

Select Board Meeting
Minutes of Monday, February 28, 2022

School Committee Room
School Administration Building

I. Call to Order

Chairman Huntress called the Select Board Meeting of February 28, 2022 to order at 7:00 PM.

Members present: Alex Vispoli, Dick Howe, Annie Gilbert.

Others in attendance: Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, Asst. Town Manager Patrick Lawlor, Town Clerk Melissa Ripley, Town Counsel Tom Urbelis.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

The Moment of Silence was dedicated to peace everywhere and to Laura Gregory's husband who recently passed away.

III. Communications/Announcements/Liaison Reports

Town Clerk Melissa Ripley reported that postcards have been sent to residents about the precincts for voting in the Town Election on March 22nd. The last day and time to register to vote in the Town election is March 11th. Also, Dog licensing is extended until April 1st after that there will be an additional fee.

Alex Vispoli will be submitting for the Board's review a proclamation of solidarity for the people of Ukraine.

IV. Citizens Petitions and Presentations

Joe Albuquerque, 197 Greenwood Road, asked that the Select Board reopen the warrant and move up the private warrants towards the beginning of the warrant when attendance is at its highest level for a more inclusive process. He also asked that the Select Board reopen the warrant and consider having the town place an article for final approval of the ARPA Funding Framework.

During discussions on the Landfill issues at the 2016 Town Meeting, the Town Manager said there would be opportunities for further discussion on post-closure. However, the Town had already contracted with the environmental consultants CDM four weeks earlier and moved forward towards 100% design for construction of a six acre \$1M DPW facility on the land with 10% of the work completed 2-days prior to the 2016 Town Meeting. The Town Manager has now allocated \$2.5M from ARPA funds for the landfill. Is it his intention to use these funds for post-closure use for the DPW Material Handling facility without Town Meeting approval? Mr. Albuquerque provided the articles and information from CDM to the Chair of the Select Board.

Mr. Huntress explained that they do not need to reopen the warrant to reorder the warrant articles. They will look at restructuring the articles when they begin their review of the articles in March.

The Town Manager said the recommended use of ARPA funds would only complete a project that did not include a material handling center. The 2016 vote was to cap the landfill, not to fund the post-closure use; the recommendation contained within the plan is consistent with that.

Kathy Grant, 83 Morton Street, spoke about accountable Town Government. She feels the Select Board meetings are not providing reliable or trustworthy information and public record requests are being denied. They were told that the funding source for the HR Director would be from the general budget and that person would take a pay cut with a reduced work load. Ms. Grant claims to have documentation that backs up her claims that the HR position is being paid through 2021 ARPA Funds. The Select Board is supposed to approve the appointments per the Town Charter and the HR Director has not been approved on the consent agenda yet. The Town Manager explained that Ms. Porter was hired and took a pay cut to come to Andover. Her salary is not being funded by ARPA. The Town received ARPA funds to establish a Human Services Division for Wellness and Support.

V. Regular Business

A. COVID-19 Update

Amy Ewing, Asst. Health Director of the Health Board provided an update on COVID-19 including a discussion on masking. She reported that our cases numbers have continued to decline and that 80% of the town people are fully vaccinated and 50% fully boosted. The CDC has changed their requirements and wearing masks is now a personal preference, unvaccinated and immuno-compromised people should continue to wear masks indoors. The Governor's directive to remove a statewide mandate takes place today. The School Committee is meeting on Thursday to discuss lifting the mask mandates. Andover Youth Services, Senior Center, and Library have received very good and positive reports and the department heads would like to see the mandate lifted. The Town Manager said there are no objections to lifting the mask mandate for Town Hall.

Dick Howe moved to lift the mask mandate in all municipal buildings on Friday, March 4th at 5:00 PM. The motion was seconded by Annie Gilbert. Annie Gilbert and Dick Howe voted in favor while Chris Huntress and Alex Vispoli opposed. Motion did not move forward. The Committee discussed a date to lift the mask mandate.

Alex Vispoli moved to lift the mask requirements effective March 1, 2022 in all Town Buildings, except for the Youth Center and facilities where recreation programs are taking place which will take place on Friday, March 4th at 5:00 PM. Motion seconded by Annie Gilbert. Motion passes 3-1. Dick Howe opposed.

B. School Building Updates. Joel Blumstein

- West Elementary / Shawsheen Preschool

Chair of the West Elementary/Shawsheen Preschool Building Project, Joel Blumstein reported on the status of the construction project. They are on budget and on schedule. He showed a rendering of the new school that will be 3-stories with a capacity to hold 925 students; the building will have a rooftop garden. The Shawsheen Preschool will be a 2-story building with a capacity of 135 students. He also reviewed the Project Timeline and schedule. Construction will

begin with site prep work starting in April 2022 and will be a two-year process with West Elementary School opening in August 2024 and the Preschool in August 2025.

Budget: The amount of \$151M was passed at Town Meeting and we will receive the maximum MSBA Grant funding of \$38,442,820 with the Town share of \$113,219,148 and a construction budget of \$119,178,907 for soft costs, contingencies, etc. The current reconciled estimated construction costs show that we are within budget. They are paying attention to what the impact of the supply chain disruptions could be and escalation clauses for inflation have been built into the budget.

