

Select Board Meeting
Minutes of Monday, June 13,
School Administration Building
2nd Floor School Committee Conference Room
30 Whittier Court, Andover, MA 01810

I. Call to Order – 7:00 P.M.

At 7:01 PM Chairman Vispoli opened the meeting of Monday, June 13, 2022.

Members in Attendance: Annie Gilbert, Chris Huntress, Melissa Danisch, Laura Gregory.

Others in Attendance: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Town Clerk Melissa Ripley, and Town Counsel, Tom Urbelis

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

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

B. Proclamation in Recognition of Juneteenth

Albert Pless, Director of DEI, read the Proclamation in recognition of Juneteenth, a celebration of freedom that should be recognized by all citizens, to celebrate the centuries of courage and hope that has brought us to progress and possibilities. The Town of Andover proclaims June 19th 2022, as Juneteenth Day of Observance in the Town of Andover. We call upon the people of the United States to acknowledge and celebrate the end of the Civil War and the emancipation of Black Americans and commit together to eradicate systemic racism that still undermines our founding ideals and collective prosperity.

Laura Gregory moved to proclaim June 19th 2022 as Juneteenth day in the Town of Andover Massachusetts. Motion seconded by Annie Gilbert and voted 5-0 to approve.

III. Communications/Announcements/Liaison Reports

Mike Lindstrom announced that on Wednesday, June 15th at 6:30 at Memorial Hall Library, they will continue the public process on the Chandler Road Recreational Area. They are taking the feedback from the initial two meetings. They will continue to meet over the summer, and they encourage everyone to attend.

Tom Urbelis provided an update on Article One in the Special Town Meeting which called for a one-time transfer of funds of \$800 to particular school employees. The Select Board recommended unanimously disapproval of that article, as did the School Committee and the Finance Committee at Town Meeting.

At Town Meeting, Attorney Urbelis read from an opinion of Labor and School Counsel that the article was unlawful because it violated collective bargaining laws. The Article passed by a vote of 250-231 oppose, subsequent to that, the president of the Andover Education Association wrote to the School Committee to demand bargaining to execute a one-time transfer of funds to the relevant employees. On June 8th, Susan McCready, Chair of the School Committee, responded to the President of the AEA on behalf of the Committee, that they reject the demand

to bargain that it was unlawful under General Laws Chapter 150 E and would require the reopening of a collective bargaining agreement that was fully negotiated, ratified by the Andover Instructional Assistant's membership and approved by the School Committee more than two months ago. Accordingly, the School Committee rejected the demand to bargain.

Laura Gregory announced that the Town of Andover and Andover Diverse in partnership with Social Justice Coalition of South Church are celebrating Juneteenth on Saturday June 18th at the Robb from 12-3:00 PM.

Annie Gilbert asked what the next steps would be to consider the Town Governance Study Committee recommendations. Alex Vispoli recently spoke with Jon Stumpf, Chair of the Governance Committee, and they expect to present their findings to the Board in July after which the Board will develop a timeline. There has been a desire to hold a fall Town Meeting to consider the Governance recommendations.

IV. Citizens Petitions and Presentations - none

V. Public Hearings. Annie Gilbert recused herself for the first three items at this time.

A. Liquor License All Alcoholic Beverages Not to be Drunk on Premises – Downtown Liquors

Board to review and consider voting to approve the application of Prince Liquors, Inc. d/b/a Downtown Liquors, for a new All Alcoholic Beverages Not to be Drunk on Premises License at 89 North Main St., Andover, MA. They are looking for a license to do business in Andover.

Melissa Ripley reported that all paperwork is in order, however some residents have expressed concern about having another liquor store in the area and parking issues. They have sent a letter to the Select Board asking that the Select Board decline this application. Alex Vispoli acknowledged that he spoke with the resident, Karen Courtney today. Alex thanked Melissa for provide the map showing the current liquor stores in town.

Questions of the Board: Chris Huntress is concerned about the location and where consumers would park. *They have on-street parking is shared with other businesses in that location (5 spots in the front and 3 on the side).* Melissa Danisch shares the same concerns on parking that it would be challenging. Response: *Applicants Offered to apply for 15-minute parking on the front.*

Alex Vispoli read the email from Karen Courtney who is in opposition of the liquor store into the record. The business area at 89 North Street currently has over 15 tenants and businesses with six parking spaces, the addition of the liquor store will increase parking in an already busy area. There is another liquor store in the same area and Ms. Courtney said they currently experience heavy traffic, parking, noise, etc. in their neighborhood and this request would be a severe hardship to the neighbors. An All-Liquor Sales Store would be open until 10:00 PM every night and adversely affect the quality of life for the abutters. She respectfully requests that the Town deny this petition.

