

ANNUAL TOWN MEETING – MAY 17, 2022

ANNUAL TOWN MEETING ARTICLES RESULTS

<u>Article Number</u>	<u>Article Description</u>	<u>Action Taken</u>	<u>Atty General Approved</u>
1	Annual Town Election	Reported	
2	Election – Not Required by Ballot	Election	
3	Salaries of Elected Officials	Approved	
4	Instructional Assistants Special Articles General Fund (\$500,000)	Withdrawn	
5	Mandating Municipal Employee Participation in Annual Review of Town Manager	Withdrawn	
6	Prohibiting the Use of Non-Disclosure Agreements (NDA's)	Withdrawn	
7	Mental Health & Wellbeing Special Articles General Fund	Withdrawn	
8	Annual Public Posting of Every No-Bid Contract or Agreement	Withdrawn	
9	FY-2023 Budget - \$215,886,493	Approved	
10	FY-2023 Capital Projects Fund – \$2,756,500	Approved	
11	Financial Housekeeping Articles (A Through E) A. Budget Transfers (<i>withdrawn</i>) B. Supplemental Budget Appropriation C. Free Cash D. Fiscal Year Revolving Accounts E. PEG Access and Cable Related Expenses	Approved	
12	Minor Financial Articles (A Through D) A. Overlay Surplus Transfer B. Elderly/Disabled Transportation Program C. Support for Andover Day D. Spring Grove Cemetery Maintenance	Approved	
13	General Housekeeping Articles (A Through F) A. Grant Program Authorization B. Road Contracts C. Town Report D. Property Tax Exemptions E. Contracts in Excess of Three Years F. Accepting Easements	Approved	
14	Chapter 90 Authorizations	Approved	

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15	Granting Easements	Approved	
<u>Article Number</u>	<u>Article Description</u>	<u>Action Taken</u>	<u>Atty General Approved</u>
16	Stabilization Fund Bond Premium - \$100,000	Approved	
17	Jerry Silverman Fireworks - \$14,000	Approved	
18	Doherty Middle School Upgrades and Andover High School Design \$9,500,000	Approved	
19	Water Treatment Plant Maintenance - \$500,000	Approved	
20	Sewer Collection System Maintenance \$300,000	Approved	
21	Capital Projects from General Fund Borrowing \$5,350,000	Approved	
22	Capital Projects from Free Cash \$1,870,340	Approved	
23	Capital Projects from Water and Sewer Enterprise Funds \$6,560,000	Approved	
24	Other Post-Employment Benefits Fund	Approved	
25	Pension Obligation Bond Stabilization Fund Transfer	Approved	
26	Retiree Cost of Living Adjustment Maximum Base	Approved	
27	Public Safety Multi-Band Portable Radios	Approved	
28	25 Miles-Per-Hour Speed Limit	Approved	
29	Discontinuance of Portion of Lewis Street	Approved	
30	Transfer of Portion of Lewis Street	Approved	
31	Stream Gage System on The Shawsheen River	Approved	
32	Shawsheen River Interceptor Improvements	Approved	
33	Funding to Repair Hacienda Way for Street Acceptance	Approved	
34	Land Acquisition	Approved	
35	Zoning Bylaw Recodification	Disapproved	

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SPECIAL TOWN MEETING ARTICLES RESULTS

Article Number	Article Description	Action Taken
1	Covid-19 Stipend for Educational Support Professionals	Approved
2	Implementing A Performance Management Blueprint For Town Manager and Superintendent	Disapproved
3	Prohibiting the Use of Non-Disclosure Agreements (NDA's)	Approved
4	Mental Health & Wellbeing Special Articles General Fund	Disapproved
5	Annual Public Posting of Every No-Bid Contract or Agreement	Disapproved
6	Covid-19 Public Health Emergency Funds	Disapproved

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ANNUAL TOWN MEETING WARRANT

Agreeably to a Warrant signed by the Select Board on April 21, 2022, 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

TUESDAY, THE SEVENTEENTH DAY OF MAY, 2022

at seven o'clock A.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

ANNUAL TOWN MEETING – May 17th & May 18th, 2022

The meeting was held at the Richard J. Collins Field House at Andover High School at 80 Shawsheen Road. Voter check-in occurred in the front lobby of the Andover High School.

The check lists were used in electronic form with the aid of PollPad computing devices, and Five Hundred Fifty One (551) voters were admitted to the meeting on May 17th. Two Hundred Thirty Eight (238) voters were admitted to the meeting on May 18th.

Sheila M. Doherty, Moderator, called the meeting to order at 7:00 P.M.

American Legion Post 8 presented the colors.

The Pledge of Allegiance to the Flag was led by Christian Huntress, chair of the Select Board.

The invocation was given by Pastor Jon Paul, Free Christian Church.

The Moderator took a moment to remember the residents of the Town who had passed in the past year.

Upon motion made and duly seconded it was VOTED to admit non-voters to the meeting, some of whom may be speaking. Donna Walsh, Michael Lindstrom, Patrick Lawlor, and other nonvoters were admitted during the meeting.

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

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

The Moderator announced the 11 voting sections of the Field House

The Moderator introduced the stage participants to meeting members.

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 be seated to be counted and 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.

Five articles of the Annual Town Meeting warrant (i.e., Articles 4, 5, 6, 7, and 8) were withdrawn due to the fact that those articles comprise the warrant of a Special Town Meeting to be held within this Annual Town Meeting.

The Moderator then took up the Warrant.

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 members, one for three years and one for one year.