During construction the site logistics will change. There will be a bus loop off of Beacon Street and Parent drop-off of students at 3 different locations. The contractor access will be from Beacon only when full construction begins. They have communicated with abutters, presented to the School Committee, the West Elementary Staff, Finance Committee and held several public forums. Monthly Building Committee Meetings are held on the third Wednesday of the month at 7:00 pm and are live streamed on Andover TV.

Questions: How will residents reach out to the Town/Committee if they have construction complaints/concerns? Response: They will have a construction trailer on site and the construction sign will include a 24/7 number for people to call. Joe Albuquerque suggested the information be placed on the Town website. He also brought up the fact that CDM will be starting the landfill project at the same time and there will be a good amount of trucks using Beacon Street.

- [Andover High School](#): Mark Johnson

Atty. Mark Johnson spoke about the renovation for AHS. To date, they have submitted ten Statements of Interest (SOI's) to MSBA for renovation funding but unfortunately, we have not been accepted and it is unlikely that we would be accepted into the MSBA funding projects until West Elementary School is completed.

Mr. Johnson presented a cost comparison for a renovation as a Town Project versus waiting for approval from MSBA in 2026. The total cost to Andover for a Town Project would be \$266,000,000 to \$294,000,000 and the total cost to Andover for an MSBA project would be \$324,000,000 to \$358,000,000 and does not consider deferred maintenance. The Andover project could start in 2022 and be completed in 2027 versus completion in 2032 with MSBA funding, should we be accepted into the program after West Elementary is complete. They would appoint a Community Building Committee and mirror what a School Building Committee would be under an MSBA project. They are looking at the opportunities available to us as a Town and it will be a topic of discussion at future meetings.

C. Investment Committee.

Nancy Kimelman, representing the Investment Committee, provided an update on the Pension Obligation Bonds from the Chair of the Investment Committee and was pleased with the interest rate received and the \$165M that they are working on investing. They are discussing what the right allocation should be for the \$165M and how it should be allocated. The monies are going

into the PRIT Core Funds and they feel very comfortable with this decision. They are not going to time the market and the Bond market is not a viable path. It will be a volatile year and they are working hard with the pension fund itself realizing this may be a difficult year with a 7% inflation rate. Before they present their final thoughts on how the funds should be invested, they would like to have an outside agency review their investment plan.

D. Preservation Restriction

Atty. Johnson shared information on the Preservation Restriction for 18 William Street. They have been approved by the Preservation Commission and has to be approved by the local Preservation Committee. The Zoning Board and the Planning Board have each approved the plan. There will be restrictions in perpetuity that do not exist today. Tom Urbelis said they have reviewed and approved the form.

Dick Howe moved to approve and accept the Preservation Restriction at 18 William Street. The motion was seconded by Annie Gilbert and voted 4-0 to approve.

E. American Rescue Plan Act (ARPA)

Annie Gilbert moved to vote to go into session to act in capacity as Water Commissioners. Motion seconded by Alex Vispoli and voted 4-0 to approve.

The Town Manager provided an overview of the ARPA Funds and other sources of funds used in response to the pandemic. (see attached)

The Town's total allocation is \$10.8M and the remaining amount of ARPA funds pending approval is \$4.6M; the projects were explained by the Town Manager. The funds have been allocated under Title IX subtitle M. There are a number of areas of funds that Andover residents and Andover Public Schools has access to. Input to identify needs was received from Town Department/Divisions, residents, the Select Board/Town Manager adopted goals and funds approved at Town Meeting was used to lay a foundation for use of funds.

Other funding sources include: the general fund, CARES, Municipal Discretionary Funds (Gas Disaster), and state grants. CARES funding in the amount of \$3,052,379 was used for pandemic response, pandemic related compensation, remote learning/work environments, community assistance, partnerships, HVAC improvements and community engagement. Municipal discretionary funds were used for small business grants and small business assistance for a total of \$416,522.

General funds were redirected for wellness and support services and Pandemic Related State Grants were provided for support for wellness, Health Needs Assessment, and Pandemic Response.

Denise Johnson from ACT provided a detailed report on the funding projects for rent and mortgage assistance. The total allocation for rental & home buying assistance is \$366,239.

The \$4.6M in the initial framework which funded 100% of the Argilla road water main project has been revised to fund other areas.

The Town Manager is recommending the Board approve an additional \$165,000 for a total allocation of \$789,522 for Small Business Assistance. Ann Ormond spoke about the response to the survey sent to small businesses asking what their needs are.

A total allocation of \$929,980 has been identified for Wellness & Support Services to create a hub for wellness support to provide social services and clinical interventions to the community creating a new division with one person coordinating with three other current employees. There would not be any new FTE's added. Community Services Director Jemma Lambert and Chief Keefe reported on the referrals from the community from a contact in place to assist with a crisis situation.

Public Health & Pandemic Response

The Board approved \$550,000 and \$618,736 from CARES, and \$599,831 from State Grants for a total allocation of \$1,768, 567. Asst. Health Director Amy Ewing reported that they would like to conduct a health assessment and then develop new goals.

