

**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

MONDAY, THE TWENTY-NINTH DAY OF APRIL, 2024

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

ARTICLE 1	ANNUAL TOWN ELECTION
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Annual Town Election: Moderator for one year, two Select Board members for three years, two School Committee members for three years, two Punchard Free School Trustees for three years, one member of the Andover Housing Authority for five years, and one Greater Lawrence Regional Vocational Technical School District Commission member for three years, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 2	ELECTION NOT REQUIRED BY BALLOT
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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
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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 2025 BUDGET
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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, 2024 and ending June 30, 2025, or take any other action related thereto.

On request of the Town Manager

ARTICLE 5	FISCAL YEAR 2025 CAPITAL PROJECTS FUND
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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 2025 appropriation for the Capital Projects Fund, or take any other action related thereto.

On request of the Town Manager

ARTICLE 6	FINANCIAL HOUSEKEEPING ARTICLES (A THROUGH I)
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- A. **Budget Transfers** To see if the Town will vote to transfer from amounts previously appropriated at the May 2023 Annual Town Meeting as authorized by Massachusetts General Laws Chapter 44, Section 33B, or take any other action related thereto.

On request of the Chief Administrative & Financial Officer

- 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 May 2023 Annual Town Meeting, or take any other action related thereto.

On request of the Town Manager

- 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.

On request of the Town Manager

- D. **Free Cash** To see what amount the Town will vote to permit the Assessors to use in Free Cash to reduce the Fiscal Year 2025 tax rate and to affect appropriations voted at the May 2023 Annual Town Meeting, or take any other action related thereto.

On request of the Chief Administrative & Financial Officer

- E. **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.

On request of the Chief Administrative & Financial Officer

- F. **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.

On request of the Chief Administrative & Financial Officer

G. Fiscal Year 2025 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, 2024, or take any other action related thereto:

Revolving Fund	FY2025 Limit
Community Development & Planning Department	\$35,000
Memorial Hall Library-Lost/Damaged Materials	\$20,000
Health Clinic	\$60,000
Division of Recreation	\$1,750,000
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

On request of the Chief Administrative & Financial Officer

H. 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 2025, which begins on July 1, 2024, or take any other action related thereto.

On request of the Chief Administrative & Financial Officer

I. 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 Chief Administrative & Financial Officer

ARTICLE 7	BYLAW AMENDMENT REVOLVING FUND REVENUES AND EXPENDITURES
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To see if the Town will vote to amend General Bylaw Article XII Section 48 (“Departmental revolving funds”), subsection 5(G) by amending the table to expand the permitted revenue sources and expenses from the Division of Recreation, Division of Youth Services, Division of Elder Services, and Compost Program revolving funds as follows (deleted language in “~~strikethrough~~” additional language underscored):

Revolving Fund	Revenues (Column C)	Expenses (Column D)
Division of Recreation	<u>Participant fees, rentals and concessions</u>	Trips, ticket sales and special programs and activities <u>Programs, activities, events, supplies, staffing and related expenses, facility maintenance and capital improvements</u>
Division of Youth Services	<u>Participant fees, rentals and concessions</u>	All p Programs and activities expenses, <u>part-time help events, supplies, staffing and related expenses, facility maintenance and capital improvements</u>
Division of Elder Services	<u>Participant fees, rentals and concessions</u>	Senior p Programs, classes and activities, <u>events, supplies, staffing and related expenses, facility maintenance and capital improvements</u>
Compost Program		Current: Offset c Compost monitoring and cleanup expenses, <u>and staffing</u>

On request of the Chief Administrative & Financial Officer

ARTICLE 8	BYLAW AMENDMENT OTHER PUBLIC SPACES REVOLVING FUND
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To see if the Town will vote to amend General Bylaws Article XII Section 48 (“Departmental revolving funds”) subsection (5)(G) to authorize and establish a new Revolving Fund entitled “Other Public Space Rentals” authorizing the Director of Facilities and Director of Planning to spend funds from rental and space use fees in public buildings; and further to authorize expenditures from the fund to pay the cost of custodial services, facility maintenance, programming and capital improvements; and further to authorize the amount of \$50,000 to be expended in fiscal year 2025 and subsequent years; or take any action related thereto.

On request of the Chief Administrative & Financial Officer

ARTICLE 9 INDEMNIFICATION OF PUBLIC SAFETY MEDICAL COSTS

To see if the Town will appropriate a sum of money 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 Administrative & Financial Officer

ARTICLE 10 ADOPTING A NEW TOWN SEAL

To see if the Town will vote to establish and adopt a new Town Seal in accordance with G.L. c. 40 § 47, as recommended by the Andover Town Seal Review Committee; or take any other action relating thereto.

