



## Board of Selectmen

ANDOVER TOWN OFFICES  
36 BARTLET STREET  
ANDOVER, MA 01810  
[WWW.ANDOVERMA.GOV](http://WWW.ANDOVERMA.GOV)

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### MEETING AGENDA

MONDAY, MARCH 27, 2017

Regular Session 7:00 P.M.

SELECTMEN'S CONFERENCE ROOM, ANDOVER TOWN OFFICES

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#### REGULAR SESSION

- I. Call to Order– 7:00 P.M.
- II. Opening Ceremonies/ Moment of Silence/Pledge of Allegiance – 7:00 P.M.
- III. Communications/Announcements/Liaison Reports – 7:05 P.M.
- IV. Citizens Petitions and Presentations – 7:10 P.M.
- V. Public Hearing – 7:15 P.M.
  - A. Park Street Pub – (5 minutes)

Public Hearing Notice is hereby given under Chapter 138 of the General Laws, as amended, that Park Street Pub, Inc., 40 Park Street, Andover, MA has applied for transfer of stock, a change of manager, change of officer/directors and change in beneficial interest of their All Restaurant Liquor License. Christo Telios, 8 Iroquois Avenue, Andover, MA is the proposed designated manager.
- VI. Regular Business of the Board – 7:20 P.M.
  - A. West Elementary Statement of Interest – (5 minutes)

Board of Selectmen to consider voting to submit the West Elementary Statement of Interest to the Massachusetts School Building Authority.
  - B. Town Accountant Interview – (20 minutes)

Board of Selectmen to interview and consider voting to appoint Hayley Green as Town Accountant/Assistant Finance Director.
  - C. Extension of the Appointment of the Acting Town Accountant – (5 minutes)

Board to consider extending the appointment of the Acting Town Accountant until April 15, 2017.

- VII. 2017 Annual Town Meeting – 7:50 P.M.
- A. Re-Opening and Closing Annual Town Warrant – (5 minutes)  
 Board to consider to vote re-opening and closing annual town meeting warrant.
- B. Board to discuss and consider voting on the following Warrant Articles:
- P-54 Discontinuance of a Portion of Lewis St. as a Public Way and Taking by Eminent Domain
  - P-57 Purchase Conservation Land at 83 Lowell Junction & Grant Application
  - P-73 Aggregate Electrical Load
  - P-74 Elected Board of Water Commissioners
  - P-75 Preserving the History of Andover
- C. Board to discuss and consider voting on additional warrant articles, if time permits.
- VIII. Consent Agenda – 8:50 P.M.
- A. APPOINTMENTS – (Town Manager)

**That the following appointments by the Town Manager be approved:**

DEPARTMENT/ COMMITTEE	NAME	POSITION	RATE/ TERM	DOH
Elder Services	Keagan Latta	Per Diem Food Worker IE-4	\$16.05/hr.	4/1/17
Elder Services	Katherine Perakis	Per Diem Adult Social Day Care Assistant IE-6	\$16.78/hr.	4/1/17
Youth Services	Charlotte Guterman	AYS Counselor 3 –C4C	\$11.00/hr.	3-20-17
Youth Services	Spencer Hovel	AYS Counselor-C4C	\$11.00/hr.	3-20-17
Youth Services	Sara-Margaret Williams	AYS Counselor 3 –C4C	\$11.00/hr.	3-20-17

- IX. Approval of Minutes from Previous Board of Selectmen Meetings – 8:55 P.M  
 February 27, 2017 (Regular Meeting), March 6, 2017 (Regular Meeting) and March 8, 2017 (Tri-Board Meeting)
- X. Adjournment – 9:00 P.M.

View documents associated with this agenda: [www.andoverma.gov/selectmen](http://www.andoverma.gov/selectmen)

Meetings are televised on Comcast Channel 22 and Verizon Channel 45 or may be viewed online at [www.andovertv.org](http://www.andovertv.org)

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

**TOWN OF ANDOVER GENERAL LICENSE APPLICATION**

APPLICANT'S D/B/A: Park Street Pub

TIME STAMP  
RECEIVED  
TOWN CLERK'S OFFICE

APPLICANT NAME: Park Street Pub, Inc.

2011 FEB 17 P 1:51

APPLICANT'S ADDRESS: 40 Park Street

TOWN OF ANDOVER, MASS

Andover, MA 01810

APPLICANT'S TEL. NUMBER: 978-470-~~XXXX~~ Evan 978-376-2475  
4543

CONTACT PERSON: Chris Telios

TELEPHONE: 978-470-3752 E-MAIL: theparkstreetpub@gmail.com

MAILING ADDRESS: 5 Projects Avenue / Andover MA / 01810

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TYPE OF LICENSE: LIQUOR LICENSE - CHANGE OF MANAGER

LOCATION OF LICENSE ACTIVITY: Park Street Pub

APPLICATION/LICENSE FEE: \$125 FID/SS# 043206498

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

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

Signature: Chris Telios

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OFFICE USE ONLY	OFFICE USE ONLY	OFFICE USE ONLY	OFFICE USE ONLY
Date of Issuance	<u>2/17/11</u>	BY	<u>PAW</u> License Board Meeting Date
Police Dept	<u>DATE SENT</u>	<u>DATE APPROVED</u>	
Fire Dept	<u>2/17/11</u>	<u>2/22/11</u>	
CRP Mgr	<u>DATE SENT</u>	<u>DATE APPROVED</u>	
Town Planner	<u>DATE SENT</u>	<u>DATE APPROVED</u>	
Treasurer	<u>DATE SENT</u>	<u>DATE APPROVED</u>	

