

## Select Board Meeting

Monday, June 1, 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 7:00 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, Town Moderator Sheila Doherty. 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

Approximately three years ago the Select Board passed a statement against hatred in response to some unfortunate events that occurred in Andover and across the country. Recently, there have been some similar issues that have surfaced in our schools and towns. Laura Gregory read aloud the Board's statement that applies as much now as it did then. The Select Board, as public servants, leaders, and elected representatives of the Town of Andover have an even greater responsibility to speak out against hatred, discrimination, racism, and xenophobia and feel compelled to formally condemn the acts of racism, hate and violence. When these occur human rights for all feel threatened.

The Select Board of Andover, consistent with the Town of Andover's Mission and Value Statement, state their continued commitment to stand with the entire Andover Community regardless of their ethnicity or religion and stand against those who preach hate or incite violence. We will defend tolerance and commit this Board and our Town to welcoming all races, religions, creeds, and orientations.

Laura was pleased the rally and protest held this evening in Andover tonight was peaceful.

The Town Manager reported that the peaceful rally and protest held at 5:00 P.M. in Shawsheen Square went forward as scheduled without incident. He thanked the participants and the Andover Police who that provided security and support.

Andrew thanked the outside of Andover agencies that supported those efforts, including the Lawrence and North Andover Police Departments as well as the various departments from NEMLEC.

Austin Simko reported that the Annual Town Election is next Tuesday, June 9<sup>th</sup>. For those voters who want to vote by absentee ballot, he recommends they download the application from the Town Clerk's website, complete it and scan and return to TownClerk@andoverma.us or drop off at the Town Clerk's Office at Town Offices or at 5 Campanelli Drive. If you don't have a scanner, residents can submit a photo of the completed application.

Annie Gilbert thanked everyone who participated in the peaceful protest tonight; unfortunately, it doesn't mean all is well. She acknowledged that over the weekend the AHS Principal sent out an email out to the School Committee reporting on racial social media posts sent out by some AHS students. An investigation is underway but the damage to the community is large. She hopes that as Town leaders we will come together again with the Schools, community organizations, and residents to come together to make Andover an inclusive place where everyone is treated with respect. We have a long-track record of coming together in difficult events.

As an Asian American, Dan Koh said he will never experience the kind of systemic racism and oppression that many African Americans in this country feel. What is so important at a time like this is to really understand what the events of the past week have laid bare about how much progress we have left as a country to do to achieve full inclusivity for all, and that just because one may not be African American doesn't mean that we all can't do everything we can to help advance the progress that we all need as a country. Thousands of people attended the protest tonight and **was** a real show of solidarity of who we are as citizens of Andover. He hopes we can continue this inclusivity. He said we can't forget about what happened and we can't forget about the intention behind what we are doing right now.

Chris Huntress also went to the protest today and was very proud and thankful of the memorial for George Floyd that we saw. He read some statements today, put out by President Obama, that change really starts at the local level and that we have the opportunity to really create change. Chris said he can promise that he will be a better listener when it comes to race and diversity and work strongly that racism will not work in Andover or anywhere.

Alex Vispoli also shares the same sentiments of his fellow Select Board members. Given what we have seen in other states and in Boston, protests that were peaceful and attended for the right reason.

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

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

The Town Manager said the Town Moderator has exercised her authority under the Special Act and postponed Town Meeting to July 22, 2020, which changes the course of action relative to the Fiscal Year 2021 budget. Because of the change in date, the

procedure is for him to present a 1/12<sup>th</sup> budget, which must be no less than 1/12 of the FY-20 budget, but can be adjusted to ensure the continuity of Town and School operations for July. Should the Town Meeting date be moved again, entirely at the Moderator's discretions, he will come back to the Board to present a 1/12 budget with modifications.

Public spaces in Town are in the processing of reopening that include the dog park, tennis and pickle ball courts with appropriate protocol signs for social distancing. Playgrounds and basketball courts are not re-opening at this time. A big component of reopening is Town Offices. We have kept all Town departmental division offices open during the closure with at least 25% staff level. They are in the process of preparing all public buildings to re-open for a greater percentage of staff and eventually the public.

Mike Lindstrom, Co-Chair of the Joint Town/School Re-Opening Task Force, expect to have State guidelines on school openings by late June. Their initial focus has been on establishing safety guidelines, protocols, and modifications needed for physical space in Town buildings to bring employees safely back. He thanked Chief Mansfield and Janet Nicosia for their assistance with the orders for PPE.

A customer service center is being setup at Town Hall consisting of two self-service terminals (video and phone) for residents to access services. Residents will be greeted by Town Staff who will help guide them through the self-service process. Much of the work by the Task Force has been on recreational programming beginning with the opening of Pomp's Pond around June 20<sup>th</sup>.

Tom Carbone reported that current number of cumulative COVID-19 cases is 298, with 48 active cases still in isolation and about 45% of total case numbers coming from long-term care. The next step will be to look at how expanded testing might look and what type of information that can give us and waiting on guidance from the State. Staff have been busy conducting case and contact tracking and working on the re-opening guidance for restaurants and camps.

Tom Urbelis said the Moderator has made her decision and declaration to change the date of Town Meeting and, under the law, we have ten (10) days to report to the Attorney General the justification for the change. The Select Board has to nominate someone from Public Safety or Public Health to make the report to the State. Tom suggested nominating Tom Carbone to make the report to the Attorney General.

Chris Huntress moved that the Select Board appoint Tom Carbone to draft their response to the State Attorney General's Office in regard to the postponement of Town Meeting. Dan Koh seconded the motion. Roll call: A. Gilbert-Y, D. Koh-Y, C. Huntress

B. Outdoor Dining and Back to Business Program

Town Clerk, Austin Simko, Paul Materazzo, Director of Planning and Ann Ormond, Director of Business, Arts and Cultural Development provided an update on Outdoor Dining and Back to Business Program.

