
**Board of Selectmen
Regular Session
Minutes of September 12, 2016**

I. Call to Order:

Chairman Salafia 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: D. Kowalski-Y, R. Landry-Y, A. Vispoli-Y, M. O'Donoghue-Y, and P. Salafia-Y.

Also present: Town Manager Andrew Flanagan, Deputy Town Manager John Mangiaratti, Town Clerk Larry Murphy, and Town Counsel 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 reported receiving a formal complaint on August 5, 2016 pursuant to the Board of Selectmen guidelines regarding the reappointment of two existing members of the Planning Board. The complaint has been acknowledged and given to the Town Clerk. No additional action is needed at this time.

Mr. Flanagan read into the record a letter received from the Massachusetts Municipal Lawyers Association announcing the awarding of the Robert W. Ritchie Special Achievement Award to Andover Town Counsel Thomas J. Urbelis. Mr. Urbelis was recognized for his dedicated service, sound counsel and significant contributions to the Associations Amicus Curiae ("Friend of the Court") Committee for many years.

Deputy Town Manager John Mangiaratti announced that the Andover Fire Department's Annual Open House will be held on Saturday, October 1st. He also reported that the Town Building Committee is looking at concepts for the new public works facility. Their next meeting will be held on Wednesday, September 14th at 7:00 A.M. Information on the Town Building Committee is posted on the Town website.

Town Clerk Larry Murphy reported on the State Primary held on Thursday, September 8, 2016. Although there was a low voter turnout of 6.5% that is not unusual in a State Primary. However, they are preparing for a much higher voter turnout for the upcoming Presidential Election.

Alex Vispoli recognized members of the Andover Business Association and all others who contributed to a very successful Andover Day this past weekend. Mr. Vispoli also recognized Director of Veterans Affairs, Michael Burke and the Patriotic Holiday Committee for

organizing the September 11th Fifteenth Anniversary Ceremony held last Friday. Mr. Vispoli also reported that the Parking Study Committee is meeting this Thursday at 8:00 A.M.

Paul Salafia announced that The Boston Post Cane Gala will be held on Friday, September 30th at the Andover Country Club celebrating Andover's Oldest Citizen who is 105 years young. Kathy Urquhart, recently retired Director of the Center at Punchard, will also be recognized that evening. Tickets are available at the Center at Punchard and the Andover Book Store.

The 2nd Andover Cares Festival will be held on Saturday, September 17th at the Cormier Youth Center. Andover Cares was organized to bring awareness to opioid abuse through educational resources and assistance.

IV. Citizens Petitions and Presentations - None

V. Public Hearing

At 7:10 P.M. Alex Vispoli motion to open public hearing for Mobilitie LLC to construct the motion was seconded by Mary O'Donoghue.

James George representing Mobilitie explained the wireless communication infrastructure and proposal for two locations in Andover, and provided information on the company, distributed pictures of the poles where the small cell units will be placed, and explained their requests for installation.

A. Mobilitie, LLC

Mobilitie, LLC is requesting permission to construct, in accordance with plans dated June 14, 2016 the following: Haverhill and York Streets to attach equipment to a new utility pole in the right of way east of the intersection of Haverhill Street and York Street with electricity connection.

B. Mobilitie, LLC

Mobilitie, LLC is requesting permission to construct, in accordance with plans dated June 9, 2016 the following: River Road and Riverside Drive to attach a new wooden utility pole in the right of way north west of the intersection of River Road and Riverside Drive with electricity connection.

Tom Urbelis, said the Zoning Board would have to approve the requests first, and then the Board of Selectmen would be responsible for approving the request to do something within a right of way.

Chairman Salafia recommended that the Board of Selectmen have a full discussion on the request and to determine if this is something the Town needs, wants, and the impact on the community, process for approvals, etc.

A resident of Haverhill Street commented that the area on Haverhill Street is a historical site, and the corner of Haverhill and York is a terrible intersection and does not need

another pole. Brad Weeden, Summer St, would like to see photos on Mobilitie's website of installations that are up and running now.

