

Select Board Meeting

Monday, January 25, 2021

Virtual Meeting Broadcast on Comcast Channel 22 Verizon Channel 45

I. Call to Order

Chairperson Annie Gilbert called the Select Board Meeting of January 25, 2021 to order at 7:08 P.M. Other Members in attendance: Dan Koh, Laura Gregory, Chris Huntress, Alex Vispoli.

Others in Attendance: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Assistant Town Manager Patrick Lawlor, Town Clerk Austin Simko, and Town Counsel Tom Urbelis, Town Moderator Sheila Doherty, Director of Health Tom Carbone.

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.

- Release of the FY-2022 budget on February 5th is on target.
- The Diversity Equity Inclusion Focus Groups are underway with broad participation either actively or signed up to participate; more than 40 residents responded.
- Gearing up for the 375th Anniversary Celebration sometime this year with a solicitation going out for those who want to participate in the Planning Committee.
- The vaccinations of our Public Safety Personnel are complete, thank you to Tom Carbone and his Team.

Tom Carbone, Director of Health, reported that they have not quite completed the Public Safety Clinics. They are expecting additional vaccines this week with second doses coming next week. Today, the Governor announced that effective February 1st, we will be moving to Phase 2 with priority of age 75 and over. However, we do not have the vaccine available to implement that. Through February, we should expect 100 doses per week, but with over 800 residents over the age of 75 it won't get us very far. It is disappointing, but not to be unexpected. As anxious as we all are to receive the vaccine, it is going to take us time; he asks that everyone be patient. Various departments have been meeting to discuss how we get the vaccine clinics will be setup and how they will get people registered, and how to move forward with the process. They have a good understanding of what the challenges are going to be.

Annie Gilbert acknowledged that Selectman Alex Vispoli has joined the meeting.

Dan Koh thanked Tom Carbone and his team for all the work they have done on this.

Chris Huntress said a neighbor of his, who is also a veteran and over the age of 71, was able to get a vaccine at a VA Hospital. Are there other locations? Tom Carbone said there is a larger plan that will include a combination of community clinics, pharmacies, etc., and as all the vaccines come out, more and more places will be opened to give out

the vaccines. The State announced that there will be seven regional sites, which won't be enough. The closest one for Andover will be on the Danvers/Middleton line. His advice to anybody is that when you can get the vaccine, take it.

Alex Vispoli said some people they think they can call the Town and get on the vaccination list, but there no list being kept. Tom Carbone said there will be at some point in time the ability to pre-register online. We are using a new software module that will allow residents to sign-up online and we will be able to track all the doses used. Many residents don't have the ability to access the internet or are not tech savvy. They are hoping family members will be able to help out and they are working with the Senior Center to come up with an alternative plan.

Laura Gregory would be interested in receiving continuing updates either from Tom or the Town Manager on how things are developing because there are frequent changes. She suggested they work with the people at the library to assist those who do not have access to a computer.

Chris Huntress asked about Andover's numbers. Tom Carbone said he was very surprised at the last set of COVID numbers which were very low. The good news is that we are seeing a decrease state wide in positivity, it is trending in the right direction.

Austin Simko thanked those who are sending in their application for an absentee ballot for the March Town Election. Mail-in ballots will be sent out once the appropriate election deadlines have passed.

Tom Urbelis reported that the Comprehensive Economic Bill the Governor signed last week contains provisions amending the State Zoning Act, to include housing choice measures. It is designed to achieve the Governor's goal to have new housing units increase by 135,000 units by the year 2025. Those new provisions will have an effect in Andover.

There are four changes in the legislation. The first provision requires that any community served by the MBTA must provide at least one reasonably sized zoning district with multi-planned housing permitted as of right. Such a district must have a minimum of 15 units per acre and be no more than ½ mile from the nearest commuter rail station, subway, or bus station. An MTBA community that fails to comply with this, will be ineligible for funds from the Housing Choice Initiative, the Local Capital Projects Fund, or the Mass Works Infrastructure Program.

