizen should experience the treasures of nature, history, individual respect, neighborhood, and learning. As resources and energy allow, each of these gifts from the past will be enriched in the present for those yet to be.

Passed 1/25/93

I.2. MISSION & VALUES STATEMENT

Developed by the
Select Board, Town Manager, and Town Department Heads

Adopted by the Select Board on October 6, 2003

The mission of the Town of Andover is to ensure the safety, education and well-being of the community; to be a leader in the delivery of efficient and effective quality services that respond to community needs; to promote the continuous improvement of staff skills and performance; to encourage an environment of trust; to respect cultural and economic diversity; and to preserve the historic character of the community.

The Select Board, as the chief policy makers for the Town of Andover, Massachusetts, will provide leadership in advancing the following primary and supporting values:

VALUE 1. ENSURE THE SAFETY, EDUCATION, AND WELL-BEING OF THE COMMUNITY

- 1.1 Protect the safety of persons and property
- 1.2 Maintain the high quality of education for all
- 1.3 Maintain the Town's infrastructure
- 1.4 Promote public health programs and awareness
- 1.5 Manage the impact of non-municipal public utilities
- 1.6 Support human/community services
- 1.7 Ensure compliance with regulatory requirements
- 1.8 Identify and promote economic opportunities

VALUE 2. BE A LEADER IN THE DELIVERY OF EFFICIENT AND EFFECTIVE QUALITY SERVICES THAT RESPOND TO COMMUNITY NEEDS

- 2.1 Deliver innovative municipal services
- 2.2 Encourage cost saving initiatives
- 2.3 Assess and prioritize community needs
- 2.4 Maintain the Town's "AAA" bond rating

VALUE 3. PROMOTE THE CONTINUOUS IMPROVEMENT OF STAFF SKILLS AND PERFORMANCE

- 3.1 Recruit, develop and retain a highly skilled workforce
- 3.2 Promote and recognize municipal professionalism
- 3.3 Measure, evaluate, and improve performance

VALUE 4. ENCOURAGE AND ENVIRONMENT OF TRUST AND HONESTY

- 4.1 Uphold high ethical standards
- 4.2 Value teamwork and cooperation
- 4.3 Promote open communication with the public
- 4.4 Solicit citizen participation
- 4.5 Recognize the outstanding contributions of citizens

VALUE 5. RESPECT CULTURAL AND ECONOMIC DIVERSITY

- 5.1 Promote diversity in the workforce and community
- 5.2 Provide services that are accessible, fair, and equitable
- 5.3 Support housing alternatives

VALUE 6. PRESERVE THE HISTORIC CHARACTER OF THE COMMUNITY

- 6.1 Celebrate Andover's unique heritage
- 6.2 Protect and acquire open space

10/6/2003

I.3. POLICY GUIDELINES

POLICY DEFINITION

A course of action, guiding principle, or procedure designed to influence and determine decisions, actions, and other matters.

PURPOSE

In an attempt to enforce good administration through equitable enforcement and continuity of decisions, with the understanding that all matters brought before the Select Board are reviewed on a case by case basis, and with the understanding that the Board, at any time, may determine that a particular policy guideline is no longer applicable to the general good, the Policy Guidelines Handbook will serve as a learning tool for new members, as a reference source for the current Board when determining decisions, and as a sourcebook for the public interested in particular matters.

ADOPTION OF POLICY GUIDELINES

Votes taken at Board meetings fall into two categories: votes specific to one item and not applicable to other actions, and votes that may be applied to future actions. The latter may be adopted as a “policy guideline.”

Ever-mindful of policy implications, votes may be considered as a policy guideline at the request of Board members, staff or the public. Once a request has been made to the Chairman of the Select Board, the item will be placed on the agenda of a future Board meeting. At that time, a policy guideline will be adopted if a majority of the Board so votes.

The Policy Guidelines Handbook will be immediately updated whenever votes taken either establish a new guideline or revise an old guideline.

An annual review of the Policy Guidelines will be initiated by the Chairman.

Decisions on matters coming before the Select Board and policy guidelines established by the Board prior to the adoption of this manual will be considered for insertion in this manual upon review and consensus approval by the current Board.

No hypothetical situation alone will be considered in the adoption of Policy Guidelines.

AUTHORITY FOR THE SELECT BOARD

The Select Board is an elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, “An Act Establishing A Selectmen – Town Manager Plan For the Town of Andover” (The Charter), and the By-Laws of the Town of Andover.

General References:

- Chapter 41 – General Laws of the Commonwealth of Massachusetts
- Chapter 571 of the Acts of 1956, Selectmen-Town Manager for of Government, as amended.
- Handbook for Massachusetts Selectmen, 1988, Massachusetts Municipal Association (MMA).

ELECTION AND QUALIFICATION

In accordance with the Acts of 1922, Chapter 1, of the Commonwealth of Massachusetts and the Andover Town Charter, the Board shall consist of five duly-elected members, each of whom shall be elected by the registered voters of the Town of Andover to terms of three (3) years. On a staggered basis, two members’ terms shall expire in one year, two the following year, and one in the third year.

Before assuming officials duties, each newly elected member shall be sworn to faithful performance of official duties and responsibilities by the Town Clerk and shall be given a copy of the Open Meeting Law.

VACANCIES ON THE BOARD

When a vacancy occurs in the office of Select Board member, the remaining Select Board members may at any time prior to the next Town election appoint a qualified person to serve as Select Board member until such election, at which election voters shall elect a Select Board member to serve for the unexpired portion, if any, of the original term.

However, if such a vacancy or vacancies occur less than 100 days prior to the annual election and not less than three members of such Board remain in office, the vacancy or vacancies shall remain unfilled until such annual election.

BOARD AS POLICY-MAKERS

The Select Board shall be considered the makers of policy of the Town government, except as otherwise directed by the Statutes or by the Town Charter. The Town Manager shall be responsible for ensuring that the boards, officers, and representatives of the Town comply with the policy determinations of the Select Board.

I.4. RULES OF ORDER AND PROCEDURE

SELECT BOARD

I.4.1. Organization

Election of Officers – The Select Board shall meet in regular session (See 2, Below) each year on the Tuesday following the annual town election for the purpose of electing its own officers and conducting such other business as may come before it.

Terms of Office – Officers of the Select Board shall serve until new officers are elected, or until their term as Select Board member has expired through resignation or the election of a replacement.

Officers of the Board – From among its members the Select Board shall elect a Chairman, a Vice-Chairman, and a Secretary.

The Chairman – The Chairman of the Select Board presides at all meetings of the Board at which he/she is present. He/She is the ceremonial chief civil officer of the Town. The Chairman, when representing the Select Board, is careful to take only positions on subjects which have been approved by the Board. When necessary to make observations on other matters, he/she is careful to make clear that the opinion expressed is his/her own as an individual Select Board member and not necessarily that of the Board.

The Vice-Chairman – The Vice-Chairman performs the functions of the Chairman in the latter's absence. Should the Chairman resign, the Vice-Chairman automatically succeeds him/her.

The Secretary – The Secretary is responsible for the accuracy of the minutes of the meetings of the Select Board and, when prepared, signs those minutes which become part of the official public records of the Town.

The Recording Secretary – The Select Board retains on a salaried basis a Recording Secretary who is experienced in recording the proceedings of meetings both live and from tape recordings. The Recording Secretary attends all meetings and conference sessions of the Select Board and is responsible for putting minutes of those meetings in **draft form** under direction for the Town Manager for approval of the Board at its next regular meeting.

Liaison with Town Boards and Committees – Each Select Board member is assigned one or more of the Town Boards and/or Committees whose meetings he/she attends when considered appropriate and with those activities he/she maintains current information to be passed on to the Select Board upon request or where the individual Select Board member deems it desirable.

Further clarification of the Select Board member's role as Liaison will be defined in a later section.

I.4.2. Select Board Meetings

Place for Meetings – The designated place for regular and special meetings of the Select Board shall be at the **Andover Town Offices, Bartlet Street, Third Floor Conference Room**, unless otherwise provided by the Board.

Regular Meetings – The Select Board shall meet in regular session on the **First and Third Mondays** of each month at 7:30 p.m. except on holidays or when another day and hour has been fixed by resolution of the Board.

Special Meetings – Special Meetings of the Select Board may be called at the request of three members of the Board or by the Chairman of the Board.

Work Sessions – The Select Board may meet in a Work Session at 7:30 p.m. on the fourth Monday of each month. If necessary, a short, regular business meeting may be held prior to work sessions. Work sessions will be held at the **Andover Town Offices, Bartlet Street, Third Floor Conference Room**, unless otherwise provided by the Board.

The Work Session shall be devoted primarily to any matters regarding which the interchange of information is deemed desirable or essential by the Board and/or Town Manager, and particularly preliminary to discussion and action at the regular meetings of the Board.

No formal vote shall be taken on any matter under discussion nor shall any Board member enter into a commitment with another respecting the vote to be taken subsequently in a regular meeting of the Board; provided, however, that nothing herein shall prevent a polling of the Board or the taking of an informal vote on any matter under discussion.

