

Board of Selectmen

36 BARTLET STREET

ANDOVER, MA 01810

WWW.ANDOVERMA.GOV

MEETING AGENDA

Monday, October 30, 2017

Regular Session 7:00 P.M.

Executive Session 8:45 P.M.

SELECTMEN'S CONFERENCE ROOM, ANDOVER TOWN OFFICES, 3rd floor

REGULAR SESSION

I. Call to Order– 7:00 P.M.

II. Opening Ceremonies/ Moment of Silence/Pledge of Allegiance – 7:00 P.M.

III. Communications/Announcements/Liaison Reports – 7:05 P.M.

IV. Citizens Petitions and Presentations – 7:10 P.M.

V. Public Hearing – 7:15 P.M.

A. National Grid – (10 minutes)

This hearing is being held on the petition of National Grid requesting permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – William Street, Andover, MA. The following are the streets and highways referred to:

Plan # 23202190 (Revised), William Street – National Grid proposes to install +/- 125 feet 1-3" conduit with conductors from proposed new hand hole in public way to proposed hand hole in public way. This will enable new electric service for #52. Location approximately as shown on plan attached.

VI. Regular Business of the Board – 7:25 P.M.

A. Eagle Scout Citation– (5 minutes)

The Board of Selectmen to sign and recognize Brendan Major for being awarded the rank of Eagle Scout.

B. AED Unit – (5 minutes)

Town of Andover to be presented a new G5 AED unit from the company Cardiac Science Corporation.

- C. Acceptance of Sidewalk Easement at 141 Elm Street – (10 minutes)
Board of Selectmen to consider to vote and sign the acceptance of a sidewalk easement to be granted to the Town of Andover by CHS Andover, LLC.
- D. Security Camera Policy – (10 minutes)
Board to discuss and consider voting to approve new Security Camera Policy.
- E. Social Media Policy – (10 minutes)
Board to discuss and consider voting to approve the new Social Media Policy.
- F. Retirement Board Appointment – (30 minutes)
Board to interview candidates for the Fifth Seat on the Retirement Board and consider voting to make an appointment to the Retirement Board.

VII. Consent Agenda – 8:35 P.M.

A. APPOINTMENTS – (Town Manager)

That the following appointments by the Town Manager be approved:

DEPARTMENT/ COMMITTEE	NAME	POSITION	RATE/ TERM	DOH
Library Services	Kenna Cheverie	Library Page	\$9.25/hr.	10/17/17
Recreation Services	Jill Dufresne	Kids Corner Assistant	\$12.00/hr.	10/2/17
Treasurer/Collector	Anthony Collins v. D. Zimmer	Office Administrator IE-18-1	\$53,812	10/31/17
Green Advisory Board	Carla Carter	Member – 3 year term		

VIII. Approval of Minutes from Previous Board of Selectmen Meetings – 8:40 P.M.
October 16, 2017 (Regular Meeting)

IX. Executive Session – 8:45 P.M.

Board to go into Executive Session to review and consider voting to approve and release Executive Session Minutes

X. Adjournment – 9:45 P.M.

View documents associated with this agenda: www.andoverma.gov/selectmen
Meetings are televised on Comcast Channel 22 and Verizon Channel 45 or may be viewed online at www.andovertv.org If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Wendy Adams at 978-623-8210 or wadams@andoverma.gov in the Town Manager’s Office.



TOWN OF ANDOVER

Town Clerk's Office

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

NOTICE

You are hereby notified that a Public Hearing will be held by the Andover Board of Selectmen, on Monday, October 30, 2017 in the 3rd Floor Conference Room, 36 Bartlet Street, at 7 p.m.

This hearing is being held on the petition of National Grid requesting permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – William Street, Andover, MA. The following are the streets and highways referred to:

Plan # 23202190 (Revised), William Street – National Grid proposes to install +/- 125 feet 1-3” conduit with conductors from proposed new hand hole in public way to proposed hand hole in public way. This will enable new electric service for #52. Location approximately as shown on plan attached.

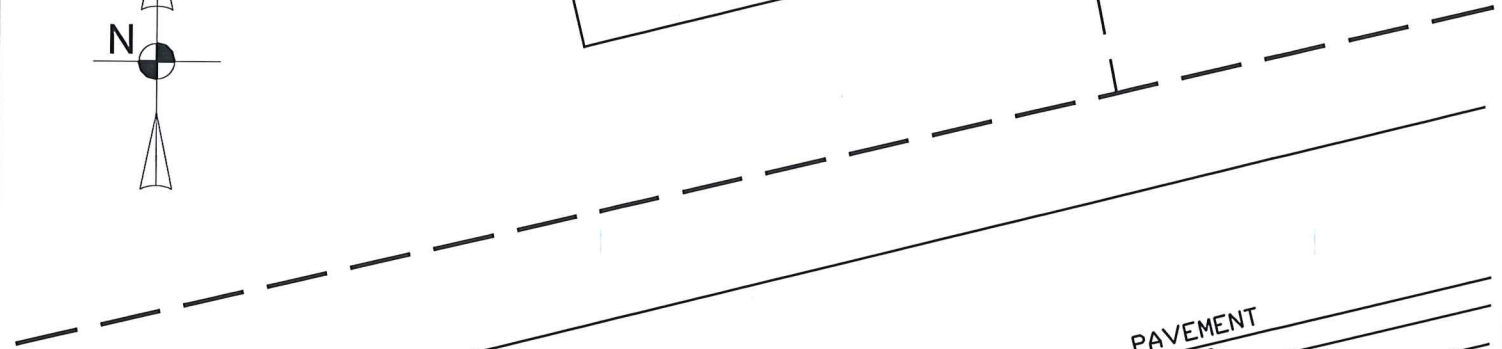
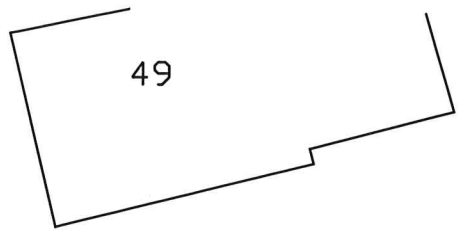
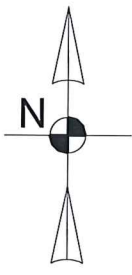
Plan(s) of the proposed work can be found on the Town of Andover web site at www.andoverma.gov in the main Meetings Calendar by searching under the public hearing date.

Should you have any major concerns about this proposal, please call Dave Boucher, 978-725-1461, prior to the above-mentioned Selectmen's meeting date. Representatives from the utility company will be available at 6:45 P.M. on the above date to answer any other questions you may have relating to the proposed work.

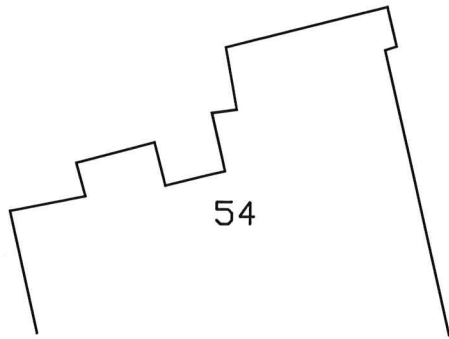
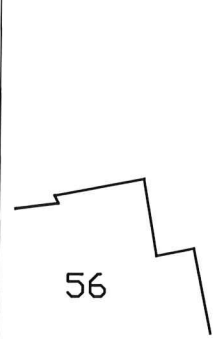
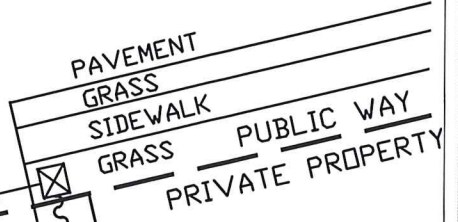
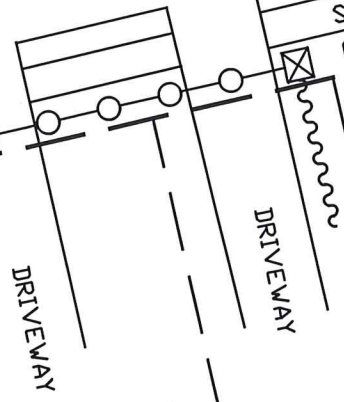
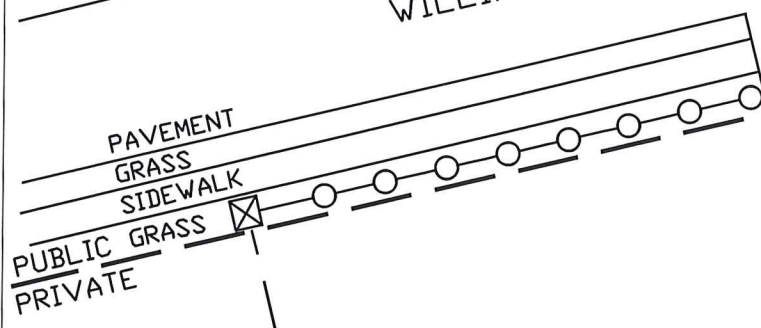
By order of the
Board of Selectmen

Lawrence J. Murphy
Town Clerk

Plan No.: 23202190 (Revised)
Date: October 20, 2017



WILLIAM ST



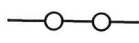
52

50

UNDERGROUND PETITION



PROPOSED HAND HOLE



PROPOSED CONDUIT 1-3"



CUSTOMER OWNED SERVICE

PROPOSAL IS TO INSTALL +/- 125' 1-3" CONDUIT WITH CONDUCTORS FROM PROPOSED NEW HAND HOLE IN PUBLIC WAY TO PROPOSED NEW HANDHOLE IN THE PUBLIC WAY. THIS WILL ENABLE NEW ELECTRIC SERVICE FOR #52.

DISTANCES ARE APPROXIMATE

nationalgrid

Date: 10-3-16

WORK REQUEST: 23202190

To The: TOWN OF ANDOVER, MA

For Proposed: 1-3" UNDERGROUND CONDUIT & 2 HAND HOLE LOCATIONS

Drawn By: DJB

Location: WILLIAM ST

October 26, 2017

BY HAND

Wendy A. Adams
Executive Assistant
Town Manager's Office
Town of Andover
36 Bartlet Street
Andover, Massachusetts 01810

Re: *Property: 141 Elm Street*
Owner: CSH Andover, LLC
Decision: Elderly Housing Special Permit, dated July 23, 2015 (the "Decision")
Request for Board of Selectmen Acceptance of Sidewalk Easement

Dear Ms. Adams:

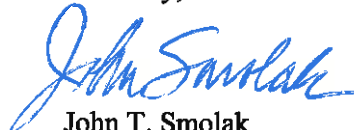
This firm represents CSH Andover, LLC ("CSH"), the owner of the property known and numbered as 141 Elm Street (the "Property"). On behalf of CSH, we are requesting that a matter be added to the Board of Selectmen's October 30 Agenda involving the acceptance of a sidewalk easement to be granted to the Town of Andover by CSH Andover, LLC.

By way of background, CSH Andover, LLC was granted an Elderly Housing Special Permit (the "Special Permit") to allow for the construction of an assisted living facility to be located on the Property. Construction of the project was commenced last week.

The plans approved as a part of the Special Permit called for the conveyance of a sidewalk easement to the Town of Andover. The easement was requested by the Planning Board because the Town's existing sidewalk currently encroaches onto the Property owned by CSH. As a result, CSH agreed to convey an easement essentially for a sidewalk use that currently exists today. To this end, enclosed please find an original sidewalk easement and accompanying plan depicting the easement area.

Please let me know if you need additional information, or if I can be of further assistance.

Sincerely,



John T. Smolak

JTS/

cc: Jacki Byerly, Planner, Planning Division

SIDEWALK EASEMENT AGREEMENT

This Sidewalk Easement Agreement (hereinafter referred to as the "Agreement") is made as of this 19th day of OCTOBER, 2017, by CSH Andover, LLC, a Delaware limited liability company with an address of 1275 Pennsylvania Ave., NW, Second Floor, Washington, DC 20004 ("Grantor"), in favor of the Inhabitants of the Town of Andover, Massachusetts, by and through its Selectmen, having an address of 36 Bartlet Street, Andover, Massachusetts 01810 (the "Grantee").

