

## Select Board Meeting

Monday, May 18, 2020

Virtual Meeting Broadcast on Comcast Channel 22 Verizon Channel 45

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### I. Call to Order

Chairperson Laura Gregory called the meeting of the Select Board to order at 7:03 P.M. via Web-X. Participating remotely from the Select Board: Alex Vispoli, Annie Gilbert, Dan Koh, Chris Huntress and Laura Gregory.

Others participating remotely: Town Manager Andrew Flanagan, Deputy Town Manager Michael Lindstrom, Assistant Town Manager Patrick Lawlor, Town Counsel Tom Urbelis, Town Clerk Austin Simko, and Director of Public Health Tom Carbone. The meeting was duly posted and cablecast live.

**Tonight's meeting is completely virtual. Residents can call in at 311 or 978-623-8311 or email [manager@andoverma.gov](mailto:manager@andoverma.gov)**

### II. Opening Ceremonies

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

The meeting began with a Moment of Silence followed by a Salute to the Flag.

### III. Communications/Announcements/Liaison Reports

Laura Gregory read a response to Alex Vispoli's letter printed in the Andover Townsman which implied that the four Board members who voted to recommend approval of the proposed budget did not comply with the Select Board's goal for the Town Manager set on July 15 2019, this is incorrect. The goal required the Town Manger to present both a budget keeping the increase in taxes within the 10-year average and to present options to address Andover's unfunded liabilities, which were not limited by the 10-year average. Four members of the Board chose to support the FY-21 budget option presented by the Town Manager that included the additional investment of \$1.7M towards unfunded liabilities. The average residential tax bill for FY-21 was anticipated to be \$40 less than projected when the Board set the budget goal last July.

The Board has the responsibility to maintain and protect Andover's current and future liabilities and maintaining Andover's financial health taking reasonable steps to insure the solvency of the town in the future. The proposed \$1.7M payment towards the unfunded liabilities would have saved taxpayers approximately \$7.8M over the next 14 years representing a 458% return on taxpayers' one-time investment.

The anticipated FY-21 budget must be revised due to the financial impact of COVID-19 and the expected decrease in revenues, including state and local receipts. The Town Manager, Finance Committee, and School Committee will be working to revise and approve a new budget. Laura said the Board will continue to seek to balance the objectives of limiting tax growth, while also making sure to maintain Andover's AAA bond rating and taking steps to continue to address our unfunded liabilities.

Mike Lindstrom reported that the Community Choice Aggregation Committee (CCA) is hosting a virtual public forum on Friday, May 22<sup>nd</sup> at 1:00 P.M. Additional webinars will be held leading up to town meeting. Information for residents to register to join the webinar can be found on the Town's website.

Annie Gilbert thanked Town staff and administrators who continue to assist the business community and town residents during this time of closure. Today, the Governor announced the four phases of gradual re-opening and guidance. Ann Ormond was very helpful in assisting with a small business owner who reached out with questions.

Dan Koh recognized Mike Lindstrom for continuing the conversation around CCA. There is a lot of momentum and energy around it, and we can get this done. Dan also thanked all of the small businesses and restaurants in Andover who have been adapting during this difficult time, especially the restaurants in the area of Post Office Avenue.

Alex Vispoli said the American Legion Post A is looking for volunteers to help reflag the Veteran Gravesites on May 23<sup>rd</sup> at the St. Augustine's Cemetery. He attended an EDC Meeting recently and Ann Ormond and Paul Materazzo did an excellent job of presenting ideas on the roll-out on openings.

As a parent of a senior, Laura Gregory said this is a challenging time for AHS seniors but there are a number of events setup up to recognize each graduating student in the class of 2020. She thanked everyone who has been involved in supporting our students. The Capstone Program presentations by seniors will be held online in a series of four presentations tonight and tomorrow night.

Andrew Flanagan reported the Memorial Day Services, taped this week by Mark Comeiro, Director of Veteran Services, can be viewed online along with last year's parade.

#### **IV. Regular Business of the Board**

##### **A. COVID-19 Update**

The Town Manager provided an update on the Town's response to COVID-19 including an update on the FY20 and FY21 budgets.

The Governor announced phase-1 of a four phase plan today which will not impact Town Services because our staff have been conducting transactions, emails, as remotely as possible and Andover is already at a 25% staffing level. Per the Governor's announcement today, Andover will send out an announcement later this week relative to the opening of places of gathering, dog parks, parks, playgrounds.