Agenda procedures shall be the same as for regular meetings except that matters not included on a work session agenda shall be taken up by the Board only after listed agenda matters have been considered. No vote of the Board shall be required to consider a non-agenda item.

Additional work sessions may be held at the request of the Chairman of the Select Board, or of a majority of the Board. It shall be the responsibility of the Chairman of the Board to advise all other members of the Board and the Town Manager of any additional work sessions.

Executive Session – An Executive Session may be convened at the request of the Town Manager or by a majority vote of the Board as part of a regular or special Board meeting. Attendance at the Executive Session shall be limited to the members of the Board and the Town Manager; provided, however, that the Board and/or Town Manager may invite such persons as may be required for advice and information. Executive Sessions may be called solely for the following purposes:

- a. To discuss the “reputation, character, physical condition or mental health rather than the professional competence” of a particular individual. A governmental body shall hold an open meeting if the individual involved request that the meeting be open.
- b. To consider the discipline or dismissal of, or to hear complaints or charges brought against a public officer, employee, staff member, or individual. A governmental body shall hold an open meeting if the individual involved requests that the meeting be open.
- c. To discuss strategy with respect to collective bargaining or to litigation, if an open meeting may have detrimental effect on the bargaining or litigating position of the governmental body; and to conduct collective bargaining sessions or contract negotiations with nonunion personnel.
- d. To discuss the deployment of security personnel or devices.
- e. To investigate charges of criminal misconduct or to discuss the filing of criminal complaints.
- f. To consider the purchase, exchange, lease or value of real property if an open discussion may have a detrimental effect on the negotiating position of the governmental body with a person, firm or corporation.
- g. To comply with the provision of any general or special law or Federal grant-in-aid requirements.
- h. To consider and interview applicants for employment by a preliminary screening committee or a subcommittee appointed by a governmental body if an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee or a subcommittee appointed by a governmental body, to consider and interview applicants who have passed a primary or preliminary screening.

BEFORE holding an executive session for one of the above reasons, the Select Board must first convene in open session for which notice has been given. A majority of members must vote to go into Executive Session, and the vote of each member must be a roll call recorded in the minutes.

The presiding officer must specify in the open meeting for which of the above reasons the Executive Session is being held. Before the Executive Session, the presiding officer must state whether the Select Board will reconvene in open session afterwards.

Accurate records must be maintained for all Executive Sessions. At a minimum, the records must set forth the date, time, place, members present or absent, and action taken. According to the law, Executive Session records may remain secret **only** “so long as publication may defeat the lawful purposes of the Executive Session, but no longer.”

Quorum – Three members of the Board shall constitute a quorum. In the event a quorum is not obtained, the member(s) present may adjourn the meeting to a specific date and time. Three affirmative votes shall be required to approve any matter acted upon by the Board except as otherwise provided by the rules of the Board.

Open Meeting Law – All meetings of the Select Board shall be held and conducted in strict compliance with the requirements of the Massachusetts Open Meeting Law. **Each newly-elected Select Board member shall be given a copy of the Open Meeting Law by the Town Clerk and will be required to sign a statement acknowledging that he/she has received it.** (A copy of the Open Meeting Law will be added to the “Reference Section” of the Select Board’s policy notebook.)

Posting of Meetings – It shall be the duty of the Town Manager for all meetings and work sessions of the Select Board to post the notice of the meeting or work session in a conspicuous place in the Town Offices at least forty-eight (48) hours (including Saturdays but not Sundays or legal holidays) before a meeting is to take place. Notice of the meeting is also to be filed with the Town Clerk. Meeting notice must be in “easily readable type” and include date, time and place.

Immediately upon receipt of a request for a special meeting he will make every diligent effort to notify each member of the Board in person, either by telephone or otherwise, of such special meeting. The law allows that in the case of an emergency, defined as “a sudden, generally unexpected occurrence or set of circumstances demanding immediate action,” an open meeting may be held even though notice was not posted in time. Notice of such meetings should still be posted as much in advance of the meeting as possible.

The Town Manager shall also publicize each meeting or work session in the newspaper of general local distribution.

Recording of Meeting – Any person in attendance at an open meeting may record the meeting by any means of sonic reproduction, including videotaping, provided that there is no active interference with the conduct of the meeting. If requested, persons intending to make such recordings must so declare.

Suspension of Rules – Any provision of the rules of the Select Board not governed by State Statute or otherwise governed specifically by the Rules of the Board may be temporarily suspended by a majority of the full Board.

I.4.3. Agenda

Preparation of Agenda for Board Meetings - The agenda for a meeting will be prepared by the Town Manager after conferring with the Chairman and/or other members of the Board. The agenda will close at 4:30 P.M. on the third day before the meeting, excluding Saturdays, Sundays and legal holidays, and no changes to it shall take place there-after except as follows:

Any matter coming to the attention of the Town Manager or a member of the Board after the above-stated closing time and considered to be an emergency matter may be included on the agenda. The Chairman of the Board will be notified of any such changes.

Consideration of matters of a non-emergency nature may be allowed at the discretion of the Chairman, if permitted under the Open Meeting Law, but may be tabled until the next regular meeting.

Order of Agenda – The business of all regular meetings of the Select Board shall be transacted in the following order:

Select Board Agenda Outline

- I. Call to Order/Roll Call
- II. Opening Ceremonies
 - A. Moment of Silence/Pledge of Allegiance
- III. Communications/Announcements/Liaison Reports
- IV. Citizens Petitions and Presentations
- V. Public Hearing(s)
- VI. Regular Business of the Board
- VII. Consent Agenda
 - A. Licenses and Permits
 - B. Appointments and Re-Appointments
- VIII. Approval of Minutes from Previous Meetings
- IX. Sewer Commissioners (if applicable)
- X. Adjournment.

Communications/Announcements/Liaison Reports – Under this heading, Select Board members may bring up matters of concern to them for brief discussion and possible later placement on the agenda of a scheduled meeting, if permitted under the Open Meeting Law.

Special Rule for certain Consent Agenda Items – the names of all Appointees and Re-Appointees and the names of all new license and permit applicants (but not annual renewals) shall be included in the agenda posted through the Town Clerk's Office, and on the Meeting Agenda and shall be posted on the Town's web site.

The Board members shall review the Agenda items designated in the preceding paragraph prior to the meeting in which they will be voted. Such items which require further discussion by the Board will be identified to the Board Chair prior to the meeting and time will be provided during the meeting for discussion by the Board. Items not identified for discussion prior to the meeting will be moved as printed in the Agenda and published on the web site.

Submission of Proposed Agenda Items – All reports, communications, resolutions or other matters to be submitted to the Board shall be delivered to the Town Manager by the time specified herein for the close of the Agenda, whereupon the Town Manager shall immediately arrange or cause to be arranged a list of such matters according to the Order of Agenda.

The agenda shall be included in the meeting notice to be posted in conformity with the Open Meeting Law, M.G. L. Chapter 30A Sections 18-25, as the same may be amended. The Town Manager shall deliver to each member of the Board and the Town Clerk a copy of the agenda as soon as practical after the time specified herein for close of the agenda.

No action will be taken by the Board on papers circulated for the first time in any regular meeting unless the matter covered is of an emergency and/or routine nature.

Supporting Information – All matters included on the agenda, unless clearly self-explanatory, shall have been preceded by or shall be accompanied by written explanations or descriptive materials; such information to be provided by the sponsor of the agenda item and/or the Town Manager. This background information is intended to aid in the Select Board members' consideration of matters to be brought before the Board.

The Town Manager will also provide the Board with weekly memoranda and/or monthly reports containing information pertinent to the responsibilities of the Board in order to keep the Select Board members informed or to reduce the amount of inconsequential matters on the weekly agenda.

Distribution of Agenda – Copies of the agenda shall be made available to the recording secretary, media and the public concurrent with its delivery to the members of the Select Board. A sufficient number of copies of the agenda shall also be available to the public at the Board meetings. Copies of additional documentation pertaining to items on the agenda shall also be made available to the public at Board meetings. Determination of pertinent items shall be made by the Chairman and/or the Town Manager.

Town Manager Recommendations – All agenda matters relating to the administration of the Town including licensing and permits shall be acted upon by the Board only when accompanied by recommendations of the Town Manager; said recommendations to be made in writing or orally and made a part of the official record of the Board.

Citizens' Petitions and Presentations –

A. Petitions – The Select Board reserves the right to defer action or comment on any matter brought before the Board as part of the Citizens Petitions section of a meeting agenda.

At the Chairman's discretion, and in general to allow full and fair discussion of items previously placed on the agenda, the time of unannounced citizens petitions may be limited.

Matters brought before the Board relating to the administration of the Town shall be referred to the Town Manager for necessary or appropriate action in each individual case.

B. Complaints – All complaints involving Town policies shall be acted upon by the Board when appropriate and, except in the most unusual cases, such action shall be preceded by a report and recommendation of the Town Manager who shall have been given ample opportunity and time in which to investigate and render a report.