Melissa Ripley provided a list and map of liquor stores/locations across the Town of Andover. Tom Urbelis provided information in the statute that controls this decision; i.e. traffic, noise, public convenience, etc. Laura Gregory's concern is with the traffic and parking and feels it is not an obvious need. Alex Vispoli also shares the concern about parking and there are other businesses there that would compete even more for parking.

Open to Public Comments: None

The applicant withdrew the request for Prince Liquors, Inc.

Laura Gregory moved to accept the petitioner's withdrawal of the application of Prince Liquors, Inc. d/b/a Downtown Liquors, for a new All Alcoholic Beverages Not to be Drunk on Premises License at 89 North Main St., Andover, MA. Motion seconded by Chris Huntress and voted 4-0-1 to approve. Annie Gilbert not present for the vote.

B. Liquor License Change in Manager – Wine-Sense

Board to review and consider voting to approve the application of Wine-Sense, Ltd., d/b/a Wine-Sense, 166 North Main Street, for a Liquor License Change of Manager to their Wine Only Beverages Not to be Drunk on Premises License to Samantha Ettore of 42 Farrwood Drive, Andover, MA.

Chris Huntress moved to approve the application of Wine-Sense, Ltd. d/b/a Wine-Sense, 166 North Main Street, for a Liquor License Change of Manager to their Wine Only Beverages Not to be Drunk on Premises License to Samantha Ettore of 42 Farrwood Drive, Andover, MA. subject that all other requirements of the Town are met. Melissa Danisch seconded the motion. Motion voted 4-0 to approve.

C. Liquor License Change in Manager – Andover Classic Wines, LLC

Board to review and consider voting to approve the application of Andover Classic Wines, LLC, 209 North Main Street, for a Liquor License Change of Manager to their All Kinds of Alcoholic Beverages Not to Be Drunk on the Premises License to Gina Agostini of 174 North Main Street, Andover, MA. Melissa reported that all paperwork is in order.

Melissa Danisch moved to approve the application of Andover Classic Wines LLC d/b/ as Andover Classic Wines, 209 North Main Street, Andover, MA 01810 for a change of manager to their All Kinds of Alcoholic Beverages Not to Be Drunk on the Premises License to Gina Agostini of 174 North Main Street, Andover, MA 01810, subject to the condition that all other requirements of the Town are met. The motion was seconded by Chris Huntress and voted 4-0 to approve.

Selectperson Annie Gilbert returned to the meeting at this time.

D. National Grid and Verizon Request to Construct a Line of Underground Electric Conduits – Beacon Street

Board to review and consider voting to approve a petition from Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. to construct a line of underground electric conduits, including the necessary protecting and sustaining fixtures, under and across the public ways of Beacon Street. The petition was presented by representative of National Grid. The work will take approximately 2-3 days to complete the work. They are replacing the pole. The applications have been approved by the Andover Police and Fire. Public comments: None.

Chris Huntress moved to approve the petition from Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. to construct a line of underground electric

conduits, including the necessary protecting and sustaining fixtures, under and across the public ways of Beacon Street. Motion seconded by Annie Gilbert and voted 5-0 to approve.

E. National Grid and Verizon Request to Relocate Pole – Beacon Street

Board to review and consider voting to approve a petition from Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the public way of Beacon Street. The representative from National Grid explained the request. There was no public comment. Chris Huntress shared that the Town Engineer, Police Dept. and Fire Dept. have all signed off on the petition.

Melissa Danisch moved to approve a petition from Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the public way of Beacon Street. Motion seconded by Chris Huntress and voted 5-0 to approve.

F. Eversource Request to Excavate – Central Street, Torr Street and Phillips Street

Board to review and consider voting to approve a petition from Eversource to excavate for the purpose of replacing and or extending its gas mains and to make the necessary house connections along said extensions along and across the public ways of Central Street from Abbot Bridge Drive to Torr Street, Torr Street and Phillips Street from Torr Street to Abbot Street. Representatives from Eversource in attendance explained the project and that it will take 2-3 months to complete and expects to start the project within the next two weeks. Service interruptions will only occur upon date of individual installations, and homeowners will be notified. They will work with the Police Dept. on traffic control. Every service will have a valve in the street to shut off their flow valve to shut off gas. The stamped plans were provided to the DPW today. Chris Cronin said they have a set of plans that can be provided to the Fire/Police if needed.

The Torr Street residents asked if there will be an engineer on site. The Eversource representative said that project managers and site inspectors would be on site for the duration of the project, but not engineers. The resident at 87 Central Street, who lives about 200' from Torr Street, said they have had problems over the years with this area and disturbances. He requested they start the project at Torr Street. Ken Welch from Eversource will meet with the resident at 87 Central Street. He understands there is an impact to the neighborhood.