Director of Public Health Tom Carbone reported that Andover has a cumulative count of 259 COVID-19 cases with 102 active cases. The Board of Health voted to take action on mask enforcement, appointing all officers of the Andover Police Department as health agents, and authorized use of a non-criminal citation if needed. They voted to adopt enforcement guidance set by the Attorney General and the Police Chief's Association on what the best plan of action would be if needed to enforce the wearing of masks.

Paul Materazzo and Ann Ormond have contacted many of the restaurant owners to develop a solution to move forward. There is an enormous amount of stress and uncertainty in the restaurant community. Restaurants that are open are seeing dwindling number of customers and some are closed altogether. Once they do open, they will most likely be a reduced number of indoor seating, but if outdoor seating is allowed, it would assist them.

Austin Simko shared a presentation on "Supporting Andover's Restaurants" which is a 120-day community event made available for restaurants to use outdoor seating in/around the downtown, that will be highly regulated, with chairs/tables well-spaced out around the downtown area. The intent is that the application would be for a specific restaurateur. The event would be Town-controlled on the portion of Rte. 28 from Wheeler Road to the downtown area and following the Governor's guidelines. There would be an application review process, guidelines for public safety, and alcoholic beverages which could be a part of this event. This would be a way to find some relief for restaurants and the community. They are in the process of conducting an inventory of downtown spaces that might be used; currently, there are about eight restaurants interested. They are also looking into barriers to move the sidewalks out to allow more space to be used. State guidelines will be followed.

Chris Huntress asked if they have considered creating a large public space behind Old-Town Hall, that would allow a larger area for people to gather. Paul Materazzo said right now they are concentrating on the smaller sites, but will be looking into larger gathering spaces.

Dan Koh moved that the Andover Select Board hereby resolves that the Town Manager shall report to the Board on the specific actions to recommend that the Board take with regard to the Board's current policies to accomplish the foregoing for the duration of the community event. The motion was seconded by Alex Vispoli. Roll call: A. Gilbert-Y, D. Koh-Y, A. Vispoli-Y, C. Huntress-Y, L. Gregory-Y. Motion passes 5-0.

**B. Election Warrant** Laura Gregory left the meeting at this time. The Town Election is planned for June 9<sup>th</sup> and the Select Board is being asked to memorialize that and to approve the Election Warrant. They are encouraging residents to use absentee balloting or to vote on off-peak times wearing masks, and bringing a pen.

Austin Simko has been working with Tom Carbone on protection procedures for the public and poll-workers. Election Officers will be wearing protective gloves, masks, and there will be a plexi-glass area separating them from the public. Every voting booth, table, etc. will be separated by a 6' distance, and the number of voters at polling areas regulated.

On a motion by Alex Vispoli and seconded by Chris Huntress, the Select Board voted to approve the Warrant for the June 9, 2020 Annual Town Election. Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y. Motion passes 4-0-1. Laura Gregory abstained.

**C. Annual Town Meeting Articles** Laura Gregory returned to the meeting All of four of the articles were previously voted by the Board and the Fin/Com in March, but the effects of COVID-19 has caused the Town Manager's Senior Management Team to

rethink the budget proposal previously voted in anticipation of a \$6.2M budget reduction in state aid, local receipts, and unrestricted local government aid shortage.

The Town Manager presented an overview of the effects of the amended budget. His goal is to use Free Cash and Reserves and to continue with their efforts to accelerate pension funding and to maintain outside levy capacity. The task was how to modify the budget with no impact to the residents and without impacting operations. There is a contingency built-into the budget if the results are worse than expected so that we can adapt without having any impact on town operations. An overview of the revenue shortfalls shows a projection of a 20% reduction in Government Aid, 15% reduction in Excise Tax, 25% reduction in permitting fees, and a significant reduction in local receipts and unfunded liabilities for a shortfall of \$5.3M.

By not investing into our pension obligation, we risk losing our bond rating and very possible that we have adjudicated our fiduciary responsibility. We have to be careful to strike a balance in what we pay into the pension fund and other costs.

Miscellaneous adjustments were made in the Retirement Appropriation Account, General Insurance Account, and in the Overlay Reserve Account. In addition, a reduction of \$800,000 in CIP-Article 5, Town & School & Operating budgets reduced by \$1.2M for a total potential of a \$4.1M (adjusted deficit), while maintaining the levy capacity, town services and personnel. If we don't invest in paying into our pension obligation we are risking a loss to our bond rating.

Annie Gilbert supports the Town Manager's proposal as presented. He and his team deserve a lot of credit for getting us financially to a point where we can weather the next few fiscal years. Will we know by January of 2021 what CIP projects will be authorized to go forward? Andrew said we should know a lot more to make a decision to release the funds by then. If we were to reduce the appropriation to balance the budget it would have to be done before the tax rate is set.