The second provision relates to the Town Meeting votes. This legislation reduces the quantum from a 2/3 vote to a simple majority vote for zoning laws that allow for multi-family housing, mixed use developments, or necessary dwelling units as of right and also reduces it to a simple majority vote for any bylaw amendment that modifies regulations concerning bulk, height of structure, yard size, lot area, open spacing, or parking to allow for additional housing units beyond what otherwise would be permitted by the existing bylaw.

The third provision relates to special permit use. This amendment provides that a special permit may be issued by a simple majority of the Board rather than a 2/3 majority for projects that allow for multi-family housing within a ½ mile of an MBTA Station if 10% of the units are affordable and also to reduce parking to unit ratio requirements if the reductions result in the production of additional units.

The fourth provision relates to the appeals of approvals. The legislation provides that a court may require a bond from a plaintiff who appeals the grant of a special permit, variance, or site plan approval. The court may require security or cash bond up to \$50,000 upon a finding that harm to a defendant or public interest resulting in delays caused by the appeal, outweighs the financial burden of a plaintiff seeking to overturn the allowance of an approval of multifamily housing.

Annie Gilbert suggested placing this on an agenda for a future meeting. Andrew said they will put it on in February and include members of the Planning Department.

Alex Vispoli attended the Mass Municipal Association Annual Meeting this weekend which was virtual. He attended sessions on zoning, legal updates, open meeting law, diversity, and a sustainability session which were all productive. He also complimented Jane Burns, Jemma Lambert, and the Senior Staff for the number of programs being run while we are in closed quarters. Annie Gilbert, who also attended the MMA Annual Meeting, attended a session on Bias which was interactive, very interesting and well done.

Laura Gregory agreed there is a lot of great programs being done by the Town Departments. Later this week, the Memorial Hall Library is offering a Community Read Event called Courageous Conversations, using the book “Stamped: Racism, Anti-Racism and You”, which is a virtual conversation with local educators and students. Laura encourages people to sign up at the library to participate.

Annie Gilbert spoke about an email the Board received from a resident asking questions about the imagery depicted in the Town Seal, particularly the Native American in the Town Seal. Governor Baker recently signed a bill establishing a Commission to review the State Seal over the same kinds of concerns. Annie suggested that, in conjunction with our upcoming 375th Anniversary, we should review the Town Seal. She would like the Board to ask the Town Manager to come back with a recommendation on how a review process can work. Andrew will bring something back to the Board in February or early March.

IV. Citizens Petitions and Presentations

To provide public comment during Citizens Petitions and Presentations visit:
www.andoverma.gov/JoinSelectBoardMeeting

V. Regular Business

A. Community Choice Aggregation (CCA) Plan Design

Deputy Town Manager Mike Lindstrom, Sustainability Coordinator Joyce Losick-Yang, and Patrick Roache (Good Energy) who has been leading the town through this process, provided an update on the CCA Plan Design. The collective goal of CCA is to bring more energy opportunities to Andover.

They are positioning themselves to present a plan to the Board in March that will put Andover into a leadership circle of all the communities participating in CCA and at the same time maximizing our chances of staying competitive and beating NGrid's Basic Service over the term of our contract.

Joyce talked about the Design Team they formed that represented a wide-range of stakeholders who met six times and studied Andover's demographics and our population and compared us to other green aggregations communities in Mass. Thanks to the interns for delving deep into the data. They studied multiple different aggregations and came up with three different products.

1. Base option: this is the most similar to what is existing that the consumers have access to, but they want to offer this with the hopes of bringing additional savings through the wholesale bulk purchase price through NGrid. This would be a direct comparable in order to bring in as many people into the CCA program as possible.
2. Standard: This is the product that people will automatically be enrolled in unless they opt out or opt for a different option. They are going to target an additional 15% local renewal.
3. Opt-up product:) Allows the people who want to do more to sign up for 100% local renewal.