Add conditions for license:

This license requires: (circle all that apply)

Selectman Approval      Business Certificate      Letter of Clearance



# TOWN OF ANDOVER

## Town Clerk's Office

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

TOWN OF ANDOVER



## PUBLIC HEARING

Notice is hereby given in accordance with Chapter 138 of the Massachusetts General Laws, as amended, that Park Street Pub, Inc., 40 Park Street, Andover has applied for a transfer of stock, change of manager, change of officers/directors, and change in beneficial interest of their All Alcohol Restaurant License. Christos Telios, 8 Iroquois Avenue, Andover, MA is the proposed designated manager.

The public hearing will be held on Monday, March 27, 2017 in Conference Room A on the third floor of the Andover Town Offices, 36 Bartlet Street, Andover, Massachusetts at 7:00 p.m. in accordance with the General Laws relating thereto.

By Order of the  
Board of Selectmen

Lawrence J. Murphy  
Town Clerk

Date of Issue: Thursday, March 16, 2017

Park Street Pub, Inc. MOTIONS

MOTION #1

I move to approve the application of Park Street Pub, Inc., for a transfer of stock, change of manager, change of directors/officers, and change in beneficial interest of an All Alcoholic Restaurant Alcoholic Beverage License at 40 Park Street, Andover; and for the appointment of Christos Telios, 8 Iroquois Ave., Andover, as designated Manager, subject to the condition that all other requirements of the Town are met prior to issuance.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

Voted \_\_\_\_\_ to \_\_\_\_\_

MOTION #2

I move the Board find that the application of Park Street Pub, Inc. for an All Alcoholic Restaurant Alcoholic Beverage License at, 40 Park Street, Andover is not detrimental to the educational and spiritual activities of the Free Christian Church at 31 Elm Street, Andover.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

Voted \_\_\_\_\_ to \_\_\_\_\_

MOTION

**West Elementary Statement of Interest**

The Board of Selectmen

Vote to approve the required form of vote to submit a Statement of Interest (SOI) for West Elementary School as written.

## REQUIRED FORM OF VOTE TO SUBMIT AN SOI

### REQUIRED VOTES

If the SOI is being submitted by a City or Town, a vote in the following form is required from both the City Council/Board of Aldermen **OR** the Board of Selectmen/equivalent governing body **AND** the School Committee.

If the SOI is being submitted by a regional school district, a vote in the following form is required from the Regional School Committee only. FORM OF VOTE Please use the text below to prepare your City's, Town's or District's required vote(s).

### FORM OF VOTE

Please use the text below to prepare your City's, Town's or District's required vote(s).

**Resolved:** Having convened in an open meeting on March 27, 2017, prior to the closing date, the Board of Selectmen of Andover MA., in accordance in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent, Sheldon H. Berman, Ed.D, to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 6, 2017 for the West Elementary School located at 58 Beacon St, Andover, MA 01810, which describes and explains the following deficiencies and the priority categories for which an application may be submitted to the Massachusetts School Building Authority in the future.

In summary, the students attending West Elementary are receiving less than the education they deserve because the building has health and safety issues (lead and CO<sup>2</sup>); is severely overcrowded, especially given its special populations, and its enrollment is projected to increase; and its physical design and amenities are so outdated that its students are unable to benefit from the 21st century educational programming that its teachers long to provide and that its parents have a right to expect.

***Priority No. 1. Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.***

The school has two major conditions jeopardizing children's health: high levels of lead in the water and high levels of carbon dioxide (CO<sup>2</sup>) in the air. Tests in February 2017 by the Department of Municipal Services of Andover, Massachusetts revealed that the school's water exceeded the maximum allowable levels of lead, so sections of pipe and a drinking fountain were immediately replaced. Follow-up tests in March indicated that not only were the lead levels still above the maximum allowed. Accessing and replacing quantities of buried pipes is not feasible. In addition, tests performed in response to staff complaints about air quality revealed high levels of CO<sup>2</sup> based on ASHRAE and OSHA standards; these CO<sup>2</sup> levels are believed to be contributing to a high rate of absences.

***Priority No. 2. Elimination of existing severe overcrowding.***

West Elementary's overcrowding is the result of: a) high enrollment that exceeds physical capacity, and b) large numbers of special needs students whose IEP programming requires particular uses of space, including 1:1 instruction. At West, 21 percent of students are in special education; the services we can provide are constrained by the lack of flexible space for both instruction and the storage of individualized materials, leaving some students to be served in hallways with multiple distractions and no privacy (both of which hinder learning progress) or in closets with inadequate lighting and ventilation. Two classes of regular education students and teachers sometimes must share the same room, and there is no suitable space for OT/PT services.

