



Select Board Meeting – Agenda Amended 03/27/2026

Monday, March 30, 2026 at 6:30 P.M.

Town Offices, Select Board Room

36 Bartlet Street, Andover, MA 01810

Meetings are televised on Comcast Channel 22 and Verizon Channel 45

I. Call to Order – 6:30 P.M.

II. Opening Ceremonies

- A. Andover Scout Pack 76 Webelos Recognition
- B. Moment of Silence/Pledge of Allegiance

III. Executive Session

- A. Board to vote to go into Executive Session pursuant to Purpose 6 of Massachusetts General Laws Chapter 30, Section 21(a) – to consider the purchase, exchange, lease or value of property: Tax Increment Financing Agreements.”; and
- B. Board to vote to go into Executive Session pursuant purpose 7 to approve and release or not release Executive Session minutes of January 5, 2026; and return to open session.

IV. Town Manager Report

V. Communications/Announcements/Liaison Reports

VI. Public Comment

VII. Regular Business

- A. Donation
Board to consider accepting a donation to the Town to be used for the purchase of a water fountain which will be installed in the Lower Shawsheen Field.
- B. Board of Registrars Appointment
Board to consider nominees for appointment to the Board of Registrars of Voters and to appoint a registrar for a term expiring March 31, 2029. The Republican Town Committee nominates Jennifer Zhang of 3 Windemere Drive. The Democratic Town Committee nominates Mark Morgan of 5 Stevens Circle and Randy Hanson of 15 Pasho Street.
- C. New Resident Welcome Guide
Chief Communications Officer to present New Resident Welcome Guide.
- D. Annual Town Meeting Articles
Board to consider voting to take a position on the following articles:

P36	20 MPH Safety Zone in the Greater Downtown Area
P37	Utilization of Excess Free Cash
P38	Town Acceptance of MA Residential Exemption
P39	Revision to Special Town Meeting Petition Requirement
P9	Financial Housekeeping Articles

E. Annual Town Meeting Warrant

Board to consider voting to sign the 2026 Annual Town Meeting Warrant.

VIII. 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 Date	Term Expires
Andover Police Department	Kathryn Kozikowski	Inspector of Animals	05/01/2026	04/30/2027
Andover Police Department	Brad DiCenzo	Alternate Inspector of Animals	05/01/2026	04/30/2027

IX. Approval of Minutes

A. Board to approve minutes from the following meetings:

1. March 9, 2026
2. March 16, 2026

X. Select Board Meetings

A. Board to discuss summer meeting times and approve the following meeting dates:

1. Monday, July 13, 2026
2. Monday, July 27, 2026
3. Monday, August 10, 2026
4. Monday, August 24, 2026
5. Monday, September 14, 2026
6. Monday, September 28, 2026
7. Tuesday, October 13, 2026
8. Monday, October 26, 2026

XI. Adjourn

Summary of Town Manager Staff Appointments

The Town Manager is pleased to announce the following appointments:

Department	Name	Position	Date of Hire	Rate/Term
Andover Fire Rescue	Elizabeth Pelletier (<i>Nicole Swiec</i>)	Office Assistant	04/06/2026	\$65,508/year
Community Development & Planning	Jill Dewey (<i>Meghan Chapman</i>)	Office Assistant	03/30/2026	\$65,508/year

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

**THE COMMONWEALTH OF MASSACHUSETTS
ESSEX, SS.**

To Either of the Constables of the Town of Andover

Greeting:

In the name of the Commonwealth you are hereby required to notify and warn the Inhabitants of said Town who are qualified to vote in Town Affairs to meet and assemble at the J. Everett Collins Center for the Performing Arts, Andover High School, 100 Shawsheen Road, in said Andover, on

TUESDAY, THE TWENTY-EIGHTH DAY OF APRIL, 2026

At seven o'clock P.M. to act upon the following articles:

ARTICLE 1	ANNUAL TOWN ELECTION
------------------	-----------------------------

Annual Town Election: Moderator for one year, one Select Board member for three years, one School Committee member for three years, two Punchard Free School trustees for three years, one Andover Housing Authority member for five years, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 2	ELECTION NOT REQUIRED BY BALLOT
------------------	--

To elect all other officers not required by law to be elected by ballot, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 3	SALARIES OF ELECTED OFFICIALS
------------------	--------------------------------------

To establish the salaries of the elected officers for the ensuing year, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 4	FISCAL YEAR 2027 BUDGET
------------------	--------------------------------

To see if the Town will vote to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, and to provide for a reserve fund for the Fiscal Year beginning July 1, 2026 and ending June 30, 2027, or take any other action related thereto.

On request of the Town Manager

ARTICLE 5	FISCAL YEAR 2027 CAPITAL PROJECTS FUND
------------------	---

To see if the Town will vote to raise by taxation and appropriate the sum of money for the purpose of funding the Fiscal Year 2027 appropriation for the Capital Projects Fund, or take any other action related thereto.

On request of the Town Manager

ARTICLE 6	CAPITAL PROJECTS FROM GENERAL FUND BORROWING
------------------	---

To see if the Town will vote to raise by taxation, borrowing, transfer from available funds or by any combination thereof and appropriate the sum of \$9,238,000 to pay costs of purchasing capital equipment, making infrastructure improvements, or for purchasing services and materials related to capital improvements, as more particularly described below, including the payment of any other costs incidental and related thereto, or take any other action related thereto.

CIP #	Project	Amount	Statutory Citation
DPW-4	Town Sidewalk Program	\$5,000,000	C 44 Sec 7(1)
DPW-7b	Public Works Vehicles – Large	\$578,000	C 44 Sec 7(1)
FAC-5a	Town Parks and Playground Improvements	\$375,000	C 44 Sec 7(1)
FAC-6	Major Town Projects	\$1,475,000	C 44 Sec 7(1)
SCH-5	Major School Projects	\$1,810,000	C 44 Sec 7(1)

On request of the Town Manager, Director of Public Works and Director of Facilities

ARTICLE 7	CAPITAL PROJECTS FROM FREE CASH
------------------	--

To see if the Town will vote to transfer from available funds and appropriate the sum of \$4,807,000 to pay costs of purchasing capital equipment, infrastructure, or for purchasing services and materials related to capital improvements, as more particularly described below, including any other costs incidental and related thereto, or take any other action related thereto.

CIP #	Project	Amount
DPW-2	Minor Sidewalk Repairs	\$250,000
DPW-7a	Town Vehicles – Public Works Vehicles and Equipment	\$172,000
FAC-3	Town and School Security	\$200,000
FAC-4	Town Vehicles – Facilities and Transportation	\$230,000
FAC-7	Town and School Energy Initiatives	\$125,000
FIR-1	Fire Rescue Vehicles	\$2,200,000
IT-1	Annual Staff Device Refresh	\$300,000
IT-2	Annual Student Device Refresh	\$178,000
IT-3	IT Infrastructure	\$582,000
POL-1	Police Vehicle Replacement	\$225,000
POL-2	Police Cruisers / MC Computers	\$145,000
TM-1	Purchase of Trash and Recycling Toters	\$200,000

On request of the Town Manager, Director of Public Works, Director of Facilities, Fire Chief, Chief Innovation Officer and Chief of Police

ARTICLE 8	CAPITAL PROJECTS FROM WATER AND SEWER ENTERPRISE FUNDS
------------------	---

To see if the Town will vote to raise by taxation, borrowing, transfer from available funds or by any combination thereof and appropriate the sum of \$26,335,000 to pay costs of purchasing capital equipment, making infrastructure improvements, and purchasing services and materials related to making capital improvements, as more particularly described below, including the payment of any other costs incidental and related thereto, or take any other action related thereto.

CIP #	Project	Amount	Statutory Citation
DPW-13	Water Main Replacement/Distribution Improvements (Water Enterprise Borrowing)	\$12,000,000	Ch 44 Sec 8 (5)
DPW-20	Sanitary Sewer Collection System Improvements (Sewer Enterprise Borrowing)	\$250,000	Ch 44 Sec 8 (4)
DPW-21	Shawsheen River Sewer Interceptor Improvements (Sewer Enterprise Borrowing)	\$750,000	Ch 44 Sec 8 (4)
DPW-23	Wood Hill Pumps and Motor Control Centers (Water Enterprise Borrowing)	\$5,850,000	Ch 44 Sec 8 (4)
DPW-26	Inflow / Infiltration (I/I) Removal Program (Sewer Enterprise Reserves)	\$250,000	Ch 44 Sec 53F ½
DPW-28	Water Treatment Plant - Shawsheen Pumping Station (Sewer Enterprise Borrowing)	\$5,000,000	Ch 44 Sec 8 (4)
DPW-30	Bancroft Pumping Station (Roof and Generator) (Water Enterprise Reserves)	\$85,000	Ch 44 Sec 53F ½
DPW-31	Water Treatment Plant – Ozone Generators (Water Enterprise Borrowing)	\$2,000,000	Ch 44 Sec 8 (4)
DPW-35	Water Treatment Plant – Milfoil Removal (Water Enterprise Reserves)	\$150,000	Ch 44 Sec 53F ½

On request of the Town Manager and Director of Public Works

ARTICLE 9	CHANDLER ROAD RECREATION AREA
------------------	--------------------------------------

To see if the Town will vote to appropriate the sum of \$5,000,000 to pay costs of purchasing professional services related to the design and construction of the Chandler Road Recreation Area, including the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by taxation, borrowing, transfer from available funds including free cash or by any combination thereof, or take any other action related thereto.

On request of the Town Manager

ARTICLE 10	MINOR FINANCIAL ARTICLES (A THROUGH E)
-------------------	---

- A. **Overlay Surplus Transfer** To see if the Town will vote to transfer a sum of money from Overlay Surplus to fund expenses related to the FY2027 valuation of real and personal property and to fund the FY2027 property tax recertification, or take any other action related thereto.

- B. **Support for Andover Day and Other Civic Events** To see if the Town will vote to appropriate and raise by taxation or transfer from available funds a sum not to exceed \$50,000 for the purpose of paying costs associated with Andover Day and other civic events, or take any other action related thereto.

- C. **Spring Grove Cemetery Maintenance** To see if the Town will vote to transfer the sum of \$106,000 from the Spring Grove Cemetery Perpetual Care reserve account and appropriate the sum of \$106,000 for the purpose of cemetery maintenance and a space plan study including costs incidental and related thereto, or take any other action related thereto.

- D. **Elections and Town Meeting Expenses** To see if the Town will vote to appropriate and raise by taxation a sum not to exceed \$75,000 for the purpose of paying costs related to elections, Annual Town Meetings, and Special Town Meetings, or take any other action related thereto.

- E. **Jerry Silverman Fireworks** To see if the Town will vote to appropriate and raise by taxation or available funds the amount of \$25,000 for the Jerry Silverman Fireworks Program as part of the Fourth of July festivities, or take any other action related thereto.

On request of the Town Manager and Chief Financial Officer

ARTICLE 11	GENERAL HOUSEKEEPING ARTICLES (A THROUGH F)
-------------------	--

To see if the Town will vote the following consent articles, or take any other action related thereto:

- A. **Grant Program Authorization** To see if the Town will vote to authorize the Select Board and/or the Town Manager to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Andover by the Commonwealth of Massachusetts or the U. S. Government under any State or Federal grant program, or take any other action related thereto.

