

Select Board Meeting
Monday, June 8, 2020

Virtual Meeting Broadcast on Comcast Channel 22 Verizon Channel 45

I. Call to Order

Chairperson Laura Gregory called the meeting of the Select Board to order at 4:30 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

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.

Austin Simko reported that there are three precincts open tomorrow for the Town Election. All absentee ballots should be returned to Town Offices by tomorrow and placed in the secure red box. Please do not bring the absentee ballot to the voting place. There have been 802 absentee ballots returned so far. Social distancing protocols will be in place and residents are asked to wear a mask and bring a pen.

III. Regular Business of the Board

A. Statement against Hatred

Laura read the statement from the Select Board, Town Manager, Chief Mansfield, and Chief Keefe that condemns the actions by the Minneapolis Police Officers in the death of George Floyd and wish to provide the community with a first step for beginning the process of moving forward. The actions of the Minneapolis Police officers in involved in George Floyd in no way reflects the values of Andover.

As one community, we do not tolerate hate or violence and will continue to work hard to make Andover a welcoming place of inclusion and safety, and this work remains the highest priority and should reflect who we are as a community. As public servants, it is our responsibility to continue to speak out against discrimination, racism, xenophobia, and hatred and to foster a community that is anti-racist, where all voices are heard and respected.

The methods used by the police in Minneapolis that killed George Floyd are not part of any actions used by police in Massachusetts, including those used by members of the Andover Police Dept. The Andover Police Dept. believes in treating all, including those accused of committing a crime, fairly and with dignity. Officers are trained only to use the amount of force necessary to ensure safety for the suspect, the officers, and civilians in the area. those committing a crime. Additionally, the Andover Police Department has long been in the fore-front of extensive training of their officers. The Department's policies and training protocols re consistently reviewed internally and evaluated by an independent police accreditation board.

The Fire Rescue Department shares the values of Andover Police and together are representative of a collective effort to provide all public safety services in a fair and equitable manner.

In 2017, the Andover Select Board adopted a statement against hatred that embodied the values of our community, that as one community, we stand together, regardless of race, ethnicity, religion, gender, or orientation. And, as one community, we do not tolerate hate or violence.

We are now beginning a process that invites change and equal treatment for all. The Select Board and Town Manager invite you to participate in a community conversation as part of a Town Hall forum to gather your thoughts, opinions, and input on how we move forward together and ask you to share your experiences in an effort to create awareness in Andover. Details about the Town Hall will be forthcoming. We ask you to send your thoughts to: InclusiveAndover@andoverma.us We look forward to beginning the work that bring public trust.

The Town Manager said the real intent of the statement is to how we move forward as a Town. The national events have created a great deal of concern in the community. Having the process happen organically with a Town Hall/Community discussion is an important part of the process.

Dan Koh appreciates all the residents who reached out to members of the Board. There are a lot of actions that we can take.

Annie Gilbert encourages everybody to stay involved and engaged. They are eager to start this work but can't do it without everybody's help and insight. She is very excited about having a dedicated email addresses and hosting a forum to listen before we begin to look for solutions. COVID-19 hampers any type of forum we can put together. We should have a facilitator from the National League of Cities to facilitate the work to begin the process of having a conversation locally. It is critical to reach people who may not attend a forum or have access to an online virtual forum.

Alex Vispoli agrees that we should have different methods to make it comfortable for people to weigh in. The Board received an abundance of letters from Phillips Academy, and Alex asked Andrew how we can approach them. The Town Manager said they are in the process of identifying a point-person at Phillips. Chris Huntress also echoed what everyone said. He spoke with many residents over the past few days and although we took the re-affirmation on the Board's promise against hatred, we have to do a better job of getting these statements out on social media. The Board did receive a plethora of emails received from Phillips Academy and Chris called back those that provided their telephone numbers. We need to also coordinate with our houses of worship.

Laura agreed that we need to push the statements and information out through social media and encourages those listening that they send an email if they have ideas on ways they could incorporate different individuals, especially others that would not be comfortable with Town Hall Forum. InclusiveAndover@andoverma.us

Dan Koh moved that the Select Board Motion to approve the statement against hatred as presented. Alex Vispoli seconded the motion. Roll call: C. Huntress-Y, A. Vispoli-Y, A. Gilbert-Y, D. Koh-Y, L Gregory-Y. Motion passes 5-0.

B. Outdoor Dining on Private Property

Tom Urbelis reported on the Governor's Emergency Order #35 issued on June 1 2020. The order authorizes temporary approvals Outdoor Table Service on private property and temporary approvals for extension so premises for restaurants with alcoholic beverage.

