

SPECIAL TOWN MEETING – November 27, 2018

| <u>WARRANT ARTICLE NUMBER & DESCRIPTION</u> | <u>ACTION TAKEN</u> | <u>ATTY. GENERAL APPROVAL</u> |
|--|--------------------------------|--|
| 1. Ballardvale Fire Station Land Acquisition and Construction | Approved | N/A |

SPECIAL TOWN MEETING WARRANT – November 27, 2018

Agreeably to a warrant signed by the Selectmen, on November 5, 2018, notifying and warning the Inhabitants of said Town who are qualified to vote in the Town Affairs to meet and assemble in the J. Everett Collins Center Auditorium at Andover High School, Shawsheen Road, in said Andover, on

Tuesday, the Twenty Seventh Day of November, 2018

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

Pursuant to the foregoing Warrant, I, the subscriber, one of the Constables of the Town of Andover, have notified the Inhabitants of said Town to meet at the time and place and for the purposes stated in said Warrant, by posting a true and attested copy of the same on the Town Hall, on each schoolhouse, 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.

November 8, 2018

Ronald Bertheim, Constable

SPECIAL TOWN MEETING

November 27, 2018

The checklists were used at the entrance and showed Four Hundred and Eighteen (418) voters were admitted to the meeting.

The meeting was called to order at 7:00 P.M. by Sheila M. Doherty, Moderator.

The Pledge of Allegiance to the Flag was led by Alexander J. Vispoli, Chair of the Board of Selectmen.

SPECIAL TOWN MEETING – November 27, 2018

The invocation was given by Rabbi Robert Goldstein of Temple Emanuel.

Upon majority consent it was VOTED to admit non-voters to the meeting. Forty Three (43) non-voters were admitted during the meeting.

The Moderator directed voters with children to sit in the non-voting section of the hall and to make themselves known to the counter in the area when a count is called. The Moderator further explained that non-voters are not allowed in the voting section of the hall unless they have a specific function for the meeting and are sanctioned by Town Officials.

The Moderator gave various house-keeping announcements to the meeting members, including turning off cell phones, and that no smoking, food or drink is permitted, except for water.

It was VOTED by a Majority vote to dispense with the return of service and that the Moderator may refer to the warrant articles by number and subject matter.

The Moderator announced the seating sections, introduced the stage participants and announced that participants must be seated to be counted and they must have their voter stickers visible.

The Moderator introduced the Board of Selectmen, the Finance Committee, and various Town staff present on the stage.

The Moderator discussed the rules of procedure and the use of the pro, con, and point of order microphones. The Moderator proposed to impose a time limit of three minutes for speakers from the audience.

It was then moved and seconded to extend the speaking time for speakers from the audience to five minutes. After approximately five minutes of discussion, the Moderator called for a standing count.

VOTE: a simple majority vote required for passage, the Moderator declared the Motion FAILED on a standing count of 144 YES to 189 NO.

The Moderator took a vote to impose a time limit of three minutes for speakers from the audience.

The Moderator introduced Ombudsman Christopher Vrontas and informed voters they may go to him for help on procedure, including the procedure for submitting motions to amend.

The Moderator then took up the Warrant.

| | |
|-----------|---|
| ARTICLE 1 | BALLARDVALE FIRE STATION LAND ACQUISITION AND |
|-----------|---|

| |
|---------------------|
| CONSTRUCTION |
|---------------------|

To see if the Town will (i) authorize the Selectmen to (a) acquire by gift, purchase, eminent domain or otherwise, a parcel of land located at 161 Andover Street, identified on the Town Assessors' Map 137, Lot 19, consisting of 0.42938 acres, more or less, for general municipal purposes, and (b) design, construct and equip a new 3 bay Ballardvale Fire Station; (ii) re-appropriate the aggregate sum of \$400,000 that was previously appropriated from Free Cash under Articles 25 and 26 of the 2014 Annual Town Meeting for a Ballardvale Fire Station remodeling project instead to pay a portion of the costs of this land acquisition in the amount of \$200,000 and a portion of the costs of designing, constructing and equipping of a new Ballardvale Fire Station, including the payment of all other costs incidental and related thereto in the amount of \$200,000; (iii) appropriate a sum of \$300,000 to pay a portion of the costs of this land acquisition, (iv) appropriate \$7,700,000 to pay a portion of the costs of designing, constructing and equipping a new Ballardvale Fire Station, including the payment of all other costs incidental and related thereto, and (vi) to determine whether the amounts 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 relative thereto.

On request of the Town Manager

It was duly moved and seconded that the Town vote to (i) authorize the Selectmen to (a) acquire by gift, purchase, eminent domain or otherwise, a parcel of land located at 161 Andover Street, identified on the Town Assessors' Map 137, Lot 19, consisting of 0.42938 acres, more or less, for general municipal purposes, and (b) cause the design, construct and equip a new 3 bay Ballardvale Fire Station; (ii) re-appropriate the aggregate sum of \$400,000 that was previously appropriated from Free Cash under Articles 25 and 26 of the 2014 Annual Town Meeting for a Ballardvale Fire Station remodeling project instead to pay a portion of the costs of this land acquisition in the amount of \$200,000, and a portion of the costs of designing, constructing and equipping a new Ballardvale Fire Station, including the payment of all other costs incidental and related thereto in the amount of \$200,000; (iii) appropriate \$300,000 to pay a portion of the costs of this land acquisition, and all other costs incidental and related thereto and to meet this appropriation transfer \$300,000 from Free Cash, (iv) appropriate \$7,700,000 to pay a portion of the costs of designing, constructing and equipping a new Ballardvale Fire Station, including the payment of all other costs incidental and related thereto, and to meet this appropriation, transfer \$700,000 from Free Cash and authorize the Treasurer, with the approval of the Selectmen, to borrow \$7,000,000 under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, to meet the total appropriation approved by this vote. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Following a presentation from the Town Manager and recommendations from the Board of Selectmen, the Finance Committee, the Ballardvale Historic District Commission, the Preservation Commission, the Planning Board, and the Permanent Town Building Advisory Committee, there followed debate of Article 1.

SPECIAL TOWN MEETING – November 27, 2018

Thereafter, it was moved and seconded to “amend Article 1 by striking out, in clause (iv), the sum of \$7,700,000 and inserting, in place thereof, the following: \$1.” There followed debate of the motion to amend Article 1.

VOTE: a simple majority vote required for passage, the Moderator declared the Motion FAILED.

There followed continued debate on Article 1. The Moderator then called for a vote on Article 1.

VOTE: a two-thirds vote required for passage, the Moderator declared the Motion PASSED.

Board of Selectmen Report: Approval
Finance Committee Report: Approval
Ballardvale Historic District Commission Report: Approval
Preservation Commission Report: Approval
Planning Board Report: Approval
Permanent Town Building Advisory Committee Report: Approval

On motion of Town Counsel, Thomas J. Urbelis, duly made and seconded, it was voted by a Majority vote to dissolve the Special Town Meeting at 8:52 P.M.

A true record

A T T E S T

Austin P. Simko
Town Clerk