- B. **Town Report** To act upon the report of the Town officers, or take any other action related thereto.

- C. **Property Tax Exemptions** To see if the Town will vote to accept the provisions of Section 4, Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 to allow an additional property tax exemption for fiscal year 2027 for those persons who qualify for property tax exemptions under Massachusetts General Laws Chapter 59, Section 5, or take any other action related thereto.

- D. **Contracts in Excess of Three Years** To see if the Town will vote in accordance with the provisions of Massachusetts General Laws Chapter 30B, Section 12(b) to authorize the Town Manager or the Superintendent of Schools to solicit and award contracts for terms exceeding three years but no greater than five years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interests of the Town by a vote of the Select Board or the School Committee, as appropriate, or take any other action related thereto.

- E. **Accepting Easements** To see if the Town will vote to authorize the Select Board and the School Committee to accept grants of easements for streets, water, drainage, sewer, public access and utility purposes or any public purpose on terms and conditions the Board and the Committee deem in the best interests of the Town, or take any other action related thereto.

- F. **Rescinding of Bond Authorizations** To see if the Town will vote to rescind unissued bond authorizations from prior Town Meetings, or take any other action related thereto.

On request of the Town Manager and Chief Financial Officer

ARTICLE 12	FINANCIAL HOUSEKEEPING ARTICLES (A THROUGH H)
-------------------	--

- A. **Budget Transfers** To see if the Town will vote to transfer from amounts previously appropriated at the April 2025 Annual Town Meeting as authorized by Massachusetts General Laws Chapter 44, Section 33B, or take any other action related thereto.

- B. **Supplemental Budget Appropriations** To see if the Town will vote to transfer from available funds a sum of money to supplement appropriations voted at the April 2025 Annual Town Meeting, or take any other action related thereto.

- C. **Stabilization Fund** To see if the Town will vote to appropriate and raise from taxation or available funds a sum of money to the Stabilization Fund in accordance with Massachusetts General Laws Chapter 40, Section 5B, as amended by Chapter 46, Sections 14 and 50 of the Acts of 2003 and Chapter 218 of the Acts of 2016, or take any other action related thereto.

- D. **Unexpended Appropriations** To see what disposition shall be made of unexpended appropriations and Free Cash in the treasury, or take any other action related thereto.

- E. **Unexpended Appropriations Capital Projects Fund** To see what disposition shall be made of unexpended appropriations in the Capital Projects Fund, or take any other action related thereto.

- F. **Fiscal Year 2027 Revolving Accounts** To see if the Town will vote to authorize the following expenditure limits for revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, Section 53E½ for the fiscal year beginning July 1, 2026, or take any other action related thereto:

Revolving Fund	FY2027 Limit
Community Development & Planning Department	\$35,000
Memorial Hall Library-Lost/Damaged Materials	\$20,000
Health Clinic	\$60,000
Division of Recreation	\$2,125,000
Division of Youth Services	\$400,000
Field Maintenance	\$150,000
Division of Elder Services	\$225,000
Police Communications	\$50,000
School Photocopy Fees	\$10,000
Compost Program	\$60,000
Solid Waste	\$40,000
Stormwater Management	\$5,000
Fire Rescue	\$100,000
Health Services	\$100,000
Professional Development Institute	\$50,000
Student Technology Rental	\$200,000
Other Public Spaces Rentals	\$50,000
Conservation	\$50,000
Town Events	\$50,000

G. PEG Access and Cable Related Expenses To see if the Town will vote to appropriate cable franchise fees and other cable-related revenues to support PEG access services, cable related expenses, and oversight of the cable franchise agreements for fiscal year 2027, which begins on July 1, 2026, or take any other action related thereto.

H. Pension Obligation Bond Stabilization Fund Transfer To see if the Town will vote to appropriate and raise from taxation or transfer from available funds a sum of money to the Pension Stabilization Fund in accordance with MGL Chapter 40, Section 5B, as amended by Chapter 46, Sections 14 and 50 of the Acts of 2003, or take any action related thereto.

On request of the Town Manager and Chief Financial Officer

ARTICLE 13	BYLAW AMENDMENT - REGISTRY OF DEEDS E-RECORDING REVOLVING FUND
-------------------	---

To see if the Town will vote to amend the General Bylaws Article XII Section 48 (Departmental revolving funds) subsection(5)(G) to authorize and establish a new revolving fund entitled “Registry of Deeds E-Recording” authorizing Town Counsel, the Town Clerk, the Director of Public Health, the Inspector of Buildings, the Director of Conservation and the Director of Planning and Land Use or any other designee by the Town Manager to spend funds from this revolving fund, and further of authorize expenditures from the fund to pay the cost of recording various Town documents related to real estate and land use through an electronic recording system at the Northern Essex Registry of Deeds; and further authorize \$6,000 to be expended in fiscal year 2027 and subsequent years; or take any other action related thereto.

On request of the Director of Planning and Land Use

ARTICLE 14	BYLAW AMENDMENT - AMBULANCE REVOLVING FUND
-------------------	---

To see if the Town will vote to amend General Bylaws Article XII Section 48 (“Departmental revolving funds”) subsection (5)(G) to authorize a new Revolving Fund entitled “Ambulance Services” authorizing the Town Manager, Fire Chief or any other appointee by the Town Manager to spend funds from ambulance billing revenues and reimbursements; and further to authorize expenditures from the fund to pay the costs of personnel, supplies and equipment, including offsetting debt service associated with the acquisition of capital items; and further to authorize the amount of \$2,300,000 to be expended in fiscal year 2027 and subsequent years; or take any action related thereto.

On request of the Town Manager and Chief Financial Officer

ARTICLE 15	DISSOLUTION OF REVOLVING FUNDS
-------------------	---------------------------------------

To see if the Town will vote to dissolve certain Revolving Funds previously authorized by Town Meeting, established under the provisions of Massachusetts General Laws Chapter 44, Section 53E½, and to transfer any remaining balance in said funds to the Town’s General Fund, unless otherwise required by law; or to take any other action related thereto.

On request of the Chief Financial Officer

ARTICLE 16	WATER TREATMENT PLANT MAINTENANCE
-------------------	--

To see if the Town will vote to appropriate the sum of \$650,000 in the Water Enterprise Fund for the purpose of paying various maintenance costs related to the water distribution system and the Water Treatment Plant, including any other costs incidental and related thereto, or take any other action related thereto.

On request of the Director of Public Works

ARTICLE 17	SEWER COLLECTION SYSTEM MAINTENANCE
-------------------	--

To see if the Town will vote to appropriate the sum of \$300,000 in the Sewer Enterprise Fund for the purpose of paying various maintenance costs related to the 12 sewer stations located in Andover that collect and pump wastewater to Greater Lawrence Sanitary District, including any other costs incidental and related thereto, or take any other action related thereto.

On request of the Director of Public Works

ARTICLE 18	UNPAID BILLS
-------------------	---------------------

To see if the Town will vote to transfer from available funds a sum of money to pay unpaid bills for which obligation was incurred in prior fiscal years, or take any other action related thereto.

On request of the Town Accountant

ARTICLE 19	CHAPTER 90 AUTHORIZATIONS
-------------------	----------------------------------

To see if the Town will vote to authorize the Town to acquire any necessary easements by gift, by purchase or by right of eminent domain for Chapter 90 Highway Construction or any other federal or state aid program for road or sidewalk improvements, or take any other action related thereto.

On request of the Town Manager

ARTICLE 20	GRANTING EASEMENTS
-------------------	---------------------------

To see if the Town will vote to authorize the Select Board, Conservation Commission and the School Committee to grant and or release easements for water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board, Commission and/or the Committee deem in the best interests of the Town, or take any other action related thereto.

On request of the Town Manager

ARTICLE 21	STABILIZATION FUND BOND PREMIUM
-------------------	--

To see if the Town will vote to transfer the sum of \$250,000 from the Bond Premium Stabilization Fund to the General Fund to offset non-exempt debt interest payments, or take any other action related thereto.

On request of the Chief Financial Officer

ARTICLE 22	TOWN ACCEPTANCE OF MA RESIDENTIAL EXEMPTION
-------------------	--

An Article to protect the affordability of housing in Andover for homeowners of moderate means including first-time home buyers, young families and senior citizens.

To see if town will adopt the following:

Direct the Select Board to accept and implement at the earliest opportunity as provided by law the provisions of M.G.L. Chapter 59, Section 5C, commonly referred to as the Residential Exemption at 20% out of the 35% allowable by law.

Applicants can only qualify for a Residential Exemption from one property but may apply for other exceptions that are available in addition to the Residential Exemption, however the taxable value of property claimed cannot be below 10 percent of its assessed value.

On petition of George Thorlin and others

ARTICLE 23	UTILIZATION OF EXCESS FREE CASH
-------------------	--

An Article for the Utilization of Excess Andover Free Cash to Reduce the Towns Annual Residential Tax Levy.

To determine whether the Town will transfer from its Free Cash balance as certified on or about July 1st each calendar year by the Division of Local Services (DLS), a division of the MA Department of Revenue, any Certified Free Cash greater than the DLS recommended amount of 7% to be used by the Town to reduce the Annual Residential Tax Levy for that fiscal year.

On petition of George Thorlin and others

ARTICLE 24	20 MPH SAFETY ZONE IN THE GREATER DOWNTOWN AREA
-------------------	--

An article to provide for the safety, peace of mind and enjoyment of Andover residents, students and its many visitors in the greater downtown Andover area.

To see if the Town will adopt the following:

Direct the Select Board to accept and implement the provisions of M.G.L. Chapter 90, Section 18B, for the establishment of a 20 MPH Safety Zone in greater downtown Andover over the entire length of the roadway along Route 28, Main Street, Andover, that is not designed a state highway and is under the Town of Andover municipal jurisdiction.

On petition of George Thorlin and others

ARTICLE 25	REVISION TO SPECIAL TOWN MEETING PETITION REQUIREMENT
-------------------	--

To see if the Town will vote to petition the General Court to enact legislation that would permit the Town to require the Andover Select Board to call a Special Town Meeting upon the written request of two hundred registered voters, or twenty percent (20%) of the total number of registered voters of the Town, whichever number is lesser notwithstanding the quantum of signatures required under G.L. c. 39 sec. 10. Such meeting shall be held no later than ninety (90) days after the receipt of such petition and shall include in the warrant for such meeting all of the subjects the inclusion of which is requested by said petition. Said legislation shall be precisely in the form approved by the Town Meeting; provided, however, that the General Court may make clerical or editorial changes in the form only of the legislation as approved by the Town Meeting unless the

Select Board has approved any changes to the petitioned legislation that is within the scope of the general public purposes of this petition before enactment by the General Court; or take any other action relative thereto.

On petition of Steve Walther and others

ARTICLE 26	ANDOVER HIGH SCHOOL IMPROVEMENTS
-------------------	---

To see if the Town will vote to raise by taxation, or transfer from available funds or any combination thereof and appropriate a sum of money for the purpose of purchasing services and materials related to renovations of and improvements to Andover High School, including any costs incidental and related thereto, or take any other action related thereto.