The elements of the products as well as their communication plan will be reflected in a draft plan as required to be posted for public comment on the Town's website and simultaneously offering additional listening sessions. They will be meeting with DOER and DPU for guidance and compliance. The draft plan will be submitted to the Select Board for approval in March, and then sent to the State DPU for approval. They will also develop branding and marketing strategies and will launch an official program website.

Most aggregations do not offer more local renewable energy than state requirements allow in their standard product. Joyce shared information from a chart showing additional local renewables in Standard Aggregation Product across 39 leading communities in the State. Among the 39 communities, only 11 will offer 15% or more. The 15% could also minimize the risk of our customers paying more than basic service.

Dan Koh, thanked the entire team (especially the interns) on the work they have put into this incredibly thoughtful process. Laura Gregory is very pleased that the town strongly supported this at Town Meeting.

Annie Gilbert asked about the graph of the various communities showing that most are at or below the 15% mark, why do you think there aren't more communities who have jumped in on this?

Joyce explained that each aggregation plan has unique desires, goals, and objectives. Andover wanted stability, predictability and the rates, but also to put more renewable on the grid. People wanted to push the envelope on local renewable and at the same time trying to beat the NGrid basic. The reason Andover went with Good Energy is their history of strategic patience.

Patrick Roche (Good Energy) said that when you go out to bid matters, the plan has the flexibility to adjust percentages based on market conditions. Many of the communities on the list chose 5% for their first contracts. Andover has the benefit of coming into this with a lot of rich data on how other communities have performed.

B. Date and Plan for Annual Town Meeting

When the Select Board set the calendar date for this fiscal year Town Meeting it was scheduled for May 3rd and 4th in a traditional setting at the Collins Center. The Town Manager said we are not sure if the restrictions will be lifted by May 3rd and if people would be comfortable participating indoors; although we have several locations it would become complex.

The Town Manager and Austin Simko met with the Town Moderator Sheila Doherty to discuss options to push the date out. They are planning a large-scale Town Meeting drawing a big turnout. To have an outdoor Town Meeting is a big production and considering other factors of when the population will be vaccinated, and if socially distancing restrictions will be relaxed.

Town Meeting has appropriated monies for the schematic design of the West Elementary/Shawsheen School Building Project and they are working on MSBA's Schedule trying to minimize the gap of when one phase ends and another begins. Also, the passing of the IFP will taking advantage of the interest rates for the building project.

The Town Manager is asking the Board to consider having a one-day Annual Town Meeting on Saturday, June 5th beginning in the morning until finished; and moving the Town Election to June 15th. By considering the vote to move the Annual Town Meeting tonight, they can start making their plans accordingly providing flexibility. They will be waiting for some direction from the State on vaccination rates and loosening of the restrictions; 30 more days should improve things. The warrant has closed with 34 Town Articles and 9 Private Articles. As we get closer to Town Meeting, Andrew will come back with a decision on whether to hold the meeting indoors or outdoors. Austin Simko will check with vendors (tents, etc.) to confirm dates.

Sheila Doherty said it would behoove us to lock down the vendors now; if we wait until late March or early April we could be out of luck on getting a tent the size we need.

Alex Vispoli moved to have the Annual Town Meeting on Saturday, June 5, 2021 as per the Town Manager's recommendation. Motion seconded by Dan Koh.

Roll call: A. Vispoli-Y, D. Koh-Y, C. Huntress-Y, L. Gregory-Y, A. Gilbert-Y.

Motion passes 5-0.

C. Integrated Financing Plan (IFP)

The Town Manager provided an update on the Integrated Financing Plan (IFP). They have engaged an actuarial firm to conduct some probability testing with different interest rates and provided some new models with new information which is firming up as they go through more rounds of testing.