Jay Cransky of River Road asked if there would be any equipment on the ground. The response was that it is just a pole in the ground with equipment within the pole itself or on top of the pole.

On a motion by Alex Vispoli and seconded by Mary O'Donoghue, the Board of Selectmen voted to continue the hearing to October 24, 2016.

On a motion by Alex Vispoli and seconded by Mary O'Donoghue, the hearing was reopened at 7:40 PM to accept the comments of Greg Doyle, President of Doyle Lumbar Company, who is vehemently opposed to this request. Notification about the public hearing was not received by abutters until Thursday, September 8th. The Town Clerk's Office will send out notifications for the continuation of the hearing on October 24, 2016.

Alex Vispoli motioned the Board of Selectmen continue the hearing for the requests of Mobilitie, LLC to October 24, 2016 at 7:15 P.M. The motion was seconded by Mary O'Donoghue and voted 5-0 to approve.

VI. Regular Business of the Board

A. Tree Policy

Randy Hanson, 15 Pasho Street, explained the policy she and her neighbors developed for inclusion in the Selectmen's Policy Book. The policy allows for a transparent process for removal and replacement of trees located on Town property, providing clear direction from the Board, and to allow for residents to replace/plant trees. In addition, they would like to have a Tree By-law considered. Amy Zanosky, said the policy is a small first step and one which stipulates some of what is in the Mass Tree Law. Residents who want to plant their own trees will have to consult with the town on the type of tree to replant. The Forestry Division would be helpful. The Board of Selectmen would like to vet the policy presented and then determine where it falls in the schedule they are laying out for policies.

Mike Roli, College Circle, reported that there is technical difficulty with the sound from the Board of Selectmen's meeting. He has been listening at home and there is a problem with the clarity.

B. Policy Manual

Deputy Town Manager John Mangiaratti, presented a project timeline for the review of the Board of Selectmen's Policy Book which will take a year to complete. The first policy reading, starting with the Board of Selectmen's Operations Policies, will be held on October 11, 2016.

C. New Ballot Tabulators

Town Clerk explained that in order for the Town to purchase a new ballot tabulator, the Board of Selectmen has to vote to no longer use the old tabulators, and to allow for purchase

of the new tabulators. The new poll tabulator will be in place for the March 2017 election. There is no action required now but a vote will be requested in late November or December.

D. Town Strategic Goals

The Town Manager is asking for a formal adoption of the Town's Strategic Goals for the FY 2016-2017 Fiscal Year which was shared with the Board over the summer. The document has been modified based on categories and timelines. The Board would like to receive incremental updates on the status/progress of the goals bi-annually.

On a motion by Alex Vispoli and seconded by Bob Landry, the Board of Selectmen voted 5-0 to approve a formal adoption of the Town's Strategic Goals for the FY 2016-2017 Fiscal Year based upon on the agreed bi-annual reporting status as discussed.

E. Town Manager Evaluation Instrument & Process

The Board discussed the Town Manager Evaluation Instrument and process presented. The new document includes qualities, traits and characteristics which are basically the same as the previous document, the change is in the concrete goals. The Chair would like to approve and execute the document and with the findings sent to the Director of Human Resources. Residents can send their comments to Candace Hall, Director of Human Resources.

Mr. Flanagan will send the Board his self-evaluation sheet using goals the Board voted on last year, and will attach the document and provide an update.

Alex Vispoli motioned for the Board of Selectmen to move forward with the Town Manager Evaluation Instrument and Process as presented. The motion was seconded by Dan Kowalski and voted 5-0 to approve.

F. Council on Aging Bylaws

The Town Manager explained the request for approval of the revised Council on Aging Bylaws Version dated 11/15/2015 which were reviewed and approved by Town Counsel Tom Urbelis and Town Clerk Larry Murphy.