***Priority No 4. Prevention of severe overcrowding expected to result from increased enrollments.***

Some programs and students that would normally be placed at West have already been relocated or directed to other schools, but the overcrowded conditions continue and neighboring schools cannot accept more transfers without incurring similar problems. Enrollment projections provided by the Massachusetts School Building Authority and by MGT's facility planning study—both for West Elementary and for Andover Public Schools as a whole—show a steady increase through 2026. Older residents are selling their homes to families with young children and a number of apartment and housing developments are in the construction or planning stages. The English Language Learner (ELL) population at West has doubled in three years and has increased three-fold in the district over five years, with the majority of students being in grades K-3, while the district's special education population has increased by 17 percent in the past decade. West Elementary and other district schools will need additional small group spaces to provide individual and small group instruction, as well as larger classrooms that accommodate inclusion of students in the regular classroom along with the adults who provide their support services.

***Priority No 7. Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.***

West Elementary School was built in 1951, added to in 1968, and is now past its functional life. In addition to the health, safety, space, and programming issues cited above, the location of the main office and administrative offices in the building's interior compromises access control and the ability of security to deal with intruders. Of particular concern, the facility is not compliant with the Americans with Disabilities Act (ADA). Classrooms in the 1968 addition were designed in an open-school concept, adding to the staff's inability to appropriately serve the students assigned to regular as well as SPED and ELL programs. Even basic amenities are inadequate; for example, 110 boys in the grades 2-3 pod have access to only one toilet, and rooms lack enough electrical outlets to take advantage of otherwise available technology. Some students who need remedial services are turned away because of space limitations. Our mandated programs in physical therapy, speech therapy, occupational therapy, reading services, guidance, and school nursing are all suffering from the limitations imposed by this outdated facility,

...and hereby further specifically acknowledges that by submitting this Statement of Interest Form,

the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

**CERTIFICATIONS**

The undersigned hereby certifies that, to the best of his/her knowledge, information and belief, the statements and information contained in this statement of Interest and attached hereto are true and accurate and that this Statement of Interest has been prepared under the direction of the district school committee and the undersigned is duly authorized to submit this Statement of Interest to the Massachusetts School Building Authority. The undersigned also hereby acknowledges and agrees to provide the Massachusetts School Building Authority, upon request by the Authority, any additional information relating to this Statement of Interest that may be required by the Authority.

**Chief Executive Officer \***

**School Committee Chair**

**Superintendent of Schools**

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(signature)

(signature)

(signature)

Date

Date

Date

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\* Local Chief Executive Officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.



Submitted by Keith Saxon on 3/24/17 additional text  
For Warrant Articles P-74 and P-75.

Electrical aggregation is when a community combines the electrical loads of its residents and businesses to investigate options for lower cost electrical supply via bulk purchasing on the competitive market. Additional renewable energy options can also be created. Individual participation is voluntary.

This article allows the Town to seize the opportunity under the statute to seek these proposals for cheaper and/or cleaner sources of power for its residents and businesses. Electrical aggregation is increasingly being adopted across the state of Massachusetts with over 100 communities with approved plans or approvals-in-process, and over 40 communities moving forward in 2016 alone.

Passage of this warrant article simply allows the Board of Selectmen to initiate the process of investigating aggregation opportunities and soliciting proposals for a Municipal Aggregation Plan. It does not commit the Town to any Plan or action, and additional approvals would be needed before proceeding further.

Please see: <http://www.mass.gov/eea/energy-utilities-clean-tech/electric-power/electric-market-info/muni-agg.html> for more details.

Andover's water supply system will be facing major challenges in the immediate future beyond its known substantial infrastructure repair requirements (~\$34.5mm) and need to protect its watershed from intensive development activity.

North Reading's water purchase agreement with Andover ends in 2019, as they connect into the MWRA water supply system (per their Jan 2017 legislative approval and 2016 Town Meeting votes). The result is an approximate ~20% reduction in revenues with only a corresponding ~4% reduction in expenses.

Just as significant, the town's 20-yr state Water Management Act approval is up for renewal in Nov 2018. Necessary water system and user performance requirements have increased exponentially since the permit was last issued, and the impact of newly mandated measures will be magnified as the town is well below current state performance standards. Unaccounted-for-water or UAW (treated clean water not accounted for through meter reading or estimated unmetered municipal uses) has averaged ~25% over the last 5 years ('11-'15) while the standard is 10%. Residential Gallons Per Capita Day (RGPCD) has averaged 78 over the last 3 years ('13-'15) while the standard is 65.

The purpose of this article is to establish a dedicated Board of Water Commissioners to provide additional resources that can spend significantly more time and focus to address these upcoming challenges & needs than is reasonably available to the Board of Selectmen (who currently serve in that role in addition to all their other responsibilities). The Board is elected per statute so as to consist of the ratepayers & residents subject to its policies as implemented.