Annie Gilbert moved to approve a petition from Eversource to excavate for the purpose of replacing and or extending its gas mains and to make the necessary house connections along said extensions along and across the public ways of Central Street from Abbot Bridge Drive to Torr Street, Torr Street and Phillips Street from Torr Street to Abbot Street. Motion seconded by Melissa Danisch and voted 5-0 to approve.

VI. Regular Business

A. Common Victualler License – Brookwood Park Café, LLC

Board to review and consider voting to approve the application of Brookwood Park Café, LLC for a Common Victualler License at 165 Dascomb Rd., Andover, MA. Melissa Ripley reported that all the paperwork is in order.

Melissa Danisch moved to approve application of Brookwood Park Café, LLC for a Common Victualler License at 165 Dascomb Rd., Andover, MA. Motion seconded by Chris Huntress and voted 5-0 to approve.

B. Short-Term Borrowing

Town Treasurer Mr. Morse reported that on June 8, 2022 the Town issued \$725,000 in Bond Anticipation Notes with Piper Sandler & Company came in with the lowest bid with a net interest cost of 2.49%. of 117 days of issuance and maturity date of less than 4-months. The borrowing consists of \$500,00 for water main replacements, \$25,000 towards fire apparatus replacement, \$100,000 towards minor storm drainage, \$50,000 towards town/school energy initiatives, and \$50,000 for Fishbrook intake replacement.

Annie Gilbert moved to adopt the votes presented as prepared by Bond Counsel in connection with the Town's June 2022 Bond Anticipation note issue and to incorporate the text of such votes in the minutes of this meeting. Motion seconded by Melissa Danisch and voted 5-0 to approve.

[Vote of the Select Board](#)

C. Sidewalk Master Plan and Pedestrian Master Plan

DPW Director, Chris Cronin provided a combined presentation on the Sidewalk Master Plan and the Pedestrian Master Plan. There will be 30-days allowed for public comment. They are partnering with Consultant Environmental Partners on this project.

Conrad Ledger, Director of Infrastructure matters for Environmental Partners provided an overview of the plan that includes the program goals and focus of the project which is the sidewalk infrastructure and curb ramps. A full inventory of the sidewalks in the entire Town has been completed rating the sidewalks and curb ramp infrastructure as good/fair/poor or replace.. The majority of the sidewalks and ramps are good/excellent. There are 59.9 miles of sidewalks with 72.4% in good/ excellent condition and of the 1,002 Ramps 69% were found to be rated good/excellent.

Cost for Sidewalks: \$9,239,000 includes \$462,800 for replacements and \$376,200 for isolated structural repairs. Ramps: \$1,618,800 which includes \$456,000 for good ramps, \$988,000 for Fair, and \$174,800 for those in the poor category.

Next step was prioritizing the repairs starting with priority pedestrian routes (schools, businesses, mixed use/developments, parks/recreation areas and community buildings), then creating a prioritized capital improvement plan for pedestrian infrastructure. As part of the project they have provided a Public Comment Tool to hear from the users of the structures. The comment tool will be available for 30-days. Link for comments: <https://tinyurl.com/npemjcub>

Resident (I think it was Willa Rapp?) at 10 Launching Road talked about access for people who have difficulty getting around. Dennis Richards, 129 Haverhill Street hopes that they consider public input from different points of view, difficulty getting around, exercise/running. He recently sent a letter to the Board on Complete Streets in regard to the northeast section of Town(Haverhill/High Street area) and the connection between Andover and other towns around us.

Comments included coordinating the project with the Commission on Disability for people who have difficulty getting around. Complete Streets are those streets that are safe and comfortable. Now that the inventory has been conducted, they will keep the map updated.

Annie Gilbert asked if there will be an ongoing process for public comment after the initial 30-day comment period. Mr. Cronin said that they are always looking for public comment and can leave the public comment portal open. They will begin the process of maintenance once sidewalk work is completed.

Chris Huntress referred to a previous discussion the Board had with using social media to communicate information. It would be helpful to keep the portal open to capture as much activity as possible would be helpful. The Town Manager said they will take advantage of all media opportunities to communicate this information and keep the public comment portal open longer.

Laura Gregory said that in the last 2.5 years they have seen more people and dogs on sidewalks as we return to normal activity; her concern is with looking at the numbers that are increasing the need to contemplate a time frame on how we are going to address this and the cost.

D. Complete Streets Policy (1st Reading)

Complete Streets Program through Mass DOT is a three-tier process that looks at all modes of transportation. The program has been around since 2017. It was noted that 66% of communities in the Commonwealth have adopted a local Complete Streets Policy, 56% of Mass cities and towns have developed a Complete Streets Prioritization Plan, and 41% of Mass municipalities have implemented a Complete Streets project using program funding.