On request of the Town Clerk

The Town Clerk reported the following were elected:

Moderator	One for One Year	Sheila M. Doherty 9 Juniper Road
Select Board	Two for Three Years	Alex Vispoli 7 Alison Way Melissa M. Danisch 16 Bradley Road

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School Committee	Two for Three Years	Emily DiCesaro 3 Walnut Avenue Sandis Wright 112 High Street
Trustees of the Punchard Free School	One for Three Years	Dawne Gillette 19 Moraine Street
Trustees of the Punchard Free School	One for One Year	Chip Gregory 232 Haggetts Pond Road

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

Upon motion made and duly seconded it was VOTED by a majority vote that Calvin G. Perry of 25 Timothy Drive be elected Trustee of the Cornell Fund for three years.

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

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

Upon motions made and duly seconded it was VOTED by majority vote that the salaries of the elected Town Officers be established as follows:

Town Moderator:	\$250.00 for each Annual Town Meeting and \$60.00 for each Special Town Meeting except when it falls within the Annual Town Meeting.
Select Board:	Chair - \$1,800.00 Members - \$1,500.00
School Committee:	Chair - \$1,800.00 Members - \$1,500.00

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The Town Clerk presided over the vote for the Moderator’s compensation. The Moderator presided over the vote for the Select Board and School Committee compensation.

VOTE: A simple majority vote required for passage, the moderators declared the Motions Passed by a majority vote.

Finance Committee Report: Approval
School Committee Report: Approval

The Moderator and members of the meeting recognized Richard T. Howe for his service to the Select Board; Joel Blumstein, Shannon Scully and Paul Murphy for their service to the School Committee; and Jim Greeley as the 2022 recipient of the Virginia Cole Community Service Award.

The Annual Town Meeting was Recessed to open the Special Town Meeting at 7:40pm.

ARTICLE 1	COVID-19 STIPEND FOR EDUCATIONAL SUPPORT PROFESSIONALS
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To see if the Town will adopt the following:

Authorize a one-time pandemic stipend and retention premium for educational support professionals (instructional assistants, food service workers, administrative assistants, custodians, and any other hourly education support professional) providing in-person essential work since March 20, 2020, in the flat sum of \$800 per person. The Pay shall be distributed pursuant to Federal Coronavirus State and Local Fiscal Recovery Funds Final Guidelines for “eligible workers”,

If the above eligible workers are deemed ineligible for the receipt of the above funding for any reason, then the Town shall transfer \$300,000 from the most recent certification of free cash to a reserve to be distributed by the School Committee subject to collective bargaining and in accordance with the above Federal Guidelines.

The Final Rule provides that “Premium pay” must be entirely additive to a worker’s regular rate of wages and compensation and may not be used to reduce or substitute for a worker’s normal earnings.

On petition of Michael Meyers and others

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

VOTE: A simple majority vote required for passage, the Moderator declared the motion Passed by a vote of 250 to 231.

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The SELECT BOARD voted 5-0 to recommend disapproval.
The SCHOOL COMMITTEE voted 5-0 to recommend disapproval.
The FINANCE COMMITTEE voted 8-0 to recommend disapproval.

ARTICLE 2	IMPLEMENTING A PERFORMANCE MANAGEMENT BLUEPRINT FOR THE TOWN MANAGER AND SUPERINTENDENT OF SCHOOLS
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To see if the Town will adopt the following:

The Select Board shall annually contract with an independent Employee Appraisal Firm chosen by the Finance Committee to conduct an anonymous municipal wide review of performance of the Town Manager.

The Finance Committee shall annually choose an independent-industry leading HR/Employee Appraisal/Performance Management firm who will introduce, conduct, administer and oversee the Performance Assessment in accordance with Best Management Practices (BMP's). The review shall focus on the leadership competencies, performance and team development goals used throughout corporate industry and public service.

The summary report shall be a public document annually posted on the Town's website under a separate link entitled "Town Manager Review".

The School Committee is also directed to adopt the same blueprint for the performance evaluation of the Superintendent of Schools by all school employees.

On petition of Michael Meyers and others

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

VOTE: A simple majority vote required for passage, the Moderator declared motion Failed by a vote of 280 to 137.

ARTICLE 3	PROHIBITING THE USE OF NON-DISCLOSURE AGREEMENTS (NDA'S)
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To see if the Town will adopt the following (per the Massachusetts Senate – 2021):

No municipal or Andover governmental entity (the term government entity includes but is not limited to authorities, boards, commissions, committees, departments, divisions, programs and services) shall include or permit the inclusion of a nondisclosure, non-disparagement or other similar clause as a condition of employment or in a settlement agreement of any kind between the governmental entity and an employee or student; provided, however, that such a settlement

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may include, at the request of the employee or student, a provision that prevents the governmental entity from disclosing the individual’s identity and all facts that could lead to the discovery of the individual’s identity.

On petition of Michael Meyers and others

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

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

ARTICLE 4	MENTAL HEALTH & WELLBEING SPECIAL ARTICLES GENERAL FUND
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To see if the Town with vote to create a special articles general fund for mental health and wellbeing services.

Upon approval by the Special Town Meeting, the Select Board shall approve and transfer from Free Cash a sum of money in the amount of \$1 million dollars from the most recent certified Free Cash balance into this account. The purpose of these dedicated funds shall be for purchasing, hiring or enhancing services and resources such as added mental health clinicians, substance abuse program coordinators and social care workers to support Andover families, seniors, veterans and our children, or take any other action relative thereto.

On petition of Michael Meyers and others

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

VOTE: A simple majority vote required for passage, the Moderator declared the Motion Failed by a majority vote.