WHEREAS, Grantor is the owner of certain parcel of land (the "Property"), consisting of Lot 1 and Lot 2 (each, a "Lot", and collectively, the "Lots"), as well as a private subdivision roadway depicted as Lot 3 ("ROW" or "Lot 3"), on a Definitive Subdivision Plan (the "Subdivision Plan") entitled "Plan of Land, Special Permit & Definitive Subdivision Plans, CSH of Andover, Andover, MA, dated June 5, 2015 (Rev. July 6, 2015) (Sheet 1 of 1), (Scale 1" = 40') prepared for CSH Andover, LLC by Marchionda & Associates, L.P., and a copy of which Subdivision Plan is recorded with the Essex North District Registry of Deeds as Plan No. 17601. For title reference, see deed recorded herewith and immediately prior hereto;

WHEREAS, the Grantor was issued a notice of Approval of Definitive Subdivision Plan by Decision, dated July 23, 2015, issued by the Andover Planning Board, and the Grantor was also issued a restriction which memorialized the terms and conditions of the Approval of Definitive Subdivision Plan (the "Subdivision Decision"), which Subdivision Decision is recorded with said Deeds in Book 15084, Page 72;

WHEREAS, in consideration of the Town of Andover Planning Board's acceptance of the Subdivision Decision, the Grantor, agreed to provide the Grantee with a pedestrian easement (the "Pedestrian Easement") over a certain portion of Lot 1 shown on the Subdivision Plan as "Proposed 5' Sidewalk Easement" (the "Easement Area") providing pedestrian access along the border of Elm Street, a public way as shown on said Subdivision Plan, said Pedestrian Easement running over and across a five foot (5') strip of Lot 1 immediately adjacent to said Elm Street, as more particularly shown on said Plans;

WHEREAS, Grantor has agreed to grant such Pedestrian Easement as shown on the Subdivision Plan;

NOW THEREFORE, in consideration of the mutual covenants herein expressed, the receipt and sufficiency of which are hereby acknowledged, Grantor and the Grantee agree as follows:

1. In order to encourage pedestrian access along Elm Street in a safe manner, Grantor hereby irrevocably grants and conveys to the Grantee, upon and subject to the terms and conditions herein contained, for the benefit of the Grantee, in connection with others entitled thereto, an irrevocable and perpetual right and easement, in, over, upon, under, and across a portion of Grantor's real property, being a portion of Lot 1 shown as "Proposed 5' Sidewalk Easement" on the Subdivision Plan for all purposes for which pedestrian access easements are now or hereinafter may be used in the Town of Andover. Said Pedestrian Easement shall be restricted to pedestrian and non-motorized vehicle use. Upon completion of initial construction of the Pedestrian Easement by the Grantor, the Grantor shall have no repair, maintenance, or other responsibilities or liabilities related thereto.
2. Grantee shall be solely responsible for determining, installing, and maintaining all appropriate or necessary measures for the protection of persons and general public safety in the Easement Area.
3. This grant of said Pedestrian Easement is made subject to all laws, easements, covenants and restrictions of record to the extent in force and applicable. The Grantor and Grantee acknowledge that an additional purpose of this grant of a pedestrian easement is to permit the public to use such easement area for recreational, conservation, educational, environmental, or ecological purposes, and Grantor shall not impose a charge or fee therefor, all as contemplated by, and within the meaning of, M.G.L. c. 21, Section 17C, and Grantor shall be entitled to all of the benefits thereof.

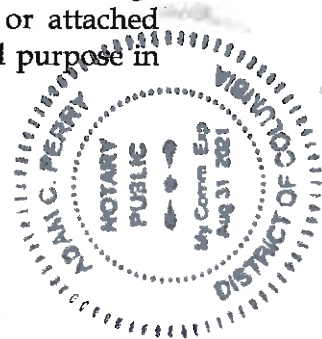
Executed as an instrument under seal and effective as of the date first above written.

CSH Andover, LLC
By: _____
Name: Fred Moon
Title: Vice President

DISTRICT OF COLUMBIA

On this 19 day of OCTOBER, 2017, before me, the undersigned notary public, personally appeared Fred Moon, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose in her/his capacity as Vice President of CSH Andover, LLC.

[Signature]
Notary Public



SEAL

My Commission Expires: 8/31/2021

District of Columbia: SS

Sworn to and subscribed before me on the 19 day of OCT, 2017

[Signature]
Notary Public's Signature / 8/31/2021
My Commission Expires

ACCEPTANCE BY BOARD OF SELECTMEN

We, the undersigned members of the Board of Selectmen for the Town of Andover hereby accept the foregoing grant of easement to the Town of Andover.

Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

Essex, ss. _____, 2017

On this ___ day of _____, 2017, before me, the undersigned Notary Public, personally appeared _____ proved to me through satisfactory evidence of identification, which were _____ to be the person(s) whose name is signed on the preceding or attached document and acknowledged to me that he/she/they signed it voluntarily for its stated purpose as Selectmen of the Town of Andover.

Notary Public

My Commission Expires: _____

SUBORDINATION AND CONSENT

The undersigned, Wells Fargo Bank, National Association, having a mailing address at 1750 H Street, NW, 5th Floor, Washington, DC 20006, being the holder of a Construction Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing, dated October 11, 2017 and recorded with the Essex County North District Registry of Deeds at Book 15262, Page 115 (the "Mortgage"), does hereby consent to the execution and grant of that certain Sidewalk Easement Agreement (the "Easement Agreement"), recorded herewith and prior hereto, by CSH Andover, LLC in favor of the Town of Andover, Massachusetts, and does hereby further subordinate said Mortgage and its interests thereunder, to the said Easement Agreement, if and as though said Easement Agreement had been executed and recorded prior to the Mortgage.

Executed under seal as of this 19 day of October, 2017.

Wells Fargo Bank, National Association

By: [Signature]
Name:
Title:



DISTRICT OF COLUMBIA

On this 19 day of October, 2017, before me, the undersigned notary public, personally appeared Melissa Hilton, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose in her/his capacity as Vice President of Wells Fargo Bank, National Association.

[Signature]
Notary Public

SEAL

My Commission Expires: June 14, 2022

District of Columbia: SS
Subscribed and Sworn to before me
this 19 day of October, 2017
[Signature]
Senquisha Childs, Notary Public, D.C.
My commission expires June 14, 2022

CERTIFICATE

October 25, 2017
(Date)

With regard to the dedication, transfer and conveyance of certain easement rights (the "Easement Rights") as to be granted pursuant to that certain Sidewalk Easement Agreement (hereinafter referred to as the "Easement") dated as of the 19th day of October, 2017, by CSH Andover, LLC ("Grantor"), in favor of the Inhabitants of the Town of Andover, Massachusetts, by and through its Selectmen (the "Grantee"), as granted or to be granted on the property as more particularly described in Exhibit A attached to this Certificate (the "Easement Area"), we, the undersigned Attorneys at Law, hereby certify to the Town of Andover that all necessary Grantor parties have signed the Easement, and with the conveyance and acceptance of the grant of the Easement to the Town of Andover, and upon execution by the Grantee and recording thereof with the Essex County North District Registry of Deeds, the Town of Andover shall have, subject only to the specific exceptions or qualifications described below, good, clear, record and marketable title to the Easement Rights and over the Easement Area, free of all liens and encumbrances except as described herein below. Fee title to the Easement Area is vested in CSH Andover, LLC by virtue of a Deed from Robert J. Maye and Lisa Holihan Maye, dated October 10, 2017 and recorded on October 16, 2017 with the Essex County North District Registry of Deeds at Book 15262, Page 113. A copy of the Easement, as executed by the Grantor, and of a Subordination and Consent (the "Lender Subordination"), as executed by the Grantor's lender and to be recorded with the Easement are attached hereto as Exhibit B. The Easement Rights and the Town of Andover's title to the Easement Area is or will be subject to the following exceptions and qualifications:

1. Any facts, rights, interest, or claims which are not shown by the public records, but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.

3. Any taxes or municipal charges which are not yet due and payable or which may come due and payable after the date of this Certificate.
4. Any inchoate liens, including such matters as mechanic or materialmen liens, and for which no notices of contract, lien or attachment have yet to be filed or recorded with the Essex North District Registry of Deeds.
5. The Town of Andover's title to the Easement Area is and will not be fee simple and is limited to easement rights for access and use, subject to the terms and conditions of the Easement, including without limitation, matters concerning scope of easement and any rights of fee owners as described or otherwise at law.
6. The Easement is also subject to the following outstanding encumbrances and matters of record:
 - a. Restriction which memorializes the terms and conditions of the Approval of Definitive Subdivision Plan issued by the Andover Planning Board recorded with Essex North District Registry of Deeds at Book 15084, Page 72.
 - b. Decision of Andover Planning Board as a Special Permit Granting Authority (Decision No. SP15-03) on Application of CSH Andover, LLC For a Special Permit for Earth Movement, dated July 23, 2015, recorded with Essex North District Registry of Deeds at Book 15084, Page 81.
 - c. Decision of Andover Planning Board as a Special Permit Granting Authority (Decision No. SP14-09) on Application of CSH Andover, LLC for a Special Permit for Elderly Housing, dated July 23, 2015, recorded with Essex North District Registry of Deeds at Book 15084, Page 88.
 - d. Order of Resource Area Delineation issued by the Town of Andover Conservation Commission and recorded with Essex North District Registry of Deeds at Book 15113, Page 174.
 - e. Declaration of Restrictions and Easements made by Robert J. Maye and Lisa Holihan Maye, dated September 13, 2017 and recorded with Essex North District Registry of Deeds at Book 15226, Page 73.
 - f. Construction Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing, from CSH Andover, LLC, in favor of Wells Fargo Bank, National Association, dated October 11, 2017 and recorded with Essex North District Registry of Deeds at Book 15262, Page 115, and as the same shall be affected by the Lender Subordination, upon recording of the Lender Subordination with the Easement at the Essex North District Registry of Deeds.

- g. Mortgage from Robert J. Maye and Lisa Holihan Maye, in favor of Mortgage Master, Inc., in the original principal amount of \$262,500.00, dated April 14, 1997, filed with said Registry District as Document Number 64986, as affected by Assignment of Mortgage from Mortgage Master, Inc. to Sovereign Bank, filed with said Registry District as Document Number 64987, as affected by Assignment of Mortgage from Sovereign Bank to First Union National Bank, filed with said Registry District as Document Number 66672, as affected by Assignment of Mortgage from Wells Fargo Bank, N.A., S/B/M Wachovia Bank, N.A., F/K/A First Union National Bank, filed with said Registry District as Document Number 113586, as affected by Notice of Voluntary Withdrawal of Land from the Registration System recorded with Essex North District Registry of Deeds at Book 14994, Page 301. Note: Said Mortgage has been paid in full and satisfied in connection with the recent acquisition of the premises by the Grantor and it remains outstanding of record pending the issuance and recording of a mortgage discharge by the lender pursuant to MGL c. 183 § 55; Said Mortgage is referenced for informational purposes only as the mortgage discharge remains pending but it shall not otherwise be deemed to be an exception to title for purposes hereof.
- h. Mortgage from Lisa Holihan Maye and Robert J. Maye, in favor of Fleet National Bank, in the original principal amount of \$100,000.00, dated July 3, 2003 filed with said Registry District as Document Number 83563, as affected by Notice of Voluntary Withdrawal of Land from the Registration System recorded with Essex North District Registry of Deeds at Book 14994, Page 301. Note: Said Mortgage has been paid in full and satisfied in connection with the recent acquisition of the premises by the Grantor and it remains outstanding of record pending the issuance and recording of a mortgage discharge by the lender pursuant to MGL c. 183 § 55; Said Mortgage is referenced for informational purposes only as the mortgage discharge remains pending but it shall not otherwise be deemed to be an exception to title for purposes hereof.

This Certificate of Title is made effective as of the date and time executed, on this 25th day of October, 2017, and is based solely upon a review of the record title and properly indexed instruments at the Essex North District Registry of Deeds as of such time and with the assumption that no further instruments affecting title to the premises will be recorded prior to acceptance and recording of the Easement and Lender Subordination.

Executed as of the first day above written.

SMOLAK & VAUGHAN LLP

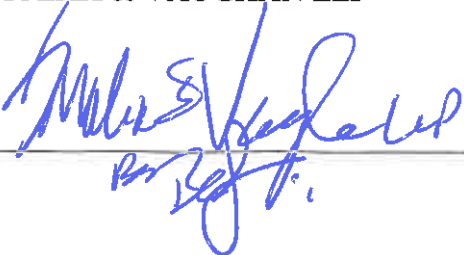


EXHIBIT A
(Description of Easement Area)

The Easement Area consists of a portion of Lot 1, being the area shown as “Proposed 5’ Sidewalk Easement” on a plan entitled “Plan of Land, Special Permit & Definitive Subdivision Plans, CSH of Andover, Andover, MA, dated June 5, 2015 (Rev. July 6, 2015) (Sheet 1 of 1), (Scale 1” = 40’) prepared for CSH Andover, LLC by Marchionda & Associates, L.P., and a copy of which Plan is recorded with the Essex North District Registry of Deeds as Plan No. 17601. For title reference, see deed to CSH Andover, LLC recorded with Essex North District Registry of Deeds at Book 15262, Page 113.

EXHIBIT B
Signed Easement Agreement and
Signed Lender Subordination and Consent

See copies attached hereto and incorporated herein.

SIDEWALK EASEMENT AGREEMENT

This Sidewalk Easement Agreement (hereinafter referred to as the "Agreement") is made as of this 19th day of OCTOBER, 2017, by CSH Andover, LLC, a Delaware limited liability company with an address of 1275 Pennsylvania Ave., NW, Second Floor, Washington, DC 20004 ("Grantor"), in favor of the Inhabitants of the Town of Andover, Massachusetts, by and through its Selectmen, having an address of 36 Bartlet Street, Andover, Massachusetts 01810 (the "Grantee").

WHEREAS, Grantor is the owner of certain parcel of land (the "Property"), consisting of Lot 1 and Lot 2 (each, a "Lot", and collectively, the "Lots"), as well as a private subdivision roadway depicted as Lot 3 ("ROW" or "Lot 3"), on a Definitive Subdivision Plan (the "Subdivision Plan") entitled "Plan of Land, Special Permit & Definitive Subdivision Plans, CSH of Andover, Andover, MA, dated June 5, 2015 (Rev. July 6, 2015) (Sheet 1 of 1), (Scale 1" = 40') prepared for CSH Andover, LLC by Marchionda & Associates, L.P., and a copy of which Subdivision Plan is recorded with the Essex North District Registry of Deeds as Plan No. 17601. For title reference, see deed recorded herewith and immediately prior hereto;

WHEREAS, the Grantor was issued a notice of Approval of Definitive Subdivision Plan by Decision, dated July 23, 2015, issued by the Andover Planning Board, and the Grantor was also issued a restriction which memorialized the terms and conditions of the Approval of Definitive Subdivision Plan (the "Subdivision Decision"), which Subdivision Decision is recorded with said Deeds in Book 15084, Page 72;

WHEREAS, in consideration of the Town of Andover Planning Board's acceptance of the Subdivision Decision, the Grantor, agreed to provide the Grantee with a pedestrian easement (the "Pedestrian Easement") over a certain portion of Lot 1 shown on the Subdivision Plan as "Proposed 5' Sidewalk Easement" (the "Easement Area") providing pedestrian access along the border of Elm Street, a public way as shown on said Subdivision Plan, said Pedestrian Easement running over and across a five foot (5') strip of Lot 1 immediately adjacent to said Elm Street, as more particularly shown on said Plans;

WHEREAS, Grantor has agreed to grant such Pedestrian Easement as shown on the Subdivision Plan;

NOW THEREFORE, in consideration of the mutual covenants herein expressed, the receipt and sufficiency of which are hereby acknowledged, Grantor and the Grantee agree as follows:

1. In order to encourage pedestrian access along Elm Street in a safe manner, Grantor hereby irrevocably grants and conveys to the Grantee, upon and subject to the terms and conditions herein contained, for the benefit of the Grantee, in connection with others entitled thereto, an irrevocable and perpetual right and easement, in, over, upon, under, and across a portion of Grantor's real property, being a portion of Lot 1 shown as "Proposed 5' Sidewalk Easement" on the Subdivision Plan for all purposes for which pedestrian access easements are now or hereinafter may be used in the Town of Andover. Said Pedestrian Easement shall be restricted to pedestrian and non-motorized vehicle use. Upon completion of initial construction of the Pedestrian Easement by the Grantor, the Grantor shall have no repair, maintenance, or other responsibilities or liabilities related thereto.
2. Grantee shall be solely responsible for determining, installing, and maintaining all appropriate or necessary measures for the protection of persons and general public safety in the Easement Area.
3. This grant of said Pedestrian Easement is made subject to all laws, easements, covenants and restrictions of record to the extent in force and applicable. The Grantor and Grantee acknowledge that an additional purpose of this grant of a pedestrian easement is to permit the public to use such easement area for recreational, conservation, educational, environmental, or ecological purposes, and Grantor shall not impose a charge or fee therefor, all as contemplated by, and within the meaning of, M.G.L. c. 21, Section 17C, and Grantor shall be entitled to all of the benefits thereof.

Executed as an instrument under seal and effective as of the date first above written.

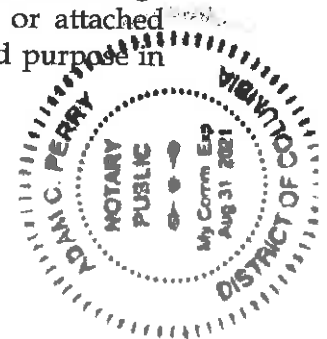
CSH Andover, LLC

By: [Signature]
Name: Fred Moon
Title: Vice President

DISTRICT OF COLUMBIA

On this 19 day of OCTOBER, 2017, before me, the undersigned notary public, personally appeared Fred Moon, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose in her/his capacity as Vice President of CSH Andover, LLC.

[Signature]
Notary Public



SEAL

My Commission Expires: 8/31/2021

District of Columbia: SS

Sworn to and subscribed before me on the 19 day of OCT, 2017

[Signature]
Notary Public's Signature / My Commission Expires 8/31/2021

ACCEPTANCE BY BOARD OF SELECTMEN

We, the undersigned members of the Board of Selectmen for the Town of Andover hereby accept the foregoing grant of easement to the Town of Andover.

Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

Essex, ss. _____, 2017

On this ___ day of _____, 2017, before me, the undersigned Notary Public, personally appeared _____ proved to me through satisfactory evidence of identification, which were _____ to be the person(s) whose name is signed on the preceding or attached document and acknowledged to me that he/she/they signed it voluntarily for its stated purpose as Selectmen of the Town of Andover.

Notary Public

My Commission Expires: _____

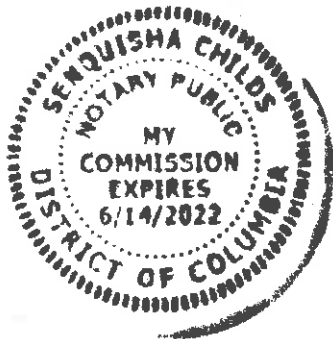
SUBORDINATION AND CONSENT

The undersigned, Wells Fargo Bank, National Association, having a mailing address at 1750 H Street, NW, 5th Floor, Washington, DC 20006, being the holder of a Construction Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing, dated October 11, 2017 and recorded with the Essex County North District Registry of Deeds at Book 15262, Page 115 (the "Mortgage"), does hereby consent to the execution and grant of that certain Sidewalk Easement Agreement (the "Easement Agreement"), recorded herewith and prior hereto, by CSH Andover, LLC in favor of the Town of Andover, Massachusetts, and does hereby further subordinate said Mortgage and its interests thereunder, to the said Easement Agreement, if and as though said Easement Agreement had been executed and recorded prior to the Mortgage.

Executed under seal as of this 19 day of October, 2017.

Wells Fargo Bank, National Association

By: [Signature]
Name:
Title:



DISTRICT OF COLUMBIA

On this 19 day of October, 2017, before me, the undersigned notary public, personally appeared Melissa Hilton, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose in her/his capacity as Vice President of Wells Fargo Bank, National Association.

[Signature]
Notary Public

SEAL

My Commission Expires: June 14, 2022

District of Columbia: SS
Subscribed and Sworn to before me
this 19 day of October, 2017
[Signature]
Senquisha Childs, Notary Public, D.C.
My commission expires June 14, 2022

Security Camera Policy
Town of Andover
Draft, October 12, 2017

Overview and Purpose

The Town of Andover may operate and maintain video security cameras and equipment throughout town property, public recreation and conservation areas, and other municipal facilities to prevent and deter crime and for overall public safety. This current policy does not include school buildings or property under the jurisdiction of the school department or cameras under the control of law enforcement.

The objective of this Policy is to ensure that security cameras will be placed to view public spaces only and will not be used to:

- Invade the privacy of individuals;
- Monitor private property or premises, unless otherwise in view of by the naked eye;
- Harass, intimidate or focus on any individual or group

Management and Operations

Security cameras will be monitored and operated by the Town Manager or the designated Department Head and/or Division Head. The Department Head or Division Head or their designee shall be responsible for the establishment, operation, and storage of images and video obtained through security footage.

This Policy will ensure that the use of security cameras will be conducted in a professional, ethical, and legal matter at all times in accordance with the Town of Andover's policies and code of conduct. Any misuse of security cameras or footage will be reported to the Town Manager's Office and Andover Police Department.

Use and Restrictions

In the event of an alleged, suspected, reported or observed incident or loss, the review by the Town Manager, Department Head or Division Head of recorded information may be used to assist in the investigation of an incident. Any report of a suspected crime will be immediately reported to the Andover Police Department.

Cameras are positioned to monitor only what is in the general public view. Monitoring anything that would be deemed an invasion of privacy is strictly prohibited. An example of a public view would be anything that may be viewed from a vantage point that is accessible to the public and where persons involved in an activity would not have an expectation of privacy.

No sound is to be monitored or recorded in connection with the video surveillance system.

Public Awareness of Cameras

The public shall be made aware of the existence of cameras by signage at the respective facility entrance that reads: Surveillance Cameras in Use.

Retention

Recorded images will be stored and kept on Town owned equipment and will be backed up consistent with the Town of Andover's established data integrity practices. Backed up images will be kept in a secure location and will only be accessible by the appropriate Town of Andover and Public Safety officials.

Public Record

The images are considered to be within exemption (n) of General Laws Chapter 4, Section 7(26)(n) and it is for the records custodian to determine whether or not the disclosure of the images, "in the reasonable judgment of the record custodian, subject to review by the supervisor of public records under subsection (c) of section 10 of chapter 66, is likely to jeopardize public safety or cyber security."

This exemption to the public records law is intended to secure the safety of persons and public places by restricting access to records that may have been previously open to public inspection. The nature of the exemption requires a records custodian to make some value judgment regarding the requester in order to decide whether to release the information sought.

Each respective Department's Record Access Officer will be the records custodian for these purposes. The records custodian must consider whether disclosure of the images is likely to jeopardize public safety or cyber security and the custodian must state the grounds upon which disclosure will or will not be allowed in response to a public records request.

Policy Review

This policy will be reviewed, as necessary, to ensure it is providing adequate protections for the public, as well as the Town of Andover.

Social Media Policy

Town of Andover

DRAFT 10/12/2017

Introduction

As part of the official Internet presence for the Town of Andover, the Town's social media sites will be used by the Town and its agencies for communicating information with the goal of informing the public of the work, news and updates of various Town departments. The Town's social media sites are subject to the same rules as other government publications. The Town is not obligated to comment or reply to any response, comments or messages but will moderate comments/contributions to the site by the public to comply with federal, state and local laws, and within our own policies.

Purpose

The purpose of this policy is to establish procedures governing the use of Town social media accounts.

General

- The Town of Andover has created numerous social media accounts as a customer service tool for the dissemination of unbiased, factual information to the public. Such social media sites are subject to the approval of the Department Head and Town Manager or his/her designee
- Only social media accounts that are listed on andoverma.gov/twitter shall be considered official accounts. Official accounts must indicate in the profile that they are an official site and should include a link back to andoverma.gov and to this policy.
- The Town's social media site will be used by the Town and its departments for communicating information with the purpose of informing the public of the work, news, events and updates of the various Town departments. The Town is not obligated to respond to any comments or private messages.
- Any dialogue or private messaging over social media should be followed with a public version of a post providing the same information unless it is not suitable for public consumption.
- The Town and its departments are not obligated to "follow" or "friend" any organization or individual. The Town and its departments may follow other public entities such as another municipal, state, quasi-state or federal agency for the coordination and dissemination of interest to the general public.
- Any posts that may be deemed as promotion of private commercial interests is prohibited.
- No comments will be accepted through the Town's social media accounts for any public hearing or meeting; either adjudicatory public hearings or any other notified public hearing. Residents must attend public hearings and meetings or directly communicate with the deliberative body.
- Comments and messaging cannot be used as any formal notification or request for any public meeting or services unless it is referring to information already posted on andoverma.gov.
- Content posted to social media is subject to Massachusetts Public Records Law, including, but not limited to a page's list of subscribers/followers, posted communication and communication submitted for posting
- The Town is responsible solely for the content uploaded to the official Town accounts, and not for any related or "suggested" videos, linked photos linked from other users, nor for any advertising or other content contained on the relevant platform.
- The Town's social media accounts are not open forums and are limited to the subject matter posted by the various town departments.

Monitoring

The Town expressly reserves the right to remove from public view any post, comment, photo or remark that does not conform with the terms of this Policy or contains the following content from the social media site:

- Content violates the host site's terms of use or policy
- Comments not topically related to the particular social media article or thread
- Content that is abusive, defamatory or disparages an individual or potentially libelous statements
- Personal attacks, insults or threatening language
- Comments in support of or in opposition to political campaigns or ballot measures
- Profane language or content
- Content that promotes, fosters, or perpetuates discrimination on the basis of any protected class under state or federal law
- Sexual content
- Solicitations of commerce
- Conduct or encouragement of illegal activity
- Information that may tend to compromise the safety or security of the public or public systems
- Personal and private information
- Content that violates a legal ownership interest of any other party
- Comments or hyperlinks unrelated to posted information
- Commercial promotions or spam content

Primary Use By Employees

The Town's social media sites shall be used to communicate the following:

- Announcements about departmental or community items of interest
- Emergency notifications
- Highlighting of Town events and activities
- Provision of historical and/or current information relative to the Department or Town of Andover
- Highlight employees who have done good work for the community
- To direct the public to content on andoverma.gov

Employees whom have been approved to communicate through the Town's social media sites shall also adhere to the following:

- Employees representing the Town on Town social media sites shall conduct themselves at all times as a professional representative of the Town and in accordance with all Town policies.
- Any employee authorized to post information on any of the Town's social media sites shall review, be familiar with and comply with the guidelines of this policy
- Any employee authorized to post information on any of the Town's social media sites shall not express his/her own personal views or concerns through such postings. Postings shall only reflect the views of the Town
- Town social media sites shall use authorized Town contact information for account set-up, monitoring and access. The use of personal e-mail accounts or phone numbers by any Town employee is not allowed for the purpose of setting-up, monitoring or accessing a Town social media site
- Employees may remove posts from public view in order to adhere to the monitoring guidelines as indicated in this policy. If a deletion from the Social Media platform is necessary to remove from public view, employees are required to document the original post, the date of deletion and the reason the post was deleted from the platform. It is the employees' responsibility to retain and maintain all deletion logs affiliated with their department's accounts.

Policy Changes

The Town reserves the right to change, modify or amend all or part of this policy at any given time.

Wendy Adams

From: noreply@civicplus.com
Sent: Friday, October 13, 2017 5:51 PM
To: manager
Subject: Online Form Submittal: Andover Talent Bank Form

Andover Talent Bank Form

Andover Talent Bank

The Andover Talent Bank is a means of identifying residents who are interested in serving the community on a Town committee, board, commission or task force.

There are numerous committees, boards or commissions appointed with terms ranging from 1 to 5 years. Please check the committee, board or commission you are interested in. If you are interested in more than one, rank your interests accordingly. Please note if there are not any vacancies on the committee, board, or commissions you selected, your information will be retained and considered when a future vacancy occurs

(Section Break)

First Name	Gary
Last Name	Coon
Address	24 Summer Street, Andover, MA 01810
Phone Number	978-569-6076
Email Address	gary.coon@finer.com

(Section Break)

Committees Appointed by the Town Manager	<i>Field not completed.</i>
Committees Appointed by the Town Moderator	<i>Field not completed.</i>
Committees Appointed by the Board of Selectmen	Retirement Board: 1 Member Appointed by Board of Selectmen, 3-Year Term
If you selected multiple boards or commissions, please rank your interests from most interested to least interested.	<i>Field not completed.</i>

(Section Break)

Meeting Availability	Three Meetings Per Month
Time Limitations	No time limitations currently
Interest/Education	Education: Business Management, Entrepreneurship, and Investments Interests: Business, Investments/Wealth Management, Retirement Planning, Financial Planning, Economics, Geopolitics
Employer/Position	Finer Wealth Management, Inc. ; Managing Director and Chief Operating Officer.
Skills/Expertise	Investment Management Background Retirement Planning Experience Leadership with Demonstrated Collaborative Approach Asset Allocation Expertise Experience Working with & in Government Perspective and Knowledge as Former State Legislator
File Upload	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

Volunteer

From: noreply@civicplus.com
Sent: Saturday, October 07, 2017 12:34 AM
To: manager
Subject: Online Form Submittal: Andover Talent Bank Form

Andover Talent Bank Form

Andover Talent Bank

The Andover Talent Bank is a means of identifying residents who are interested in serving the community on a Town committee, board, commission or task force.

There are numerous committees, boards or commissions appointed with terms ranging from 1 to 5 years. Please check the committee, board or commission you are interested in. If you are interested in more than one, rank your interests accordingly. Please note if there are not any vacancies on the committee, board, or commissions you selected, your information will be retained and considered when a future vacancy occurs

(Section Break)

First Name	Wilhelm
Last Name	Kremer
Address	3 Sugarbush Ln
Phone Number	978-475-2144
Email Address	wkremer30@gmail.com

(Section Break)

Committees Appointed by the Town Manager	<i>Field not completed.</i>
Committees Appointed by the Town Moderator	<i>Field not completed.</i>
Committees Appointed by the Board of Selectmen	Retirement Board: 1 Member Appointed by Board of Selectmen, 3-Year Term
If you selected multiple boards or commissions, please rank your interests from most interested to least interested.	<i>Field not completed.</i>

(Section Break)

Meeting Availability	Three Meetings Per Month
Time Limitations	None, other than while on vacation. Skype or planning can help work around vacations.
Interest/Education	Ph.D. Mathematics, University of Lund, Sweden B.S. Economics, MIT
Employer/Position	Retired Formerly Consulting Member of Technical Staff, Alcatel-Lucent; Bell Labs Fellow
Skills/Expertise	Objective application of logic, technical skills, and data to solve complex problems working in a team environment Adept at asking tough, penetrating questions Skilled at synthesizing disparate elements
File Upload	WKremer_resume_10-3-17.doc

Email not displaying correctly? [View it in your browser.](#)

Wilhelm Kremer

3 Sugarbush Lane
Andover, MA 01810
Home: (978) 475-2144
Cell: (978) 590-0292
email: wkremer30@gmail.com

Summary

A career based on technical excellence (Bell Labs Fellow, numerous patents and publications) applied at the systems level to optical, access and wireless products, network architectures, and customer solutions on successful, profitable projects.

Education

Ph.D., Mathematics

1980
University of Lund, Lund, Sweden

B.S., Economics

1970
Massachusetts Institute of Technology, Cambridge, MA

Experience

Senior Principal Engineer

3/12 to 12/13
Alcatel-Lucent, Westford, MA

Network Design across all customers and regions around the globe. Special skills across technologies including LTE, optical, and PON. Also responsible for the Network Design process within Global Network Engineering.

Consulting Member of Technical Staff, LTE Transport

6/09 to 2/12
Alcatel-Lucent, Westford, MA

Responsible for architecture and requirements for end-to-end transport solutions for LTE across the radio access network and through the evolved packet core including ancillary functions such as synchronization and IPsec. Focus on variety of IP/MPLS and hybrid packet/optical backhaul and

ePC architectures on a global basis, with a view to solutions selling and understanding transport requirements. Study issues and make recommendations with respect to rollouts of new technologies such as 1588v2 synchronization over packet networks. Gather data for customer implementations, production loading/capacity scenarios under different call models, and impact of small cells to understand requirements for future customer needs/directions, but also in the shorter term to model the networks in test environments for production level emulation providing solution assurance.

Director, Network and Solutions Architecture

1/07 to 5/09

Alcatel-Lucent, Westford, MA

Led CTO, technical marketing, solutions, and product house interface functions for the North American Optical Regional Support Center. Gathered market views and sales projections for variety of product and architectural decisions/exercises. Represented the NA market in internal gate reviews for go/no go decisions on product releases and new products. Led weekly internal reviews to bring product management and market development together to give the market side the latest views of the product deliveries and to give the development side the latest views of product issues/needs from the field. Developed base technical marketing material for market developers/sales.