C. Further clarification of this section will be made in a later section.

Agenda for Special Meetings – Only matters set forth in the notice of special meetings shall be discussed and/or acted upon during such a meeting. **This provision may not be suspended.**

(Section I.4.3 Amended August 9, 2010)

I.4.4. Miscellaneous

Public Records - State law holds to a broad definition of public records, but generally includes practically all information the Board and the Town staff produces or receives. Exceptions to this are spelled out specifically in the Freedom of Information Act. If a record is withheld, however, the burden is on the withholder to prove that the information it contains is covered by one of the following exceptions:

- A. Records related solely to the Board's internal personnel rules and practices (the Board must show, however, that withholding these records is necessary to the proper performances of its duties)
- B. Personnel and medical files or information.
- C. Any other material related to a specifically named individual that would constitute an unwarranted invasion of personal privacy if disclosed
- D. Certain memoranda or letters relating to policy positions that are being developed (not including reasonably completed factual studies or reports on which policy positions may be based).
- E. Investigatory materials that could prejudice effective law enforcement if released.
- F. Proposals and bids to enter into any contract or agreement (these are subject to disclosure, however, after they are opened publically or after the time for receipt of bids has expired).

- G. Appraisals of real property acquired or to be acquired until either a final agreement is entered into or lawsuits over the appraisal are completed.
- H. The names and address of anyone referred to in applications for licenses to carry or possess firearms or firearms identification cards. The names and addresses of people who sell or transfer firearms, rifles, shotguns, machines guns or ammunition are also exempt from the public records law.

If a Select Board member is in doubt about whether a particular document is public, he/she should consult the Town Clerk, Town Counsel or the public records section of the Secretary of State's office, which has the authority to determine whether a record is public.

Town Employee Appointments – The Select Board may vote on confirmation of appointments of Town employees by the Town Manager to positions below the level of department head at the same meeting at which any such appointment may be proposed.

All other appointments shall be introduced at a regular meeting of the Board, but no action shall be taken until the next regular meeting of the Board.

Town Board / Committee Appointments – As provided in the Town Charter, the Select Board shall appoint a Zoning Board of Appeals, in addition to the Town Manager, Voting Registrars other than the Town Clerk, and the Town Accountant.

The Town Manger shall appoint, subject to the approval of the Select Board, all other officers, boards, committees and employees of the Town. Further clarification of this procedure will be dealt with in a later section.

Transfer from Reserve Fund – Copies of each request for transfer from the Reserve Fund submitted to the Finance Committee by the Town Manager shall be furnished to each member of the Board.

Changes in Town Organization – The Town Manager shall furnish the Select Board with proposals for any changes in Town organizations before they are put into effect. This is for the purpose of keeping the Board informed of matters which, although a responsibility of the Town Manager, inevitably comes to the attention of the Select Board members through other channels.

Conflict of Interest – In those cases in which a matter brought up for consideration by the Select Board conflicts with the personal pecuniary interests of any individual Select Board member, it is the responsibility of that Select Board member not only to abstain from voting on the matter, but also to refrain from participation in the discussion of it for the purpose of influencing the vote of the Board.

Participation in Town Meetings – On those articles of the Warrant for a Town Meeting upon which the Select Board has taken a position, even though that position was decided only by a

single majority vote, individual Select Board member shall refrain from presenting arguments opposing the Board's position on the article.

However, a member who proposes to vote otherwise on an article may, as an individual citizen, go upon the floor of the Town Meeting and, upon recognition by the Moderator, speak from there.

It is also expected that the Town Manager will refrain from taking an opposing position to that of the majority of the Board. The Town Manager may, however, also address Town Meeting from the floor, presenting himself as an individual citizen.

Board Policy Guidelines – In the event that the Select Board chooses to adopt, eliminate or revise a written policy guideline, the procedure established at the beginning of this guidebook shall be followed. In addition, each policy guideline or revision to any guideline, shall be assigned a short title and the date on which any action was taken.

The Town Manager shall maintain an index of all Board policy guidelines as well as a file on all such guidelines. Copies of policy guidelines adopted by the Select Board shall also be placed on file with the Town Clerk and distributed to all appropriate staff and committees.

I.5. INTERNAL OPERATION – MEMBERS’ INTERACTION

The Select Board functions as a body in all policy decisions and all other matters as required by law or determined by vote of the Board in formal Session.

1. The Town Manager shall communicate to the Select Board, via memo on Friday, matters of interest to the Board and/or items pertaining to agenda subjects for the upcoming meeting.

Any individual member of the Board may also take this opportunity to communicate additional items by including memos and other supporting material within the Town Manager’s “packet.” Memos may be submitted to the Town Manager’s office via phone or writing no later than Friday noon.

2. Board members will keep each other informed of all investigations they are conducting or issues they are pursuing that are the concern of the entire Board.
3. Board members agree not to surprise each other by last minute agenda items about which others have no warning or knowledge except in the case of emergency items or those of a strictly routine nature which need action prior to the next schedule meeting.

Whenever possible, Board members who wish to take issue with another member’s conduct, behavior, or procedures will do so first privately with the member concerned or will notify him/her prior to first doing so at a public meeting.

4. When individual members make a request of the Manager for information of concern to the whole Board, the Manager is to report back to the whole board, not only to the member raising the question.

I.6. PUBLIC COMMENT AT SELECT BOARD MEETINGS

All regular and special meetings of the Select Board shall be open to the public. Executive sessions will be held only as prescribed by the statutes of the Commonwealth of Massachusetts.

The Board desires citizens of the Town to attend its meetings so that they may become better acquainted with the operations and programs of the Town. In addition, the Board would like the opportunity to hear the wishes and ideas of the public.

In order that all citizens who wish to be heard before the Board have a chance and to ensure the ability of the Board to conduct the Town's business in an orderly manner, the following rules and procedures are adopted:

1. At the start of each regularly scheduled Board meeting except workshops, individuals or group representatives will be invited to address the Board. The Chairperson shall determine the length of the public participation segment.
2. The presiding Chairperson may limit a speaker's time provided the same limit will apply to all speakers who wish to be heard on the same subject without regard to viewpoint.
3. Improper conduct will not be allowed. Remarks containing obscenities, remarks which constitute threats or fighting words, remarks which are likely to provoke a violent reaction, and remarks which are known to be false are considered improper and will not be allowed. If a speaker persists in improper conduct or remarks, the Chairperson may terminate that individual's privilege of address.
4. All remarks will be addressed through the Chairperson of the meeting.
5. Speakers may offer such criticisms of Town operations and programs as concern them, but in the public comment session the Board will not hear personal complaints regarding Town personnel, except with respect to the Select Board, Town Manager, Town Accountant, the Zoning Board of Appeals, Officers and Registrars of Voters and Department Heads. Administrative channels are the proper means for disposition of legitimate complaints involving Town employees.
6. Written comments may be presented to the Board at the meeting for the Board members' review and consideration at an appropriate time.

I.7. SELECT BOARD RESIDENT COMPLAINT RESOLUTION POLICY

The intent of this policy is to ensure quality service and timely resolutions to conflicts for all residents of Andover.

Internal Department Conflict Procedure

1. Department/Division Heads are responsible for the training of their staffs to ensure that all residents are given consistent, responsible and professional service and that these services abide by Federal, State and local laws and regulations.
2. Department/Division Heads are responsible for remedying conflicts that occur in their offices with residents of the Town.
3. If a conflict can not be resolved at the Department/Division Head level, then a resident shall bring the conflict to the attention of the Town Manager. If the Town manager deems that the Department/Division Head has not been noticed of the conflict, then the Town Manager or a designee shall notify and refer the conflict to the Department/Division Head directly. The Department/Division Head will report back to the Town Manager within 24 hours the result of the resolution.
4. If the problem is not resolved at the Department/Division Head level, then the Town Manager shall intercede and mediate the conflict to a resolution.

Select Board Customer Conflict Procedure

1. If a resident appears before the Select Board with a customer complaint, then the Chairman of the Select Board will inquire whether that person has followed the Select Board's Customer Complaint Resolution Policy.

The Chairman will encourage the person to follow the above Select Board's policy first. The Chairman will inform the person that if he/she is not satisfied with the resolution then they may request, in writing, to appear on a future Select Board agenda under "Citizen Petitions and Presentations". Such requests should contain the following information to help expedite a resolution to the complaint:

- Name, address and telephone number, and/or e-mail address
 - A brief description of the problem/conflict.
 - A brief description of what has already occurred in the resolution process.
2. If the resident appears before the Board with a complaint but has not provided the Board with a written request then the Chairman should request that the person submit the written request per Select Board's policy. The Town Manager will place the issue on the next Select Board's agenda for Board discussion under "Citizen Petitions and Presentations".
 3. Requests must be received by the Town Manager's Office by noon, on the Thursday before the scheduled Select Board's meeting in order for the issue to appear on the

agenda. The request will be placed in the Select Board's weekly information packet for review before the meeting.