The Pension Liability and the West El/Shawsheen Building Projects are the two biggest liabilities. MGL requires us to fully fund the Pension Liability by 2040; we are on track for 2037. Pension eligibility is determined state law.

A Bond Authorization will be required for the cost of the West El/Shawsheen Project. MSBA will only reimburse approximately 23% of the sq. footage. The two schools will alleviate overcrowding in the district and both schools will be on one campus.

Andrew explained the IFP over a 30-year span. The whole concept of the IFP was to see if we could mitigate the cost to the average tax payer. The Annual General Fund Mitigating Factor is to offset tax impacts.

Tenets of the IFP over 30 years includes:

- 1) Proposed \$290M Debt Exclusion to fully fund the Unfunded Pension Liability and the School Building Project. \$175M to fund the Pension Obligation Bond with a 17-year borrowing term, and \$115M to fund the School Building Project over a 30-year borrowing term.
2. Identify \$10M annually for the General Fund Mitigating Factor to offset tax impacts of a debt exclusion, the General Fund's contribution to the IMF.
3. Retire Debt Exclusion in Year 18 and repurpose the GFMF to fully fund the School Building Project.
4. Reauthorize Bancroft Exempt Debt to fund AHS Design.

Andrew went on to explain several charts showing the tax impacts of various scenarios that compare the options and tax impacts over a 30-year period, different scenarios of the Unfunded Pension to the Integrated Plan, the effects of the plan with level principal, and the impacts to the average tax bill where the payment is fixed, the effects of the pension and the average tax bill.

The Town Manager also explained charts of Probability Testing conducted by the Town's Actuarial firm with five scenarios showing the likelihood of investment returns through 2040 that would exceed the rate shown. Andrew projected that all of the modeling is based on a 3.5% rate.

Questions:

What is the bond rate today? *On December 9th a taxable municipal bond rate was at 1.5%.*
Is there going to be some type of review of the performance of the investment strategies?
They plan to setup an Investment Committee with background in this area that can help form the decisions in an advisory position, as a resource to the Retirement Board.

Is there a way to illustrate the results of pension eligibility reform?
Ultimately, the Retirement Board will make the decision on reforms. Reforms would slow the rate of growth of pension costs.

Of the five scenarios on the Probability slide show, how does one vs the other get chosen?
The decision of how much to borrow is the Town's decision, the allocation is the Retirement Board's decision.

Next Steps:

Special Legislation has been signed into law by Governor Baker.

Two Articles are on the Warrant:

1. West Elementary/Shawsheen School Building Project
2. Pension Bonds which requires 2/3 approval.

VI. Consent Agenda

A. Appointments by the Town Manager

On a motion by Alex Vispoli and seconded by Chris Huntress the Board voted that the following appointment by the Town Manager be approved. Roll call: D. Koh-Y, A. Vispoli-Y, C. Huntress-Y, L. Gregory-Y, A. Gilbert-Y. Motion passes 5-0.

Department	Name	Position	Rate/Term	Date of Hire
Department of Public Works	Matthew Byrne	Public Grounds Laborer	\$26.01/hour	3/01/2021

VII. Approval of Minutes

A. Board to approve minutes from the following meetings:

On a motion by Chris Huntress and seconded by Dan Koh the Board approved the meeting minutes of November 30, 2020 (workshop), December 7, 2020, and December 14, 2020. Roll call: D. Koh-Y, L. Gregory-Y, A. Vispoli-Y, C. Huntress-Y, A. Gilbert-Y. Motion passes 5-0

VIII. Email questions: Finance Committee Linn Anderson submitted several questions about the IFP were read and answered by the Town Manager.

IX. Adjourn

At 8:54 P.M. Dan Koh moved to adjourn the Select Board Meeting of Monday, January 25, 2021. The motion was seconded by Alex Vispoli. Roll call: D. Koh-Y, A. Vispoli-Y, C. Huntress-Y, L. Gregory-Y, A. Gilbert-Y. Motion passes 5-0.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary