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**Board of Selectmen and Finance Committee**  
**Joint Meeting**  
**Minutes of March 28, 2016**

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**I. Call to Order**

Chair Mary O'Donoghue called the meeting of the Board of Selectmen to order at 7:00 P.M. in the Board of Selectmen's Meeting Room at Town Offices: Present from the Board of Selectmen: Paul Salafia-Y, Alex Vispoli-Y, Dan Kowalski-Y, Robert Landry-Y, and Mary O'Donoghue-Y. Also present: Town Manager Andrew Flanagan, Town Clerk Larry Murphy. The meeting was duly posted and cablecast live.

Finance Committee Chair S. Jon Stumpf opened the meeting for the Finance Committee at 8:19 P.M. Present from the Finance Committee: J. Marden-Y, M. Kruse-Y, L. Anderson-Y, E. Moffitt-Y, B. Zahourik-Y, G. Serrao-Y, B. Taylor-Y, and S. Jon Stumpf-Y.

Also present: Town Manager Andrew Flanagan, Finance Director Donna Walsh, Town Clerk Larry Murphy and Tom Urbelis. The meeting was duly posted and cablecast live.

**II. Opening Ceremonies**

**A. Moment of Silence/Pledge of Allegiance**

The meeting began with a moment of silence followed by the Pledge of Allegiance.

**III. Communications/Announcements/Liaison Reports**

The Town Manager made the following announcements:

~The Board of Selectmen and Finance Committee will meet with the OPEB Advisory Committee on Thursday, March 31<sup>st</sup> at 7:00 P.M. at the WW I Memorial Auditorium.

~Recognized Lt. Ed Guy, who recently graduated from the FBI National Academy at Quantico, a very prestigious honor. Lt. Guy is the first Andover policeman to graduate from the Academy in 30 years. The Board congratulated Lt. Guy on this distinguished honor.

Alex Vispoli said the members of the Andover Youth Council, are heavily involved in Youth Services, and approached them about giving a quarterly update on their activities to the Board of Selectman to which they agreed. Dan Kowalski suggested inviting all of our boards to present quarterly.

**IV. Citizens Petitions and Presentations**

Mike Roli, 2 College Circle, received an email from Erin Reilly regarding the Senior Tax Bill to be discussed tonight. The Town Manager said they are opening the warrant so it can be included in this year's Town Warrant. Tom Urbelis said the legislation isn't in its final form and adding the placeholder will allow us to bring it up at Town Meeting. Mr. Roli was informed that the article would have to go back to the Town for approval.

V. **Re-Organization of the Board - HOLD**

VI. **Introduction of New Deputy Town Manager**

The Town Manager introduced Andover's new Deputy Town Manager John Mangiarati, currently the Assistant Town Manager in Westford, Mass. John was one of 87 applicants, and one of twenty-two who moved forward to the two day interview stage. As one of five finalists, John participated in an Assessment Day, which included practical exercises and execution of appropriate judgment, and he was the highest ranked person in the both the first and second round. Mr. Flanagan thanked the members of the interview Committee which included Human Resources Director, Candace Hall, Chief Keefe, Chief Mansfield, Assistant Superintendent of Finance and Administration, Paul Szymanski, Finance Director. Donna Walsh, CIO of Technology, Paul Puzanghera, Director of Memorial Hall Library Beth Mazin, and the Director of Community Development and Planning, Paul Materazzo.

VII. **Water and Sewer Rate Study Continuation**

On a motion duly made and seconded, the Board of Selectmen voted to adjourn as Selectmen and move to Water and Sewer Commissioners to continue the discussions on the water and sewer rates and possible vote.

Representatives from Woodard & Curran distributed sample information on balloon versions of customer accounts, which the Board requested. The Board talked about a rationale way to move forward and Municipal Services Director Chris Cronin, said it was their understanding Woodard & Curran was coming back tonight to answer questions, not to give a presentation.

The option for water & sewer rates is to move to a tier system. The first tier would have a base rate, the 2<sup>nd</sup> tier would have a base plus 10%, and the third tier would have a base rate plus 20%. The tier system places the demand upon those using more and includes a \$300,000 annual payment for Fire Suppression (new revenue source); Andover has not adjusted Fire Suppression Rates since the 1980's.

Woodard & Curran said we would be able to meet the revenue needs while reducing some of the reserves. A quarterly billing system would provide users with a bill that includes seasonal charges (water used for irrigation /pools etc.) and then reset the meter count back to zero to start the next quarter. Munis has a self-service module where residents can pay their town bills on-line that will reduce expenses associated with traditional mailing of a bill. A majority of users will experience a reduced bill.

The rate change will not impact the water agreement with North Reading because the connection is under contract, and the rates will be what they contracted to pay. The consultants recommend keeping North Reading on as a customer for a few more years.

The Town Manager suggested the Board of Selectmen authorize him to begin discussions to keep North Reading on.

Audience:

Keith Saxon, 15 Wethersfield Drive distributed a handout to the Board and asked several questions related to delivery of water to North Reading, identified water projects listed, the \$2M charge from the Greater Lawrence Sanitary District, and charges for municipal use.

The Board will vote their decision on the proposed water and sewer rate changes on Monday, April 4<sup>th</sup> with Woodard & Curran providing a recommendation memo.

**VIII. 2016 Annual Town Meeting Warrant Review**

The Finance Committee joined the Board of Selectmen for this part of the meeting.

A. Board to discuss and consider voting on the following Warrant Articles:

The Town Manager and Board discussed the sequencing of the Warrant Articles before the warrant is signed.

Sheila Doherty asked they consider that each warrant article being able to stand on its own without groups of people posturing for placement and to keep in mind the mindset of the people of Town Meeting; she will work with the Town Manager on how to keep the meeting moving.

The Board of Selectmen commented that historically articles related to Water & Sewer are paid through the Enterprise Fund, and they would like to see those along with articles that will have a significant impact voted on the first night.

Donna Walsh distributed an updated information sheet on changes to line items in Article-4 FY-2017 Budget and provided information on why they were changed.

The Town Manager is requesting the Board hold on voting on the Water & Sewer Budgets, Items 23 -24, and the School budget, until after Thursday's Meeting.

- **P-4 -FY 2017 Budget 2 votes**

On a motion by Alex Vispoli and seconded by Paul Salafia, the Board of Selectmen voted 4-0 to recommended Approval of Article 4, line items 1-12 as printed in the 3/26/16 version.

On a motion by Alex Vispoli and seconded by Paul Salafia, the Board of Selectmen voted 4-0 to recommended approval of the Operating Budget line items 18-22 as printed in the 3/26/16 version.

- **P-42 Transfer of Land to the Conservation Commission (Page 12 of Warrant)**

On a motion by Selectman Vispoli and seconded by Selectman Salafia the Board voted to hold on voting on of P-42 Transfer of Land to the Conservation Commission.

Town Counsel Tom Urbelis said they have identified land to be shared under the care of custody of the Conservation Committee and a vote will be needed at Town Meeting to displace those properties. The Board wants to know if the property is contiguous to other parcels of conservation land.

The Finance Committee is opposed to providing the savings from the health plan design to the School Department Budget, applying it instead to the OPEB liability.

**IX.**

**2016 Annual Town Meeting Private Warrant Review**

A. Board to discuss and consider voting on the following Private Warrant Articles:

- **P-53 Tewksbury Street Sidewalks: \$632,000 - Hold**
- **P-54 (now WA #'44) Ballardvale Engine Fire House Improvements: \$3,000,000**

Hold until Monday, April 4<sup>th</sup>

The Board of Selectmen would like to see some drawings but the Town Manager is not sure the drawings would be available before Town Meeting. The Town Manager is committed to the project but is hesitant of committing to funding until he has more information. Chief Mansfield suggests we wait for the results of the Comprehensive Facility Study.

Richard Bowen distributed a brochure and information to the Board of Selectmen relative to the request for improvements to the Ballardvale Fire House. The proposed addition does not damage the site and is far less costly than a freestanding alternative. This is a reasonable and responsible proposal.

- **P-55 Memorial Playstead Playground in the amount of \$120,000**

On a motion by Selectman Vispoli and seconded by Selectman Salafia the Board voted 3-0-1 to recommend approval of WA #P-55 Memorial Playstead Playground in the amount of \$120,000 as requested. Selectman Kowalski abstained and Selectman Landry absent.

Tim O'Brien, 15 Elm Court, said there are approximately 300 children, in the age group that would use such a playground, and within walking distance of the area of the proposed playground. The playground would compliment the Senior Center, Youth Center, and downtown area and serve as an added destination for people to meet.