On a motion by Mary O'Donoghue and seconded by Alex Vispoli the Board of Selectmen voted 5-0 to approve the revised Council on Aging Bylaws, Version dated 11/15/2015 as presented.

G. Historic Mill District Task Force

Mr. Flanagan explained the plan to establish a Historic Mill District Task Force and liaisons and requested that the Board provide the Town Manager with the authority to appoint the the task force members.

On a motion by Alex Vispoli and seconded by Bob Landry, the Board of Selectmen voted 5-0 to approve the Town Manager's request to appoint the Historic District Task Force members.

H. Final MOA for Balmoral Dam Project

On a motion by Alex Vispoli and seconded by Dan Kowalski, the Board of Selectmen voted 5-0 to recommend approval to give the Town Manager the authority to sign the formal Memorandum of Agreement for the Balmoral Dam Project.

I. Balmoral Dam Temporary Construction Easement Agreement

On a motion by Alex Vispoli and seconded by Mary O'Donoghue, the Board of selectmen voted 5-0 to sign the Temporary Construction Easement Agreement presented.

J. Open Meeting Law Complaint

Chairman Salafia read the response from the Board of Selectmen to Joseph Albuquerque in response to the Open Meeting Law Complaint Mr. Albuquerque filed on August 30, 2016 relative to the July 11, 2016 Board of Selectmen Minutes. It was determined that there is no remedial action required or appropriate.

On a motion by Dan Kowalski and seconded by Alex Vispoli, the Board of Selectmen voted 5-0 to send the aforementioned letter.

K. Interim Town Accountant

The Town Manager explained that due to the resignation of the Town Accountant on Sept 6th the Town needs someone to handle some of the job requirements on an interim basis until a new Town Accountant is appointed. Options include: Hiring an outside consultant to come in a few days a week, or appointing the Town's Finance Director Donna Walsh as the interim Town Accountant for a short period of time. Donna Walsh would be able to serve on the Retirement Board whereas an outside consultant would not and is fully versed on the daily operations of the Town. The process of filling the position will take three to four months with the expectation to have a new Town Accountant appointed by the end of December or early January. The Town Accountant is appointed by the Board of Selectmen.

Dan Kowalski asked if there was another candidate besides Donna Walsh to fill in as the interim to maintain transparency with dual reporting and transactions. Bob Landry believes for the sake of a short timeframe, the Finance Director would be fine to act as the interim until January 1st. The Town Manager said various departments have been assisting with assorted tasks, and if needed may have to hire someone from the outside to assist them for six hours a week.

Mary O'Donoghue motioned that the Board of Selectmen vote to authorize Finance Director Donna Walsh as interim Town Account to sign warrants, contracts, and to oversee the end of year audit, and all other functions pursuant to position until January 1, 2017 or until the new Town Accountant is appointed whichever comes first. Bob Landry seconded the motion and the Board of Selectmen voted 4-1 to approve. Dan Kowalski opposed due to concern about separation of duty and service.

VIII. Approval of Minutes from Previous Board of Selectmen Meetings

On a motion by Dan Kowalski and seconded by Mary O'Donoghue the Board of Selectmen voted 5-0 to approve the Regular Meeting Minutes of August 4, 2016 and August 16, 2016 as presented.

IX. Adjournment

At 9:20 P.M. on a motion by Dan Kowalski and seconded by Alex Vispoli, the Board of Selectmen voted 5-0 to adjourn the Regular Meeting of September 12, 2016. Roll call: D. Kowalski-Y, A. Vispoli-Y, R. Landry-Y, M. O'Donoghue-Y, and P. Salafia-Y.

Respectfully submitted,

Dee DeLorenzo

Dee DeLorenzo

Recording Secretary

Documents: Proposed Tree Policy, Policy Review Schedule, Town Strategic Goals, Council on Aging Bylaws, Memorandum of Agreement for Balmoral Dam Project, Balmoral Dam Temporary Construction Easement Agreement, Mobilitie, LLC distributed picture of poles i.e. The New Solution, Small Cells.