On request of the Town Seal Review Committee

ARTICLE 11 BALLOT QUESTION FOR TOWN GOVERNMENT

To see if the Town will vote to direct that the Select Board place a non-binding advisory question on the 2025 Annual Town Election ballot in conformance with G.L. c. 53 sec. 18A as follows:

Should the Town of Andover continue to use Open Town Meeting as its form of local government?

Yes

No

; or take any action related thereto.

On request of the Select Board

ARTICLE 12 BALLOT QUESTION: TYPE OF LOCAL GOVERNMENT

To see if the Town will vote to add one or more of the following non-binding questions to the ballot of the 2025 Town Election:

A. Should the Town of Andover continue to use Open Town Meeting with a Select Board and an appointed town manager as its form of local government? ___ Yes ___ No

*B. Should the Town of Andover consider changing to a Representative Town Meeting with a Select Board and an appointed town manager as its form of local government? ___ Yes
___ No*

C. Should the Town of Andover consider changing to a city council with an appointed city manager as its form of local government? ___ Yes ___ No

D. *Should the Town of Andover consider changing to a city council with an elected mayor as its form of local government?* ___ Yes ___ No

or take any action related thereto.

On petition of Kathleen Grant and others

ARTICLE 13	MINOR FINANCIAL ARTICLES (A THROUGH E)
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A. **Overlay Surplus Transfer** To see if the Town will vote to transfer \$75,000 from Overlay Surplus to fund expenses related to the FY2025 valuation of real and personal property and to fund the FY2025 property tax recertification, or take any other action related thereto.

On request of the Chief Administrative & Financial Officer

B. **Elderly/Disabled Transportation Program** To see if the Town will vote to appropriate and raise by taxation a sum not to exceed \$12,000 for the purpose of continuing to provide for an elderly and disabled transportation subsidy program, or take any other action related thereto.

On request of the Council on Aging

C. **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 \$25,000 for the purpose of paying costs associated with Andover Day and other civic events, or take any other action related thereto.

On request of the Town Manager

D. **Spring Grove Cemetery Maintenance** To see if the Town will vote to transfer the sum of \$6,000 from the Spring Grove Cemetery Perpetual Care reserve account and appropriate the sum of \$6,000 for the purpose of cemetery maintenance including costs incidental and related thereto, or take any other action related thereto.

On request of the Director of Public Works

E. **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.

On request of the Town Clerk

ARTICLE 14 | GENERAL HOUSEKEEPING ARTICLES (A THROUGH G)

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.

On request of the Town Manager

- B. Road Contracts** To see if the Town will vote to authorize the Town Manager to enter into a contract with the Massachusetts Highway Department Commissioners or the Federal Government for the construction and maintenance of public highways in the Town of Andover for the ensuing year, or take any other action related thereto.

On request of the Town Manager

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

On request of the Town Manager

- D. 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 2025 for those persons who qualify for property tax exemptions under Massachusetts General Laws Chapter 59, Section 5, or take any other action related thereto.

On request of the Board of Assessors

- E. 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.

On request of the Town Manager

- F. 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.

On request of the Town Manager

G. 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 Chief Administrative & Financial Officer

ARTICLE 15	UNPAID BILLS
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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 16	CHAPTER 90 AUTHORIZATIONS
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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 17	GRANTING EASEMENTS
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To see if the Town will vote to authorize the Select Board and the School Committee to grant easements for water, drainage, sewer 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.

On request of the Town Manager

ARTICLE 18	STABILIZATION FUND BOND PREMIUM
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To see if the Town will vote to transfer the sum of \$100,000 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 Administrative & Financial Officer

ARTICLE 19	WATER TREATMENT PLANT MAINTENANCE
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To see if the Town will vote to appropriate the sum of \$150,000 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 20	SEWER COLLECTION SYSTEM MAINTENANCE
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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 21	JERRY SILVERMAN FIREWORKS
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To see if the Town will vote to appropriate and raise by taxation or available funds the amount of \$15,000 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

ARTICLE 22	INDEMNIFICATION OF MEMBERS OF THE ANDOVER CONTRIBUTORY RETIREMENT BOARD
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To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 32, Section 20A, which will indemnify the Board members of the Andover Contributory Retirement System against civil actions brought against the Board or members of the Board or take any other action related thereto.