On request of the Town Manager and Interim Superintendent of Schools

ARTICLE 27	AMEND DISTRICT AGREEMENT WITH GREATER LAWRENCE TECHNICAL SCHOOL TO PERMIT HANGAR LEASE
-------------------	---

To see if the Town will vote to approve an amendment to the District Agreement of the Greater Lawrence Technical School, so as to permit the District to enter into leases of land incidental and related to the District's purchase of a hangar at the Lawrence Airport and/or in furtherance of the District's programs, as permitted by c. 330, §4 of the Acts of 1960, as amended, or to take any other action related thereto.

On request of the Superintendent of Greater Lawrence Technical School

ARTICLE 28	AUTHORIZE LEASE OF LAND/ROOFTOP SPACE AT PUBLIC SAFETY CENTER FOR SOLAR PHOTOVOLTAIC FACILITIES
-------------------	--

To see if the Town will vote to transfer the care, custody, management and control of a portion or portions of the Public Safety Center property located at 32 North Main Street, Andover, from the Select Board for the purposes for which it is presently held to the Select Board for general municipal purposes and also for the purpose of leasing the same to one or more solar energy electricity production entities for the installation of a solar energy facility or facilities, and to authorize the Select Board to enter into a lease or leases for such portion or portions of said property for a term of at least 25 years from the date of commencement of commercial operations of the solar energy facility or facilities, all on such terms and conditions, and for such consideration, as the Select Board deems appropriate, and to enter into one or more power purchase agreements for electricity and/or solar energy credits; and to authorize the Select Board to grant such access, utility, and other easements in, on, and under said property as may be necessary or convenient to construct, operate, maintain, repair and replace such solar energy facility or facilities; to authorize the Select Board to take all actions necessary in connection therewith; or act on anything relative thereto.

On request of the Director of Facilities

ARTICLE 29	AN ACT AUTHORIZING THE TOWN OF ANDOVER TO PROHIBIT THE USE OF ANTICOAGULANT RODENTICIDES BY COMMERCIAL PESTICIDE APPLICATORS
-------------------	---

To see if the Town will vote to authorize the Select Board to:

- A. File Home Rule Legislation to locally regulate the use of First and Second Generation Anticoagulant Rodenticides in the Town of Andover, and in substantial conformance with the following:

“AN ACT AUTHORIZING THE TOWN OF ANDOVER TO PROHIBIT USE OF ANTICOAGULANT RODENTICIDES BY COMMERCIAL PESTICIDE APPLICATORS.”

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

Section 1. Notwithstanding chapter 132B of the General Laws or any other general or special law to the contrary, the town of Andover may regulate through local bylaw and/or board of health regulation or ordinance the use of first and second generation anticoagulant rodenticides within the town of Andover, including prohibiting the use of such pesticides by licensed commercial applicators as defined in 333 C.MR. 10.00 for the purposes of protecting wildlife, pets and people from non-target poisoning substantially as follows:

Section 2. This Act will take effect upon its passage.

And further to:

- B. Vote to amend Article XII of the Town Bylaws to add a new section 54 “Rodenticide Regulations” substantially as follows:

Article XII, Section 54 of the Andover Town Bylaws

RODENTICIDE REGULATIONS

1. Purpose

The purposes of this bylaw are to restrict the use of first and second generation anticoagulant pesticides in the Town of Andover and implement an integrated pest management plan throughout the Town of Andover, including both public and private lands in the interests of protecting pets, wildlife and human health and safety.

2. Definitions

FIRST GENERATION ANTICOAGULANT RODENTICIDES (“FGARs”)
Any pesticide product containing any of the following active ingredients: Bromethalin, Chlorphacinone, Diphacinone, or Warfarin; and any pesticide

product classified by the United States Environmental Protection Agency (“EPA”) or the Massachusetts Department of Agriculture (“MDAR”) as a first generation anticoagulant rodenticide.

SECOND GENERATION ANTICOAGULANT RODENTICIDES (“SGARs”)

Any pesticide product containing any of the following active ingredients: Bromadiolone, Difenacoum, Brodifacoum, or Flocoumafen; and any pesticide product classified by the EPA or MDAR as a second generation anticoagulant rodenticide.

COMMERCIAL APPLICATOR

Persons or entities licensed by MDAR in the Commonwealth of Massachusetts to apply pesticides in commercial and residential settings pursuant to 333 CMR 10.00 et seq.

INTEGRATED PEST MANAGEMENT

Methods of eliminating rodent pests that do not use anticoagulant chemicals, such as barriers to openings in buildings, careful and sanitary control of waste (garbage), and alternative methods such as snap traps, rodent birth control, and gassing of burrows.

3. General Prohibition

Unless authorized by the Andover Department of Public Health as outlined in Section 4 below, application, deployment, or use of FGARs or SGARs are prohibited in the Town of Andover.

4. Authorization of Use and Applications & Limitations

A. Authorization of Use and Application of FGARs and/or SGARs

Property owners or authorized tenants may apply to the Andover Health Division for authorization to retain, apply, use and deploy FGARs or SGARs to address active rodent infestations if necessary to protect public and personal health instances where Integrated Pest Management or alternative rodenticides are ineffective or impractical. Applications of FGARs and/or SGARs shall be removed from sites within ninety (90) days of treatment. The Andover Health Division in its authorization shall consider:

- (1) risks of FGAR and/or SGAR contamination to non-target wildlife;
- (2) risks to human health and property posed by the severity of rodent infestation, including violations of the state sanitary code;
- (3) availability and efficacy of alternatives to FGARs or SGARs applied to the specific circumstances of an infestation or rodent control issue, especially Integrated Pest Management and less-toxic applications; and
- (4) hardships by the tenant or property owner seeking relief; and
- (5) any other information deemed necessary or relevant by the Health Division.

B. FGARs Preferred

To the extent practicable, authorization to deploy FGARs shall be preferred over authorization to deploy SGARs to reduce risks to non-target animals.

C. Reporting and Conditions of Authorization

Health Division approval for application or use of FGARs and/or SGARs shall be valid for sixty (60) days, may specify or limit the number of and volume of applications, and set further conditions to mitigate potential harms caused by FGARs SGARs. Commercial Applicators shall report in sufficient detail the location and type of FGARs and/or SGARs applied, any observed negative impacts on wildlife, and certify FGARs and/or SGAR pesticides removal from the site of application following treatment regardless of infestation treatment outcomes.

D. Appeal of Denial

Persons or entities denied authorization to apply FGARs and/or SGARs may appeal the Health Division's decision to the Board of Health in writing within ten (10) calendar days of a written determination refusing authorization from the Health Division.

5. Enforcement; violations and penalties.

A. The Board of Health shall have the authority to enforce this chapter by:

- (1) Inspection and investigation;
- (2) The issuance of violation notices and administrative orders; and/or
- (3) Civil court actions.

B. Whoever, themselves or by their servant or agent or as the servant or agent of any other person or firm or corporation, violates any of the provisions of these regulations may be penalized by a non-criminal disposition process as provided in MGL c. 40, § 21D. Each day of violation, after written notice, is a separate violation.

C. A \$300 penalty for each offense shall apply to Commercial Applicators and property owners and tenants alike and simultaneously as the facts may warrant.

6. Severability; Effective Date

A. Each section of this bylaw shall be construed as separate to that end that if any section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of that bylaw and all other bylaws shall continue in full force.

B. This chapter shall take effect within ninety (90) days of Attorney General Approval.

On petition of Donna Cooper and others

ARTICLE 30	INDEMNIFICATION OF PUBLIC SAFETY MEDICAL COSTS
-------------------	---

To see if the Town will appropriate \$200,000 in accordance with the provisions of Chapter 41, Sections 100 and 100B of the General Laws, to indemnify certain active and retired Police Officers and Firefighters for all reasonable medical and surgical expenses for those conditions or injuries which they incurred in the course of their service, determine how the money will be raised and expended; or take any action related thereto.

On request of the Chief Financial Officer

ARTICLE 31	REVOKE TOWN ACCEPTANCE OF CIVIL SERVICE STATUS FOR POLICE OFFICERS
-------------------	---

To see if the Town will vote to revoke its acceptance of the provisions of the former Section 48 of Chapter 31 of the General Laws of the Commonwealth of Massachusetts, voted under Article 18 of the Warrant for the 1935 Annual Town Meeting, and any amendments thereto insofar as such chapter and section relate to the Civil Service status of regular or permanent members of the Andover Police Department, who shall no longer be subject to the provisions of Chapter 31 and the rules and regulations related thereto except that such revocation shall not affect any civil service rights, which have come into existence between the Town and employee of the Andover Police Department as a result of the original acceptance of such Section; and further to petition the Massachusetts General Court to exempt the Town of Andover from provisions of M.G.L. c. 31 as it relates to the Andover Police Department consistent with the foregoing to the extent necessary, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition; or take any other action relative thereto.

On request of the Town Manager

ARTICLE 32	BYLAW AMENDMENT – BALLARDVALE HISTORIC DISTRICT
-------------------	--

To see if the Town will vote to amend Article XII. Miscellaneous Bylaws, Section 36, Ballardvale Historic District by deleting, in their entirety, Sections 1 through 12, and replacing with the following language:

Article XII Miscellaneous Bylaws Section 36

BALLARDVALE HISTORIC DISTRICT

The Ballardvale Historic District encompasses the historic mill village center of Andover, characterized by its modest-scale 19th-century residential, civic, and mill-related buildings set within a traditional village street pattern. The Bylaw’s intent is to preserve the distinctive historic character, setting, and streetscape of this early industrial neighborhood while allowing reasonable

changes and improvements that support contemporary residential life and community needs. This Bylaw is adopted pursuant to the authority of Massachusetts General Laws Chapter 40C (“Chapter 40C”).

1. Title

This Bylaw shall be known as and may be cited as the Ballardvale Historic District Bylaw, adopted pursuant to authority granted by Chapter 40C of the General Laws of the Commonwealth of Massachusetts.

2. Purpose

To promote the educational, cultural, physical, economic, and general welfare of the Town of Andover through the preservation and protection of buildings, structures, features, streetscapes, and places within the Ballardvale Historic District that reflect the historical development and architectural character of the Ballardvale mill village. In administering this Bylaw, the Ballardvale Historic District Commission shall reasonably balance historic preservation objectives with the needs, uses, and circumstances of property owners and residents, recognizing Ballardvale’s longstanding character as a lived-in neighborhood and historic village setting. This Bylaw intends for the Ballardvale Historic District Commission, through its design guidelines and other lawful actions, to fulfill its duties pragmatically in a manner that reasonably balances historic preservation with striving to collaboratively accommodate the particular desires, burdens, and circumstances of those who submit applications under this Bylaw.

3. Establishment of District

There is hereby established an historic district to be known as the Ballardvale Historic District, the “District” the boundaries of which are shown on the plan entitled “Ballardvale Historic District, 1995,” on file with the Office of the Town Clerk and recorded with the North Essex Registry of Deeds.

4. Historic District Commission

A. Establishment and Membership

There is hereby established the Ballardvale Historic District Commission, hereinafter the Commission, consisting of seven (7) members and two (2) alternate members, all of whom shall be residents of the Town of Andover, appointed by the Town Manager and approved by the Select Board.

Whenever possible, appointments shall include the following:

- (1) one member selected from two nominees submitted by the Andover Preservation Commission;
- (2) one member selected from two nominees submitted by the Andover Center for History & Culture, if applicable;

- (3) one member selected from two nominees submitted by the Northeast Association of Realtors;
- (4) one member selected from two nominees submitted by the Massachusetts Chapter of the American Institute of Architects.
- (5) one member selected from two nominees submitted by the Andover Planning Board;
- (6) one member selected from two nominees submitted by the Ballardvale business community; and
- (7) one member who is, whenever possible, both a resident and property owner within the District.

If nominations are not received within thirty (30) days of a written request, the Town Manager and Select Board may proceed without such nominations. Alternate members need not be selected from nominees submitted by any organization.

B. Terms

When first established, three members shall be appointed for three-year terms, two members and one alternate for two-year terms, and two members and one alternate for one-year terms. Thereafter, all appointments shall be for three-year terms. Vacancies shall be filled within sixty (60) days for the unexpired term by appointment of the Town Manager with approval of the Select Board. Members and alternates shall serve until their successors are duly appointed and qualified.

C. Officers

The Commission shall annually elect a Chair, Vice Chair, and Clerk from among its members.

D. Alternate Members

In the event of absence, inability to act, or self-interest on the part of a member, the Chair may designate an alternate member to act in that member's place.

E. Quorum and Voting

Meetings shall be held only if a quorum of at least five (5) members, including designated alternates, is present. All decisions require a majority vote of those members present.

F. Compensation

All members and alternates shall serve without compensation.

5. Powers and Duties

The Commission shall have all powers and duties conferred upon historic district commissions by Massachusetts General Laws Chapter 40C, including jurisdiction over the construction, alteration, repair, relocation, or demolition of exterior architectural features visible from a public way within the District. In exercising its authority, the Commission shall consider the

historic and architectural value of the building or structure, its features and setting, and its relationship to the surrounding area, and shall act with an understanding of the needs of residents and property owners to make reasonable improvements consistent with preservation of the District's historic village character. Definitions of "building," "structure," "constructed," "altered," and "exterior architectural features" shall be as set forth in Chapter 40C.

6. Limitations and Exemptions

A. Applicability

Exterior changes to buildings or structures within the Ballardvale Historic District that are visible from a public way require review by the Commission unless specifically exempted under Section 6 of this Bylaw.

B. General Limitation on Authority

The Commission shall not act to prevent or unnecessarily delay new construction, reconstruction, or alterations except for the purpose of preventing developments incongruous to the historic and architectural character of the District as viewed in relation to the surrounding area.

C. Exemptions from Review

The following categories of work are exempt from review or control by the Commission:

1. Ordinary maintenance or repair, of any exterior architectural feature as defined by the Commonwealth of Massachusetts State Building Code 780 CMR, of any exterior architectural features provided such work does not involve a substantial change in design, material, or outward appearance.
2. Landscaping, including the planting of trees, shrubs, or other vegetation.
3. Terraces, walks, sidewalks, and residential driveways provided the structure is substantially at grade level. However, parking lots or parking areas require Commission review and must be in compliance with the provisions of Article VIII, Section 5.0, Subsection 5.1, of the Town of Andover Zoning Bylaw.
4. Retaining walls under 4 feet in height.
5. Storm doors, storm windows, screens, window air conditioners, residential lighting fixtures, satellite dishes, roof mounted solar panels and similar appurtenances.
6. The color and type of paint.
7. The color of roofing materials and siding.

8. Temporary signs or temporary structures, to be in use for not more than ninety (90) days, provided that temporary signs shall comply with the requirements of Article VIII, Section 5.0, Subsection 5.2, Paragraph 5.2.6, of the Town of Andover Zoning Bylaw, as amended from time to time. Temporary structures shall further comply with the Commonwealth of Massachusetts State Building Code 780 CMR.
9. Residential or professional nameplate signs not more than two (2) square feet in area, provided (a) no more than one sign is displayed per building or structure; (b) the sign consists of lettering painted on wood without a symbol or trademark; and (c) the sign complies with applicable zoning provisions. Commercial and institutional signs require review.
10. Reconstruction that is substantially similar in exterior design to a building, structure, or architectural feature damaged or destroyed by fire, storm, or other disaster, provided such reconstruction is begun within one (1) year thereafter and carried forward with due diligence and in compliance with applicable zoning and building requirements.
11. Any other work specifically exempt from the requirements of a building permit as provided in the Commonwealth of Massachusetts State Building Code, 780 CMR, except that the Commission shall review:
 - a) one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet;
 - b) fences not over 7 feet;
 - c) water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1;
 - d) prefabricated above ground swimming pools less than 24 inches deep, not greater than 5,000 gallons;
 - e) window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support;
 - f) decks not exceeding 200 square feet in area that are not more than 30 inches above grade at any point that are not attached to a dwelling and do not serve one of the required exit doors;
 - g) greenhouses covered exclusively with plastic film.

D. Additional Categories by Determination

2. The Commission may, after public hearing, determine from time to time that additional categories of exterior architectural features, structures, or signs may be constructed or altered without review by the Commission, provided such determination is consistent with the purposes of the Massachusetts General Laws, Chapter 40C.
3. Further, The Commission may determine from time to time after public hearing that the authority of the Commission be limited to exterior architectural features within the Ballardvale Historic District which are subject to view from one or more designated public streets, public ways, public parks, although other portions of buildings or structures within the district may be otherwise subject to public view, without substantial derogation from the intent and purposes of the General Laws, Chapter 40C.

7. Procedures

A. Certificates Required

Except as provided in Section 6, no building or structure within the District shall be constructed or altered in any way that affects exterior architectural features visible from a public way unless the Commission first issues a Certificate of Appropriateness, Certificate of Non-Applicability, or Certificate of Hardship. In addition, the demolition of any building or structure must comply with the requirements of Article XII, Section 33, of the General Bylaws of the Town of Andover. In the event of any conflict with the provisions of Article XII, Section 33, of the General Bylaws, this Bylaw shall prevail.

B. Application Process

Applications shall be filed with the Inspector of Buildings and forwarded to the Commission. Applications shall be in a form specified by the Commission and shall adequately describe the proposed work. Plans, elevations, and site plans may be required to show the design and relationship to existing conditions. In the case of demolition or removal, a copy of the demolition permit application shall also be forwarded.

C. Initial Determination

Within fourteen (14) days of filing for any certificate, the Commission shall determine whether the application involves exterior architectural features which are within the jurisdiction of this Bylaw.

D. Public Hearing

If the application requires the Commission's review or at the request of the applicant, the Commission shall hold a public hearing (unless waived for a public meeting as permitted under Chapter 40C). The Commission shall fix a reasonable time for the hearing on any application. The Inspector of Buildings shall give public notice of the time, place and purposes thereof at least 14 days before said hearing. A copy of said notice shall be mailed, postage prepaid, to the applicant, to the owners of all adjoining property and other property deemed by the Commission to be materially affected thereby as they appear on the most recent real estate tax list of the Board of Assessors, to the Planning Board, and to such other persons as the Commission shall deem entitled to notice.

E. Time for Decision

The Commission shall act upon a complete application within sixty (60) days of filing, unless an extension is agreed to in writing by the applicant.

F. Certificate of Appropriateness

A Certificate of Appropriateness shall be issued if the Commission determines that the proposed construction or alteration is appropriate for, or compatible with, the preservation or protection of the District. If disapproved, the Commission shall state its reasons in

writing and may recommend modifications that would make the application acceptable. A Certificate of Appropriateness shall be issued to the applicant if the Commission determines that the proposed construction or alteration will be appropriate for or compatible with the preservation or protection of the Ballardvale Historic District. In the case of a disapproval of an application for a Certificate of Appropriateness, the Commission shall place upon its records the reason for such a determination and shall forthwith cause a notice of its determinations, accompanied by a copy of the reasons therefor as set forth in the records of the Commission, to be issued to the applicant, and the Commission may make recommendations to the applicant with respect to the appropriateness of the design. Prior to the issuance of any disapproval, the Commission may notify the applicant of its proposed action, accompanied by recommendations of changes in the applicant's proposal, which, if made, would make the application acceptable to the Commission. If within 14 days of receipt of such notice, the applicant files a written modification of the application in conformity with the recommended changes of the Commission, as confirmed by the Chair of the Commission in his or her judgment, the Commission shall issue a certificate of appropriateness to the applicant.

G. Certificate of Non-Applicability

Upon request, the Commission shall issue a Certificate of Non-Applicability if the proposed work does not involve features subject to review under this Bylaw.

H. Certificate of Hardship

If an application is deemed inappropriate or if an application is made for a Certificate of Hardship, the Commission may issue a Certificate of Hardship if conditions particularly affecting the building or structure involved, but not affecting the Ballardvale Historic District generally, would make failure to approve an application involve a substantial hardship, financial or otherwise, to the applicant; and if approval would not involve substantial detriment to the public welfare. A certificate of hardship shall also be issued in the event that the Commission does not make a determination of an application within the time specified in this Bylaw.

I. Recordkeeping

All certificates and determinations shall be dated and signed, with a permanent record kept by the Commission. Copies shall be filed with the Town Clerk and the Inspector of Buildings.

J. Administrative Review

Any person aggrieved by a determination of the Commission may, within twenty (20) days of the filing of the notice of determination, request review by a person or persons of competence and experience designated by the Merrimack Valley Planning Commission. The finding of the person or persons making such review shall be filed in triplicate with the Town Clerk, the Inspector of Buildings and the Commission within 45 days after the request and shall be binding on the applicant and the Commission, unless a further appeal is sought as provided in Subsection 7.K of this Bylaw.

K. Judicial Appeal

Any person aggrieved by a determination of the Commission or by a finding by the person or persons making a review may, within 20 days after filing the notice of such determination or such finding with the Town Clerk, appeal to the Superior Court sitting in equity for Essex County. The Court shall hear all pertinent evidence and shall annul the determination of the Commission whether it finds the decision of the Commission to be unsupported by the evidence or to exceed the authority of the Commission or may remand the case for further action by the Commission or make such other decree as justice and equity may require. The remedy provided by this section shall be exclusive, but the parties shall have all rights of appeal and exception as in other equity cases.

Costs shall not be allowed against the Commission unless it shall appear to the Court that the Commission acted with gross negligence, in bad faith or with malice in the matter from which the appeal was taken. Costs shall not be allowed against the party appealing from such a determination of the Commission unless it shall appear to the Court that such party acted in bad faith or with malice in making the appeal to the Court.

L. Enforcement

The Superior Court sitting in equity for Essex County shall have jurisdiction to enforce the provisions of this Bylaw and the determinations, rulings and regulations pursuant thereto and may, upon the petition of the Commission or the Select Board, restrain by injunction violations thereof; and, without limitation, such Court may order the removal of any building, structure or exterior architectural feature constructed, altered or demolished in violation thereof and may issue such other orders for relief as may be equitable.

M. Penalties

Whoever violates this Bylaw shall be punished by a fine of not more than one hundred dollars (\$100) for each offense. Each day during which a violation continues shall constitute a separate offense.

8. Other Provisions

A. Applicability to the Town

The Town of Andover is subject to this Bylaw, notwithstanding any Town bylaw to the contrary.

B. Consistency with Chapter 40C

Except as specifically provided herein, the definitions, powers, and rules of conduct of the Commission shall be as set forth in Chapter 40C of the Massachusetts General Laws.

C. Amendment

This Bylaw may be amended from time to time by a two-thirds (2/3) vote of Town Meeting in accordance with Chapter 40C, Section 3.

D. Fees

The Select Board may establish reasonable fees for the administration of this Bylaw based on recommendations of the Commission.

E. Effective Date

This Bylaw takes effect upon approval by the Attorney General and the filing of a Ballardvale Historic District boundary map with the Town Clerk, the Inspector of Buildings, and the Registry of Deeds.

F. Severability

In case any section, paragraph or part of this Bylaw be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

And further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the number and format of the Andover code of Bylaws; or take any other action related thereto.

On request of the Ballardvale Historic District Commission

ARTICLE 33	TAX INCREMENT FINANCING AGREEMENT
-------------------	--

To see if the Town will vote to (i) approve a Tax Increment Financing Agreement (hereafter known as the TIF Agreement) with *[information to be provided in the 3/30 executive session]*, in substantially the same form as the draft TIF Agreement on file with the Andover Town Clerk 10 days prior to Town Meeting, which provides real estate tax exemptions at the exemption rate schedules set forth therein, and (ii) authorize the Select Board to execute the TIF Agreement in substantially the same form as the draft on file with the Andover Town Clerk and any documents related thereto, and to take any such action as is necessary to implement the TIF Agreement. The TIF Agreement shall provide that the Town shall provide for an exemption of property taxes or a percentage thereof based on the incremental increase in property value in assessed valuation of the property for a period of not less than five years or more than twenty years in accordance with the requirements of the Massachusetts General Laws Chapter 40, Section 59; and the applicable regulations thereunder. In return for such tax benefits, in accordance with the TIF Agreement, AdvanCell US LLC shall ensure at the above property the location and expansion of uses which increase job creation, provide higher property values, and retain or expand economic development in the Town and in the Commonwealth; or take any other action related thereto.

On request of the Director of Planning and Land Use

ARTICLE 34	TAX INCREMENT FINANCING AGREEMENT
-------------------	--

To see if the Town will vote to (i) approve a Tax Increment Financing Agreement (hereafter known as the TIF Agreement) with *[information to be provided in the 3/30 executive session]*, in substantially the same form as the draft TIF Agreement on file with the Andover Town Clerk 10 days prior to Town Meeting, which provides real estate tax exemptions at the exemption rate schedules set forth therein, and (ii) authorize the Select Board to execute the TIF Agreement in substantially the same form as the draft on file with the Andover Town Clerk and any documents related thereto, and to take any such action as is necessary to implement the TIF Agreement. The TIF Agreement shall provide that the Town shall provide for an exemption of property taxes or a percentage thereof based on the incremental increase in property value in assessed valuation of the property for a period of not less than five years or more than twenty years in accordance with the requirements of the Massachusetts General Laws Chapter 40, Section 59; and the applicable regulations thereunder. In return for such tax benefits, in accordance with the TIF Agreement, Onto Innovation shall ensure at the above property the location and expansion of uses which increase job creation, provide higher property values, and retain or expand economic development in the Town and in the Commonwealth; or take any other action related thereto.

On request of the Director of Planning and Land Use

ARTICLE 35	BYLAW AMENDMENT – SOLICITING
-------------------	-------------------------------------

To see if the Town will vote to amend the General Bylaws Article XII Section 21, “Soliciting,” by deleting all text and inserting the following text in its place:

§ 21. Soliciting

- (a) No person, either principal or agent, whether or not that person is licensed as a transient vendor, sales agent, hawker or peddler by the Commonwealth of Massachusetts under Chapter 101 of the General Laws or otherwise, shall go to any dwelling place or residence within the Town soliciting or taking orders for any goods, wares, merchandise, property of any kind or services of any nature, for future or immediate delivery or performance, within the Town of Andover, without previous consent of the owner or having first registered with the Chief of Police and having received a solicitor registration card.

The Chief of Police shall issue a solicitor registration card within five (5) business days of receiving a complete application, unless:

- i. The applicant has been convicted within the past five (5) years of any offense involving fraud, theft, burglary, breaking and entering, robbery, or any other crime involving dishonesty, force, or unlawful entry.
- ii. The applicant has previously violated this bylaw, or other Andover bylaws in connection with use of a solicitation permit or had a permit revoked for cause within the past two years.
- iii. The application contains false or materially misleading information.

Denials will be issued in writing, stating the specific reasons, and applicants shall have the right to request a hearing to appeal a denial before the Select Board within thirty (30) days.

A solicitation registration card is valid for up to twelve (12) months and must be carried by each solicitor while soliciting or taking orders for goods or services. The card must be shown upon request by law enforcement or by a resident. The Chief of Police may revoke the registration for cause after giving the solicitor an opportunity for a hearing.

- (b) Hours of Solicitation. Solicitation may occur only between the hours of 9:00 a.m. and 8:00 p.m. to protect residential privacy and prevent undue disturbance.
- (c) Resident Rights to Prohibit Solicitation. Residents may prohibit solicitation at their property through one or both of the following options:
 - i. Signage. Posting a visible sign reading “No Solicitation” at the property.
 - ii. Registry. Registering the property with the Town Clerk for inclusion on the official No Solicitation Registry, which shall be maintained by the Town Clerk and updated within five (5) business days of submission. Registration shall be free of charge and may be filed by owners or tenants using a “No Solicitation Form.”
- (d) Distribution of Registry. The Town Clerk shall provide the most current copy of the No Solicitation Registry to the Andover Police Department. Upon issuance of a solicitor registration card, each solicitor shall be provided with the most current copy of the Registry and shall be required to comply with its restrictions.
- (e) Enforcement. Any solicitor who enters upon a property outside “Hours of Solicitation” or a property listed on the Registry or displaying a “No Solicitation” sign at any time, shall be deemed in violation of this bylaw. Violations may result in fines up to \$300.00 per occurrence, suspension of solicitation permits, or other penalties as determined by the Select Board.
- (f) Exemptions and Qualifications.
 - i. This section shall not apply to noncommercial canvassing, including religious, charitable, educational, or political speech, or advocacy on matters of public interest, which are fully protected under the First Amendment. Duly recognized tax-exempt nonprofit organizations under state or federal law may canvass without registration or permits; and
 - ii. If any solicitor or canvasser is under the age of 18 years and is selling goods or periodicals for a commercial purpose, the provisions of M.G.L. c. 101, § 34, shall apply.
- (g) Purpose

This bylaw is intended to regulate the time, place and manner of commercial solicitation in a content-neutral manner.

; or take any other action related thereto.

On request of the Chief of Police

ARTICLE 36	BYLAW AMENDMENT – NO SOLICITATION REGISTRY
-------------------	---

To see if the Town will vote to amend the General Bylaws by adding a new Section, “No Solicitation Registry,” as follows:

§ 21A No Solicitation Registry

1. Purpose.

This bylaw establishes and authorizes a “No Solicitation Registry” for use by residents of the Town of Andover to protect their privacy and tranquility by prohibiting uninvited solicitation at their private residences. The Registry is maintained by the Town Clerk and serves as an official record of properties where solicitation is not permitted.

2. Resident Rights.

A resident may prohibit solicitation on their property through one or both of the following options:

A. Signage. Posting a visible sign reading “No Solicitation” at the property.

B. Registry. Registering the property with the Town Clerk for inclusion on the “No Solicitation Registry”.

3. Registration Process.

A. Registration shall be free of charge.

B. Residents may register by filing a “No Solicitation Form” with the Town Clerk. The form shall include the name of the person filing, status (owner or tenant) and residential address to which the restriction applies.

4. Distribution of Registry.

A. The Town Clerk shall update the Registry within five (5) business days of submission and provide it to the Andover Police Department.

B. Upon approval and issuance of a Town of Andover door-to-door sales registration card by the Andover Police Department, each solicitor shall be provided with the most current copy of the “No Solicitation Registry” in hard copy or electronic format.

5. Exemptions.

Religious, charitable, educational, or political organizations that are duly recognized as tax-exempt nonprofit entities under state or federal law, along with any organization or group that promotes positions or beliefs on matters of public interest or advocates on behalf of a candidate for public office, are exempt from the requirements of this bylaw and may canvass without registration or permits. i. If any solicitor or canvasser is under the age of 18 years and is selling goods or periodicals for a commercial purpose, the provisions of M.G.L. c. 101, § 34, shall apply.

6. Enforcement.

A. Any solicitor who enters upon a property listed on the Registry or displaying a “No Solicitation” sign shall be deemed in violation of this bylaw.

B. Violations may result in fines up to \$300.00 per violation, suspension of solicitation permits, or other penalties as determined by the Select Board.

7. Effective Date.

This bylaw shall take effect immediately upon approval by the Attorney General and proper posting in accordance with Massachusetts General Laws.

8. Severability

The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision herein.

; or take any other action related thereto.

On request of the Chief of Police

ARTICLE 37	ZONING BYLAW AMENDMENT – ACCESSORY DWELLING UNIT BYLAW ADJUSTMENTS
-------------------	---

To see if the Town will vote to amend the Andover Zoning Bylaw, Article VIII Section 7.9 “Accessory Dwelling Units” to render the section consistent with 760 C.M.R. 71.00 as follows:

7.9 ACCESSORY DWELLING UNITS.

7.9.2 Dimensional Regulations.

ADUS are permitted subject to the following dimensional and density regulations:

1. ADUs are permitted only on lots allowing a lawful principal dwelling unit. Simultaneous construction of principal and accessory dwelling units shall be permitted.
2. One ADU is permitted per each lot with a principal dwelling unit or units.

3. ADUs are limited in gross floor area to 900 square feet or one-half the total gross floor area of the principal dwelling unit or units, whichever is smaller.
4. ADUs must comply with all dimensional requirements of the underlying zoning district, special districts, and/or cluster developments as set forth in Section 4 of this bylaw and/or cluster development permits, including but not limited to building setbacks and building height.

7.9.5 Parking.

ADUs located more than 0.5 miles from a commuter rail station or bus station must provide one dedicated off-street additional parking space per ADU unless Site Plan Review determines sufficient parking exists at the time of Site Plan Review/a building permit is sought as determined by the Zoning Board of Appeals or their designee consistent with the parking requirements of Section 5 of this Bylaw.

; or take any action related thereto.

On request of the Inspector of Buildings

ARTICLE 38	ZONING BYLAW AMENDMENT – HISTORIC MILL OVERLAY DISTRICT DIMENSIONAL REGULATIONS
-------------------	--

To see if the Town will vote to amend the Andover Zoning Bylaw by deleting Article VIII. Section 8.5.6.4., Special District Regulations, Historic Mill Overlay District, Dimensional Regulations, Parcel Size.; or take any other action related thereto.

