

BOARD OF SELECTMEN AGENDA

MONDAY, MARCH 26, 2018

SELECTMEN MEETING 7:00 P.M.

SELECTMEN'S CONFERENCE ROOM TOWN OFFICES, 3rd FLOOR

- I. Call to Order– 7:00 P.M.
- II. Opening Ceremonies – 7:00 P.M.
 - A. Moment of Silence/Pledge of Allegiance
- 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. Laying Out of Streets – (10 minutes)

Notice is given that pursuant to M.G.L. Chapter 82, Section 22, Public Hearing will be convened to hereby consider laying out the following street as a public way for consideration at the 2018 Annual Town Meeting: Fraser Drive. A copy of the street layout plan is available in the Town Clerk's Office.
- VI. 2018 Annual Town Meeting – 7:25 P.M.
 - A. Board to discuss and consider voting on the following Warrant Articles:
 - 31 Purchase of Conservation Land From Genetics Institute/Pfizer 83 Lowell Junction Road and Application for Land Grant Funds
 - 32 Public Works Vehicles - Large
 - 34 Major Town Building Projects
 - 35 Town and School Energy Efficiency Initiatives
 - 36 Major School Projects
 - 38 Parking Study Implementation
 - 42 Prohibition of Marijuana Establishments
 - 43 Amend Zoning Bylaw – Section 10.0 Definitions
 - 44 Amend Zoning Bylaw – Table of Use Regulations
 - 46 Information Technology Platforms and Infrastructure
 - 47 Student Device Refresh
 - 48 Minor Storm Drain Improvements
 - 49 Water Treatment Plant Maintenance
 - 50 Street Acceptance of Fraser Drive
 - 51 New General Bylaw Article XII Section 50 Naming Private Ways
- VII. Regular Business of the Board – 8:45 P.M.
 - A. Board to Discuss Hiring Practices – (10 minutes)

Town Manager to make a brief presentation on Hiring Practices followed by Board discussion.
 - B. Appoint Acting Town Accountant – (5 minutes)

Board to consider to vote to appoint Jared Mullane as the Acting Town Accountant.

VIII. Consent Agenda – 9:00 P.M.

A. APPOINTMENTS – (Town Manager)

That the following appointments by the Town Manager be approved:

DEPARTMENT/ COMMITTEE	NAME	POSITION	RATE/ TERM	DOH
Recreation Services	Jillian Downing	Program Director	\$22.00/hr.	3/12/18
Community Services	Aimee Ciccariello v. L Lambert	Social Day Care Lead Assistant	\$49,661.90	4/2/18
Youth Services	Angelina Archambault	AYS Counselor	\$11.00/hr.	2/12/18

IX. Approval of Minutes from Previous Board of Selectmen Meetings – 9:05 P.M.
February 14, 2018 (Workshop Meeting)

X. Workshop for Town Manager’s Annual Review – 9:10 P.M.

A. Town Manager’s Annual Review –

Board to conduct a workshop for the purpose of the Town Manager’s Annual Review for the period running from October 2016 through October 2017.

B. Purpose 2 Executive Session –

Board to consider to vote to hold a Purpose 2 Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel or contract negotiations with nonunion personnel.

XI. Adjournment –10:00 P.M.

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



PUBLIC HEARING

BOARD OF SELECTMEN

STREET LAYOUT MEETING

Notice is hereby given that pursuant to M.G.L. Chapter 82, Section 22, a public hearing will be convened on Monday, March 26, 2018, at 7:00 P.M. in the Selectmen's Conference Room, Town Offices, 36 Bartlet Street, Andover, to consider laying out the following street as a public way for consideration at the 2018 Annual Town Meeting: Fraser Drive. A copy of the street layout plan is available in the Town Clerk's Office.

Paul J. Salafia, Chair

Andover Board of Selectmen

Date of Issue: March 8, 2018

LAW OFFICE OF DANIEL J. MANSUR

26 NORTH ROAD - SUITE #1
CHELMSFORD, MASSACHUSETTS 01824

TELEPHONE (978) 275-9977
FAX (978) 275-9922
E-MAIL: djm@darmansurlaw.com

March 19, 2018

Sent via FEDEX

Jacki Byerley, Planner
Town Office Building
26 Bartlet Street
Andover, MA 01810

Re: Fraser Drive Street Acceptance

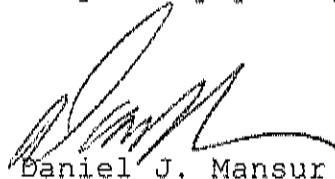
Dear Ms. Byerley:

In accordance with our telephone conference, enclosed please find the following:

1. Quitclaim Deed for Fraser Drive;
2. Easement to 20' utility;
3. Copy of Quitclaim Deed for Fraser Drive Homeowner's Association;
4. Certificate of Notice to Selectmen (duplicate original sent to Chair of Board of Selectmen.

Thank you for your attention to this matter.

Very truly yours,



Daniel J. Mansur

DJM/ht
Encl.

P.S. Also enclosed is check in the sum of \$225.00.

QUITCLAIM DEED

Belvidere Hill Group, LLC, A Massachusetts Limited Liability Company, duly organized by law and with a principal place of business at 10 George Street, Suite 210, Lowell, Massachusetts in consideration of One & 00/100 (\$1.00) Dollar grants to the Inhabitants of the Town of Andover, a municipality located at 36 Bartlet Street, Andover, Massachusetts, with QUITCLAIM COVENANTS

The street in Andover, Essex County, Massachusetts described as follow:

Beginning at a stone bound/drill hole on the easterly side of Boutwell Road and the southerly side of Fraser Drive;

- Thence along a curve to the right of radius 20.00 feet a distance of 20.94 feet to a stone bound/drill hole;
- Thence N 37° 35' 00" E a distance of 15.40 feet to a stone bound/drill hole;
- Thence along a curve to the right of radius 130.00 feet a distance of 68.06 feet to a stone bound/drill hole;
- Thence N 67° 34' 50" E a distance of 279.05 feet to a stone bound/drill hole;
- Thence along a curve to the left of radius 170.00 feet a distance of 37.24 feet to a stone bound/drill hole;
- Thence N 55° 01' 50" E a distance of 181.03 feet to a stone bound/drill hole;
- Thence along a curve to the right of radius 100.00 feet a distance of 72.27 feet to a stone bound/drill hole;
- Thence along a curve to the left of radius 60.00 feet a distance of 275.23 feet to a stone bound/drill hole;
- Thence along a curve to the right of radius 100.00 feet a distance of 72.27 feet to a stone bound/drill hole;
- Thence S 55° 01' 50" W a distance of 181.03 feet to a stone bound/drill hole;
- Thence along a curve to the right of radius 130.00 feet a distance of 28.48 feet to a stone bound/drill hole;
- Thence S 67° 34' 50" W a distance of 279.05 feet to a stone bound/drill hole;

- Thence along a curve to the left of radius 170.00 feet a distance of 62.54 feet to a stone bound/drill hole;
- Thence along a curve to the right of radius 20.00 feet a distance of 38.77 feet to a stone bound/drill hole;
- Thence S 22° 25' 00" E a distance of 89.72 feet to a stone bound/drill hole at the point of beginning.

Said street being shown as Fraser Drive on a plan entitled "Street Acceptance Plan" for Belvidere Hill Group, dated November 18, 2016, recorded at the Essex North Registry of Deeds in Plan Book _____, Plan _____.

This is not homestead property of the Grantor.

This transfer has occurred in the ordinary course of business and does not constitute the sale of all or substantially all of the assets of Belvidere Hill Group, LLC.

Meaning and intending to convey part of the same premises conveyed to Belvidere Hill Group, LLC by deed dated December 10, 2012, and recorded with the Essex County North Registry of Deeds at Book 13253, Page 225.

IN WITNESS WHEREOF, the said Belvidere Hill Group, LLC has caused its seal to be affixed to these presents to be signed, acknowledged and delivered in its name and behalf by John H. Pearson, Jr., its Manager, hereto duly authorized, this 22nd day of February, 2018.

BELVIDERE HILL GROUP, LLC

By:

Pearson Financial Group, LLC

Manager and Member by

John H. Pearson, Jr.

Manager

Commonwealth of Massachusetts

Middlesex ss,

On this 22nd day of February, 2018, before me, the undersigned notary public, personally appeared the above-named John H. Pearson, Jr., Manager and Member of Pearson Financial group, LLC as Manager and Member of BELVIDERE HILL GROUP, LLC and acknowledged the foregoing statements to be the true and the foregoing instrument to be his free act and deed and the free act and deed of said BELVIDERE HILL GROUP, LLC.

Notary Public: Daniel J. Mansur

My Comm. Expires: 09/11/2020



DANIEL J. MANSUR
 NOTARY PUBLIC
 Commonwealth of Massachusetts
 My Commission Expires
 9/11/2020

EASEMENT DEED

Belvidere Hill Group, LLC, A Massachusetts Limited Liability Company, duly organized by law and with a principal place of business at 10 George Street, Lowell, Massachusetts grants to the Inhabitants of the Town of Andover, a municipality located at 36 Bartlet Street, Andover, Massachusetts, an easement for utilities as shown on Lot 2 entitled "20' WIDE UTILITY EASEMENT", on a plan entitled Subdivision Plan of Land in Andover, MA, 29 Boutwell Road, by Hancock Associates, dated 8/30/13 and recorded in the Essex County Registry of Deeds as Plan No. 17059 (the "Utility Easement"). For a further description and boundaries, reference can be made to said Plan.

This perpetual, non-exclusive right and easement is granted upon the following conditions:

1. The Grantee shall have the perpetual right and easement from time to time to pass and repass over, across and upon said 20' WIDE UTILITY EASEMENT as is reasonable and necessary in order to renew, replace, repair, remove, and add to, maintain, operate, patrol and otherwise change said utilities and each and every part thereof, and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, its successors and assigns.
2. It is further agreed that said utilities and all necessary appurtenances thereto, shall remain the property of the Grantee, its successors and assigns.
3. The Grantee and its successors and assigns shall have the right to remove trees or obstructions in the easement area that interfere with such utilities.
4. Upon any exercise of the easement rights that disturbs the surface of the ground, the Grantee shall reasonably restore the ground to its previous condition.

This Utility Easement shall run with the land and inure to the benefit of the Inhabitants of the Town of Andover, a municipality located at 36 Bartlet Street, Andover, Massachusetts. By accepting this deed, the Grantors agree for themselves, their successors and assigns, to take any additional steps or action and to execute and deliver any additional documents to grant this

Utility Easement to the Town of Andover as requested by the Grantee or its successors or assigns.

This is not homestead property of the Grantors.

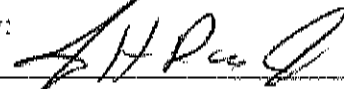
This transfer has occurred in the ordinary course of business and does not constitute the sale of all or substantially all of the assets of Belvidere Hill Group, LLC

Meaning and intending to convey part of the same premises conveyed to Belvidere Hill Group, LLC by deed dated December 10, 2012, and recorded with the Essex County North Registry of Deeds at Book 13253, Page 225. See easement reserved in deed to Timothy S. Day and Monique G. Day deed dated December 11, 2015 and recorded with the Essex County North Registry of Deeds at Book 14474, Page 348.

IN WITNESS WHEREOF, the said Belvidere Hill Group, LLC has caused its seal to be affixed to these presents to be signed, acknowledged and delivered in its name and behalf by John H. Pearson, Jr., its Manager, hereto duly authorized, this 22nd day of February, 2018.

BELVIDERE HILL GROUP, LLC

By:



Pearson Financial Group, LLC

Manager and Member by

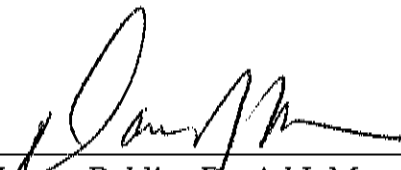
John H. Pearson, Jr.

Manager

Commonwealth of Massachusetts

Middlesex ss,

On this 22nd day of February, 2018, before me, the undersigned notary public, personally appeared the above-named John H. Pearson, Jr., Manager and Member of Pearson Financial group, LLC as Manager and Member of BELVIDERE HILL GROUP, LLC and acknowledged the foregoing statements to be the true and the foregoing instrument to be his free act and deed and the free act and deed of said BELVIDERE HILL GROUP, LLC.



Notary Public: Daniel J. Mansur

My Comm. Expires: 09/11/2020



DANIEL J. MANSUR
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
9/11/2020

COPY

QUITCLAIM DEED

Belvidere Hill Group, LLC, A Massachusetts Limited Liability Company, duly organized by law and with a principal place of business at 10 George Street, Suite 210, Lowell, Massachusetts in consideration of One & 00/100 (\$1.00) Dollar grants grant to the Fraser Drive Homeowner's Association, an unincorporated homeowner's association located at 10 George Street, Lowell, MA 01852, with QUITCLAIM COVENANTS, the land in Andover bounded and described as follows:

Beginning at a stone bound/drill hole on the northerly side of Fraser Drive and the southwesterly corner of the premises;

- Thence N 20° 22' 28" W a distance of 195.56 feet to a stone wall;
- Thence N 68° 53' 08" E a distance of 64.26 feet by a stone wall to a drill hole at the backside of a stone wall intersection;
- Thence N 70° 08' 29" E a distance of 134.27 feet by a stone wall to a cedar fence post at the centerline of a stone pile;
- Thence N 66° 50' 00" E a distance of 37.52 feet by a stone wall to a stone pile;
- Thence S 22° 01' 00" W a distance of 169.37 feet to a stone bound/drill hole on the northerly side of Fraser Drive;
- Thence along a curve to the left of radius 60.00 feet a distance of 54.88 feet to a stone bound/drill hole;
- Thence along a curve to the right of radius 100.00 feet a distance of 72.27 feet to a stone bound/drill hole;
- Thence S 55° 01' 50" W a distance of 18.72 feet to a stone bound/drill hole at the point of beginning;

Said parcel being shown as Drainage Parcel A on a plan entitled "Definitive Subdivision Plan of Land in Andover Massachusetts" for Belvidere Hill Group, prepared by Hancock Associates and dated October 21, 2013, recorded at the Essex North Registry of Deeds on February 28, 2014 as Plan number 17059.

This is not homestead property of the Grantor.


This transfer has occurred in the ordinary course of business and does not constitute the sale of all or substantially all of the assets of Belvidere Hill Group, LLC.

Meaning and intending to convey part of the same premises conveyed to Belvidere Hill Group, LLC by deed dated December 10, 2012, and recorded with the Essex County North Registry of Deeds at Book 13253, Page 225.

IN WITNESS WHEREOF, the said Belvidere Hill Group, LLC has caused its seal to be affixed to these presents to be signed, acknowledged and delivered in its name and behalf by John H. Pearson, Jr., its Manager, hereto duly authorized, this 22nd day of February, 2018.

BELVIDERE HILL GROUP, LLC

By:

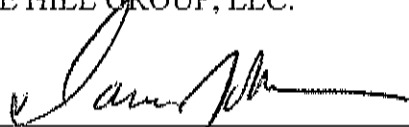


Pearson Financial Group, LLC
Manager and Member by
John H. Pearson, Jr.
Manager

Commonwealth of Massachusetts

Middlesex ss,

On this 22nd day of February, 2018, before me, the undersigned notary public, personally appeared the above-named John H. Pearson, Jr., Manager and Member of Pearson Financial group, LLC as Manager and Member of BELVIDERE HILL GROUP, LLC and acknowledged the foregoing statements to be the true and the foregoing instrument to be his free act and deed and the free act and deed of said BELVIDERE HILL GROUP, LLC.