ARTICLE 5	ANNUAL PUBLIC POSTING OF EVERY NO-BID CONTRACT OR AGREEMENT
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To see if the Town will adopt the following:

The Town Manager shall annually and prominently post on the official Andover public website a page entitled “No Bid Contracts” prior to the commencement of the annual Town Meeting.

The page shall contain the name of all parties and the entire executed contracts or agreements of any kind in excess of \$10,000 for every vendor or entity under agreement without participating in a posted competitive bid process.

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On petition of Michael Meyers and others

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

VOTE: A simple majority vote required for passage, the Moderator declared the Motion Failed by a majority vote.

ARTICLE 6	COVID-19 PUBLIC HEALTH EMERGENCY FUNDS
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To see if the Town will adopt the following:

To authorize the Select Board to void the Town Managers’ \$10.9 million plan approved by the Select Board on March 3, 2022 and commence a new transparent community planning process for Covid-19 Funds

The Select Board shall oversee a new inclusive process with direct in-person broad community input, based upon feedback from local residents, independent behavioral health professionals, Town and School employees and Andover small businesses.

The new process shall adhere to the following Federal guidelines:

“Treasury urges local governments to engage their constituents and communities in developing plans to use these payments. Transparency and public accountability for award funds and use of such funds are critical to upholding program integrity and trust.”

Provided, however, that the Select Board shall establish a \$2.0 million reserve from the \$10.9 million for unexpected Covid-19 related conditions and disruptions. The reserve shall be re-allocated in FY 2024 per recommendations from local behavioral health providers and Andover School and Town employees per federal State and Local Fiscal Recovery Funds (January 27, 2022 Final Guidelines).

Provided, further, per Federal Guidelines, Covid-19 Funds shall not be used to offset any reductions in local government revenue or fees (including liquor stores, bars and restaurants annual licensing fees).

On petition of Michael Meyers and others

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

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VOTE: A simple majority vote required for passage, the Moderator declared motion Failed by a vote of 180 to 110.

The Special Town Meeting was then dissolved at 10:34pm. The Annual Town Meeting was then adjourned until 7:00pm on Wednesday, May 18th.

ARTICLE 9	FISCAL YEAR 2023 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, 2022 and ending June 30, 2023, or take any other action related thereto.

On request of the Town Manager

It was moved and duly seconded to raise and appropriate, including appropriations from available funds, the sum of \$215,886,493 less, \$2,329,957 for a total of \$213,556,536, 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, 2022 and ending June 30, 2023.

The Town Manager, Superintendent of Schools, School Committee chair, Finance Committee chair, and Select Board chair each made presentations regarding the proposed budget.

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

Select Board Report: Approval
Finance Committee Report: Approval
School Committee Report: Approval

The FY 2023 Budget was approved as follows:

<u>Department</u>	<u>Amount</u>
Public Safety	\$18,359,028
General Government	\$10,262,646
Public Works	\$9,722,333
Public Facilities	\$3,946,941
Library	\$2,973,975
Community Services	\$2,459,024
Unclassified	\$1,048,339
Schools	\$95,126,891

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Sewer		\$4,938,413
Water		\$10,070,846
Obligations		\$56,978,057
GRAND TOTAL		\$215,886,493
<i>less dedicated Revenues</i>		<u>-\$2,329,957</u>
NET TOTAL		\$213,556,536

2022 ANNUAL TOWN MEETING SPECIAL ARTICLES

SPECIAL ARTICLES FROM FREE CASH

Article 11B	Supplemental Appropriations (Public Works - Snow & Ice)	\$500,000.00
Article 11B	Supplemental Appropriations (Technical Schools)	\$274,952.00
Article 11B	Supplemental Appropriations (Public Safety - Fire)	\$275,000.00
Article 22	Capital Projects from Free Cash	\$1,870,340.00
Article 31	Stream Gage System on the Shawsheen River	\$31,000.00
Article 33	Funding to Repair Hacienda Way for Street Acceptance	\$50,000.00
Article 34	Acquisition of 138A Chandler Road	\$413,000.00
TOTAL		\$3,414,292.00

SPECIAL ARTICLES – TRANSFER OF FUNDS

Article 11E	From Cable Franchise Fees to support PEG access services and other related expenses	\$429,500.00
Article 12A	From Overlay Surplus to fund expenses related to the FY2023 valuation of personal property accounts	\$30,000.00
Article 12D	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	\$6,000.00
Article 16	From the Bond Premium Stabilization Fund to the General Fund to offset non-exempt debt interest payments	\$100,000.00
Article 25	From the Unfunded Liability Offset Account to the Pension Obligation Bond Stabilization Fund	\$250,000.00
Article 27	From Article 23 ATM 2021 CIP#FR-4 Public Safety Bi-Directional Amplifier System to the purchase of Public Safety Multi-Band Portable Radios	\$200,000.00

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Article 32	From Article 25 ATM 2004 to Shawsheen River Interceptor Improvements	\$23,356.52
Article 32	From Article 33 ATM 2008 to Shawsheen River Interceptor Improvements	\$205,437.72
	TOTAL	\$1,244,294.24

UNEXPENDED APPROPRIATIONS CAPITAL PROJECTS FUND

Article 11C	Article 5, 2016 Annual Town Meeting – CP Fund	\$1,036.61
Article 11C	Article 5, 2017 Annual Town Meeting – CP Fund	\$5,129.09
	TOTAL	\$6,165.70

SPECIAL ARTICLES – GENERAL FUND NON-EXEMPT BORROWING

Article 18	Doherty Middle School design, renovation & construction	\$8,000,000.00
Article 18	Andover High School Design project	\$1,500,000.00
Article 21	Capital Projects from General Fund Borrowing	\$5,350,000.00
	TOTAL	\$14,850,000.00

SPECIAL ARTICLES – GENERAL FUND EXEMPT & NON-EXEMPT BORROWING

N/A

SPECIAL ARTICLES – GENERAL FUND EXEMPT BORROWING

N/A

SPECIAL ARTICLES – WATER/SEWER FUND BORROWING

Article 23	Capital Projects from Water and Sewer Borrowing	\$6,000,000.00
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SPECIAL ARTICLES – FISCAL YEAR 2023 REVOLVING ACCOUNTS

Article 11D	Community Development & Planning Department	\$20,000.00
Article 11D	Memorial Hall Library – Lost/Damaged Materials	\$20,000.00
Article 11D	Health Clinic	\$60,000.00
Article 11D	Division of Recreation	\$1,000,000.00
Article 11D	Division of Youth Services	\$400,000.00
Article 11D	Field Maintenance	\$150,000.00
Article 11D	Division of Elder Services	\$225,000.00

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Article 11D	Police Communications	\$50,000.00
Article 11D	School Photocopy Fees	\$10,000.00
Article 11D	Compost Program	\$60,000.00
Article 11D	Solid Waste	\$40,000.00
Article 11D	Stormwater Management	\$5,000.00
Article 11D	Fire Rescue	\$100,000.00
Article 11D	Health Services	\$100,000.00
Article 11D	Professional Development Institute	\$50,000.00
Article 11D	Student Technology Rental	\$200,000.00
	TOTAL	\$2,490,000.00

SPECIAL ARTICLES FROM TAXATION

Article 10	Capital Projects Fund Appropriation	\$2,756,500.00
Article 12B	Elderly/Disabled Transportation Program	\$12,000.00
Article 12C	Support for Andover Day	\$5,000.00
Article 17	Jerry Silverman Fireworks	\$14,000.00
Article 25	Pension Obligation Bond Stabilization Fund	\$252,481.00
	TOTAL	\$3,039,981.00

WATER ENTERPRISE FUND

Article 19	Water Treatment Plant Maintenance	500,000.00
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SEWER ENTERPRISE FUND

Article 20	Sewer Collection System Maintenance	300,000.00
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SPECIAL ARTICLES FROM WATER & SEWER RESERVES

Article 23	Capital Projects from Water Enterprise Funds	\$350,000.00
Article 23	Capital Projects from Sewer Enterprise Funds	\$210,000.00
	TOTAL	\$560,000.00

A true record
ATTEST

Melissa K. Ripley
Town Clerk

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ARTICLE 10	FISCAL YEAR 2023 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 2023 appropriation for the Capital Projects Fund, or take any other action related thereto.

On request of the Town Manager

Upon motion made and duly seconded it was VOTED to raise by taxation and appropriate the sum of \$2,756,500 for the purpose of funding the Fiscal Year 2023 appropriation for the Capital Projects Fund, including the leasing of equipment.

FY2023 CAPITAL PROJECTS FUND RECOMMENDED BY TOWN MANAGER

TM-1	Participatory Capital Budgeting	\$30,000
CDP-7	Conservation Land Management	\$15,000
CDP-8	Review of Andover Wetlands Protection By-Law	\$20,000
SUS –1	Climate and Sustainability Action Plan	\$40,000
FIN-1	MUNIS Financial Software Improvements	\$15,000
FIN –2	Patriot Assessing Software Upgrade	\$30,000
DPW -7A	Public Works Vehicles - Small	\$150,000
DPW-28	Spring Grove Cemetery Improvements	\$20,000
FAC-1	Town Projects - Buildings	\$445,000
FAC-2	Town Projects – Mech. & Electrical	\$345,000
FAC-3	Town & School Security Projects	\$100,000
FAC-4	Town Vehicle Replacement	\$65,000
FAC-5	Town Park and Playground Improvements	\$120,000
FAC-7	Town & School Energy Initiatives	\$90,000
SCH-1	School Projects – All Schools	\$870,000
SCH-2	School Projects – By Building	\$401,500
Total from General Fund Revenue		\$2,756,500

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

Select Board Report: Approval
 Finance Committee Report: Approval
 School Committee Report: Approval

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ARTICLE 11	FINANCIAL HOUSEKEEPING ARTICLES (A THROUGH E)
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- A. **Budget Transfers** To see if the Town will vote to transfer from amounts previously appropriated at the June 2021 Annual Town Meeting as authorized by Massachusetts General Laws Chapter 44, Section 33B, or take any other action related thereto.

On request of the Finance Director

- 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 June 2021 Annual Town Meeting, or take any other action related thereto.

On request of the Town Manager

- C. **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 Finance Director

- D. **Fiscal Year 2023 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, 2022, or take any other action related thereto:

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Revolving Fund	FY2023 Limit
Community Development & Planning Department	\$20,000
Memorial Hall Library-Lost/Damaged Materials	\$20,000
Health Clinic	\$60,000
Division of Recreation	\$1,000,000
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 Finance Director

- E. 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 2023, which begins on July 1, 2022, or take any other action related thereto.

On request of the Finance Director

Upon motion made and duly seconded it was VOTED that:

1. To withdraw Article 11A from the Warrant.
2. Pursuant to Article 11B, To appropriate \$1,049,952 from free cash and transfer \$500,000 to Department of Public Works - Snow & Ice, \$274,952 to Technical Schools and \$275,000 to Public Safety – Fire.

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3. Pursuant to Article 11C, that the Town close out the sum of \$6,165.70 from the following appropriations: \$1,036.61 – Article 5, 2016 Annual Town Meeting – Capital Projects Fund and \$5,129.09 – Article 5, 2017 Annual Town Meeting – Capital Projects Fund.
4. To approve Article 11D as printed in the Warrant.
5. To approve Article 11E as printed in the warrant and further that the Town appropriates \$429,500 from cable fees for cable related purposes.

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

Select Board Report: Approval
Finance Committee Report: Approval
School Committee Report: Approval

ARTICLE 12	MINOR FINANCIAL ARTICLES (A THROUGH D)
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- A. Overlay Surplus Transfer** To see if the Town will vote to transfer \$30,000 from Overlay Surplus to fund expenses related to the FY2023 valuation of personal property accounts of locally assessed gas distribution companies, or take any other action related thereto.

On request of the Finance Director

- 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** To see if the Town will vote to appropriate and raise by taxation or transfer from available funds a sum not to exceed \$5,000 for the purpose of paying a portion of the municipal costs associated with Andover Day in the downtown, 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

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Upon motion made and duly seconded it was VOTED that:

1. To approve the consent Articles 12A & 12D, as printed in the Warrant.
2. Pursuant to Article 12B, to appropriate and raise by taxation the sum of \$12,000 for the purpose of continuing to provide for an elderly and disabled transportation subsidy program.
3. Pursuant to Article 12C, to appropriate and raise by taxation the sum of \$5,000 for the purpose of paying a portion of the municipal costs associated with Andover Day in the downtown.

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

Select Board Report: Approval

Finance Committee Report: Approval

ARTICLE 13	GENERAL HOUSEKEEPING ARTICLES (A THROUGH F)
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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 2023 for those persons who qualify for property tax exemptions under Massachusetts General Laws Chapter 59, Section 5, or take any other action related thereto.

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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

Upon motion made and duly seconded it was VOTED to approve the consent agenda, Articles 13A through 13F, as printed in the Warrant.

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

Select Board Report: Approval
Finance Committee Report: Approval

ARTICLE 14	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

Upon motion made and duly seconded it was VOTED 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.

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

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Select Board Report: Approval
Finance Committee Report: Approval

ARTICLE 15	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

Upon motion made and duly seconded it was VOTED to approve Article 15 as printed in the warrant.

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

Select Board Report: Approval
School Committee Report: Approval

ARTICLE 16	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 Finance Director

Upon motion made and duly seconded it was VOTED to approve Article 16 as printed in the Warrant.

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

Select Board Report: Approval
Finance Committee Report: Approval

ANNUAL TOWN MEETING – MAY 17, 2022

ARTICLE 17	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 \$14,000 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

Upon motion made and duly seconded it was VOTED to approve Article 17 as printed in the Warrant.

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

Select Board Report: Approval
Finance Committee Report: Approval

ARTICLE 18	DOHERTY MIDDLE SCHOOL UPGRADES AND ANDOVER HIGH SCHOOL DESIGN
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To see if the Town will vote to appropriate \$9,500,000 or any other amount, of which \$8,000,000 shall be used to pay costs of purchasing professional services related to the design, renovation and construction of the Doherty Middle School, including the payment of all costs incidental and related thereto, and \$1,500,000 shall be used to pay costs of the Andover High School Design project, including the payment of all costs incidental and related thereto; 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 School Committee

Upon motion made and duly seconded it was VOTED that the Town appropriates \$9,500,000, of which \$8,000,000 shall be used to pay costs of purchasing professional services related to the design, renovation and construction of the Doherty Middle School, including the payment of all costs incidental and related thereto, and \$1,500,000 shall be used to pay costs of the Andover High School Design project, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

Select Board Report: Approval
Finance Committee Report: Approval
School Committee Report: Approval

ANNUAL TOWN MEETING – MAY 17, 2022

ARTICLE 19	WATER TREATMENT PLANT MAINTENANCE
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To see if the Town will vote to appropriate the sum of \$500,000 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

Upon motion made and duly seconded it was VOTED to approve Article 19 as printed in the Warrant.

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

Select Board Report: Approval
Finance Committee Report: Approval

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 sewer collection system, including any other costs incidental and related thereto, or take any other action related thereto.

On request of the Director of Public Works

Upon motion made and duly seconded it was VOTED to approve Article 20 as printed in the Warrant.

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

Select Board Report: Approval
Finance Committee Report: Approval

ARTICLE 21	CAPITAL PROJECTS FROM GENERAL FUND BORROWING
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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 \$5,350,000 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.

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CIP #	Project	Amount	Statutory Citation
FR-2	Multi-Band Portable Radios	\$200,000	C 44 Sec 7(1)
DPW-4	Town Sidewalk Program	\$850,000	C 44 Sec 7(1)
DPW-7b	Public Works Vehicles – Large	\$400,000	C 44 Sec 7(1)
FAC-5	Town Parks & Playground Improvements	\$550,000	C 44 Sec 7(1)
FAC-6	Major Town Projects	\$1,600,000	C 44 Sec 7(1)
SCH-5	Major School Projects	\$1,750,000	C 44 Sec 7(1)

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

Upon motion made and duly seconded it was VOTED that the Town appropriates \$5,350,000 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 incidental costs: and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

CIP #	Project	Amount	Statutory Citation
FR-2	Multi-Band Portable Radios	\$200,000	C 44 Sec 7(1)
DPW-4	Town Sidewalk Program	\$850,000	C 44 Sec 7(1)
DPW-7b	Public Works Vehicles – Large	\$400,000	C 44 Sec 7(1)
FAC-5	Town Parks & Playground Improvements	\$550,000	C 44 Sec 7(1)
FAC-6	Major Town Projects	\$1,600,000	C 44 Sec 7(1)
SCH-5	Major School Projects	\$1,750,000	C 44 Sec 7(1)

VOTE: A two-thirds majority vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

Select Board Report: Approval
 Finance Committee Report: Approval
 School Committee Report: Approval

ARTICLE 22	CAPITAL PROJECTS FROM FREE CASH
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To see if the Town will vote to transfer from available funds and appropriate the sum of \$1,870,340 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.

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CIP #	Project	Amount
FR-1	Fire Apparatus Replacement	\$145,000
IT-1	Annual Staff Device Refresh	\$379,363
IT-2	Annual Student Device Refresh	\$436,477
IT-3	IT Platforms and Infrastructure	\$454,500
POL-1	Police Vehicle Replacement	\$205,000
DPW-2	Minor Sidewalk Repairs	\$250,000

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

Upon motion made and duly seconded it was VOTED that the Town appropriates \$1,870,340 to pay costs of purchasing or leasing, capital equipment or infrastructure, or for purchasing services and materials related to capital improvements, as more particularly described below, including any other costs incidental and related thereto, and that to meet this appropriation, said amount shall be transferred from Free Cash.

CIP #	Project	Amount
FR-1	Fire Apparatus Replacement	\$145,000
IT-1	Annual Staff Device Refresh	\$379,363
IT-2	Annual Student Device Refresh	\$436,477
IT-3	IT Platforms and Infrastructure	\$454,500
POL-1	Police Vehicle Replacement	\$205,000
DPW-2	Minor Sidewalk Repairs	\$250,000

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

Select Board Report: Approval
 Finance Committee Report: Approval
 School Committee Report: Approval

ARTICLE 23	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 \$6,560,000 to pay costs of purchasing capital equipment, making infrastructure improvements, and purchasing services and materials

ANNUAL TOWN MEETING – MAY 17, 2022

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-12	Water & Sewer Vehicles (Water Enterprise Reserves)	\$350,000	N/A
DPW-14	Water Main Replacement Projects (Water Enterprise Borrowing)	\$6,000,000	Ch 44 Sec 8 (5)
DPW-34	Dale Street Pumping Station (Sewer Enterprise Reserves)	\$210,000	N/A

On request of the Director of Public Works

Upon motion made and duly seconded it was VOTED appropriates \$6,560,000 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 incidental costs, and that to meet this appropriation, \$350,000 is appropriated from Water Enterprise Reserves for Water & Sewer Vehicles, \$210,000 is appropriated from Sewer Enterprise Reserves for the Dale Street Pumping Station, and the Treasurer, with the approval of the Select Board, is authorized to borrow \$6,000,000 under and pursuant to G.L. c. 44, §8(5) or pursuant to any other enabling authority for the Water Main Replacement Projects, and to issue bonds or notes of the Town therefor.

CIP #	Project	Amount	Statutory Citation
DPW-12	Water & Sewer Vehicles (Water Enterprise Reserves)	\$350,000	N/A
DPW-14	Water Main Replacement Projects (Water Enterprise Borrowing)	\$6,000,000	Ch 44 Sec 8 (5)
DPW-34	Dale Street Pumping Station (Sewer Enterprise Reserves)	\$210,000	N/A

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

Select Board Report: Approval
 Finance Committee Report: Approval

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ARTICLE 24	OTHER POST EMPLOYMENT BENEFITS FUND
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To see if the Town will vote to take the following actions:

- 1) Pursuant to G.L. Chapter 32B, Section 20 (d), to designate the town treasurer as the trustee of the Other Post Employment Benefits Fund, who shall have general supervision of the management, investment and reinvestment of the Other Post Employment Benefits Fund, and to authorize the trustee to employ reputable and knowledgeable investment consultants to assist in determining appropriate investments and to pay for those services from the fund;
- 2) To authorize the trustee to appoint a volunteer advisory committee who may make recommendations to the trustee regarding the management, investment and reinvestment of the Other Post Employment Benefits Fund; and
- 3) Pursuant to G.L. Chapter 32B, Section 20(g), to authorize investment or reinvestment of the Other Post Employment Benefits Fund under the prudent investor rule established in G.L. Chapter 203C, or take any other action related thereto.

On the request of the Finance Director

Upon motion made and duly seconded it was VOTED to designate the Town Treasurer as the trustee of the Town’s Other Post-Employment Benefits (OPEB) Trust Fund. As trustee the Town Treasurer will then be authorized to appoint a volunteer advisory committee to assist in making decisions about the management and investment of the OPEB assets held by the Town. It was further moved to accept M.G.L. Chapter 203C (the Prudent Investor Rule) which allows the Town to invest the OPEB assets in a more diversified range of products than the “legal list” that we are currently limited to.

VOTE: A simple majority vote required for passage, the Moderator declared the Motions Passed by a majority vote.

Select Board Report: Approval
Finance Committee Report: Approval

ARTICLE 25	PENSION OBLIGATION BOND STABILIZATION FUND TRANSFER
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To see if the Town will vote to appropriate and raise from taxation or transfer from available funds a sum of money to the Pension Stabilization Fund in accordance with MGL Chapter 40, Section 5B, as amended by Chapter 46, Sections 14 and 50 of the Acts of 2003, or take any action related thereto.

On request of the Town Manager

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Upon motion made and duly seconded it was VOTED to appropriate the sum of \$502,481 to the Pension Obligation Bond Stabilization Fund in accordance with MGL, Chapter 40, Section 5B and further that \$252,481 be raised from taxation and \$250,000 be transferred from the unfunded liability offset account.

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

Select Board Report: Approval

Finance Committee Report: Approval

ARTICLE 26	RETIREE COST OF LIVING ADJUSTMENT MAXIMUM BASE
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To see if the Town will authorize the Contributory Retirement Board to increase the maximum base on which the cost-of-living increase is calculated for retirees and beneficiaries of the Andover Contributory Retirement System by \$1,000 each July 1st for the next two years resulting in a base change from \$12,000 to \$13,000 effective July 1, 2022 and from \$13,000 to \$14,000 effective July 1, 2023.

On petition of Kevin Connors and others

A motion was made and seconded. A second amended motion was then moved. Upon motion made and duly seconded it was VOTED that the town vote to accept the provisions of Chapter 32, Section 103(j), and increase the maximum base on which the cost-of-living increase is calculated for retirees and beneficiaries of the Andover Contributory Retirement System by \$1,000 each July 1st for the next two years resulting in a base change from \$12,000 to \$13,000 effective July 1, 2022 and from \$13,000 to \$14,000 effective July 1, 2023.

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

Select Board Report: Approval

Finance Committee Report: Approval

School Committee Report: Approval

ARTICLE 27	PUBLIC SAFETY MULTI-BAND PORTABLE RADIOS
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To see if the Town will amend the action taken under Article 23 of the June 5, 2021 Annual Town Meeting which, in part, appropriated \$200,000 for CIP# FR-4 Public Safety Bi-Directional Amplifier System, to instead appropriate that \$200,000 to the purchase of Public Safety Multi-Band Portable Radios, including the payment of costs incidental or related thereto, or take any other action related thereto.

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On request of the Fire Chief

Upon motion made and duly seconded it was VOTED to hereby amend the action taken under Article 23 of the June 5, 2021 Annual Town Meeting which, in part, appropriated \$200,000 for CIP# FR-4 Public Safety Bi-Directional Amplifier System, to instead appropriate that \$200,000 to the purchase of Public Safety Multi-Band Portable Radios, including the payment of costs incidental and related thereto, or take any other action related thereto.

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

Select Board Report: Approval
Finance Committee Report: Approval

ARTICLE 28	25 MILES-PER-HOUR SPEED LIMIT
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To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 90 § 17C: Establishment of 25-miles-per-hour speed limit in thickly settled areas or business district in a city or town; or take any other action relative thereto.

On petition of Michael Silverman and others

Upon motion made and duly seconded it was VOTED to approve Article 28 as printed in the Warrant.

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

Select Board Report: Approval

ARTICLE 29	DISCONTINUANCE OF PORTION OF LEWIS STREET
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To see if the Town will vote to discontinue as a public way that portion of Lewis Street which is described as follows: The area shown as “Portion of Lewis Street to be Discontinued 4,000 S.F.+/-” on Plan of Land entitled “Discontinuance Plan, Portion of Lewis Street, Andover, Mass. Prepared for: Town of Andover, Date: January 18, 2022, Scale 1”=40’, Andover Consultants, Inc., 1 East River Place, Methuen, Mass., 01844,” a copy of which Plan is on file in the Office of the Town Clerk, or take any other action related thereto.

On request of the Town Manager

Upon motion made and duly seconded it was VOTED to approve Article 29 as printed in the Warrant.

ANNUAL TOWN MEETING – MAY 17, 2022

of operating and maintaining a Stream Gage Station on the Shawsheen River in the vicinity of Balmoral Street and further to authorize the Town manager to enter into an agreement for the same with the United States Geologic Survey.

VOTE: A majority vote required for passage, the Moderator declared the Motion Passed by a majority vote.

Select Board Report: Approval
Finance Committee Report: Approval

ARTICLE 32	SHAWSHEEN RIVER INTERCEPTOR IMPROVEMENTS
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To see if the Town will vote to appropriate the sum of \$228,794.24 to pay costs for Shawsheen River Interceptor Improvements, including all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, and authorize the Select Board to apply for and accept any state or federal grant or assistance, or both, that may be available to pay for the above improvements, or take any other action related thereto and to see if the Town will vote to amend its action taken under Article 33 of the 2008 Annual Town Meeting, which vote authorized the borrowing of \$4,000,000 (of which \$2,200,000 is currently unissued) for the purpose of paying costs of constructing and reconstructing the Shawsheen River Outfall Sewer, including the payment of costs incidental and related thereto, so that such funds may, instead, be borrowed and expended to pay costs of design, engineering and construction services for the Shawsheen River Interceptor Improvements, including the payment of all other costs incidental and related thereto, or take any other action relative thereto.

On request of the Director of Public Works

Upon motion made and duly seconded it was VOTED that Town appropriates \$228,794.24 to pay costs of Shawsheen River Interceptor Improvements, including the payment of all costs incidental and related thereto, and that to meet this appropriation, \$23,356.52 shall be appropriated from Article 25 ATM 2004, and \$205,437.72 shall be appropriated from Article 33 ATM 2008, which projects are complete and no liability remains; further, that the vote adopted by the Town under Article 33 of the 2008 Annual Town Meeting, which vote authorized the borrowing of \$4,000,000 (of which \$2,200,000 is currently unissued) for the purpose of paying costs of constructing and reconstructing the Shawsheen River Outfall Sewer, including the payment of costs incidental and related thereto, be hereby amended so that such funds may, instead, be borrowed and expended to pay costs of design, engineering and construction services for the Shawsheen River Interceptor Improvements, including the payment of all other incidental costs.

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

ANNUAL TOWN MEETING – MAY 17, 2022

Select Board Report: Approval
Finance Committee Report: Approval

ARTICLE 33	FUNDING TO REPAIR HACIENDA WAY FOR STREET ACCEPTANCE
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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 known as Hacienda Way as shown on a plan entitled Subdivision & Acceptance Plan Pleasant Street Estates Andover, Mass, April, 1973 Approved 6/18/1973 and recorded with Essex North Registry of Deeds, Plan 7035 and on file in the Office of the Town Clerk, and as constructed, and to award no damages for said taking or payment for said acquisition, and to appropriate and raise by taxation, transfer from available funds or borrowing or any combination thereto a sum of \$110,000 for required engineering services, legal services, repairs and improvements to Hacienda Way and expenses incidental thereto, or take any other action related thereto.

On petition of Courtney Famiglietti and others

Upon a motion made and duly seconded it was VOTED to amend the article “To see if the town will vote to appropriate from Free Cash a sum of \$50,000 for acquired engineering services and legal services related to the potential acceptance of Hacienda Way, acquisition of all property related thereto, and expenses incidental thereto, or take any other action related thereto.” The amendment was approved by a majority vote.

Upon motion made and duly seconded it was VOTED to approve the amended Article 33.

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

Select Board Report: Approval
Finance Committee Report: Approval
Planning Board Report: Approval

ARTICLE 34	LAND ACQUISITION
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To see if the Town will vote to appropriate the sum of \$413,000.00 for the acquisition of land, such land being described as follows: The land known as 138A Chandler Road described in a Deed recorded in Book 16981 Page 126 in Essex North Registry of Deeds and shown as Lot 1 on a Plan of Land entitled “Plan of Land 138 Chandler Road Andover, MA 01810, JM Associates, 325 Main Street, N. Reading, MA 01864, John F. McQuilkin, Professional Land Surveyor,” dated March 12, 2020, and said plan being recorded in Essex North Registry of Deeds as Plan Number 18061, which Plan is on file with the Town Clerk, containing 78,064 square feet, more or less, as shown on said Plan, for municipal purposes, and for any other costs incidental and related thereto, and to authorize the Select Board to acquire such land thereon, by gift, option,

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purchase or eminent domain, upon terms and conditions deemed by the Select Board to be in the best interest of the Town and to determine whether the amount appropriated by the Town under this Article shall be raised by taxation, transfer from available funds, borrowing, or otherwise provided, or to take any other action related thereto.

On request of the Town Manager

Upon motion made and duly seconded it was VOTED that the Town appropriates the sum of Four Hundred, Thirteen Thousand (\$413,000.00) Dollars for the acquisition of land, such land being described as follows: The land known as 138A Chandler Road described in a Deed recorded in Book 16981 Page 126 in Essex North Registry of Deeds and shown as Lot 1 on a Plan of Land entitled “Plan of Land 138 Chandler Road Andover, MA 01810, JM Associates, 325 Main Street, N. Reading, MA 01864, John F. McQuilkin, Professional Land Surveyor,” dated March 12, 2020, and said plan being recorded in Essex North Registry of Deeds as Plan Number 18061, which Plan is on file with the Town Clerk, containing 78,064 square feet, more or less, as shown on said Plan, for municipal purposes, and for any other costs incidental and related thereto, and to authorize the Select Board to acquire such land thereon, by gift, option, purchase or eminent domain, upon terms and conditions deemed by the Select Board to be in the best interest of the Town and that to meet this appropriation, \$413,000 be transferred from free cash, or to take any other action related thereto..

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Passed by more than a two-thirds vote.

Select Board Report: Approval
Finance Committee Report: Approval
Planning Board Report: Approval

ARTICLE 35	ZONING BYLAW RECODIFICATION
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To see if the Town will vote to amend and recodify the Zoning Bylaw Article VIII by making the following changes:

1. Delete, in their entirety, the following provisions of the existing Zoning Bylaw last printed with the date September 2020 and amended through Annual Town Meeting of June 5, 2021:

- Section 1.0 Purpose and Authority
- Section 2.0 Districts
- Section 3.0 Use Regulations
- Section 4.0 Dimensional Requirements
- Section 5.0 General Regulations
- Section 6.0 Special Regulations
- Section 7.0 Special Residential Regulations
- Section 8.0 Special District Regulations
- Section 9.0 Administration and Procedures

ANNUAL TOWN MEETING – MAY 17, 2022

Section 10.0 Definitions

Appendix A

Table 1-Table of Use Regulations

Table 2-Table of Dimensional Requirements

Table 3-Table of Off-Street Parking Requirements

Table 4-Parking Dimensions

2. Substituting the following provisions and their subparts found in the Zoning Bylaw, Article VIII dated March 2022, on file in the offices of the Town Clerk and Community Development & Planning:

Section 1.0 Purpose and Authority

Section 2.0 Districts

Section 3.0 Use Regulations

Section 4.0 Dimensional Requirements

Section 5.0 General Regulations

Section 6.0 Special Regulations

Section 7.0 Special Residential Regulations

Section 8.0 Special District Regulations

Section 9.0 Administration and Procedures

Section 10.0 Definitions

Appendix A

Table 1-Table of Use Regulations

Table 2-Table of Dimensional Requirements

Table 3-Table of Off-Street Parking Requirements

Table 4-Parking Dimensions

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

On request of the Planning Board

Upon motion made and duly seconded it was VOTED to approve Article 35 as printed in the Warrant.

VOTE: A two-thirds vote required for passage, the Moderator declared the Motion Failed.

Select Board Report: Approval

Planning Board Report: Approval

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On motion of Town Counsel, Thomas J. Urbelis, made and duly seconded it was voted by a majority vote to dissolve the Annual Town Meeting at 9:56 P.M.

A true record

A T T E S T

Melissa K. Ripley
Town Clerk