Tier 1. Complete Streets Training and Policy; Tier 2. Complete Streets Prioritization Plan, and Tier 3 is the Complete Streets project construction. There are rolling deadlines that have to happen on a yearly basis. Guidance has been provided on developing a policy and the next steps are for the Board to vote to approve the policy. The Town submits the policy to MassDOT through an online portal for approval. Once approved, the town enters into a contract with MassDOT for reimbursement or technical assistance. Once NTP Tier 2 Prioritization Plan work begins, Tier 2 is submitted to MassDOT for approval. Once approved, the Town is eligible to apply for construction funding.

Annie Gilbert asked when the prioritization plan is created if there are certain projects the State is looking to fund? The response was that they will be looking for rehabilitation of sidewalks, and connection points for all modes of transportation. Residents have submitted some revised language i.e. will vs may, does that make a difference? It is Annie's view that 'will' confirms the Town's commitment will reflects *They wanted to allow the Towns flexibility.* Several residents commented on the 'may' vs 'will' and changing to 'will to the greatest extent possible' makes the commitment clear that the Town will make this a complete part of everyday operations, and finally, there should be a citizen advisory board.

In the implementation section, they wanted to really spell out that this will be a public process. Mike Lindstrom said there will be a working group for this project. It seems that most communities are in the same place as Andover, which is developing a policy and they will call

upon the stakeholders to help develop the plan. Andover is at Tier 1, approving the policy. Andover's target date for the submission depends upon how long it takes the State to approve the policy.

ADA Transition Plan & Pedestrian Master Plan, pedestrian infrastructure has been ranked based on condition and priority locations.

Comments: Several residents spoke about needs for specific groups, i.e., cyclists. Mike Lindstrom said the working group will have dedicated areas for specific groups. Laura Gregory would like to see opportunities to strengthen the language and to speak with Joyce Losick-Yang to see if she has any suggestions on the language.

Based on the feedback tonight, the Town Manager will provide an overview based on the changes at an upcoming Select Board meeting (date to established).

E. Acceptance of the Deed and Approval of the Order of Taking for 138A Chandler Rd
Board to review and vote to accept the deed and approve the order of taking for 138A Chandler Road. This will complete the order of taking that was approved at Town Meeting. The Board will sign the necessary documents.

Chris Huntress moved to accept the deed and approve the order of taking for 138A Chandler Road. Motion seconded by Laura Gregory and voted 5-0 to approve.

F. Zoning Board of Appeals Appointments

Board to discuss process for appointments to the Zoning Board of Appeals.

In the past they have solicited interest and then put together a Sub-Committee to review all applicants and then make a recommendation to the full Board. Chris Huntress and Melissa Danisch volunteered to be part of the Sub-Committee.

Annie Gilbert moved to approve the process of appointments by the Select Board for the Zoning Board of Appeals and to appoint Chris Huntress and Melissa Danish as subcommittee members. Motion seconded by Laura Gregory and voted 5-0 to approve.

VII. Consent Agenda

A. Appointments by the Town Manager

Chris Huntress moved to vote that the following appointments by the Town Manager be approved. Motion seconded by Annie Gilbert and voted 5-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Department of Public Works	Milagros Puello <i>(Anthony Reppucci)</i>	Assistant Town Engineer	\$100,885.16/yr	7/5/2022
Department of Public Works	Zach Laird	Temporary Sesonal	\$18.00/hr	6/13/2022

Department of Public Works	Owen Glover	Intern	\$18.00/hr	6/14/2022
Andover Green Advisory Board	Anna Du	Member	Term Expires June 30, 2025	7/1/2022
Andover Green Advisory Board	Vijayant Kumar	Member	Term Expires June 30, 2025	7/1/2022
Council on Aging	Joan Fox	Member	Term Expires June 30, 2025	7/1/2022
Council on Aging	Dorothy Hollenbeck	Member	Term Expires June 30, 2025	7/1/2022
Council on Aging	George Moran	Member	Term Expires June 30, 2025	7/1/2022
Council on Aging	Christina Vidoli	Member	Term Expires June 30, 2025	7/1/2022

VIII. Executive Session

A. At 9:19 PM Annie Gilbert moved that the Board vote to go into Executive Session for confidential communication with Town Counsel pursuant to Option 6 to discuss the purchase, exchange, lease or value of real property, and to approve and not release Executive Session Minutes of May 2, 2022, and for the Chair to declare that an open session may have a detrimental effect on the negotiating position of the Town; and not to return to open session. The Chair so declared. Motion seconded by Melissa Danisch. Roll call vote: A. Gilbert-Y, M. Danisch-Y, C. Huntress-Y, L. Gregory-Y, A. Vispoli-Y. Motion passes 5-0.

IX. Adjourn

At 9:19 PM the Board adjourned from Regular Session and moved to Executive Session not to return to Open Session.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary