

**SPECIAL TOWN MEETING – November 20, 2023**

**INDEX**

<b><u>WARRANT ARTICLE NO. &amp; DESCRIPTION</u></b>	<b><u>ACTION TAKEN</u></b>	<b><u>ATTY. GENERAL APPROVED</u></b>
1. Ballot Question on Open Town Meeting	Approved	
2. Property Tax Limit for Andover Residents Who Are 65 or Older	Disapproved	
3. Retiree Health Care Premiums	Disapproved	
4. Town Meeting Speaking Limits and Time Clock	Disapproved	
5. Reduce the Speed Limit on Several Roadways Under Municipal Jurisdiction	Disapproved	
6. Establish and Report Key Performance Indicators of Vehicular Traffic Safety	Disapproved	
7. Andover High School Schematic Design		
A. \$1.3m for construction of new high school	Disapproved	
B. \$500k for interim renovation	Approved	

**SPECIAL TOWN MEETING – November 20, 2023**

**SPECIAL TOWN MEETING WARRANT**

Agreeably to a Warrant signed by the Select Board on October 18, 2023 to notify and warn the Inhabitants of said Town who are qualified to vote in Town Affairs to meet and assemble at the Andover High School, Shawsheen Road, in said Andover, on

**MONDAY, THE TWENTIETH DAY OF NOVEMBER, 2023**

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

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  
October 23, 2023

**SPECIAL TOWN MEETING**

The meeting was held at the Richard J. Collins Field House at Andover High School at 80 Shawsheen Road, in said Andover. Voters were checked-in with the aid of PollPad computing devices, and Two Thousand and Four (2004) voters were admitted to the meeting.

Sheila M. Doherty, Moderator, called the meeting to order at 7:03 P.M.

The Pledge of Allegiance to the Flag was led by Melissa Danisch, chair of the Select Board.

The invocation was given by Reverend Dana Walsh of South Church.

The Moderator took a moment to remember the residents of the Town who have recently passed.

The Meeting did NOT vote to admit non-voters due to the large number of voters and the lack of available seats.

The Moderator asked that all cell phones be silenced so as not to disturb the meeting.

Upon motion made and duly seconded, it was VOTED by majority consent to dispense with the reading of the Warrant and return of service of the Constable and to refer to the Warrant Articles by number and subject matter.

The Moderator announced the five zones for voting using electronic voting handsets and pointed out where those zones were in the Field House.

**SPECIAL TOWN MEETING – November 20, 2023**

The Moderator introduced the stage participants to meeting members.

The Moderator introduced that some votes would be held by electronic voting handset and outlined the rules and procedures governing use of the handsets, including the voting period, selection of options, and availability of a “Help Desk.”

The Moderator introduced Atty. Peter Caruso as the Town Meeting “Ombudsman,” and reminded meeting members that he would help them with questions regarding Town Meeting procedures and amendments to articles.

The Moderator outlined the Rules and Procedures of Town meeting to the members, including that voters must have their voter stickers visible. The Moderator also explained the use of Pro and Con microphones during the meeting.

The Moderator took a vote to limit presenters of articles to five minutes of speaking time and speakers to three minutes, subject to her discretion. The Motion passed by a majority vote.

The Moderator then took up the Warrant.

<b>ARTICLE 1</b>	<b>BALLOT QUESTION ON OPEN TOWN MEETING</b>
------------------	---

To see if the Town will authorize the Select Board to add the following non-binding ballot question related Open Town Meeting for the next Town local election:

Ballot Question

Would you be in favor or opposed to keeping Open Town Meeting, Town of Andover’s current form of government?

Yes

Continue with the existing form of government where Town Meeting acts as the legislative body and the Select Board and Town Manager act together as the executive branch.

No

Andover voters want another form of government presently and in the future. Town officials will come back to the next Town Meeting with ballot question(s) for voters’ consideration on future form of government.

*On petition of Kathleen Grant and others*

Upon motion made and duly seconded it was VOTED to approve Article 1 as printed in the Warrant.