Notary Public: Daniel J. Mansur
My Comm. Expires: 09/11/2020



DANIEL J. MANSUR
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
9/11/2020

LAW OFFICE OF DANIEL J. MANSUR

26 NORTH ROAD -- SUITE #1
CHELMSFORD, MASSACHUSETTS 01824

TELEPHONE (978) 275-9977

FAX (978) 275-9922

E-MAIL: djm@danmansurlaw.com

March 6, 2018

Paul J. Salafia, Chair
Board of Selectmen for the Town for Andover
36 Bartlet Street
Andover, MA 01810

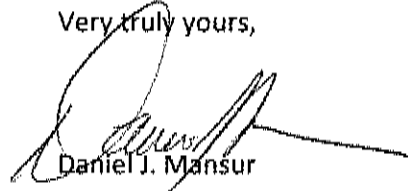
Re: **Certificate of Notice**
Fraser Drive Street Acceptance

Dear Mr. Salafia:

Pursuant to the provisions of Massachusetts General Laws, Chapter 82, Section 22, the undersigned attorney for Belvidere Hill Group, LLC, developer of the subdivision known as Fraser Drive Subdivision, hereby certifies that all property owners, mortgagees, and abutters have been notified of a Public hearing pursuant to the provisions of Massachusetts General Laws, Chapter 82, Section 22 with a return to the Board not less than seven (7) days before the public hearing, with said notice in the following form:

Notice is hereby given that the Board of Selectmen of the Town of Andover will hold a public hearing on March 26, 2018 in the Selectman's Conference Room Town Office, 3rd Floor, 36 Bartlet Street, Andover, MA 01810 on the matter of the layout of Fraser Drive as a public way.

Very truly yours,



Daniel J. Mansur



**TOWN OF ANDOVER
PUBLIC HEARING
BOARD OF SELECTMEN
STREET LAYOUT MEETING**

Notice is hereby given that pursuant to M.G.L. Chapter 82, Section 22, a public hearing will be convened on Monday, March 26, 2018, at 7:00 P.M. in the Selectmen's Conference Room, Town Offices, 36 Bartlet Street, Andover, to consider laying out the following street as a public way for consideration at the 2018 Annual Town Meeting: Fraser Drive. A copy of the street layout plan is available in the Town Clerk's Office.

Paul J. Salafia, Chairman
ANDOVER BOARD OF
SELECTMEN

AT – 3/8/18



TO: ANDREW FLANAGAN, TOWN MANAGER
THOMAS J. URBELIS, TOWN COUNSEL

FROM: JACKI BYERLEY, PLANNER

SUBJ: TOWN WARRANT - STREET ACCEPTANCE

DATE: JANUARY 23, 2018

ARTICLE_____ To see if the Town will vote to accept and name as a public way any or all of the following street:
Fraser Drive as further described below, and to accept deeds to the streets and all related easements:

Fraser Drive, as shown on a plan approved by the Andover Planning Board entitled "DEFINITIVE SUBDIVISION PLAN FRASER DRIVE ANDOVER, MASS" dated August 30, 2013 last revised December 5, 2013 and recorded in the Essex North District Registry of Deeds as Plan Number 17059 and further modified on plan approved by the Andover Planning Board entitled "Modification to Subdivision Plan of Land in Andover Mass entitled 29 Boutwell Road (Fraser Drive)" dated July 23, 2015 last revised August 20, 2015 and recorded in Essex North District Registry of Deeds as Plan Number 17341;

or take any other action related thereto.

On Petition of the Board of Selectmen.

JB: Streets article 18