Alex Vispoli thanked the Town Manager and his team for the budget preparations to address the current and future fiscal situation on pensions. Alex comes at it from a position of having been through one of the toughest votes on OPEB reform; we have to fund it and also have to have reforms to make a difference. Without a reform, or even the request of a reform, it is just an eye-dropper, but the Select Board does not have the power to make a reform which is in the hands of the Retirement Board, but he thinks the Select Board should take a position on reform. The tax rate of the 4.6% is 100% in our control. Alex cannot support a 4.6% tax increase and asked the Town Manager at the last meeting if that would change due to COVID, he said no. Alex opposes the rate of the tax increase that would hurt residences and businesses. It is up to the Town Manager how he allocates the budget dollars.

Dan Koh and Alex Vispoli had a spirited discussion on funding the pension and the increase in the tax rate. Members of the Select Board shared their displeasure with the narrative submitted by Alex Vispoli in the Andover Townsman and believe that it was a gross simplification of what was discussed and do not think it was handled respectfully. They

talked about the vote to raise taxes by 4.6% and the effects on the long-range pension funding saving the Town \$7.8M in years to come. In the future, conversations should be held in an open forum allowing for a robust productive discussion, and in the best interest of the residents in Andover.

Article 4	<p>Fiscal Year 2021 Budget (Revised) To see if the Town will vote to determine what sums of money the Town will raise and appropriate including appropriations from available funds to defray charges and expenses of the Town, including debt and interest, and to provide for a reserve fund for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021, or take any other action related thereto.</p> <p>Dan Kohl moved to recommend approval of Article 4, the Fiscal Year 2021 Budget as printed in the Warrant, for a total of \$195,825,031. The motion was seconded by Annie Gilbert.</p> <p>Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-N, A. Gilbert-Y, L. Gregory-Y. Motion approved 4-1 Alex Vispoli opposed.</p>
Article 5	<p>Fiscal Year 2021 Capital Projects Fund (Revised)</p> <p>Annie Gilbert moved to recommend approval of Article 5, the Capital Projects Fund, as printed in the Warrant, for a total of \$1,111,108. The motion was seconded by Chris Huntress.</p> <p>Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 5-0.</p>
Article 22	<p>Capital Projects from General Fund Borrowing (Revised)</p> <p>Alex Vispoli moved to recommend approval of Article 22 Capital Projects from General Fund Borrowing and as printed in the Warrant for a total of \$8,392,000. The motion was seconded by Chris Huntress.</p> <p>Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, and L. Gregory-Y. Motion passes 5-0</p>
Article 24	<p>Capital Projects from Free Cash (Revised)</p> <p>Annie Gilbert moved to recommend approval of Article 24 Capital Projects from Free Cash as printed in the warrant in the amount of \$3,660,000. The motion was seconded by Dan Koh. Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 5-0.</p> <p>Comment by Shannon Scully, School Street: There should be consideration to the implications of taxing considerably below the tax levy limit. The current Select Board Policy sets the excess levy at \$300,000, not \$1.7M.</p>

**B. Annual Town Meeting Warrant**

The 2020 Annual Town Meeting is scheduled for June 22, 2020. The Town Manager said they are considering holding it in a number of locations at Andover High School starting at 7:00 P.M. Additional information will be forthcoming on logistics. The Warrant closed on January 24, 2020 and the Town Warrants have been reduced from 49 to 42 due to consolidations of house-keeping articles or withdrawals. There are five (5) private warrant articles. There will be a series of Town Hall Meetings presented online prior to

Town Meeting. Town Moderator Sheila Doherty would prefer using one location in a facility we can put the most people in. Chris Huntress asked if we could live televise the Town Meeting.

Dan Koh moved that the Select Board sign the Annual Town Meeting Warrant for the June 22, 2020 Annual Town Meeting as presented. The motion was seconded by Alex Vispoli. Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 5-0.

**V. Approval of Minutes**

A. Board to approve minutes from the following meetings:  
March 14, 2020, April 21, 2020 (revised) and May 4, 2020.

Dan Koh moved to approve the Select Board Minutes of March 14, 2020, April 21, 2020 with revisions, and May 4, 2020. The motion was seconded by Annie Gilbert. Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 5-0.

**VI. Adjourn**

At 8:59 P.M. Dan Koh moved to adjourn from the Select Board Meeting of May 18, 2020. The motion was seconded by Chris Huntress. Roll call: D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 5-0.

Respectfully submitted,  
Dee DeLorenzo  
Dee DeLorenzo  
Recording Secretary