On request of the Andover Contributory Retirement Board

ARTICLE 23	HOME RULE LEGISLATION APPOINTMENT OF TOWN EMPLOYEES AND OFFICIALS
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To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to change the appointment of certain Town employees and officials, in substantial conformance with the following:

“AN ACT REGARDING THE APPOINTMENT OF OFFICIALS AND EMPLOYEES OF THE TOWN OF ANDOVER”

Section 1. Chapter 571 of the Acts of 1956 (The Andover Town Charter) as subsequently amended, is hereby amended as follows:

First, by deleting the entirety of Section 3(d) and replacing it with the following:

“The town manager shall appoint, subject to the approval of the select board, upon merit and fitness alone, and may, subject to the provisions of chapter 31 of the General Laws where applicable, remove for cause the positions of Deputy Town Manager, Police Chief, Fire Chief, Finance Director/Chief Financial Officer, Town Clerk and Town Counsel, a board of public health, a planning board, a board of assessors, a board of library trustees, and all other officers, boards,

committees of the town, with the exception of the elected officials specified in section two, and employees of such elected officials.”

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

; or take any other action related thereto.

On request of the Select Board

ARTICLE 24 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 \$4,980,000 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
IT-3	IT Infrastructure	\$350,000	C 44 Sec 7(1)
FR-2	Radio Box Repeater System	\$130,000	C 44 Sec 7(1)
FR-4	Thermal Imaging Camera Replacement	\$45,000	C 44 Sec 7(1)
DPW-7b	Public Works Vehicles – Large	\$560,000	C 44 Sec 7(1)
DPW-8	Minor Storm Drainage Improvements	\$650,000	C 44 Sec 7(1)
DPW-9	Town Bridge Evaluation and Maintenance	\$200,000	C 44 Sec 7(1)
FAC-3	Town and School Security Projects	\$130,000	C 44 Sec 7(1)
FAC-5	Town Parks and Playground Improvements	\$600,000	C 44 Sec 7(1)
FAC-6	Major Town Projects	\$900,000	C 44 Sec 7(1)
FAC-7	Town / School Energy Initiatives	\$115,000	C 44 Sec 7(1)
SCH-5	Major School Projects	\$1,300,000	C 44 Sec 7(1)

On request of the Chief Information Officer, Fire Chief, Director of Public Works, and Director of Facilities

ARTICLE 25 CAPITAL PROJECTS FROM FREE CASH

To see if the Town will vote to transfer from available funds and appropriate the sum of \$2,035,000 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
TM-1	Facility Master Plan Update	\$50,000
TM-2	Traffic and Intersection Safety Studies	\$25,000
TM-3	Hazard Tree Removal	\$150,000
IT-1	Annual Staff Device Refresh	\$340,000
IT-2	Annual Student Device Refresh	\$250,000
POL-1	Police Vehicle Replacement	\$205,000

DPW-2	Minor Sidewalk Repairs	\$200,000
DPW-4	Town Sidewalk Program	\$775,000
DPW-6	Stormwater Management	\$40,000

*On request of the Town Manager, Chief Information Officer, Chief of Police
and Director of Public Works*

ARTICLE 26	CAPITAL PROJECTS FROM WATER AND SEWER ENTERPRISE FUNDS
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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 \$7,294,000 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-14	Water Main Replacement / Distribution Improvements Project (Water Enterprise Borrowing)	\$6,000,000	Ch 44 Sec 8 (5)
DPW-18	Water Treatment GAC Replacement (Water Enterprise Borrowing)	\$294,000	Ch 44 Sec 8 (7A)
DPW-24	Sanitary Sewer Collection System Improvements (Sewer Enterprise Reserves)	\$250,000	N/A
DPW-25	Shawsheen River Sewer Interceptor Improvements (Sewer Enterprise Borrowing)	\$500,000	Ch 44 Sec 8 (14)
DPW-30	Inflow/Infiltration (I/I) Removal Program (Sewer Enterprise Reserves)	\$250,000	N/A

On request of the Director of Public Works

ARTICLE 27	ZONING BYLAW AMENDMENT NONCONFORMING USES AND STRUCTURES
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To see if the Town will vote to amend Section 3.3 “Nonconforming Uses and Structures” of the Zoning Bylaw Article VIII to clarify when a variance or special permit is required for a catastrophe, demolition, derelict condition, reconstruction, extension, alteration, or change to a structure, as well as to provide illustrative examples of increases or intensifications of nonconformities or take any action related thereto.

Proposed changes as set forth in draft amended section 3.3 of the Article VIII (or as later amended by the Planning Board), as well as illustrative examples are on file in the Office of the Town Clerk, and the Department of Planning and Community Development, located at 36 Barlet Street, Andover, MA ; and on the Town’s website at <https://andoverma.gov/149/Community-Development-Planning>.

On request of the Inspector of Buildings

ARTICLE 28	ZONING BYLAW AMENDMENT OFF-STREET PARKING REQUIREMENTS
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To see if the Town will vote to amend Section 5.1; Section 4.1.4; Section 5.3; Section 7.3.3; Section 7.8.5; Section 8.1; Section 8.2; Section 8.5; Section 8.7; and Appendix A Table 3 of the Andover Zoning Bylaw Article VIII to update the design standards, parking district information, and parking special permits to incorporate to the best extent possible off street parking information and requirements into Section 5.1 and Appendix A Table 3 Off-Street Parking; or take any other action related thereto.

Proposed changes as set forth in draft amended sections of the above listed bylaws (or as later amended by the Planning Board), as well as illustrative examples are on file in the Office of the Town Clerk, and the Department of Planning and Community Development, located at 36 Barlet Street, Andover, MA ; and on the Town’s website at <https://andoverma.gov/149/Community-Development-Planning>.

On request of the Planning Board

ARTICLE 29	STREET ACCEPTANCE MONARCH LANE
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To see if the Town will vote to accept and name as a public way any or all of the following street: Monarch Lane as further described below, and to accept deeds to the streets and all related easements:

Monarch Lane, as shown on a plan approved by the Andover Planning Board entitled “DEFINITIVE SUBDIVISION (FORM C) SPECIAL PERMIT FOR CLUSTER DEVELOPMENT & EARTH MOVEMENT PLAN FOR MONARCH WOODS ANDOVER, MASS’ dated August 30, 2016 last revised August 8, 2017, sheet 4 of 15 (Recordable sheet 1 of 1) being recorded in the Essex North District Registry of Deeds as Plan Number 17784 and further shown as Lot 130 on Land Court Plans filed as Plan Number 10362N; or take any other action related thereto.

On request of the Select Board

ARTICLE 30	OLD TOWN YARD CONFIRMATORY ACTIONS
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To see if the Town will vote to:

- (a) discontinue as a public way those portions of Lewis Street and Buxton Court which are shown as “Parcel C” and “Parcel D” on that certain plan entitled “Plan of Land Located in Andover, Mass. Prepared for the Inhabitants of the Town of Andover,” dated June 22, 2023, last revised December 12, 2023, prepared by The Morin-Cameron Group, Inc. (the “Plan”), a copy of which Plan is on file with the Office of the Town Clerk;
- (b) authorize the Select Board to acquire title in fee simple absolute, by gift, option, purchase, or eminent domain, upon such terms and conditions deemed by the Select Board to be in the best interest of the Town, the land and improvements thereon shown as “Parcel A”, “Parcel B”, “Parcel C”, and “Parcel D” on the Plan for the purpose of resolving any matters regarding the title and boundaries of the property to be taken, and

to appropriate a sum of money for the payment of damages for said takings. Such acquisition of "Parcel C" shall be subject to an easement for the use by the unit owners of the condominium located on the real property at 11-13 Buxton Court known as the 11 Buxton Court Condominium, and their tenants, licensees, and invitees, and each of their respective successors and assigns, of the portion of said "Parcel C" that is shown on Detail B of the Plan as "Public Use Area" for the purposes of vehicular and pedestrian access to and from Buxton Court and the driveway located at such Condominium;

- (c) accept as a public way the relocation of the layout of Buxton Court, from the layout described in that certain Town Meeting vote dated February 23, 1901 (the "1901 Layout"), to the layout of the street identified as Buxton Court, as shown on that certain plan entitled "Right of Way Layout Plan Located In Andover, Mass. Prepared for the Inhabitants of The Town of Andover," dated June 1, 2023, prepared by the Morin-Cameron Group, Inc. (the "2023 Layout Plan"), copies of which 1901 Layout and 2023 Layout Plan are on file with the Office of the Town Clerk; and
- (d) authorize the Select Board to acquire on behalf of the Town by gift, option, purchase, or eminent domain, an easement in the land within the layout of ways known as Lewis Street and Buxton Court as heretofore laid out by the Select Board in the 1901 Layout, as may be modified by the 2023 Layout Plan, copies of which 1901 Layout and 2023 Layout Plan are on file with the Office of the Town Clerk, for all purposes for which public ways are used in the Town of Andover, including any drainage, utility, access, and other easements necessary for or related thereto, and to appropriate a sum of money for the payment of damages for said takings; or take any other action related thereto.

On request of the Town Manager

ARTICLE 31	TAKING BY EMINENT DOMAIN OF HACIENDA WAY
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To see if the Town will vote to authorize the Select Board of Andover to acquire by eminent domain, gift, purchase, or otherwise, any fee, easement or other interest in the land shown as Hacienda Way and all related easements, including but not limited to easements shown on Lots 18, 18A, 19 and 19A, all as shown on a plan entitled "Subdivision & Acceptance Plan Pleasant Street Estates, Andover, Mass." dated April, 1973, prepared by Charles E. Cyr, and recorded with Essex North District Registry of Deeds as Plan No. 7035, and also shown on a plan entitled "Plan of Land Prepared for Belmont Realty Trust Located in Andover, Mass.," dated July, 1977, and recorded with Essex North District Registry of Deeds as Plan No. 7640 and on file in the Office of the Town Clerk, and as constructed, and to appropriate and borrow or transfer from available funds or any combination thereof a sum of \$120,000 for damages or compensation for said takings or payment for said acquisitions of interests in land and for the required engineering services, legal services, repairs and improvements to Hacienda Way and expenses thereto, or take any other action related thereto.

On petition of Courtney Famiglietti and others

ARTICLE 32	TOWN CHARTER INSERTION OF RESIDENCY REQUIREMENT FOR TOWN MANAGER
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To see if the Town will vote to reinsert the following sentence in section 6 of the Andover Town Charter:

“He/she need not be a resident of the town when appointed, but shall be a resident of the town during his/her term of office.”

On petition of Bob Pokress and others

ARTICLE 33	GRANTING OF A NON-EXCLUSIVE ACCESS/EGRESS EASEMENT
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To see if the Town will vote to authorize to grant a non-exclusive access/egress easement over under and through portions of property owned by the town of Andover under the care, control and use of the Andover conservation commission located in the town of Andover shown on Assessor’s Map 117 as Lot 15 and having an address of 268 Andover Street. Said parcel is also shown on a plan entitled “Plan of Land in Andover, prepared for Kathleen & Remi Mchet, 264 Andover Street, Andover, MA and Inhabitants of the Town of Andover, 268 Andover Street, Andover, MA” dated April 19, 2023 and prepared by John Abagis & Associates, Professional Land Surveyors, which Plan is on file in the Town Clerk’s office, for the purpose of motor vehicle and pedestrian access and egress over said land but shall not allow parking on said land. The easement is shown on said Plan as “Proposed Access/Egress Easement Containing 3,242 sf” and is for the benefit of the abutting parcel shown on said Plan as “Lot #24 Land of Remi & Kathleen Mchet” and for consideration in a sum set by the Select Board; and further voted to request the Select Board petition the Legislature to pass a Special Act in accordance with Article 97 of the Amendments to the Massachusetts Constitution and any other applicable law to authorize the above transfer including approval from the Executive Office of Energy and Environmental Affairs, if required, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition, or take any action related thereto. The land benefited by this non-exclusive easement is described on a deed recorded at the Essex North District Registry of Deeds at Book 12926, Page 231.

On petition of Remi Mchet & Kathleen Mchet and others

ARTICLE 34	GENERAL BYLAW AMENDMENT
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To see if the Town will vote to amend Article V of the General Bylaws by amending the second paragraph of Section 1 as follows:




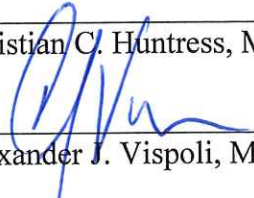
Contracts for *personal services, employee compensation*, the purchase of services, or *the purchase of* supplies shall be executed in the name of town by the Town Manager *and shall not contain any Non-Disclosure Agreements (NDAs)*.

Original wording
Contracts for the purchase of services or supplies shall be executed in the name of the town by the Town Manager.

On petition of Kathleen Grant and others

Hereof fail not, and make return of this Warrant with your doings thereon, at the time and place of said meeting.

Given our hands this 18th day of March 2024.


 _____)
 Melissa Morris Danisch, Chair)

 _____)
 Laura M. Gregory, Vice Chair)

 _____)
 Ann W. Gilbert, Member, Select Board)
 _____)
 Christian C. Huntress, Member, Select Board)

 _____)
 Alexander J. Vispoli, Member, Select Board)

SELECT BOARD
OF
ANDOVER

A true copy

A T T E S T

Ronald Bertheim, Constable

Andover, Massachusetts, _____, 2024

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