Austin Simko began the presentation on the outdoor dining 120-day community event being planned to help restaurants by allowing outdoor seating on public and private land. On May 18<sup>th</sup> the Select Board voted on a resolution for specific actions to accomplish the community event. The event would require an application and review process.

Restaurants can temporarily expand their license to serve alcohol in the public spaces or have one-day licenses. The plans would be reviewed by Public Safety, the Health Dept. and the Planning Board. Several locations downtown have been identified for outdoor dining and they are looking into removing parking spaces from some of the stores to be used for dining tables.

Private Land: The Executive Order from the Governor would give the Town (not the ZBA) the ability to approve outdoor dining. Tom Urbelis said they have put together a very comprehensive process in a streamline fashion. An advisory just issued by the ABCC allows the Select Board to approve, without the ABCC's approval, and allows one day liquor licenses approved by the Town Manager. An establishment is allowed to have only 30 one-day liquor licenses per year per the ABCC.

Summary: Provides temporary regulations for the 120-day event. The Town Manager would authorize the licenses, the criteria are the same as pre-COVID-19, clear with social distancing and subject to public safety, DPW, and traffic regulations. With 2 options: 1: amendment to your liquor license for temporary use or Option 2: a one-day license.

Alex Vispoli asked how would this apply to Post Office Avenue, a private way with 3 restaurants. Can that be included in this or would they still have to go to the ZBA?

Tom Urbelis will find out if it has to go to the ZBA if it is not a public way. Laura suggested streamlining the ZBA process as much as possible so the options can be explored. Tom said the ZBA has committed to recommending to other Board members that they have more than one meeting a month to address the situations.

If the Board approves the regulations they would reach out to restaurants about the framework and regulations. The 120-day event would be declared when restaurants have gone through the process and after the Governor sanctions the 120-day period. The Town Manager has the ability to make the determination when the 120-day period begins.

They are looking into barrier devices to place along the roadway where diners would be sitting. Currently, the speed limit downtown is 25 mph but they can discuss lowering it to 20 mph. The parking lanes are at least 12 ft. to 16 ft. depending upon the area. There would be a minimal effect on parking downtown. If there is a problem, the outdoor dining regulations and license agreement is an at will license that the Town can revoke at any time.

The Back to Business Grant Program - Paul Materazzo and Ann Ormond

Grant funding would be made available through the Columbia Gas event targeted for the downtown area and provide a variety of items to reinvent and support the local businesses at a cost of approximately \$200,000. An online portal has been developed

which they are prepared to launch that would provide tools to augment various businesses. Every business is open to apply, not just those located in the downtown area.

Applications would be on a rolling basis. Opportunities include:

Complimentary piece to the outdoor dining with a specific category for outdoor restaurants and dining grants

Re-Invent Retail and Service Grant funding could be used for e-commerce, gift card, website and other equipment social media and marketing.

Reinvent Non-Profit and Arts and Culture Grant funding could be used to provide downtown entertainment, performances and outdoor open studios concept in coordination with the Andover Cultural Council and Arts Alliance.

Downtown Aesthetics & Programming

Downtown Entertainment, Up lighting at Old Town Hall and Memorial Hall Library.

Ann Ormond has been speaking with and frequenting businesses on a daily basis and they need some help and this grant program is a small gesture to use the funds to help the small businesses in town. She is looking forward to bringing some light back to downtown.

Chris Huntress said there are some great opportunities for outdoor furniture pieces for outdoor spaces he could share with them.

The Select Board is supportive of the ideas presented.

Alex Vispoli moved to approve Small Business Policy 11.6 as presented. The motion was seconded by Chris Huntress. Roll call: A. Gilbert-Y, D. Koh-Y, A. Vispoli-Y, C. Huntress-Y, and L. Gregory-Y. Motion passes 5-0.

**V. Consent Agenda**

A. Appointments by the Town Manager

Annie Gilbert moved that the following appointments by the Town Manager be approved as presented. The motion was seconded by Dan Koh. Roll call: A. Gilbert-Y, D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 5-0.

Department	Name	Position	Rate/Term	Date of Hire
CD&P – Health Division	Rebecca Small <i>(Denise Paul)</i>	Administrative Secretary	\$55,130.75/year	6/8/2020
Town Clerk’s Office	Audrey Byerley	Pollworker	\$9.25/hour	6/1/2020
Town Clerk’s Office	Scott Dianis	Pollworker	\$9.25/hour	6/1/2020
Town Clerk’s Office	MaryAnn DiNatale	Pollworker	\$9.25/hour	6/1/2020
Town Clerk’s Office	Martha Mahoney	Pollworker	\$9.25/hour	6/1/2020
Town Clerk’s Office	Sandra Morrison	Pollworker	\$9.25/hour	6/1/2020
Town Clerk’s Office	Matt Murphy	Pollworker	\$9.25/hour	6/1/2020

Town Clerk's Office	Micheline Pelletier	Pollworker	\$9.25/hour	6/1/2020
Town Clerk's Office	Iris Roskell	Pollworker	\$9.25/hour	6/1/2020
Town Clerk's Office	Sanders Witman	Pollworker	\$9.25/hour	6/1/2020

**VI. Adjourn**

At 8:14 P.M. Dan Koh moved that the Select Board adjourn from the meeting of Monday, June 1, 2020. The motion was seconded by Alex Vispoli.

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

Motion passes 5-0.

Respectfully submitted,

*Dee DeLorenzo*

Dee DeLorenzo  
Recording Secretary

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