Consulting Member of Technical Staff, Metro Access Systems

12/03 to 12/06

Lucent Technologies, Westford, MA

Strategist for DMX product line. Worked with customers, sales teams, and internal organizations to communicate and further develop the product roadmap. Examples include Ethernet interfaces and functionality, RPR, and architectural conversion to a packet multiplexer. Led DMX strategy group, worked with partners, and evaluated competitive position. Member of small team responsible for the entire global optical and data portfolio management and strategy in Lucent for year prior to the merger with Alcatel.

Consultant

08/02 to 12/03

Self-Employed, Andover, MA

Telecommunications and intellectual property consulting. Patent consultant for Lucent Technologies. Business planning and fund raising for a new company working on first round of financing to develop next generation highly integrated SONET/packet chips featuring integrated network processors. Reached term sheet stage, but were unable to syndicate in difficult economy.

VP, Product Planning

01/00 to 07/02

Quantum Bridge Communications, Andover, MA

In charge of Product Management, Technical Marketing, Business Development and Systems Engineering teams. Member of senior management team. Overall responsibility for product planning and realization, customer presentation of value proposition and applications solutions, partner programs and market analysis, and high-level requirements for development. Also responsible for standards representation into key bodies such as FSAN, ITU, IEEE EFM, and OIF. Quantum Bridge Management Team

Chief Technical Officer, Global Emerging Carriers

11/98 to 01/00

Lucent Technologies, N. Andover, MA

Worked with customers to develop and implement technical networking solutions and options across the Lucent optical product family, to emphasize and clearly communicate Lucent's technical advantages and value propositions, as well as to represent customer needs into the portfolio planning processes. Lead technical representative from a customer facing perspective, interfacing directly with customers' CTOs and senior executives. Worked with development and standards colleagues to maintain a close link with underlying product issues, new product/feature concepts and overall industry directions.

Systems Engineer

04/86 to 11/98

Lucent Technologies, N. Andover, MA

Senior systems engineer working on WaveStar Bandwidth Management Product Family. Champion of OC-192 product, engaged in architecture trade-offs, feature needs, feature prioritization, and standards for open BLSR interface. Key contributor to success of FT-2000 OC-48 SONET Bidirectional Line Switched Ring (BLSR) product. Championed BLSR technology internally, and main contributor on standards team which won T1X1.5 and ITU standardization in Lucent's favor. Several ring patents reflected directly in SONET Protection Switching Standard ANSI T1.105.01, as well as ITU recommendations G.841 and G.842.

Quality Engineer

12/80 to 04/86

Lucent Technologies, N. Andover, MA

Expansive role in overall quality and reliability program for digital channel banks. Analyzed field tracking data in novel ways. Solved the problem of how to treat infant mortality of ICs in collected data. Published unifying paper in software reliability. Introduced inspections, first to software, then also to hardware and systems engineering. Crafted overall quality program for an important new lightwave product.

Awards**Bell Labs Fellow**

1996

Lucent's most prestigious technical award. See the URL:

1996 Bell Labs Fellows

Patents

URLs for my 10 United States patents:

[5,442,620: Apparatus and method for preventing communications circuit misconnections in a bidirectional line-switched ring transmission system](#)

[5,440,540: Ring interworking between a bidirectional line-switched ring transmission system and another ring transmission system](#)

[5,406,549: Ring interworking between path-switched ring transmission systems](#)

[5,406,401: Apparatus and method for selective tributary switching in a bidirectional ring transmission system](#)

[5,394,389: Ring interworking between bidirectional line-switched ring transmission systems and path-switched ring transmission systems](#)

[5,390,164: Ring interworking between bidirectional line-switched ring transmission systems](#)

[5,278,824: Dual hubbing in a bidirectional line-switched ring transmission system](#)

[6,366,556: Self-healing networks using virtual rings](#)

[6,246,667: Backwards-compatible failure restoration in bidirectional multiplex section-switched ring transmission systems](#)

[5,742,774: Multi-ring SONET architecture having shared gateways daisy chained to complete the main and subsidiary ring controlled by a common master controller](#)

URL for my European patent:

[EP0708542: Generalized deterministic squelching in a ring transmission system](#)

Publications

W. Kremer, "Optical Access Networking: The Last Mile of the All-Optical Network," WDMcon, April 2001.

W. Kremer, "Optical Access Networking: The Last Mile of the All-Optical Network," Annual Multiplexed Telephony Conference (AMTC), July 2000.

W. Kremer, M. R. Wilson, "Application Domains for Ring Architectures in LEC and IEC Networks," National Fiber Optic Engineers Conference (NFOEC), September 1996.

F. Principe, S. L. Bates, W. Kremer "SONET OC-48 - FIBERCORE Deployment," National Fiber Optic Engineers Conference (NFOEC), June 1995.

*W. Kremer, "SONET Rings and Video: A Perfect Fit," Telephony, January 23, 1995.
T. J. Aprille, P. F. DeDuck, W. Kremer, "Worldwide Today and Tomorrow: The Role of SONET Rings in ATM Networks," America's Network, December 1994.*

*W. Kremer, R. Rexroat, A. Paff, "Bidirectional Line-Switched Rings for Video Distribution," National Fiber Optic Engineers Conference (NFOEC), June 1994.
T. J. Aprille, P. F. DeDuck, W. Kremer, "Role of SONET Rings in ATM Networks," National Fiber Optic Engineers Conference (NFOEC), June 1994.*

I. Haque, W. Kremer, K. Raychaudhuri, "Self-Healing Rings in a Synchronous Environment," IEEE LTS, November, 1991.

W. Kremer, "SONET Bidirectional Line-Switched Rings," National Communications Forum (NCF), September 1991.

W. Kremer and S. J. Waldman, "SONET Applications Issues," Eastern Communications Forum (ECF), May 1990.

D. L. Howells, W. Kremer, and S. J. Waldman, "SONET Planning Issues: Interface Variety and Mixing," National Fiber Optic Engineers Conference (NFOEC), April 1990.

W. Kremer, C. I. Saraidaridis, A. B. Sripad, "Field Tracking Studies: Theory and Practice," IEEE Journal on Selected Areas in Communications, October 1988.

W. Kremer, C. I. Saraidaridis, A. B. Sripad, "The D5 Digital Terminal System: A Case Study of a Comprehensive Quality and Reliability Program," IEEE Journal on Selected Areas in Communications, October 1986.

W. Kremer, "Birth-Death and Bug Counting," IEEE Transactions on Reliability, April 1983.