Authorized at commencement of Phase II

Applies to restaurants that do not serve alcohol as well as restaurants which do. There is no need for special permit from the ZBA. The Select Board must establish a process for approving requests. Unlike a request for a Special Permit, no need for abutter notification or publication in a newspaper.

Last week, the Select Board approved Policy X1.6, the Temporary Policy for Regulations for Outdoor Dining on Town property. The new Policy X1.7 is a temporary regulation for outdoor dining on private property that authorizes the Town Manager as the designee to make approvals. The applicant is not going across town property or sidewalk access to outdoor dining area, and there is naming of the Town as an additional insured is not required, and they must comply with the regulations set by the Architectural Access Board.

Tom also explained the extension of premises for service of alcoholic beverages at outdoor table service. That included: having the area enclosed by a fence, rope or other means to prevent access from a public walkway where alcohol is being consumed.

Restaurants must have documentation as to right to access and right to occupy the outdoor area. The outdoor area must be contiguous to the existing licensed premises, and include a plan showing the route to outdoor dining as part of the extended licensed premises.

C. Outdoor Dining on Private Property

The Board is very interested in helping out the local restaurants and are looking forward for these options to be made available. All of the downtown businesses are in some form of 'in progress' of getting ready to offer this option. Salvatore's has put up a tent as has Smyth and Dove, Perry's Plate. Palmer's is in process as are the restaurants located in Shawsheen Plaza. They are in discussions with the businesses on Post Office Avenue (Private Way). The Board appreciates all the work the Town Manager's Team has been doing to support this endeavor.

Annie Gilbert moved that the Board vote to adopt Policy XI.7 Temporary Regulations for COVID-19 Community Event: Licenses for Outdoor Dining on Private Property as presented today. The motion was seconded by Alex Vispoli. Roll call: C. Huntress-Y, D. Koh-Y, A. Gilbert-Y, A. Vispoli-Y, L. Gregory-Y. Motion passes 5-0.

D. Closure of Barnard Street

They were attempting to identify spaces downtown that offer 'grab and go' and they thought Barnard Street and behind Old Town Hall would be a good area to offer a more transit type of opportunity. They will continue discussions to find common ground on this option. This will probably be a part of the Phase II roll-out.

The Board has received a number of emails on concerns about shutting down Barnard Street. The space behind Old Town Hall is more centrally located and this may be an opportunity for ideas on how to develop the area behind Old Town Hall. We are in a very unique place right now to try 'different' opportunities in the downtown area. By shutting down Barnard Street it does provide us with a significant pedestrian dining area right on Main Street. No action taken.

E. Municipal Vulnerability Preparedness Program Grant

Lisa Schwartz, Planning Department, reported on the Preparedness Program Grant process and talked about including more electrical charging stations for vehicles, more trees, and more crosswalks, etc. The GPI engineer put together a green infrastructure in Lot 1 and Lot 2 behind Old Town Hall. They will be submitting the application on Thursday.

Sustainability Coordinator Joyce Losick-Yang reported on the protocols on waterbodies (Rogers Brook behind Lot 1 and 2). The ambient temperature will increase in areas like this and they noticed that not only is the temperature going to get warmer but we are seeing a demographic shift in the older population who are particularly vulnerable to

warmer climates, thus the reason for identifying options for larger tree canopies, water gardens, etc. Phillips Academy is going to start a Rogers Brook Water Study and they are looking to partner with the Town on how to improve the water problems.

Chris Huntress said rain gardens and tree canopies are great ideas and he hopes if they get the grant, they do it regardless of whether or not they get the grant. Lisa said DPW hopes that if we don't get the grant it can be funded anyway.

Annie Gilbert moved that the Select Board authorize the Chair to sign a letter of support for a Green Infrastructure Grant administered by the Executive Office of Energy and Environmental Affairs' Municipal Vulnerability Preparedness Program. The motion was seconded by Chris Huntress. Roll call: A. Vispoli-Y, A. Gilbert-Y, C. Huntress-Y, D. Koh-Y, L. Gregory-Y. Motion passes 5-0.

IV. Adjourn

At 5:30 P.M. Dan Koh moved to adjourn the meeting of June 8, 2020. The motion was seconded by Alex Vispoli. Roll call: C. Huntress-Y, D. Koh-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 5-0.

Respectfully submitted,

Dee DeLorenzo
Dee DeLorenzo
Recording Secretary