I.8. HEARING PROCEDURES BEFORE THE BOARD

Hearings before the Select Board generally shall be conducted in accordance with the following procedures. Variations may be necessary to comply with statutory requirements applicable to particular matters.

1. Agenda - Upon receipt of a request for a hearing, the hearing will normally be included in the agenda for a regular meeting, under the appropriate section.
2. Notice - The Town Manager will be responsible for the advertising of the hearing and the notification of interested persons, such as abutters, as required by statute or as directed by the Chairman in the absence of statutory requirements.

Hearing Procedures:

1. Hearings will be held in open session unless otherwise voted by the Board in compliance with the Open Meeting Law.
2. The Chairman will announce the nature and the purpose of the hearing, identify the particular matter, and recite the notice given. Where appropriate, the Chairman will outline the procedure to be followed.
3. The order of presentation will be:
 - a. Statements by proponents.
 - b. Receipt of recommendations from any Town officer or department.
 - c. Statements by opponents.
 - d. Rebuttal statements by proponents and opponents.
 - e. Where appropriate, questions may be asked of any person making a statement after the statement is finished. Questions will be accepted first from members of the Board.
4. The Board may permit persons not desiring to speak to record themselves as in favor or against the proposal. At the discretion of the Board, a show of hands may be taken.
5. At the conclusion of the hearing, the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

I.8.1 PROCEDURE FOR CONDUCTING UTILITY HEARINGS

1. Open hearing upon petition of Massachusetts Electric Company, New England Telephone & Telegraph Company, etc. for permission to install underground conduit or locate/relocated poles.
2. Confirm that notices have been sent to abutters, as shown on plan of petitioner(s) and that the plan is on file with the Public Works Department.
3. Recognize the representative of the utility company
4. Accept verbal or written recommendation from DPW representative, Town Manager, or other Town officer.
5. Questions from the Select Board
6. Questions from the public
7. Discern if anyone else present wishes to be recorded as in favor or in opposition to the petition
 - Allow questions if applicable
8. Close hearing

I.8.2 STREET ACCEPTANCES

Prior to the acceptance of any street by Town Meeting vote, the Select Board shall hold a public hearing following notification of applicant, property owners, mortgagees, and abutters. The purpose of the public hearing is to determine whether or not the applicant has fulfilled all the requirements for street acceptance according to approved procedures. These procedures, for clarification and reference, follow:

12/9/86

I.8.3 STREET ACCEPTANCE - GUIDELINES AND PROCEDURES (Town Meeting 2008)

The following procedures are to be followed by those developers wishing to submit streets to the Town for acceptance at Town Meeting. It is important that developers, attorneys, and engineers review, understand and follow these procedures in order to ensure an orderly and correct process and eliminate delays to all parties.

Final approval of a definitive subdivision plan by the Planning Board does not constitute the laying out or acceptance by the Town of the streets shown on the plan, nor does final approval automatically entitle the streets to acceptance. The acceptance of a street within a subdivision as a Town way is the financial and legal responsibility of the developer.

There are a number of legal documents and notices pertaining to street acceptance that are to be filed with the Town for review and approval prior to the Select Board's Layout Meeting. In addition all physical (construction) work on the street must have been completed and inspected by the Department of Public Works prior to the Select Board's Layout Meeting.

The developer must submit the following documents and materials:

1. Submit directly to Town Counsel (Carol McGravey, Esq.):

- a. The street deed - An instrument suitable for recording running to the "Inhabitants of the Town of Andover". The street deed shall provide a running description of the street by courses and distances, including bounds and markers, or shall provide such other description acceptable to Town counsel and the Department of Public Works.
- b. Instruments suitable for recording running to the "Inhabitants of the Town of Andover" for all easements which are a part of the street (drainage, water, sewer). These easements must be signed by all parties having any interest or rights (other than the Town) in such easements and all easements and restrictions to be conveyed to the town as shown on the subdivision plan.
- c. A Quitclaim Deed for open space parcels (if applicable) in form acceptable to the Andover

Conservation Commission. (Please contact the Commission for proper form).

- d. Certificate of Compliance showing that all conditions imposed upon the street by the Conservation Commission have been satisfied. (Please contact the Commission for proper form).
- e. Certificate(s) signed by the developer's attorney certifying that all necessary parties have signed all street deeds, easement instruments, and open space deeds. A certification signed by an attorney licensed to practice law in the Commonwealth of Massachusetts as follows:

“With regard to the proposed subdivision known as _____, the law firm of _____ and I hereby certify to the Town of Andover that with the conveyance to the Town of Andover of the following documents listed below and enclosed herewith, the Town of Andover shall have clear, record and marketable title, free of all liens and encumbrances to the:

- (1) fee in the street known as _____; and
- (2) the fee in all open space parcels to be conveyed to the Town as shown on the subdivision plan; and
- (3) all easements and restrictions to be conveyed to the Town as shown on the subdivision plan.

The documents are: _____”

- f. Names and Addresses of each property owner and mortgagee having rights or interests in the streets, easements, and open space, and the names and addresses of each abutter thereto, along with a Request for a Public Hearing by the Select Board for Street Acceptance pursuant to Massachusetts General Laws, Chapter 82, Section 22.
- g. Certificate of Notice signed by the developer's attorney that all property owners, mortgagees, and abutters have been notified of a Public hearing pursuant to the provisions of Massachusetts General Laws, Chapter 82, Section 22 with a return to the Board not less than seven (7) days before the public hearing, said notice to be in the following form:

"Notice is hereby given that the Select Board of the Town of Andover will hold a public hearing on ____ (date) ____ in the ____ (location) ____ on the matter of the layout of ____ (name of street) ____ as a public way."

2. Submit directly to the Department of Public Works (Brian Moore, P.E.):

- a. Two (2) Mylar plan copies and two (2) paper copies showing the street(s) to be accepted. This plan shall be entitled "Street Acceptance Plan" and shall show the street(s) and all appurtenant easements by courses, distances, and bounds. (Contact the Public Works Department for details).
- b. As-built utility plan showing all information required under Section VII.W. of the Subdivision Rules and Regulations. (Contact the Public Works Department for details).
- c. Copies of street deed(s), quitclaim deeds, and easement instruments as provided to Town Counsel.

3. Submit directly to the Planning Department (Jacki Byerley):

- a. Certification signed by the developer's attorney that all documents, notices, and plans required under numbers 1. and 2. above have been submitted to the appropriate parties. This certification shall include the date on which the materials were delivered.

SPECIAL REQUIREMENTS:

1. For streets within a subdivision, title to which or any portion of which has been registered under Massachusetts General Laws, Chapter 185 by the Land Court, the developer shall submit an easement reading as follows:

"An easement running to the Inhabitants of the Town of Andover for all purposes of a public way or street including the right to install, repair, maintain, alter, and operate sanitary sewerage, drainage, water lines and other appurtenant utilities in, into, upon, over, or across said land as shown on Land Court Plan No. _____ (sheets _____) filed in the Essex County North District Land Registration Office in Land Court. Book No. _____, Page _____. All of said boundaries are determined by the Court to be located as shown on Subdivision Plan No. _____, drawn by _____, dated _____, as modified and approved by the Court, filed in the Essex County North District Land Registration Office, a copy of which is filed with Certificate of Title No. _____."

2. All fees and taxes owned to the Town including all property taxes owned to the town for open space lots, if any, must be paid in full before the streets will be recommended for acceptance. A municipal lien certificate for the property must be submitted by the applicant..
3. Within thirty (30) days of Town Meeting acceptance of the street(s) the Planning Department will file the appropriate deeds and instruments at the Registry of Deeds. The developer is responsible for the costs associated with recording. The Planning Department will contact the developer to make arrangements for checks and payments. All checks and payments shall be delivered to the Planning Department prior to the Select Board's Layout Meeting.

IMPORTANT NOTICE:

The developer will be given opportunity to correct or make any necessary changes to legal documents and notices after review by Town Counsel and the Town Engineer. A date will be given by which all revised documents must be returned for final review, after which no new submissions may be made.

The Select Board will hold a hearing to consider "laying out" those streets that are scheduled to be voted on at Town Meeting. The developer will be notified in advance of the date of the Layout Meeting. During the layout hearing reports and recommendations will be made by the Public Works Department and the Planning Department with respect to the completion of a street (construction and documents). A negative recommendation from either the Public Works

Department or the Planning Department means that the Select Board will not vote to lay out the street, and consequently the street cannot be voted on at Town Meeting.

It is incumbent upon the developer to ensure that all performance guarantees (bonds) are valid and in effect through the date of Town Meeting, and if not must request an extension of time from the Planning Board.

I.9. EMPLOYEES OF THE BOARD

The Select Board shall appoint a Town Manager, as provided in Section 6 of the Town Charter, who may thereafter be removed as provided in Section 8.

Furthermore, the Charter provides that the Board also appoints a Zoning Board of Appeals, Voter Registrars other than the Town Clerk, and the Town Accountant. These officials may, after such notice and hearing as the Board may deem advisable, remove any person so appointed for cause.

The following section briefly describes the appointment, powers, duties and qualifications, where applicable, of these appointments.

I.9.1. TOWN ACCOUNTANT

Work Definition:

Professional accounting work of a supervisory and participatory nature with responsibilities for maintaining financial records and supervising and controlling expenditures of all Town funds; all other related work as required.

Distinguishing Characteristics:

Appointed by the Select Board, works under the administrative direction of the Town Manager, and under policies established by the Select Board but with duties and responsibilities as defined by the General Laws of the Commonwealth, By-Laws of the Town, and GAAF and UMAS standards.

Performs a variety of complex and highly responsible duties in ensuring that all municipal transactions conform to law and to good municipal account practices.

Supervises five or fewer employees.

Must be aware that errors could be costly in terms of improperly authorized expenditures.

Makes frequent contact with all Town departments, and relevant staff officials and bureaus.

Example of Work:

Maintains Town and School financial records to insure compliance with applicable state, federal, and local laws and regulations.

Supervises expenditures of all Town funds; encumbers purchase orders, examines all vouchers, department bills and payrolls and, as approved, draws warrants on the treasury for approval.

Assist in annual state audits; prepares monthly departmental statements of cash receipts, expenditures, and unexpended balances.

Maintains subsidiary and control accounts for all Town and school grants and revolving accounts; insures that all monies are expended in accordance with the particular grant documents and that there are sufficient funds to make payment.

Compiles and submits year-end financial statements; makes a comprehensive annual report indicating the year's transactions and financial position of the Town at close of the year.

Serves as secretary (ex-officio) of the Retirement Board; responsible for the daily operation of the retirement system.

Education and Experience:

College graduate with a major in accounting and five years professional accounting experience, including experience in municipal accounting; or any equivalent combination of education and experience.

Knowledge, Ability and Skill:

Thorough knowledge of municipal accounting principles and practices and budgetary functions; considerable knowledge of the organization and operation of Town departments and of legal controls over municipal finance in the Commonwealth. Ability to analyze and interpret accounting data and to present reports of findings and recommendations. Ability to meet and deal with people appropriately and effectively.

I.9.2. TOWN MANAGER

Work Definition:

Administrative and supervisory work in directing the activities of all of the Town's Departments, commissions, boards and officers except those excluded by law; all other related work as required.

Appointment:

The Select Board shall appoint a Town Manager in accordance with the Town Manager Act of the Town Charter. The Select Board shall set his compensation, subject to Town Meeting appropriation, and such other terms and conditions of employment that they may, from time to time, deem advisable. Such terms and conditions shall not be in conflict with the Town Manager Act, Town By-Laws or any other special or general law.

Powers and Duties:

The Town Manager shall have the powers and duties as delineated in the Charter and as required by those sections of the General Laws relating to Towns with Town Manager forms of government. The Town Manager shall perform such other duties that, from time to time, may be requested by vote of the Board. He shall attend all meetings of the Board, shall keep the Select Board fully advised of the need of the Town, and shall recommend to the Select Board for adoption such measures requiring action by them or by the Town as he may deem necessary and expedient.

Distinguishing Characteristics:

Exercise administrative authority over the operations of the Town of Andover in conformance with policies and objectives set forth by the Select Board and laws of the Commonwealth.

Supervises approximately fifteen administrators and department heads with final responsibilities for more than 500 full time employees.

Performs professional municipal management duties of a highly complex and responsible nature in planning and directing the Town's activities.

Exercises considerable judgment in making administrative decisions when carrying out Town Policy and overseeing municipal activities by exercising authority and accepting responsibility for planning, operation and oversight.

Makes frequent contacts with local, state, and federal officials, local business and community leaders, town employees and department heads, and the general public.

Must be mindful that errors in administration and judgment could have far-reaching effects on the Town's ability to deliver services and/or have direct financial and legal repercussions.

Example of Work:

Plans, directs and supervises the Town's departments, commissions, boards and offices; serves as legislative liaison with various state and federal organizations; establishes goals and analyzes and evaluates programs.

Prepares, documents and presents the Town's annual budget; prepares, prints and distributes the Town's Annual Report and warrants for Annual and special Town Meetings.

Acts as the Town appointing authority; bargains with employee unions.

Performs a vital public relations function for the Town in dealing with the complaints, criticism and suggestions of citizens, business, industry developers and builders.

Education and Experience:

Master's degree in public administration desirable; five years experience as a Town Manager or Assistant Town Manager; or equivalent combination of education and experience.

Knowledge, Ability and Skill:

Working knowledge of municipal finance, budgets, personnel policies and practices, collective bargaining, state and federal agencies (as they relate to municipal government) and Town By-Laws and State laws. Ability to direct the work of professional and non-professional subordinates. Ability to represent the Town appropriately and effectively. Ability to perform organizational development tasks as needed.

I.9.3. BOARD OF REGISTRARS

Every city and town must have a Board of Registrars or Election Commission whose responsibilities include registering voters, making local listings of residents, certifying nomination papers and petitions, processing absent voter applications, and administering election recounts. The following describes the Board of Registrars as it applies to the Town of Andover – how the members are appointed, how the Board is structured, how it functions, and what qualifications apply to the individual members.

Board of Registrars with Town Clerk as Member (Chapter 51, § 15 MGL)

The Board of Registrars in the Town of Andover is a four member Board of which one member is the Town Clerk. The other three members are appointed by the Select Board from lists submitted by the town committees of the two leading political parties (Democrats and Republicans). If no list is submitted within 45 days after the party chairman is notified by the Select Board by certified mail, and appointments are made by the Select Board without reference to the lists.

Typically, one member is appointed (or reappointed) each February or March for a three-year term to begin April 1. The Town Clerk becomes a member of the Board automatically as he/she is sworn in to that position.

Chapter 51, § 18 and 19 – The Board of Registrars must always contain representatives of the two leading political parties (Democrats and Republicans) and no more than two members of each. The party enrollment of the Town Clerk affects the membership of the Board. If the appointment of the clerk would cause more than two members to be from the same party, the appointed member of the registrars with the shortest term left to serve and enrolled in the same party as the clerk would be removed by the Select Board (after written notice and hearing) and a new member would be appointed from a different party than that of the clerk.

The General Laws specifically outline qualifications for Registrars and enumerate other offices they may or may not hold. In addition, there are positions which registrars should avoid holding due to possible conflict of interest. Registrars must meet the following qualifications:

Qualifications:

- 51 § 25 - Must be a registered voter in the Town of Andover.
- 51 § 25 - Must hold no other public office by public election or direct appointment by the Select Board in the Town in which he/she is registrar.
- 51 § 25 - Must hold no public office other than justice of the peace, notary public, or militia officer by public election or appointment by the federal government or by the Commonwealth.
- 51 § 25 - If a registrar accepts any such appointed or elected office, he/she may no longer serve as a registrar and the office is vacated. A registrar may run for and hold office as a member of a home rule charter commission or town meeting member.
- 51 § 23 - Must subscribe an oath to faithfully perform the duties of registrar.

Registrars should not serve as election workers. However, if a registrar has served as an election worker, he/she should disqualify him/herself should a recount occur. It should be kept in mind that in such a case the Select Board should temporarily fill any vacancy in the Board so as to maintain the representation of political parties for the recount. It is the sound practice to avoid potential conflicts of interest such as those which might occur if a person were both an election officer and a registrar.

Vacancies:

Vacancies on the Board of Registrars which occur between the regularly appointed terms may be filled in two ways:

51 § 15 - An appointment may be made in the same manner as the original appointment, but only for the remainder of the vacated original term. Vacancies in the Town of Andover are filled by the Select Board from a list of three voters from Andover submitted by the town committee of the political party from which position is to be filled.

51 § 20 - A temporary appointment to fill a position for a limited time may be made by the Select Board upon written request of a majority of the Board of Registrars. This type of appointment may be made in cases where the vacancy occurs because of the registrar's absence from the Town of Andover, retirement, death, or inability to perform his/her duties.

Assistant Registrars and Absent Registration Officer:

51 § 22 - Registrars may appoint assistant registrars for one-year terms which begin on April 1, to assist the registrars as they deem best. The assistant registrars must equally represent the two leading parties. Assistant registrars are subject to all of the same qualifications as registrars.

51 § 22 - Registrars may appoint temporary assistant registrars from time to time, to assist in street listing and in the registration of voters. They must equally represent the two leading political parties.

51 § 22A - Registrars may appoint absent-registration officers to assist them in registering physically disabled voters. They must equally represent the two leading parties.

51 § 24 - Registrars may have their duties performed by the assistant registrars under their direction.

51 § 33 - All acts of a single registrar, assistant registrar, or absent-registration officer are subject to acceptance of the full Board of Registrars.

51 § 42E - Registrars must appoint an assistant registrar to be available to each high school to register eligible students and employees of the high school. An assistant high school registrar may register students from any city or town. Special "out of town" voter registration forms must be used to register students who reside outside the registrar's city or town. Names of three employees of each school are submitted to the registrars by the principal as possible candidates.

I.9.4. ZONING BOARD OF APPEALS

The Andover Zoning Board of Appeals consists of five (5) regular members and four (4) associate members, from whose membership a Chairman and Clerk are chosen. Other officers may be chosen as the Board of Appeals deems necessary. Meetings/hearings are held on the first Thursday evening of the month, with deliberation meetings the Saturday immediately following.

To insure consideration of all citizens interested in serving on the Zoning Board, impending or actual vacancies on the ZBA will be announced in the local papers, and public interviews will be held by the Select Board.

In general, the interviews will take place at ten-minute intervals prior to a regular meeting of the Select Board.

Those persons not receiving an appointment after the first interview may request consideration for future openings, but will not be required to come before the Board for further interviews.

Public consideration and announcement of the appointment will generally take place at the first regular meeting of the Select Board following the date of the interviews.

It is highly desirable that the Zoning Board of Appeals should include persons with various specialties, including: engineering background, legal training and experience, environmental and/or conservationist experience, and architectural and/or design training.

Procedures for the Zoning Board of Appeals, revised in 1981 and under which the members operate follow.



Select Board Meeting

Monday, April 14, 2025 6:30 PM
Select Board Room, Town Offices
36 Bartlet Street Andover, MA 01810

I. Call to Order – 6:30 P.M.

The Chair, Laura Gregory, called the Select Board Meeting of Monday, April 14, 2025 to order at 6:30 PM.

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

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

II. Executive Session

A. The Board unanimously voted to go into Executive Session pursuant to option 2 to conduct strategy sessions in preparation for negotiations with nonunion personnel, i.e., the Town Accountant, for the Chair to declare that an open session may have a detrimental effect on the negotiating position of the Town; and/or option 6 to discuss the purchase, exchange, lease or value of real property, for the Chair to declare that an open session may have a detrimental effect on the negotiating position of the Town, the Chair so declared. The Board voted to go into Executive Session pursuant to purpose 7 to approve and not release Executive Session minutes of March 27, 2025 and March 31, 2025; and return to open session. The Board returned to Open Session at 7:00 PM.

III. Opening Ceremonies 7:00 PM

The Select Board Meeting of April 14, 2025 began with a Moment of Silence followed by the Pledge of Allegiance and the reading of the Proclamation for the Commemoration of the Armenian Genocide.

IV. Town Manager Report

Town Manager Flanagan reported that a third public meeting on the status of the transition to automated trash and recycling pickup was held last week which was well attended. The Town Manager appreciates DPW Director, Carlos Jaquez for leading the session which are available on Andover tv.org.

The next session will be held at the Ballardvale Fire Station on Tuesday, April 22, 2025 at 6:30 PM with the new trash/recycling buckets on hand for residents to see. Their first direct mail piece has gone to the printer and will be going to all households and contains a lot of good information.

Town Meeting will be held on Tuesday, April 29th in the Collins Center Auditorium starting at 7:00 PM. The Finance Committee Report will be posted to the Town website later this week and has gone to the print to be mailed to all households.

The Town Meeting preview will be held Thursday, April 24, 2025 at 7:00 PM in the Select Board Room on the third floor of Town Offices.

They are producing a series of videos on key articles and released one the opt-in

Specialized Energy Code last week. The second video to be released tomorrow will focus on the Central Street Historic District with more to come over the next two weeks. The second edition of “Town Manager Talk” which will touch on other articles.

Annual Town Meeting Review: will be held in the Select Board Room on Thursday, April 24, 2025 at 7:00 PM with Department Heads in attendance.

Reuse of Shawsheen School: The second Public Meeting will be held on Wednesday, April 16, 2024 at 6:30 PM at the Memorial Hall Library to address the questions from the March 4th meeting.

Andover Public Works will be hosting two events in honor of Earth Day and Arbor Day this month. The Annual Earth Day Neighborhood clean-up will be held on Saturday, April 19th from 8:00 am-12:00 PM and the Arbor Day Celebration will be held on April 25th at the entrance of Spring Grove Cemetery. DPW will be plant a River Birch tree and distributing Holly Winterberry seedlings to attendees.

Andover Youth Services will be joining Andover WeCan in hosting the second Youth Sustainability Fair on Saturday, April 26th from 1:00-3:00 PM at the Cormier Youth Center.

The Town Manager reported on the goal to provide professional development activities for Town Departments and who have done a great job of identifying the activities which will be presented in a memo format to the Board and an update at the next regularly scheduled Board meeting.

Director of Sustainability, Joyce Losick-Yang will be moving on from the Town to pursue a new professional opportunity as the director of decarbonization for New Ecology, which is a non-profit focused on low-income housing development. Joyce has been a valuable member of the Town Manager’s Team and who has applied for and received approximately \$3M in grants and a major driving force behind our first Climate Plan. The Town Manager is very grateful for Joyce’s service to the Town of Andover.

V. Communications/Announcements/Liaison Reports

Mike Lindstrom reported that the 4th Safety Forum on Elm Square was held last week. They reviewed a summary of the completed action plans to date and took the six alternatives presented in late fall and the feedback received since June of 2023. He also talked about what they can do with the channelized/slip lanes and creating the one-stage pedestrian crossing so people are not getting stuck waiting for two lights in Elm Square.

They are going to look at the curbing that will encourage larger trucks to take alternate routes. Funding for the final improves is included in the CIP for approval at Town Meeting and if all goes well, will be constructed in the 2026. Thank you to everyone who participated in this endeavor.

Patrick Lawlor reported that the Finance Committee Report for Town Meeting will be available on the Andover Website starting on Wednesday @andoverMA.gov/fincom report and at the Post Office on Friday.

Austin Simko reported that the next installment of Coffee with the Planner will be held next Wednesday morning at 9:00 AM at the Robb Center. It is an informal event with

staff and Committee members on hand to answer questions on zoning or related Town Meeting articles.

Ellen Towson reported that the State SNAP System will be down starting at 11:00 PM on April 26th until approximately mid-day on Sunday, April 27th. Any questions, call Project Bread at 1-800-645-8333 or send an email to Ellen. The Farmer's Market is starting up on June 21st and will be held outside of Town Offices near the Park from 10:00 AM-1:00 PM and Snap cards can be used there and at Farmer Dave's.

Alex Vispoli reported on the number of DPW trucks that have been out repairing the roads from the damage from this winter. He also asked the Town Manager about the last Citizen Survey when it was done which the Town Manager said was in 2020. Hopefully, we can get UMass/Lowell participate again. Kevin Coffey said it might be an opportunity to reach out to Somerville regarding their survey and he would be pleased to make an introduction if that is something Andover would like to do. Andrew would like to connect with them.

Kevin Coffey shared that the Board received a letter from Bill Mounts today expressing concern about power work going on that is touching conservation land. Austin Simko investigated and reported that they had members of the Conservation Team there twice today. National Grid, which has an easement there and is doing the work, and provided notification to the Conservation Committee and are entitled to do the certain work others might not be able to do. The work has started and the letter states that the work will be done by the end of the month and there will be a meeting tomorrow night to discuss with National Grid. They did not see evidence of debris getting to the wetlands, other items of concern they were able to validate.

Melissa Danisch encouraged people to sign up for Earth Day to do some neighborhood clean-up. Everyone will miss Joyce Losick-Yang; we have some big shoes to fill!

Laura Gregory talked about this being her last regular Select Board meeting as Chair prior to Town Meeting. The leadership is changing following Town Meeting, Alex Vispoli will be the new Chair. Laura reaffirmed her commitment of the Town to bolster sustainability and DEI creating an environment where everyone feels safe and valued. Andover has made meaningful strides in advancing DEI.

VI. Public Comment - None

VII. Public Hearings

A. Cable Public Hearing

The Chair read the statement regarding the Select Board Public Hearing on Town of Andover Comcast license renewal process for purpose of allowing the public and interested persons to provide comments on Town and public cable needs. Andover's Cable License is due to expire on October 14, 2027. Notice of the hearings were printed in the Andover Townsman. She thanked Comcast for their participation and assistance in the on-going license process. Comments from the public may address all Comcast cable related matters including but not limited to customer service, license administration, the Town's needs regarding the local studio, community needs, and maintaining support for the Town's very important and video capabilities and local channels. Written comments can be sent to Patrick Lawlor.

Atty, Bill August, Andover's Cable Counsel, will work with Kerry Morris from Comcast who handles government affairs addressed the Board to listen to what the Community's needs are in Andover.

Wess Murphy, Executive Director of Andover TV provided an update on Andover TV, staffing, broadcasting. PEG Access consists of public information and government. In the last 5-years they covered 33 different Board Meetings and provided support to the Memorial Hall Library, Town Meetings and started live captioning about five years ago. And started the program Positively Andover and just started the Town Manager Talk Show.

They have a robust TV Studio at AHS overseen by Dan Brennan with about 250 kids going through the program and have seven live broadcast sites that they maintain. Dan Brennan spoke about the video classes he teaches at Andover High School and that he joined the Board in 2008 when they became a non-profit. Mo Murphy, works with a group of AHS seniors who put on a half-hour television show called "Something about Andover" and with guidance from Wess Murphy Comments can be sent to Patrick Lawlor at patrick.lawlor@andoverma.us

Alex Vispoli said he has received correspondence from residents about reducing the cost of Comcast packages, which is not under the Select Board's purview. Kerri said they have a lot of programs with digital equity, and would be happy to share that information with the Board. The Town does not have any authorization for rate increases.

VIII. Regular Business

Andover MP3 LLC, doing business as Perry's Plate, located at 89 Main Street, Andover, for a Permanent Alteration of Premise of its All-Alcoholic Beverages On-Premise "Pouring" License. Matthew and Elizabeth Perry, owners of Perry's Plate presented their request (outside area is on Town owned property). Austin Simko spoke to the request and said they are handling it as efficiently as State-law allows.

Alex Vispoli moved the Board approve the above request. The motion was seconded by Melissa Danisch and voted 5-0 to approve.

A. Alcoholic Beverages License – Event on Town Owned Property

Board to discuss and consider voting to approve an application from MP Golf, LLC, dba Matchplay Golf and Sports Lounge, located at 209 North Main Street, Suite 60, Andover, for a Wine and Malt One-Day Liquor License for use on Town property for the Colleen Ritzer Memorial Run. This is for a specific event outdoor on Town property.

Andrew Zapalla, owner of MP Golf, LLC, shared a power point of the floor plan, security plan, emergency evacuation plan, and event details for the Board's consideration.

The race starts at 9:00 AM.

Alex Vispoli moved that the Board approve the application from MP Golf, LLC, dba Matchplay Golf and Sports Lounge, located at 209 North Main Street, Suite 60, Andover, for a Special one-day alcohol license policy and application for a Wine and Malt Liquor License policy and application for outdoor events on Town property for the Colleen Ritzer Memorial Run This is for a specific event outdoor on Town property.

B. Alcoholic Beverages License – Event on Town Owned Property

Board to discuss and consider voting to approve an application from Oak & Iron Brewing Co., located at 18 Red Spring Road, Andover, for a Wine and Malt One-Day Liquor License for use on Town property for Clown Town on May 16, 2025 and May 17, 2025. The Board had a lengthy discussion on approving the request due to it being a family/children event and discussed having a two-drink limit and having police and fire on hand. Officer Ota said they will have two police on the premises.

Ellen Townson moved that the Board approve the application from Oak & Iron Brewing Co., 18 Red Spring Road, Andover, MA, for a Wine and Malt One-Day Liquor License for use on Town property under Section XI.2.N “Special One-Day Alcohol License Policy and the Application for Outdoor Events on Town-owned Property,” where the event will be “Clown Town” located at Town Park, 34 Bartlet Street, and where the manager of the liquor license will be Jim Cass; provided that all conditions of the Town are met prior to issuance and that the liquor license would apply to Saturday only from 12:00 PM to 8:00 PM with a two drink limit. Motion seconded by Alex Vispoli and voted 2-3 to approve. Motion failed.

Melissa Danisch moved to approve the application from Oak & Iron Brewing Co. and that all conditions of the Town are met and that there would be a maximum of a two-drink limit on each day. Motion seconded by Kevin Coffey and voted 4-1 to approve.

Melissa Danisch moved to amend the motion to two days with a two-drink limit. Motion voted 5-0 to approve.

Andover Police Officer Glen Ota said they will have two officers on hand and another detail at the Beer Garden.

C. Alcoholic Beverages License – Event on Town Owned Property

Board to discuss and consider voting to approve an application from Oak & Iron Brewing Co., located at 18 Red Spring Road, Andover, for a Wine and Malt One-Day Liquor License for use on Town property for Concerts in the Park and at Pomp’s Pond.

Justin Eisenberg from Oak and Iron reported on the request which included a visual of the location. This would be a joint effort with Andover Recreation who will be monitoring immediate entry. Oak and Iron servers would be checking ID’s at their table and using a wrist band to monitor the number of drinks. All beer would be transported by Oak and Iron staff only. Food would be handled by food trucks. The presentation also included a visual of the security plan and where barriers will be set up.

Joe Connelly, Director of Recreation, provided input on the request and the blocking off of the pathway in The Park for people who sit facing the band and also the setup for concerts held at Pomp’s Pond. There will also be a police detail on hand.

Kevin Coffey moved that the Board approve the application from Oak & Iron Brewing Co., 18 Red Spring Road, Andover, MA, for a Wine and Malt One-Day Liquor License for use on Town property under Section XI.2.N “Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property,” where the event will be “Concerts in the Park” located at Pomp’s Pond, 147 Abbot Street, on June 18, 2025 and at

Town Park on Bartlet Street on June 25, July 2, July 9, July 16, July 23, July 30, August 6, August 13, and August 20, 2025, and where the manager of the liquor license will be Jim Cass; provided that all conditions of the Town are met prior to issuance and with two conditions approved by the Board that the front of the alcohol area in The Park will be no closer to the red brick area around the gazebo than 30' and with the additional condition that in addition to the one detail officer provided by the Town, the alcohol providers will provide another detail officer inside the alcohol perimeter and added to the motion there be a maximum of three drinks combined between the brewery and the winery allowed.

Alex Vispoli suggested the request be tabled until the next meeting and for Joe Connelly provide an outline of the area of the event and where there will be a dedicated detail in each of the areas provided by the providers and a three-drink combined limit. Motion seconded by Ellen Townson and voted 5-0 to approve.

D. Alcoholic Beverages License – Event on Town Owned Property

Board to discuss and consider voting to approve an application from Marble Ridge Winery, located at 11 Marble Ridge Road, North Andover, for a Wine and Malt One-Day Liquor License for use on Town property for Concerts in the Park and at Pomp's Pond with a three-drink limit. Andover Recreation will be manning the entrance and exits to ensure no drinks leave the area.

Alex Vispoli would like to see the new layout of where the fence will be for the concert and to also look at the sand 'piece' at Pomp's Pond. The Board's decision is to table the vote until the next meeting and that the providers show additional detail in both areas. Ellen Townson would like more information on how they accommodate people with strollers at Pomp's Pond.

Kevin Coffey moved that the Board approve the application from Oak and Iron Brewery at 18 Red Spring Road, Andover, Mass for a wine and malt one day liquor license for use on Town owned property under Section 112 and a Special One-day Alcohol License Policy and application for outdoor events on town-owned property where the events will be Concerts in the Park located at Pomp's Pond, 147 Abbott Street on June 18 2025 and at Town Park on Bartlett Street on June 25, July 2, July 9, July 16, July 23, July 30, August 6, August 13, and August 20, 2025 and where the manager of the Liquor License will be Jim Cass provided that all of the conditions of the Town are met prior to issuance and with two conditions approved by the Board, 1) that the front of the alcohol area in The Park will be no closer to the red brick area around the gazebo than 30 feet, and (2) that in addition to the one detail officer hired by the Town, the alcohol providers will cover the cost of another detail inside the alcohol perimeter. There will be a maximum of three (3) drinks per person combined between the Brewery and the Winery. Motion seconded by Melissa Danisch. Alex Vispoli pointed out that there is going to be a change in the footprint with a dedicated detail in each of the areas provided funded by the providers. The Board voted 5-0 to approve.

Ali Procopio representing Marble Ridge Winery, North Andover, MA, is requesting a Wine and Malt One-Day Liquor License for use on Town property under Section XI.2.N "Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property," where the event will be "Concerts in the Park" located at Pomp's

Pond, 147 Abbot Street, on June 18, 2025 and at Town Park on Bartlet Street on June 25, July 2, July 9, July 16, July 23, July 30, August 6, August 13 and August 20, 2025, and where the manager of the liquor license will be Elbridge Leland; provided that all conditions of the Town are met prior to issuance. There will be a 3-drink limit between the two alcohol providers. Andover Recreation will man the entrance/exit area to ensure that no alcohol leaves the area. Their servers are all TIP certified.

Kevin Coffey moved that the Board approve the request of Marble Ridge Winery, for a Wine and Malt One-Day Liquor License for use on Town property under Section XI.2.N “Special One-Day Alcohol License Policy and outdoor events on Town-owned property, where the events will be concerts in the Park located at Pomp’s Pond, 147 Abbot Street on June 18, 2025, at Town Park on Bartlet Street on June 25, 2025, and July 2, July 9, July 16, July 23, July 30 2025 and , August 6, August 13, and August 20, 2025 and where the manager of the liquor license will be Albert Leland provided that all conditions of the Town are met prior to issuance and with the three conditions that in the Park, the liquor area is not closer than 30’ to the bricks surrounding the gazebo and that the suppliers, together or separately provide an additional detail officer within the alcohol area on top of the officer the Town is providing for the general event and that the number of drinks will be three (3) per person combined between the two providers. Motion seconded by Melissa Danisch and voted 5-0 to approve.