Expanded Elder Home Visits

Approved \$49,385 Pending \$15,000
Total Allocation \$64,385

Jane Burns, Director of Elder Services, reported that this request was made early on due to the decline in Elder Services requests. From February 2021 through Feb 2022 they had a 60% increase in service needs.

Participatory/Community Driven Programs

Approved \$80,000 Pending approval \$220,000
Total of \$300,000 for a community survey process.

Park Property/Recreation Park

Approved \$500,000 Pending \$450,000
Total of \$950,000

Reserve & Contingency Fund (total of 4 years)

Pending \$700,000 for an unknown need that is a result of the pandemic.

The Town Manager provided an update on Capital Improvements for Town Buildings. Focus Areas include: Public Access and Public Meeting Space, ADA Compliance and Emergency Response & Operations. The change in funding to increase meeting space to be ADA compliant was due to the increase in cost of materials and code requirements. The Board asked that they outline what the differences are in the original presentation approved at Town Meeting compared to the costs today and provide a more detailed presentation for Thursday's Select Board meeting.

Ledge Road Landfill

MassDEP permits expire on 5/3/2022 and work is underway to change the post closure use to exclude a material handling center. The approved ARPA funds will only fund completion of a project that excludes handling center.

Argilla Road Water Transmission Main

Reduced ARPA allocation from \$4.6M to \$2.8M. The balance will be paid out of the Water Enterprise Fund and subsidized by revenue from North Reading. The cost differential between a 20" main and an 8" main is substantial.

There was a discussion on water transmission for future growth and development of the lines and redistribution of water on Argilla Road. Jeff Crane, Water Distribution Supervisor from the Water Treatment Plant, explained that the water main that they would like to install would be a new transmission main with an upsizing of the pipe from 8" lines to 20" lines that was recommended with construction starting this summer. The new pipes will solve the brown water issues in the unlined pipes in the Argilla Road area which are prone to major water main breaks. ARPA funds will be used for the project and there will be no delay in the overall replacement schedule.

Stacey Albuquerque, 197 Greenwood Road asked if the public engagement on ARPA funds has begun yet? The Town Manager reported that they have had four public meetings, and public meetings with the Select Board on adopted goals, sent out a small business survey and a resident engagement survey and have received feedback from a variety of other public sources.

Kathy Grant, 83 Morton Street, said they expect to see more Andover kids experiencing development/mental health issues. She is concerned that we will need more funding to cover these expenses.

Alex Vispoli moved to adjourn as Water Commissioners and return to Select Board session. The motion was seconded by Dick Howe and voted 4-0 to approve.

The Select Board will meet on Thursday, March 3rd at the Memorial Hall Library.

F. Excess Levy Capacity Policy Framework – 2nd Reading. (Tabled)

Town Manager to present Excess Levy Capacity Policy Framework.

VI. Consent Agenda

A. Appointments by the Town Manager

Alex Vispoli moved that the Board vote to approve the following appointments by the Town Manager as printed. Motion seconded by Annie Gilbert. Motion passes 4-0.

Department	Name	Position	Rate/Term	Date of Hire
Community Services – Youth Services	Chenara Lam	Seasonal	\$21.00/hr	3/04/2022

Community Services – Elder Services	Karen Stow-Doucette	Temporary Kitchen Assistant	\$19.98/hr	3/02/2022
Community Services – Recreation	Matthew Wilen	Kid Care Assistant Group Leader 1	\$14.25/hr	2/21/2022

VII. Executive Session

At 10:04 P.M. Alex Vispoli moved that the Board go into Executive Session pursuant to Purpose 3 for confidential communication with Town Counsel to discuss strategy with respect to litigation filed by William Fahey, and to vote to approve and not to release Executive Session Minutes of November 29, 2021, December 13, 2021, January 5, 2022, January 12, 2022 and February 15, 2022, and not to reconvene in open session, and that the Chair declare that an open session may have a detrimental effect on the litigation position of the Town. The Chair so declared. Motion seconded by Dick Howe.

Roll call: D. Howe-Y, A. Gilbert- Y, A. Vispoli-Y, C. Huntress-Y. Motion passes 4-0.

VIII. Adjourn

The Select Board adjourned from Regular Session at 10:09 PM.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary

Pursuant to S.2475 “An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency,” which was enacted into law on June 16, 2021, this meeting of the Select Board will be conducted via remote participation to the greatest extent possible. The virtual meeting will be broadcast on Verizon Channel 45 and Comcast Channel 22

Members of the public who wish to participate in the meeting can do so by emailing manager@andoverma.us or by calling (978) 623-8311. Residents are encouraged to email their questions or comments ahead of the meeting – however, staff will be available to present the Select Board with questions and comments received during the meeting. Please include your name and address with your question or comment.

Every effort will be made to ensure that the public can adequately access the proceedings in real time via technological means. In the event that we are unable to do so despite our best efforts, we will post on the Town’s website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting.

Documents:
West Elem/Shawsheen Preschool Update
AHS Update
ARPA Funding Update