- **P-50 General Bylaw Amendment – Contract Scoring**

On a motion by Selectman Kowalski and seconded by Selectman Salafia the Board voted 4-0 to recommend disapproval of P-50 General Bylaw Amendment – Contract Scoring.

Bob Pokkress, read comments regarding the private warrant article for contract scoring that puts a process of accountability in place, provides transparency of spending and

provides information on long term costs and with unbiased due diligence of all in costs of contracts by the School and the Town before they are signed off.

Attorney Urbelis commented on the legality of this warrant article. Bylaws are reviewed by the Attorney General and cannot take affect until the Attorney General approves. To disapprove a By-law the Attorney General must cite some inconsistencies. Upon Tom's review of the Bylaw, if it were adopted at Town Meeting, the Attorney General would more likely than not approve the Article but it would be subject to the advisory qualification of the implantation or application if it were adopted. Attorney Urbelis identified six potential issues if applied or adopted. A Town By-law cannot supersede the Public Records Law and such an advisory could be in violation of the Public Records Law; however there are many exemptions, which the development of policy positions may be faced preventing the release of materials with the deliverable process. Withholding disclosure could violate Public Records Law or the Open Meeting Law. The proposed article states that the Finance Committee will provide an initial scoring prior to execution of proposed contract; this could present very practical problems because there is no time frame with which the Finance Committee has to act; the bylaw is an ambiguity of the contacts applied, some contracts don't include negotiations.

Joanne Marden said Town and School contracts have always been fully costed out and thinks Mr. Pokkress wants to have a report provided to the residents on cost estimates associated with the contracts signed. The Town Manager said the Board is going to do a summit on negotiations and have taken a major step with having the same Town/School labor counsel and are moving forward with negotiations as a Town.

At 9:55 P.M. on a motion by Linn Anderson and seconded by Greg Serrao, the Finance Committee moved to adjourn from the Joint Session. Roll call: J. Marden-Y, M. Kruse-Y, L. Anderson-Y, E. Moffitt-Y, B. Zahourik-Y, G. Serrao-Y, B. Taylor-Y, and S. Jon Stumpf-Y.

Chair O'Donoghue recused herself from the meeting, during this presentation and from voting for any potential conflicts of interest.

- P-51 Create SRA-1 Zoning District - Hold

The Board of Selectmen will hold until they have the vote of the Planning Board to Create SRA-1 Zoning District.

- P-52 Amend Zoning Map – SRA-1 Zoning District - HOLD

## **X. Regular Business**

### **A. Open 2016 Annual Town Meeting Warrant**

On a motion by Selectman Vispoli and seconded by Selectman Salafia, the Board voted 4-0 to insert six Warrant Articles plus a revision into the 2016 Annual Town Meeting Warrant.

### **B. Close 2016 Annual Town Meeting Warrant**

On a motion by Selectman Vispoli and seconded by Selectman Salafia, the Board voted 4-0 to close the 2016 Annual Town Meeting Warrant.

**XI. Consent Agenda**

**A. Appointments and Reappointments**

On a motion by Selectman Kowalski and seconded by Selectman Vispoli the Board voted 4-0 that the following appointment by the Town Manager be approved:

**Town Manager's Office**

<b><u>Name:</u></b>	<b><u>Position</u></b>	<b><u>Salary</u></b>	<b><u>DOH</u></b>
John Mangiaratti	Deputy Town Manager	\$130,000	4/27/16

On a motion by Selectman Kowalski and seconded by Selectman Vispoli the Board voted 4-0 that the following appointments by the Town Manager be approved:

**Dept of Elder Services**

Kathleen Gaunt (Part-Time)	Program Aide-Social Day	IE-6- \$18.64	3/29/16
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**Municipal Services**

Alexandria Knapton	Lab. Intern. (temp)	\$18.00/hr	7/5/16
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**XII. Adjournment**

At 10:12 P.M. on a motion by Dan Kowalski and seconded by Alex Vispoli, the Board of Selectmen moved to adjourn the meeting of March 28, 2016. Roll call: D. Kowalski-Y, P. Salafia-Y, A. Vispoli-Y, and M. O'Donoghue-Y.

Respectfully submitted,

Dee DeLorenzo  
Recording Secretary

Documents: Handout from Keith Saxon regarding Water & Sewer Rate Proposal  
Handout from Richard Bowen regarding WA-54 Ballardvale Fire Stateion