E. Alcoholic Beverage License Policy

Board to review and consider voting to amend the Town’s Alcoholic Beverage License Policy with regard to Special “One Day” Licenses and Farmer Market Permits.

Austin Simko reported on this item and delegating authority which is in response to the Board’s request. Changes are in Part G, Special License Farmer Winery and Farmer’s Market Permit was signed into State Law on November 20, 2024 and we are now bringing our language into compliance with that new statute. Part G and M are responding to the State Law and allows farmer’s brewers and distillers to sell closed alcohol at a Farmer’s Market (not pouring). Part M updates the name of the license in the fee schedule. Parts F, L, and M, are totally discretionary on the part of the Board. Part F – is a one-day license on private property and parts L and M are about public property and have to meet all requirements and are issued by the Town Manager.

Town Counsel said that Chapter 138 does not provide for any explicit authority for delegation. In Andover, the local licensing authority is the Select Board and they should think about what Town Counsel reported on the differences of the licenses. Austin Simko is saying is that in repeated engagements the ABCC, believes that there is some sort of discretion. The Board is the local license authority and they should think about the distinction between the one-day licenses and certain other limited category of licenses; some of which require a hearing (these do not) most of the licenses require subsequent ABCC approval and there should be some discretion in practice and inter-departmental review. The Board had a lengthy discussion on this topic. They will have a first and second reading.

Ellen Townson moved that the Board approve the following amended sections of the Town’s Alcoholic Beverage License Policy as proposed: Sections G “Special License: Farmer-Winery & Farmer’s Market”; Section M, fees a “Alcoholic Beverage Licenses and Section F: Events with alcohol Section M “Fees: Alcoholic Beverage Licenses” and

Section N “Special One-Day Alcohol License Policy & Application for Outdoor Events on Town Owned Property.” Motion seconded by Melissa Danisch and voted 5-0 to approve.

F. Andover Elder Services Supportive Day Program

Board to receive a presentation from the Director of Elder Services regarding the Supportive Day Needs Assessment and Final Report.

Jane Burns, Director of Elder Services for the Town of Andover talked about the Supportive Day Program at the Robb Center. Her presentation included information on the Supportive Day Program which is a fee-based Social Program that enhances lives for seniors through social engagement and programming and have a nurse on staff one-day per week. The Program operates Monday through Friday from 8:30 AM to 3:00 PM with full and half day options available. They also provide transportation.

The Program is Self-sustaining Program operating through program fees and support from a State Grant that covers salaries and expenses. Participants are typically adults age 50 and older and somewhat independent. It is a program for adults seeking structure and organized activities. The maximum participants they can accommodate per day 12. They do not medicate people or have a nurse on hand.

This is one of three programs in the Merrimack Valley. The average age of participants is age 81 who have some sort of mild cognitive impairment or memory loss. In March of 2024 they received a \$45,000 grant from the Office of Aging and Independence and reached out to U/Mass Boston Gerontology Institute who previously did a needs assessment in 2015. The intent was to identify and understand the evolving needs of the community for caregiving and Supportive Day. They held three Focus Groups and sent out a survey with 1,076 responses from 98% of Andover residents and 431 people who identified as being a caregiver within the last five years. The survey was translated into Traditional Chinese.

In-home care is highly sought after. The caregiver’s greatest concern is being able to remain to living in the community due to taxes, cost of living and housing. Caregivers provide over 20-hours a week to handle the needs for people with mobility impairment, dementia, chronic disease, forgetfulness/confusion, etc. They received a grant from MassDOT to help with transportation. The Robb Center’s focus is on developing a Home Care Program with the opportunity to participate in programs at the Robb Center and/or have services at home which would be fee-based. They are in the process of their policy development and beginning in June, they will provide a program to Connection’s New enrollment for Andover participants will begin in August.

G. Town Accountant Contract

Board to consider voting to approve and authorize the Town Manager to sign a contract between Hayley Green and the Town for the period of July 1, 2025 through June 30, 2028.

The Town Manager spoke to this item providing Haley’s work history and his recommendation. The Town Accountant reports to the Select Board and is the head of the Retirement Board.

Alex Vispoli moved to authorize the Town Manager to sign a contract between Hayley Green and the Town for the period of July 1, 2025 through June 30, 2028.

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

H. Amendments to Traffic Rules and Regulations

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

1. Schedule 3, Article VII, Section 9 – Isolated Stop Signs

Location: Arcadia Road at Sunset Rock Road

Amend to: Isolated stop on Arcadia Road at Sunset Rock Road

Alex Vispoli moved to approve the amendments to the Traffic Rules and Regulations of installing an isolated stop sign on Arcadia Road at Sunset Rock Road as presented by the Andover Safety Officer Glen Ota. Motion seconded by Melissa Danisch and voted 5-0 to approve.

I. Bond Anticipation Note

Board to approve short-term borrowing as explained by the Town Manager.

Melissa Danisch moved that the Select Board adopt the vote approving the sale and other matters relating to the Town’s \$400,000 General Obligation Bond Anticipation Note dated April 24, 2025 as detailed in the vote drafted by Bond Counsel and presented in written form to all members of the Board.

Motion seconded by Alex Vispoli and voted 5-0 to approve.

J. Select Board Policy Updates- Prioritization and next steps for development.

Town Counsel Doug Heim reported on the Select Board Policy updates, requests and recommendations. He suggested they start with the Board’s first priority which is the revise the Board’s Operations: Officers, Employees, and appointments, and to formally retire superfluous Board Operations: Procedures, Powers and Values on May 13, 2025. The second priority for the June 5, 2025 Board Meeting would be Finances and Investments and Water and Sewer Policies and update and identify the Board’s next priorities for revisions and any new policy considerations.

Alex Vispoli moved that the Board adopt the Policy Revision updated schedules as recommended by Town Counsel for May 13, 2025. Motion seconded by Ellen Townson and voted 5-0 to approve.

IX. Approval of Minutes

- A. Board to approve minutes from the from the following meetings with revisions. Meeting of Thursday, March 27, 2025: Revisions to update Page two Select Board Members.

On a motion by Alex Vispoli and seconded by Ellen Towson, the Board voted Voted 4-0-1 to approve. Kevin Coffey abstained.

X. Consent Agenda

- A. Appointments by the Town Manager

On a motion by Alex Vispoli and seconded by Melissa Danisch, the Board voted 5-0 to approve the following appointments by the Town Manager

Commission	Name	Position	Expiration Date	Start Date
Commission on Diversity, Equity & Inclusion	Maya Goyal	Associate Member	06/30/2027	04/15/2025

XI. Adjourn

At 10:35 PM on a motion by Alex Vispoli and seconded by Ellen Townson, the Board voted 5-0 to adjourn the meeting of April 14, 2025. moved that the Board adjourn the meeting of April 14, 2025

Respectfully submitted

Dee DeLorenzo

Recording Secretary

Andover Select Board Meeting Minutes
April 29, 2025

Select board Members in Attendance: Chair Laura Gregory, Vice Chair Alex Vispoli, Kevin Coffey, Melissa Danisch and Ellen Townson.

Other Officials in Attendance: Town Manager Andrew Flanagan, Town Counsel Doug Heim, Town Clerk & Deputy Town Manager Austin Simko, Deputy Town Manager Michael Lindstrom, Chief Administrative & Financial Officer Patrick Lawlor, Chief People Officer Brittney Lavoie

The meeting opened at 6:00pm

Supplemental town Meeting Information

Andrew opened the meeting by reviewing memo sent out by Patrick Lawlor containing supplemental information for article 9b, for 1.6M in appropriations. The memo addresses two appropriations, one for 725k covering ice and snow budgets and one for 875k covering public safety overtime. Alex Vispoli made a motion to support article 9b and appropriate those amounts, seconded by Melissa Danisch and unanimously approved 5-0.

Consent Agenda

The consent agenda consisted of appointing Joseph Connelly to the Andover Commission on Disability. Alex Vispoli made a motion to approve the consent agenda, seconded by Ellen Townson and unanimously approved 5-0.

Meeting Minutes

Meeting minutes from 3/31/25 were reviewed for acceptance and release. Melissa Danisch made a motion to approve and release the minutes, seconded by Ellen Townson and unanimously approved 5-0.

The public meeting adjourned at 6:05pm and entered executive session. Melissa Danisch made a motion to close the public hearing and enter executive session pursuant to purpose 7 to approve and release executive session minutes of October 7, 2019, November 7, 2022, July 17, 2024 and April 14, 2025; and to declare that an open session may have a detrimental effect on the negotiating position of the Town; and/or to go into executive session to discuss strategy with respect to litigation and to declare an open session may have a detrimental effect on the litigation position of the Town- Kathy Grant et al. v. Town of Andover, et al.; and not to return to open session. The motion was seconded by Kevin Coffey and unanimously approved by roll call vote:

Roll Call Vote:

Laura Gregory- Yes

Ellen Townson- Yes

Alex Vispoli- Yes

Kevin Coffey- Yes

Melissa Danisch- Yes

Respectfully submitted,
Ellen Townson
Clerk