**VOTE: A simple majority vote required for passage, the Motion Passed in an electronic vote of 1181 in favor, 692 against, and 32 abstentions.**

**SPECIAL TOWN MEETING – November 20, 2023**

Select Board Report:            Disapproval

<b>ARTICLE 2</b>	<b>PROPERTY TAX LIMIT FOR ANDOVER RESIDENTS WHO ARE 65 OR OLDER</b>
------------------	---

To see if the Town will adopt the following:

Direct the Select Board to establish a property tax limit for Andover residents who are 65 or older at the end of the previous taxable year. Qualifying residents must own and occupy the property as their domicile either solely, jointly or as a tenant in common for ten (10) consecutive years before the tax year begins. If the resident is a joint owner with another person who is not their spouse, the exemption will be equal to the qualifying resident’s same ownership interest in the property. Effective on July 1, 2024 (Fy’25), the exemption shall provide that no qualifying senior shall pay more than a Two-and One- Half Percent (2.5%) increase in annual property taxes from the property tax imposed in the base year (Fy’24) regardless of any debt exclusion measures provided under MGL c. 59 s. 21C or any other property tax debt override measures authorized by the MGL. Property improvements by qualifying residents shall not be included in the two and one-half percent annual growth limitation. Qualifying residents holding a life estate in the property shall be the eligible; domiciles held in a trust shall be eligible if they are a trustee or co-trustee of that trust and have a sufficient beneficial interest in the domicile.

*On petition of Michael Meyers and others*

Upon motion made and duly seconded it was VOTED to approve Article 2 as printed in the Warrant.

**VOTE: A simple majority vote required for passage, the Motion Failed in an electronic vote of 479 in favor, 1433 against, and 42 abstentions.**

Select Board Report:            Disapproval

Finance Committee Report:    Disapproval

<b>ARTICLE 3</b>	<b>RETIREE HEALTH CARE PREMIUMS</b>
------------------	-------------------------------------

To see if the Town will adopt the following:

To amend Article IV of the General By-Laws by adding at the end of Section 7 (a) (3) the following:

(4) Provide funds sufficient to ensure that the health care premium contribution percentage paid by retired Andover public employees shall not exceed the percentage contributions paid by active Andover public employees

**SPECIAL TOWN MEETING – November 20, 2023**

*On petition of Michael Meyers and others*

Upon motion made and duly seconded it was VOTED to approve Article 3 as printed in the Warrant.

**VOTE: A simple majority vote required for passage, the Motion Failed in an electronic vote of 349 in favor, 1529 against, and 60 abstentions.**

Select Board Report: Disapproval  
Finance Committee Report: Disapproval  
School Committee Report: Disapproval

<b>ARTICLE 4</b>	<b>TOWN MEETING SPEAKING LIMITS AND TIME CLOCK</b>
------------------	--

To see it the Town will adopt the following:

To amend Article II of the General By-Laws by adding at the end of Section 1 the following:

“All town meetings and special town meetings shall provide equal presentation time for petitioner and total town presentations from town officers, boards, committees and consultants. A clock shall be mounted on the wall behind the moderator that is clearly visible to all meeting attendees to ensure equal time”.

*On petition of Michael Meyers and others*

Upon motion made and duly seconded it was VOTED to approve Article 4 as printed in the Warrant.

**VOTE: A simple majority vote required for passage, the Motion Failed in an electronic vote of 351 in favor, 1508 against, and 69 abstentions.**

Select Board Report: Disapproval  
School Committee Report: Disapproval

<b>ARTICLE 5</b>	<b>REDUCE THE SPEED LIMIT ON SEVERAL ROADWAYS UNDER MUNICIPAL JURISDICTION</b>
------------------	--

To see if the Town will petition the Massachusetts Department of Transportation to rescind the Special Speed Regulations for only the thickly settled or business district sections of the following roadways: Chandler Road, Dascomb Road, Harold Parker Road, Jenkins Road, Lovejoy Road, Main Street between the Shawsheen River to the north and School Street to the south, North Street, and River Road, thereby setting the statutory speed limit for those sections of

**SPECIAL TOWN MEETING – November 20, 2023**

the listed roadways to 25MPH (MGL c.90 §17C). The Town will also set a parks safety zone regulatory speed limit of 20MPH (MGL c.90 §18B) on that section of Harold Parker Road which is part of Harold Parker State Forest.

*On petition of George Thorlin and others*

Upon motion made and duly seconded it was VOTED to approve Article 5 as printed in the Warrant.

**VOTE: A simple majority vote required for passage, the Motion Failed in an electronic vote of 276 in favor, 1603 against, and 24 abstentions.**

Select Board Report:            Disapproval

<b>ARTICLE 6</b>	<b>ESTABLISH AND REPORT KEY PERFORMANCE INDICATORS OF VEHICULAR TRAFFIC SAFETY</b>
------------------	--

To see if the Town will create a panel of town officials, independent experts, and residents to monitor and report, on a quarterly basis, key performance measures of 1) the vehicular traffic safety on a minimum of 12 significant municipal roadways and 2) the town-wide enforcement of speed limits and other roadway safety regulations.

*On petition of George Thorlin and others*

It was then moved by Andrew Lewine of 50 York Street and duly seconded to amend the article to read as follows:

To see if the Town will create a panel of town officials, independent experts, and residents to monitor and report, on a quarterly basis, key performance measures of 1) motorist and vulnerable road user safety on a minimum of 12 significant municipal roadways and 2) the town-wide enforcement of speed limits and other roadway safety regulations. Vulnerable road users, as defined by Massachusetts General Law, include people walking and biking; roadside workers; people using wheelchairs; scooters, skateboards, roller skates, and other micromobility devices; [sic]

A simple majority vote required for passage, the Motion to amend Failed in an electronic vote of 626 in favor, 1125 against, and 130 abstentions.

Upon motion made and duly seconded it was VOTED to approve Article 6 as printed in the Warrant.

**VOTE: A simple majority vote required for passage, the Motion Failed in an electronic vote of 395 in favor, 1404 against, and 61 abstentions.**

Select Board Report:            Disapproval

**SPECIAL TOWN MEETING – November 20, 2023**

<b>ARTICLE 7</b>	<b>ANDOVER HIGH SCHOOL SCHEMATIC DESIGN</b>
------------------	---

A. To see if the Town will vote to appropriate \$1,300,000 to pay costs of purchasing professional services related to the design, renovation and construction of Andover High School, 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 or by any combination thereof, or take any other action related thereto.

*On request of the Andover High School Building Committee*

B. To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of \$500,000 for the purpose of purchasing services and materials related to the Andover High School Renovation Schematic Design, including any other costs incidental and related thereto, or to take any other action related thereto.

*On request of the Select Board*

Upon motions made and duly seconded it was VOTED in separate votes that:

- [re Article 7A] the Town vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate \$1,300,000.00 to pay costs of purchasing professional services related to the design, renovation and construction of Andover High School, including the payment of all costs incidental and related thereto, or take any other action related thereto.
  
- [re Article 7B] the Town vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of \$500,000 for the purpose of purchasing services and materials related to the Andover High School Interim Renovation Schematic Design, including any other costs incidental and related thereto, or to take any other action related thereto.

**VOTE: A simple majority vote required for passage, the first Motion Failed in an electronic vote of 541 in favor, 1339 against, and 3 abstentions.**

**VOTE: A simple majority vote required for passage, the Moderator declared the second Motion Passed by more than a majority vote.**

Select Board Report:  
Finance Committee Report  
School Committee Report:  
Andover High School Building Committee Report:  
Council on Aging Report

Approval of both motions  
Disapproval of 7A & Approval of 7B  
Approval of both motions  
Approval of both motions  
Approval of 7A

**SPECIAL TOWN MEETING – November 20, 2023**

**On motion of Town Counsel Doug Heim made and duly seconded, it was voted by a majority vote to dissolve the Special Town Meeting at 10:21 P.M.**

A true record  
A T T E S T

Austin P. Simko  
Town Clerk