On request of the Planning Board

ARTICLE 39	HOME RULE PETITION - BYLAW AMENDMENT – ELECTRIC BICYCLE REGISTRY
-------------------	---

To see if the Town will authorize the Select Board to petition the General Court for special legislation permitting the Town to adopt and enforce a general bylaw requiring the registration of electric bicycles with the Town, to read substantially as follows:

“An Act Authorizing the Town of Andover to Establish an E-Bike Registry”

Section 1. Purpose

The purpose of this Act is to promote public safety, assist in the recovery of lost or stolen property, and ensure accountability in the operation of electric bicycles within the Town of Andover through the creation and enforcement of a local registry to ensure e-bicycles are being kept and maintained in compliance with chapter 85, § 11B ³/₄.

Section 2. Authorization of Electric Bicycle Registry

Notwithstanding the provisions of chapter 85, § 11B 3/4 of the General Laws or any other general or special law, rule or regulation to the contrary, the Town of Andover may require registration of electric bicycles (also known as “e-bikes”) and enforce same consistent with the bylaw set forth in substance below, approved by 2026 Annual Andover Town Meeting,

Andover Town Bylaws Article XII, Sec. 53 “Electric Bicycle Registry”

1. Purpose.

The purpose of this bylaw is to promote public safety, assist in the recovery of lost or stolen property, and ensure accountability in the operation of electric bicycles within the Town of Andover. Registration will provide the Town with a record of ownership and facilitate communication with riders.

2. Definitions.

Electric Bicycle. A bicycle or tricycle equipped with fully operable pedals and an electric motor of 750 watts or less that meets the requirements of a class 1 electric bicycle or a class 2 electric bicycle.

Electric Bicycle Class 1. An electric bicycle or tricycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

Electric Bicycle Class 2: An electric bicycle or tricycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

Motorized Bicycle: A pedal bicycle which has a helper motor, or a non-pedal bicycle which has a motor, with a cylinder capacity not exceeding fifty cubic centimeters, an automatic transmission, and which is capable of a maximum speed of no more than thirty miles per hour; provided, that the definition of "motorized bicycle" shall not include an electric bicycle.

Motorized Scooter. Any 2 wheeled tandem or 3 wheeled device, that has handlebars, designed to be stood or sat upon by the operator, powered by an electric or gas powered motor that is capable of propelling the device with or without human propulsion. The definition of "motorized scooter" shall not include a motorcycle, electric bicycle or motorized bicycle or a 3 wheeled motorized wheelchair.

Owner. Any person who purchases, possesses, or operates an electric bicycle within the Town of Andover.

Registration. The process by which an owner provides identifying information about an electric bicycle to the Andover Police Department and receives proof of registration.

Electric Bicycle Registry. The official record maintained by the Andover Police Department containing identifying information of all registered electric bicycles, including ownership details, serial numbers, and proof of registration issued by the Town.

3. Registration Requirement.

- A. All electric bicycles operated or stored within the Town of Andover must be registered with the Andover Police Department within 30 days of:
 - i. Purchase or acquisition of the electric bicycle,
 - ii. The owner establishing residency in the Town, or
 - iii. The owner using the electric bicycle as a mode of transportation within or through the Town of Andover on a recurring basis.
- B. Any transfer of ownership of a registered electric bicycle must be reported to the Town within 15 days of the transfer.
- C. Renewal of registration shall occur every three years, or at such interval as may be set by the Select Board.
- D. Registration and renewal shall be free of charge.

4. Proof of Registration.

Upon registration, the Town shall issue a decal and certificate to the owner. Proof of registration must be affixed to the electric bicycle or carried by the operator at all times when riding within the Town.

5. Enforcement.

- A. The Andover Police Department shall have authority to enforce this bylaw. Failure to register an electric bicycle may result in fines or other penalties as determined by the Select Board not to exceed Three Hundred (\$300) Dollars per violation. This bylaw may be enforced through noncriminal disposition pursuant to M.G.L. c.40, §21D.
- B. Continued non-compliance may result in impoundment until registration is completed.
- C. Motorized bicycles and motorized scooters are exempt from this bylaw as they are subject to separate registration under Massachusetts General Laws.

6. Exemptions.

- A. Electric bicycles owned by the Town or other governmental entities are exempt.
- B. Temporary visitors operating electric bicycles in the Town for fewer than 14 consecutive days are exempt.

7. Effective Date.

This bylaw shall take effect immediately upon approval by the Attorney General and proper posting in accordance with Massachusetts General Laws.

Section 3. Effective Date

This Act shall take effect upon passage.

; and further to amend the Town Bylaws to adopt a new bylaw Article XII, Section 53 “Electric Bicycle Registry” consistent with the foregoing.

Section 4. Severability

The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision herein.

;or to take any other action related thereto.

On request of the Chief of Police

Given our hands this 30th day of March 2026.

_____)	
Alex J. Vispoli, Chair)	
)	
_____)	SELECT BOARD
Ellen M. Townson, Vice Chair)	
)	OF
_____)	
Kevin T. Coffey, Member)	ANDOVER
)	
_____)	
Melissa Morris Danisch, Member)	
)	
_____)	
Laura M. Gregory, Member)	

A true copy

A T T E S T

Ronald Bertheim, Constable

Andover, Massachusetts, _____, 2026

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

Ronald Bertheim, Constable



Select Board Meeting Minutes

Monday, March 9, 2026, at 6:30 PM

Town Offices, Select Board Room

36 Bartlet Street, Andover, MA 01810

Meetings are televised on Comcast Channel 22 and Verizon Channel 45

I. Call to Order – 6:30 P.M.

Chair Alex Vispoli called the meeting of March 9, 2026, to order at 6:30 P.M.

Members Present: Alex Vispoli, Chair, Ellen Townson, Vice Chair, Melissa Danisch, Clerk Laura Gregory and Kevin Coffey.

Also present: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Deputy Town Manager and Town Clerk Austin Simko, Town Counsel, Doug Heim, and Brittney Lavoie, Deputy Town Manager of Operations.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

A moment of silence was observed followed by the Pledge of Allegiance.

III. Town Manager Report

Mr. Flanagan noted the following: Public forum redesign of [andoverma.gov website](http://andoverma.gov) March 10; Conservation Commission Introduction to Ecological Forest Management March 11; Synthetic turf forum March 12; Deadline for submitting proposals for Participatory Budget Program March 13; Annual budget workshop/review March 14.

IV. Communications/Announcements/Liaison Reports

Mr. Lindstrom said the Town has officially closed on 92 Tewksbury Street, acquiring 3.58 acres of land along the Shawsheen River for passive recreation. This has been the number one priority of the Open Space Task Force.

Ms. Lavoie said there were public safety awards for town employees at the Annual Public Safety Award Banquet and noted the AYS Career Fair held February 25th.

Mr. Heim thanked the Select Board for inviting him to participate in the recent Select Board Coffee Hour.

Ms. Gregory reminded all that the local election is March 24th, and on March 18th the LWV will be hosting a candidates' forum at the library.

Ms. Townson said that during the Select Board Coffee Hour she heard a number of requests for Officer Ota to be a future special guest.

Ms. Danisch noted receipt of the grant for Tewksbury Street sidewalks, and thanked DPW for the February snow removal.

Mr. Vispoli said the next Select Board Coffee Hour will be April 4; He was recently appointed to MMA Personnel and Labor Relations Policy Committee.

V. Public Comment

No public comment

VI. Public Hearings

A. National Grid – Lowell Junction Road

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 the public way hereinafter named in accordance with the plan filed herewith marked - Lowell Junction Road - Andover, Massachusetts.

Brian Sathler from National Grid gave a brief overview of the work request for installation of a JO pole on Lowell Junction Road to support new equipment for reliability, especially with storms. Ms. Townson noted the word Lowell on the map presented, and suggested it be changed to Andover. Mr. Sathler said the change would be made.

Ms. Danisch moved to approve the 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 the public way hereinafter named in accordance with the plan filed herewith marked - Lowell Junction Road - Andover, Massachusetts. Ms. Townson Seconded. The motion passed 5-0

VII. Regular Business

A. Opioid Settlement Funds

Board to receive opioid settlement fund recommendations and final report.

Mr. Lindstrom recognized Jess Pfefferman, consultant, who has been engaged in this process of resident interaction and proposals for fund distribution. A portion of the Fund which came from Pharma settlements was spent in FY25 and FY26. A full report of Fund distribution is posted online.

Ms. Pfefferman introduced her background and most recently her work with Opioid Settlement Community Needs Assessments. Highlights and recommendations/next steps are the focus tonight. Interviews and Focus Groups with Andover and North Andover volunteers.

Recommendations approved by state for use of Opioid Money. Direct Support discussed with key being connecting people to resources and approved categories for funding. Care Solace is the service coordinator, and Mr. Lindstrom spoke about some of their service stats which will be posted on the web site. Narcan and CPR training have reduced deaths in recent years.

Town has group of engaged individuals and will continue to work with Mr. Lindstrom.

Mr. Vispoli asked about settlement amounts, and funding will be available through 2039. The Town receives \$178K a year. Mr. Lindstrom noted that over the course of the settlement the total funding is \$2.65M. Mr. Coffey asked that future reports show income and spending and forecast trajectory.

Mr. Coffey asked how the Select Board participation in the lawsuit squared with the flow of funding through the state and other providers and Mr. Heim said the State created the fund and a percentage of that flows through to municipalities.

Ms. Townson asked whether survey results were shared with the Board of Health and noted the need for printable information available for residents in case of an emergency.

Mr. Vispoli said there is a team working with Mr. Lindstrom, funding is in place and resources listed online. Ms. Danisch said it is important for people to be able to talk about this and have these resources/assistance, and thanked Ms. Pfefferman for her work on this issue.

B. [Amendments to Traffic Rules and Regulations](#)

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

Mr. Vispoli introduced Andover Safety Officer Ota and Joseph Bianco, principal of St. Augustine's School. The discussion began with slides of Central Street parking issues currently impacting traffic and pedestrian crossing at St. Augustine's School. Recommendations include eliminating parking for drop-off/pickups between School Street and the condominium driveway, to end the so-called double parking. Mr. Bianco said this should help with circulating the traffic. Also, add hard barriers to have better sight lines on School/Central Streets.

May hire another crossing guard. Ms. Danisch asked about backups on Central Street, and Officer Ota said there will be monitoring and education for now. Ms. Danisch also suggested staggering school grade times might help, and a barrel should be removed after drop-off and pick-up times. This change wouldn't affect other schools in the area. Mr. Coffey asked about flex posts as waiting area/queue prior to the gridlock, and this will be monitored.

Ms. Townson moved to approve the amendments to the traffic rules and regulations by imposing a parking restriction of no parking on the south side of Central Street from Chestnut to School Street during the hours of 8:00 AM to 3:30 PM on school days for the purpose of maintaining a designated school pickup and drop-off queue as presented by the Andover Safety Officer. Ms. Gregory seconded. The motion passed 5-0.

Ms. Townson moved to approve the amendments to the traffic rules and regulations by establishing a pickup drop-off only zone on the south side of Central Street from Chestnut Street to School Street during the hours of 8 AM to 3:30 PM on school days for the purpose of maintaining a designated school pickup and drop-off queue as presented by the Andover Safety Officer. Ms. Gregory seconded. The motion passed 5-0.

[Land Use Policy](#)

Board to review and consider approval of revised Land Use Policy as presented by Town Counsel.

Mr. Heim prepared a draft policy and key of summary of changes and thanked others for their help and review. Ms. Townson asked about a section on campfire permitting which was dropped. A discussion followed on campfires in designated pits, gatherings in the Pole Hill area, drought issues, when and where permits would be issued for Scouts and

other groups, and alcohol permits which will be addressed in a separate policy addressing alcohol on town property.

Mr. Heim described the permitting process and will add language concerning communal pits to address Ms. Townson’s concerns.

Ms. Townson moved to approve the revised Land Use Policy as presented by Town Counsel as amended. Ms. Danisch seconded. The motion passed 5-0.

C. Annual Town Meeting Articles

Board to consider voting to take a position on the following articles:

P9	<p>Financial Housekeeping F-H; H reauthorization of revolving accounts.</p> <p>Ms. Townson moved to recommend Town Meeting approval of Article P9 “Financial Housekeeping” F-H. Ms. Danisch seconded. The motion passed 5-0. Mr. Coffey asked about the storm water revolving fund and town events revolving fund and how it relates to expenses for Andover Day. Mr. Flanagan explained the separate permitting fees for those two town events and income if permitting required due to storm drain study</p> <p>(G) Concerns peg access and cable related expenses. (H) Annual appropriation to the pension obligation bond stabilization.</p>
P11	<p>Dissolution of Revolving Funds—offsets cost associated, annually Fire rescue for reimbursement of mutual aid ambulance funds.</p> <p>Ms. Danisch moved to recommend Town Meeting approval of Article P11, dissolution of revolving funds. Mr. Coffey Seconded. The motion passed 5-0.</p>
P21	<p>Zoning Bylaw Amendment – Accessory Dwelling Unit Bylaw Adjustments. Mr. Materazzo, Director of Planning worked with Mr. Heim on amendments. Bylaw on ADUs (accessory dwelling units) Attorney General’s Office had 3 issues. Amendments clarify the intent, sever the AGs concerns and make administrative changes on accessory dwelling units.</p> <p>Ms. Gregory moved to recommend Town Meeting approval of Article P21 zoning bylaw amendment, accessory unit bylaw adjustments. Ms. Danisch seconded. The motion passed 5-0.</p>
P25	<p>Zoning Bylaw Amendment – Historic Mill Overlay District (HMD) Dimensional Regulations. Mr. Materazzo gave a brief overview of the background of HMD and said the intent is to move forward with a minor amendment. Need to remove the minimum acreage requirement and align it with existing zoning to open up this area for occupants of smaller scale projects. Planning Board recommends approval.</p> <p>Ms. Danisch moved to recommend Town Meeting approval of Article P25 zoning bylaw amendment, historic mill overlay district dimensional regulations. Ms. Gregory seconded. The motion passed 4-0-1. Mr. Coffey abstained.</p>
P32	<p>Revoke Town Acceptance of Civil Service Status for Police Officers</p> <p>Mr. Flanagan said this has been negotiated. Civil Service has been in place in Andover since 1935. System of state-run tests every two years has not evolved with best</p>

	<p>practices. This amendment would give local control of the hiring process. Mr. Vispoli said it would also give the town more hiring flexibility.</p> <p>Ms. Townson moved to recommend Town Meeting approval of Article P32, to revoke town acceptance and civil service status for police officers. Mr. Coffey seconded. The motion passed 5-0.</p>
P34	<p>West Elementary Borrowing and Andover High School Improvements—</p> <p>Mr. Flanagan introduced Acting Superintendent Keith Taverna, High School principal Mr. D'Andrea, School committee members Jake Tamarkin and Lauren Conoscenti. Mr. Flanagan said this process now has the unanimous support of the school committee as things have evolved over the past two years and with numerous committees. Three Options were discussed previously: Option 1: Base scope plus science wing for \$80M; Option 2: Base scope including furniture, security, mechanical etc. \$17 -27M; and now, Option 3 (Modified); Security and furniture replacement, \$3.85M. This would be funded through existing capital balances and a transfer from free cash. This option would maintain the existing High School building for the near future. It would not directly impact residents and would maintain flexibility. It would be within the tax levy. An SOI still must be accepted by MSBA and this timeline explained. At some point in the future a new H.S. will need to be built, and Option 3 modified, provides what is needed in the short term.</p> <p>Will be able to proceed to the 2026 annual Town Meeting with this recommendation. Mr. Taverna spoke of the need for school furniture, for flexibility and said there will be a comprehensive plan for all students. Ms. Conoscenti said the opportunity to make additional decisions if needed is important.</p> <p>Ms. Danisch said new furniture will be available for students going forward and some of the existing furniture would be re-used and re-purposed made sense. Mr. Vispoli thanked the school committee for their lengthy and serious deliberation on this matter and said the community will continue to be engaged in this matter.</p> <p>Mr. Coffey also noted the time commitment by the school committee and asked if about final borrowing for West El. Mr. Flanagan said final borrowing has been completed and waiting for MSBA and expenses. Article language will be discussed depending on final numbers. Mr. Coffey said the word "borrow" is not contemplated in the vote so it should be removed. Mr. Heim said that term is part of any capital project until final language is completed. Mr. D'Andrea spoke briefly about comprehensive furniture and space upgrades including improvements for the special ed programs. Ms. Townson thanked Mr. Taverna for his work on this project.</p> <p>Ms. Gregory moved to recommend Town Meeting approval of Article P34 West Elementary borrowing and Andover High School Improvements. Ms. Townson seconded. The motion passed 5-0.</p> <p>Ms. Gregory withdrew this motion to address Mr. Coffey's concern with the word "borrowing."</p> <p>Ms. Gregory moved to recommend Town Meeting approval of revised Particle P34 as presented with removal of the word "borrowing". Mr. Coffey seconded. The motion passed 5-0.</p>

P35	<p><u>An Act Authorizing the Town of Andover to Prohibit the Use of Anticoagulant Rodenticides by Commercial Pesticide Applicators.</u> Private article for home rule petition.</p> <p>Mr. Vispoli recognized Donna Cooper, 4 Eagle Way and Prudence Barker, Arthur Road who gave an overview of the cruelties and public health issues caused by this rodenticide which the Town of Andover prohibits on public but not on private properties.</p> <p>Chair of Public Health Board Dr. Deborah Enegess spoke against this warrant as written. She argued that a reduction/ban on anticoagulant rodenticide is best done at the State level.</p> <p>Mr. Simko read a revised motion approved by the Board of Public Health. He noted that although the Board of Health is in favor of banning this, the original article would make the Andover Health Department responsible for regulation and enforcement rather than under a holistic State plan.</p> <p>Ms. Townson spoke in favor of local enforcement for a number of reasons, with the spread of animal mange to humans and the opportunity to move forward with better solutions being key. Mr. Coffey spoke of having some ability or plan to enforce on this on private residences if adopted. Mr. Heim gave a framework of regulating products like bait boxes, and explained legal issues, suggesting legislation at the state level. Members were generally in favor of this, but concerns were discussed about an enforcement plan for private properties. Ms. Danisch said the petitioners and Board of Health need to have further discussions, and Mr. Flanagan noted the Finance Committee will want information on potential costs.</p> <p>Ms. Townson moved to recommend Town Meeting approval of Article P35, an act authorizing the Town of Andover to prohibit the use of anticoagulant rodenticides by commercial pesticide applicators. Ms. Gregory seconded. The motion passed 5-0.</p>
P40	<p>Amend District Agreement with Greater Lawrence Technical School to Permit Hangar Lease.</p> <p>Superintendent Lavoie read the proposed warrant.</p> <p>Ms. Danisch moved to recommend Town Meeting approval of Article P40 amend district agreement with Greater Lawrence Technical School to permit hanger lease. Mr. Coffey seconded. The motion passed 5-0</p>

VIII. Approval of Minutes

A. Board to approve minutes from the following meetings:

1. February 23, 2026

Ms. Danisch moved to approve the meeting minutes from February 23, 2026, Select Board Meeting. Mr. Coffey seconded. The motion passed 5-0.

IX. Adjourn

Ms. Danisch moved to adjourn the meeting at 9:34 PM. Ms. Gregory seconded the motion passed 5- 0.



Select Board Meeting Minutes

Monday, March 16, 2026, at 6:30 PM

Town Offices, Select Board Room

36 Bartlet Street, Andover, MA 01810

Meetings are televised on Comcast Channel 22 and Verizon Channel 45

I. Call to Order – 6:30 P.M.

Chair Alex Vispoli called the meeting of March 16, 2026, to order at 6:30 P.M. Members Present: Alex Vispoli, Chair, Ellen Townson, Vice Chair, Melissa Danisch, Clerk, Laura Gregory and Kevin Coffey.

Also Present: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Deputy Town Manager and Town Clerk Austin Simko, Town Counsel Doug Heim, Deputy Town Manager of Operations Brittney Lavoie.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

A moment of silence was observed followed by the Pledge of Allegiance led by Ryan DeLorenzo.

B. Recognition of Dorothy DeLorenzo

Mr. Vispoli asked Ms. DeLorenzo's family to join the Board in recognizing her as long-time support and minutes taker for the Select Board. Since 2007, Ms. DeLorenzo has chronicled all the Select Board meetings accurately and on time. and Mr. Vispoli read aloud a recognition of those efforts and presented a bouquet of flowers followed by a family group photo with the Board.

III. Town Manager Report

Mr. Flanagan introduced Benjamin Meade, newly appointed Director of Conservation, and noted Mr. Meade was a Conservation Agent for 8 years, is familiar with Andover Conservation issues, and has a strong vision for Conservation issues in town. Mr. Meade thanked all for this opportunity and noted his interest in Open Space and Conservation issues in town and is looking forward to working in this new position and with the Board.

IV. Communications/Announcements/Liaison Reports

Mr. Lindstrom gave an update on the Haggett's Pond Rail Trail, which is about to open. Last step is installation of ADA railing and staircase, and the contractor will be on site March 23. There is about two weeks of ADA work, installation of a kiosk and then open to the public.

Ms. Lavoie praised the AYS event last week attended by over 300 kids. It was a great opportunity to place students with summer jobs/internships and a range of other opportunities. Event expected to be held again next year.

Mr. Simko mentioned election for Town Offices is next Tuesday and there is a short time left to get the mail- in ballot. Mailbox in front of Town Offices may be used for ballots. Old Town Yard site will be developed by MINCO and approvals from MBTA are in and they are working on their internal processes to get project going. Closing by June. Land disposition sets the rest of the dates. If they close in June site work will start in about 60 days. Two years end date.

Ms. Townson asked about dog waste receptacles on the Haggett's' Pond trail and these will be provided. Ms. Townson recently took an MMA online class and learned Andover was one of a few towns with Tri-Board meetings and thanked Mr. Flanagan for this.

Mr. Vispoli thanked those who participated in the Turf Field Forum last week. Andover High School Juniors and Seniors will be able to take a Credit for Life course with Dave Florine on April 14 to learn to build and balance real life budgets.

Ms. Gregory thanked Mr. Flanagan and staff for the Saturday annual budget meeting. The LWV will hold a candidates' forum on Wednesday at 7 PM at MHL.

V. Public Comment

Kristen Wise from Inwood Lane asked about the Capital Carry Forward introduced last year allowing the Town Manager to keep excess capital funds in an account for spending above and beyond long range forecast. She said last year's CIP showed \$175K coming from a Capital Carry Forward that was not used. Ms. Wise said this policy seems to subvert the vote of Town Meeting as the CIP lists how money is to be spent and what is not used was not returned to the voters as free cash. Suggested financial subcommittee consider a financial policy on this rather than a statement in the CIP.

Mr. Flanagan said the Capital Carry Forward was introduced two summers ago as a four-component plan and described the process which follows best practices for using or repurposing funds and offsetting cash with costs. It was always intended to be a transparent process and allows for handling long standing delays with projects outside the of CIP or Town Meeting and the monies referred to have been applied.

VI. Regular Business

A. [MBTA – Burnham Road Presentation](#)

Presentation to the Board by MBTA on upcoming bridge repair and closure on Burnham Road.

Three members from the MBTA, Omar Alchaar Project Manager, Adam Kamoune, and George Kober gave a slide presentation on the Preservation & Maintenance Program regarding the Burnham Road bridge.

Mr. Alchaar described the existing bridge condition, proposed preservation and maintenance plan, with schedule of work, traffic plan for road closure and detour, and outreach efforts.

The existing stone bridge renovated in 1972 has deteriorating bearings and the steel girders need to be repaired. Recent inspections also showed missing masonry and mortar in some places.

Work will involve reconstruction and shoring of the bridge, repointing stone masonry and steel blasting and painting.

Each corner of bridge will be done separately for a total of four phases due to the narrow road. Mr. Vispoli asked if the road could be widened and the process for requesting such expansion. He noted there have been public requests for widening both the Burnham and Central bridges. Mr. Alchaar responded that it would be outside the scope of this capital program.

Mr. Kamoune said that at the end of the useful life of the bridge which could be 15-20 years from now, full replacement along with pedestrian access and bridge widening - a larger scale project – could be considered.

Ms. Danisch and Mr. Coffey noted that the bridge looked to be at least a hundred years old and Ms. Danisch said there was a good response from previous historic railroad bridge work and that safety is key.

Mr. Kamoune said the bridge abutments were installed in 1865, but it is the steel girders from a 1972 renovation that require structural work rather than the abutments.

Mr. Alchaar spoke of the schedule which will take 8 months between end of March 2026 and end of Fall 2026 with full road closure during this time. Some of the prep with message boards will begin this week. Access to the park under the bridge on the other side of Burnham Road will not be affected. Detour plans and outreach by flyers to local abutters and public engagement are next steps and this information will be on the web site.

Mr. Alchaar said there will be no pedestrian access under the bridge due to safety reasons.

Mr. Coffey asked about alternatives for pedestrians which could be quite a distance, and if planned outreach would be the first notice to abutters, giving them one or two weeks' notice.

Mr. Coffey also asked about ancillary effects on abutting properties such as noise and dust from the renovations. Mr. Alchaar said all safety regulations will be followed, and resident issues will be addressed as they crop up. The Select Board will be updated as needed.

Ms. Gregory asked about access to the parking lot by the fields and whether construction vehicles would be parked in that area. Equipment will be stored nearby, but not in the parking lot.

Ms. Townson asked about the public outreach schedule, ensuring the Shawsheen river area would be protected, and dust containment. Flyers will go out this weekend to the public and there will be outreach to those using the fields. Although work crews may start as early as 6:30 AM these hours will be during the week not weekends. Lead was found on the bridge, and its containment and disposal will be according to regulations. Anticipated end date is October. A possible pedestrian archway to the side of the bridge will be discussed. Mr. Vispoli thanked the team for their presentation.

B. Grant of Easement

Board to consider voting to approve and execute grant of access easement for 264 Andover Street.

Mr. Heim said this is the last stage of a long process approved by Town Meeting, the Conservation Commission, and the State for an easement across a section of driveway that existed prior to the Town buying a parcel of land which included a section of that driveway, to access conservation land. Attorney Mark Johnson said all parties have agreed to the easement for the residents of this address and all that is needed is the Select Board to sign and it will be recorded at the Registry of Deeds. The State requires an appraisal due to Open Space issue.

Ms. Townson moved to approve and execute the grant of access easement for 264 Andover Street. Ms. Danisch seconded. Motion passed 5-0.

C. [Annual Town Meeting Articles](#)

Board to consider voting to take a position on the following articles:

P4	<p>Fiscal Year 2027 Budget</p> <p>Mr. Flanagan said this Article includes the entire budget unless funded through warrant articles. \$252,629,652. (less budgeted revenues and offsets)</p> <p>Ms. Danisch moved to recommend Town Meeting Approval of Article P4 "Fiscal Year 2027 Budget." Ms. Townson seconded. Motion passed 5-0</p>
P5	<p>Fiscal Year 2027 Capital Projects Fund</p> <p>Mr. Flanagan said this is funded from cash, mostly Facilities funds. Mr. Coffey asked if funded out of taxation, and it is. Within 7-7.5% target.</p> <p>Ms. Townson moved to recommend Town Meeting Approval of Article P5 "Fiscal Year 2027 Capital Projects Fund." Ms. Danisch seconded. Motion passed 5-0.</p>
P6	<p>Capital Projects from General Fund Borrowing</p> <p>Mr. Flanagan note this is the other section of the CIP funded from 7- 7.5% target.</p> <p>Combines Debt service and Article 5. Pulled out Chandler Road Project into its own Article, leaving the new amount as \$9,238,000</p> <p>Mr. Flanagan outlined town sidewalk program, large public works vehicles, town parks and playgrounds, major town projects and major school projects.</p> <p>Mr. Coffey noted ladder truck funded from free cash and asked whether \$578K for public works vehicles might also have been funded out of free cash rather than debt. Mr. Flanagan said it could potentially have been, but there might not have been sufficient cash reserves because of unknown expenses before closing out at the end of year, so it is a balance.</p> <p>School ADA question from Ms. Townson.</p> <p>Mr. Coffey Moved to recommend Town Meeting Approval of Article P6 "Capital Projects from General Fund Borrowing." Ms. Danisch seconded. Motion passed 5-0.</p>
P7	<p>Capital Projects from Free Cash</p> <p>\$4.8M for included most small vehicles, minor sidewalk repair, town and school security, IT.</p>

	<p>Kathy Grant, Morton Street, asked where \$150K approved from free cash for DPW was as it was not listed in this or last few Articles. Mr. Flanagan explained request sheets vs recommendations for funding.</p> <p>Ms. Danisch moved to recommend Town Meeting Approval of Article P7 "Capital Projects from Free Cash." Ms. Townson seconded. Motion passed 5-0.</p>
P8	<p>Capital Projects from Water and Sewer Enterprise Funds</p> <p>Includes the Water main replacement/improvement project, Wood Hill Pumps and Motor Control Centers, Ozone generators, Shawsheen pumping station; all built into the water rate plan. \$26,335,000.</p> <p>Mr. Coffey noted Town did not receive a \$1M grant it applied for from Congressman Seth Moulton's Office for these improvements. Ms. Gregory noted subsidy with North Reading users.</p> <p>Mr. Coffey moved to recommend Town Meeting Approval of Article P8 "Capital Projects from Water and Sewer Enterprise Funds." seconded. Motion passed 5-0.</p>
P22	<p>Bylaw Amendment – Ballardvale Historic District</p> <p>Planning Board and Commission recommended approval. Legal allowances under Chapter 40C of State Law and exemptions explained. Empathetic and clarified purpose streamlined sections, expedited approvals</p> <p>Katherine Robinson and Remi Machet Commission members explained reasons for updated Ballardvale Historic District Commission By-Law. Ballardvale first of Andover's planned mill villages. Preserve and Protect buildings and history.</p> <p>Mr. Simko gave an overview of bylaw process timeline from June to present. Ms. Robinsons described design guidelines and upcoming process. Ms. Townson asked about generators and composite wood. Generators are exempt in current bylaw but not addressed in state law.</p> <p>Ms. Danisch moved to recommend Town Meeting Approval of Article P22 "Bylaw Amendment-Ballardvale Historic District." Ms. Gregory seconded. Motion passed 5-0.</p> <p>Joann Michalik 7 Hearthstone Lane Place Preservation Commission member stated support for the design.</p>

Chandler Road Recreation Area

Debt service and Free Cash funding.

Mr. Connelly gave an update of Phase II of the proposed playground and field as well as public feedback from a 1/14/26 meeting and considerations after that meeting. Photo of Option 4 showed this area with desired program/amenities.

Mr. Flanagan addressed the budget with a model of projected enterprise fund revenue from synthetic turf field. Abutters' concerns with parking lot addressed.

Joann Michalik 7 Hearthstone Place—questioned lifetime costs of artificial turf of \$1.5M over 10 years. Mr. Connelly spoke of use and hours over long run and maintenance/replacement costs.

Miranda Chave 49 Porter Road—asked whether there would be a breakdown of allocation or a bundled \$5M for voting purposes. Mr. Flanagan said it would be bundled as it is integrated into the capital budget.

P33

PFAS product testing and end of life recycling plan included in bid.

Mr. Coffey asked whether the lower field shown in the photo would be included in this phase and was playing field equipment part of the plan. Lower field not included in Phase II. Mr. Coffey also asked whether the Article should specify that artificial turf would be used in case an amendment was proposed at Town Meeting, such as substituting natural grass. Mr. Flanagan said Articles typically don't specify materials used in a capital budget warrant Article. Mr. Heim said it's the Moderator's decision whether to allow an amendment and it was decided to confer with the Town Moderator on this matter prior to signing the Warrant.

Ms. Danisch noted concerns the public shared with the Board and thanked those for time and input.

Ms. Gregory noted efforts of the Select Board on this issue. Mr. Vispoli said the process worked well.

Ms. Townson noted the various types of fields and asked whether this was a vote on the concept. This is the design stage as it goes through the permitting process.

	Ms. Danisch moved to recommend Town Meeting Approval of Article P33 "Chandler Road Recreation Area." Ms. Gregory seconded. Motion passed 5-0
P41	Bylaw Amendment Ambulance Revolving Fund A financial mechanism explained regarding the fund for supplies and equipment in the revolving fund and revenue from ambulance fund. Mr. Coffey moved to recommend Town Meeting Approval of Article P41 "Bylaw Amendment Ambulance Revolving Fund." Ms. Townson seconded. Motion passed 5-0.

VII. Adjourn

Ms. Danisch moved to adjourn the meeting at 8:56 PM. Mr. Coffey seconded. The motion passed 5-0.

Summary of Town Manager Staff Appointments

The Town Manager is pleased to announce the following appointments:

Department	Name	Position	Date of Hire	Rate/Term
Community Development & Planning	Benjamin Meade <i>(Robert Douglas)</i>	Director of Conservation	03/11/2026	\$127,000/year