
Select Board Meeting
Monday, June 15, 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 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. 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.

III. Communications/Announcements/Liaison Reports

Mike Lindstrom reported on the third Community Choice Aggregate forum held today with more being scheduled. Additional information and resources to bring bulk energy to Andover can be found on the Town website at www.andovercca.org.

Austin Simko reported on last week's election. He thanked all the candidates for their participation and congratulated those who were elected. There were 2,637 voters which is a 10.5% turnout; 37% of the voters used absentee ballots, usually only 4-5% of the voters vote by absentee ballot. Austin thanked all of the Election Officers and Town staff who stepped up volunteered to help.

Chris Huntress thanked Austin and his staff at the Town Clerk's Office for of their work on the election. Chris also shared a few photos of a new passenger waiting structure at the Ballardvale Train station. The lights are all solar and the structure a big improvement.

Dan Koh also thanked Austin for his efforts to make the Town Election safe for residents and poll workers. Dan also thanked the Andover community on what we are doing around racial equality.

Alex Vispoli thanked the Town Manager and his team who helped streamline the permit process for outdoor dining. He has enjoyed two outdoor dining meals, people have started to come out and enjoy our restaurants again.

Last year the Select Board voted on the installation of a new fiberglass utility pole across Central Street, to increase the height and to move the pole back. Alex said there was a collision last March that took out power in a large area. It is an open issue with the residents because the pole is different than what the Select Board approved and the location is a safety concern. The Town Manager's team will follow up on the situation.

Laura Gregory also thanked Austin and all of the poll workers for their professionalism and who worked so hard on the Town Election; it has been quite a marathon for the Town Clerk's Office. Thank you to the Town Manager and his team for getting the permits streamlined for outdoor dining.

This Friday, June 19th – is Juneteenth Day celebrating the day in 1866 when the last American slaves were freed, it is a holiday in 49 states including Massachusetts. An event is scheduled for 6-7 P.M. on the DMS Field. Laura encouraged everyone to attend the event.

IV. Public Hearings

A. Outdoor Dining License for Ultimate Perk, Inc.

Board to discuss and consider voting to approve an application by Ultimate Perk, Inc. d/b/a Ultimate Perk at 96 ½ Main Street for an outdoor dining license for 8 seats and 4 tables. In April, Ultimate Perk submitted their permit for outdoor dining, essentially the same application they have submitted for the past several years, which is why the Board is voting on this request. They will comply with the self-distancing protocols.

Chris Huntress moved to approve the application of Ultimate Perk, Inc. d/b/a Ultimate Perk, 96 ½ Main Street, for an Outdoor Dining License of 8 seats and 4 tables as shown on the submitted "Ultimate Perk Outdoor Seating Plans," subject to the following conditions: 1) That State law, including the Governor's Executive Orders regarding the re-opening of restaurants, are adhered to; and 2) That all other requirements of the Town are met prior to issuance. Motion seconded by Alex Vispoli. Roll call: A. Gilbert-Y, A. Vispoli-Y, D. Koh-Y, C. Huntress-Y, L. Gregory-Y. Motion passes 5-0.

V. Regular Business of the Board

A. Update on Community Forum on Anti-Racism and Inclusion

Town Manager to provide the Board an update on upcoming Community Forum on Anti-Racism and Inclusion. The Board invites the public to send their thoughts to InclusiveAndover@andoverma.us.

Town Manager Flanagan thanked all the Town residents who have submitted email comments and questions. A central location is being created for all the questions to exist as they move forward. It is clear that the process and the form of the community forum should have an independent facilitator. Andrew reached out to Vision Incorporated who specializes in diversity and inclusion and whose work is to remove cultural barriers and engage people in a participant process. Over the next 10-days they will start discussing dates for the forum with a goal of scheduling the forum in July. Laura has reached out to the incoming president at Phillips Academy (PA) and looks forward to meeting with him and working with the community at PA in this continuing process.

Chris Huntress said it is great that they are having a third-party facilitator and a very necessary first step which should be a listening phase and an opportunity to give a platform to those who are most effected. Annie Gilbert commented that they are receiving many questions and suggested developing a FAQ page that people could be referred to. The Town Manager said they will have a Q & A which can be expanded so they can all respond in a consistent way. Laura Gregory asked that the Q & A include links to events that have been recorded or links to documents. Alex Vispoli suggested having a follow-on session strictly on police practice so the public can hear from police leadership.

B. COVID-19 Update

The Town Manager reported that a Customer Service Center opened at Town Hall this week and is located on the main level outside, so no one has to enter the building. All precautions and protocols are in place. Starting on June 22nd we will be at 50% staffing in the office and deploying PPE for all offices starting later this week. All Town playgrounds and parks are open as is the track. Pomp's Pond will be open on June 29th and Recreational programs on July 6th. Basketball courts are still closed but should open in Phase III. Given the Governor's guidance, protocols are very rigid. The first weekend of outdoor dining has been a real success.

We are down to seven active COVID cases in Andover which a major milestone. We will be able to reconcile the end of year budget providing the Board approves the transfers tonight.

Tom Carbone said the Commonwealth has arranged to setup some free COVID testing starting Tuesday and Wednesday with 50 pop-up sites. You can find the sites on the Dept. of Public Health website.

C. Alcohol Service for Outdoor Dining

Board to consider voting to delegate to the Town Manager the authority to approve extensions of alcohol license premises. Licenses are good until November 1st or until the Town Manager revokes the order for current restaurant owners who want to expand their license.

Alex Vispoli move that the Board, in accordance with Governor Baker's June 1, 2020 COVID-19 Order No. 35, to designate the Town Manager to act as the Andover Local Licensing Authority nunc pro tunc as of June 11, 2020 and hereby delegate to the Town Manager the authority to approve temporary alteration of existing premises for alcohol licenses to allow the service of alcohol onto approved outdoor dining facilities, and, further, to authorize and confirm approvals made by the Town Manager before this vote for the benefit of the following licensees:

- 99 Restaurant
- Andolini's Restaurant
- Gati Thai Bistro
- Grassfields Food & Spirits
- LaFina

- LaRosa's
- Oak & Iron Brewing Co.
- Palmer's Restaurant and Tavern
- Perry's Plate
- Raagini Indian Bistro
- Salvatores's
- Smythe & Dove Steak
- Tokyo Steakhouse
- Yella

The motion was seconded by Chris Huntress. Roll call: A. Gilbert-Y, D. Koh-Y, C. Huntress-Y, A. Vispoli-Y, L. Gregory-Y. Motion passes 5-0.

B. Compensation Fund Transfer

The Town Manager and Donna Walsh, Finance Director provided information relative to the financial items as part of Article 4. The Compensation Fund is transferred into the budget for collective bargaining agreements. They have settled contracts with the Police Patrolmen and Public Safety Dispatchers. Donna Walsh explained the spreadsheet created for the amount of \$548,734 of the \$590,000 to be transferred.

Annie Gilbert moved that the Select Board approve the transfer amount of \$548,734 from the Compensation Fund to the various departments as presented. Motion seconded by Alex Vispoli. Roll call: C. Huntress-Y, A. Gilbert-Y, D. Koh-Y, A. Vispoli-Y, L. Gregory-Y. Motion passes 5-0.

C. General Fund Budget Transfers

Dan Koh moved that the Select Board approve the FY-20 Operating Budget transfers as presented. The motion was seconded by Annie Gilbert. Roll call: D. Koh-Y, A. Vispoli-Y, A. Gilbert-Y, C. Huntress-Y, L. Gregory-Y. Motion passes 5-0.

D. Recreation Revolving Fund

Annie Gilbert moved that the Select Board authorize a spending limit of \$750,000 for the Recreation Revolving Account for FY-20. Motion seconded by Alex Vispoli. Roll call: A. Gilbert-Y, C. Huntress-Y, A. Vispoli-Y, D. Koh-Y, L. Gregory-Y. Motion passes 5-0.

E. July Operating Budget

One of the consequences of not having Town Meeting by June 30th is that they have to move forward with 1/12th budgeting as specified in the Governor's Special Acts and only one month at a time can be approved per the Department of Revenue.

Chris Huntress moved that the Select Board approve the 1/12th budget for July 2020 as presented and to authorize the Finance Director to submit the 1/12th budget to the Department of Revenue for approval. The motion was seconded by Dan Koh. Roll call: C. Huntress-Y, A. Gilbert-Y, A. Vispoli-Y, D. Koh-Y, L. Gregory-Y. Motion passes 5-0.

F. Bond Anticipation Note (BAN) Sale

Board to vote to approve a Bond Anticipation Note (BAN) sale as explained by Michael Morse, Town Treasurer. Century Bank came in with the lowest interest rate.

Alex Vispoli moved to adopt the votes presented to the Board and prepared by bond counsel in connection with the Town's June 2020 BAN issue and incorporate such votes into the minutes of this meeting. The motion was seconded by Dan Koh. Roll call: A. Gilbert-Y, C. Huntress-Y, D. Koh-Y, A. Vispoli-Y, L. Gregory-Y.

Motion passes 5-0.

G. 47 Spring Grove Road

Board to vote to authorize the Chair to sign the deed for the sale and conveyance of Town cemetery land located at 47 Spring Grove Road as authorized by the 2019 Town Meeting. Tom Urbelis explained that the property is encroaching on some of the cemetery property and the land owner requested that the Town convey the property to resolve the property. The Cemetery Trustees, and Town Meeting approved the conveyance. Special Legislature approval was received in the spring.

Alex Vispoli moved that the Select Board authorize the Chair to sign the deed for the sale and conveyance of Town cemetery land located at 47 Spring Grove Road as authorized by the 2019 Town Meeting. The motion was seconded by Chris Huntress. Roll call: D. Koh-Y, C. Huntress-Y, A. Gilbert-Y, A. Vispoli-Y, L. Gregory-Y.

Motion passes 5-0.

H. Town Manager Annual Review and 2020 - 2021 Goal Setting

Board to review and consider voting to approve Town Manager Annual Review Process and 2020-2021 Goal Setting Process.

The date of the Town Manager's review was changed to be consistent with the fiscal year so the Town Manager's performance will go beyond a year to make up for the change in time-frame. The Board is looking to setup a process to begin the review and to stay on schedule. In addition, they are trying to setup the goal setting process for the next fiscal year and keeping that on schedule as well.

The Board discussed the meeting schedule provided by the Town Manager and due to the Town Meeting date of July 22nd the Board arrived at the following meeting schedule:

June 15, 2020	Board to vote to approve the process.
July 13, 2020	Goal update provided.
July 15, 2020	Town Manager to send Board progress on goals.
July 31, 2020	Board to submit completed review to HR Director
August 10, 2020	Board to vote on review of Town Manager
Week of August 17th	Board goal setting workshop

Dan Koh moved to approve the process as written. Second by Annie Gilbert.

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

Discussion on the transition date. Town meeting has been moved to July 22nd and could be moved again at the pleasure of the Town Moderator. They need to be careful not to shorten the time of the Chair and Vice-Chair but the Board works very well together. Chris Huntress thinks the end of the fiscal year would be a good time for the transition and would be timely with the Goal Setting date. Laura Gregory would like to stay on as Chair through the Town Meeting if it is held on July 22nd.

Chris Huntress moved that the Board reorganization take place on the effective date of July 31, 2020. Motion seconded by Annie Gilbert. Roll call: C. Huntress-Y, D. Koh-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y. Motion passes 5-0.

I. Select Board Appointment to Retirement Board

Board to discuss and consider voting to approve process for Select Board's appointment to the Retirement Board and the potential reappointment of Tom Hartwell. Tom Hartwell is the Select Board's current appointment to the Retirement Board.

Laura Gregory said it is important to look to other people interested in the position before a decision is made. Dan Koh supports having a process in place and is in support with the process of conducting interviews. Laura asked if the same rules, as far as digital meetings, apply for interviews by a sub-committee. Alex Vispoli would be in favor of doing the interviews as an open Board. Annie Gilbert agreed especially since the expiration of the seat is June 30th. Alex asked if Tom Hartwell's can remain in the position until the appointment process is completed. Tom Urbelis said generally there is a carry-over period, but the Retirement Board is different. The Town Manager said the Retirement Board meets the last week of the month and we would need to be prepared to appoint someone by then. Interested parties would need to submit a letter of interest and a meeting by the Select Board for interviews held. Discussion on timeline.

Alex Vispoli moved that the Select Board adopt the process of posting the opening for the Retirement Board position that is the Select Board's appointee with forms of interest and setting up an interview for all candidates on or about July 13th or appointment for a decision that night. Motion seconded by Dan Koh. Roll call: C. Huntress-Y, D. Koh-Y, A. Gilbert-Y, A. Vispoli-Y, L. Gregory-Y. Motion passes 5-0.

VI. Consent Agenda

A. Appointments by the Town Manager

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

Department	Name	Position	Rate/Term	Date of Hire
Community Services – Elder Services	Kelly MacKay <i>(Kathleen Byrne)</i>	Program Coordinator	\$64,862.16/yr.	6/29/2020
Department of Public Works	Randy Farnan	Tree Climber	\$55,167.57/yr	6/16/2020

	<i>(Justin Faust)</i>			
Andover Green Advisory Board	Melanie Cutler	Member	Term Expires 6/30/2023	7/1/2020
Andover Green Advisory Board	Anil Navkal	Member	Term Expires 6/30/2023	7/1/2020
Andover Green Advisory Board	Zona Sharfman	Member	Term Expires 6/30/2023	7/1/2020
Andover Housing Partnership Committee	Kevin Cuff	Member	Term Expires 6/30/2023	7/1/2020
Andover Housing Trust Fund Board of Trustees	Susan Shepard	Member	Term Expires 6/30/2023	7/1/2020
Audit Committee	Steven Caron	Member	Term Expires 6/30/2023	7/1/2020
Audit Committee	Neil Senior	Member	Term Expires 6/30/2023	7/1/2020
Ballardvale Historic District Commission	Diane Derby	Member	Term Expires 6/30/2023	7/1/2020
Ballardvale Historic District Commission	Matthew Pimentel	Member	Term Expires 6/30/2023	7/1/2020
Ballardvale Historic District Commission	Michael Silverman	Member	Term Expires 6/30/2023	7/1/2020
Board of Health	Pamela Linzer	Member	Term Expires 6/30/2023	7/1/2020
Commission on Disability	Stephen Surette	Member	Term Expires 6/30/2023	7/1/2020
Commission on Disability	Patricia Leelman	Member	Term Expires 6/30/2023	7/1/2020
Commission on Disability	Kathleen Dolan	Member	Term Expires 6/30/2023	7/1/2020
Commission on Disability	Jemma Lambert	Member	Term Expires 6/30/2023	7/1/2020
Conservation Commission	Donald Cooper	Member	Term Expires 6/30/2023	7/1/2020
Conservation Commission	Floyd Greenwood	Member	Term Expires 6/30/2023	7/1/2020
Council on Aging	Paul MacKay	Member	Term Expires 6/30/2023	7/1/2020
Council on Aging	Fran Walker	Member	Term Expires 6/30/2023	7/1/2020
Cultural Council	Leslie Malis	Member	Term Expires 6/30/2023	7/1/2020
Cultural Council	Sonia Novick	Member	Term Expires 6/30/2023	7/1/2020
Design Review Board	Craig Gibson	Member	Term Expires 6/30/2023	7/1/2020

Design Review Board	Suzanne Korschun	Member	Term Expires 6/30/2023	7/1/2020
Economic Development Council	Geoffrey Piva	Member	Term Expires 6/30/2023	7/1/2020
Emergency Management	Patrick Keefe	Director	Term Expires 6/30/2021	7/1/2020
Forest Warden	Michael Mansfield	Fire Chief	Term Expires 6/30/2021	7/1/2020
Keeper of the Lockup	Patrick Keefe	Police Chief	Term Expires 6/30/2021	7/1/2020
Memorial Hall Library Board of Trustees	Karen Van Welden-Herman	Member	Term Expires 6/30/2023	7/1/2020
Merrimack Valley Regional Transit Authority	Paul Materazzo	Member	Term Expires 6/30/2021	7/1/2020
Merrimack Valley Regional Transit Authority	Jacki Byerley	Alternate	Term Expires 6/30/2021	7/1/2020
Merrimack Valley Regional Transit Authority	Lisa Schwarz	Alternate	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	Mark Comeiro	Member	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	James Bedford	Member	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	Calvin Deyermond	Member	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	Brian Masterson	Member	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	Michael Mansfield	Member	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	R. Scott Parrish	Member	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	Calvin Perry	Member	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	Francis Rittershaus	Member	Term Expires 6/30/2021	7/1/2020
Patriotic Holiday Committee	Stephen Wallingford	Member	Term Expires 6/30/2021	7/1/2020
Preservation Commission	Leslie Frost	Member	Term Expires 6/30/2023	7/1/2020
Preservation Commission	Joanna Reck	Member	Term Expires 6/30/2023	7/1/2020
Towle Fund Trustees	George Nugent	Member	Term Expires 6/30/2023	7/1/2020
Triad Council	Sreenivas Madras	Member	Term Expires 6/30/2023	7/1/2020
Veterans Service Agent	Mark Comeiro	Agent	Term Expires 6/30/2021	7/1/2020

2020 Census Complete Count Committee	Austin Simko	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Brian Major	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Barbara McNamara	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Tana Goldberg	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Nicole Kieser	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Ann Ormond	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Rebecca Backman	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Dana Allen Walsh	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Anthony DiCenso	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	David Golden	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Yican Cao	Member	Term Expires 6/30/2021	7/1/2020
2020 Census Complete Count Committee	Champa Bilwakesh	Member	Term Expires 6/30/2021	7/1/2020

VII. Approval of Minutes

A. Board to approve minutes from the following meetings:

1. June 1, 2020 (with Rev.)

Annie Gilbert moved to approve the minutes of June 1, 2020 as amended. Motion seconded by Chris Huntress. Roll call: C. Huntress-Y, D. Koh-Y, A. Gilbert-Y, A.Visopli -y. Motion passes 5-0.

VIII. Adjourn

At 8:59 P.M. Dan Koh moved that the Select Board adjourn from the meeting of June 15, 2020. The motion was seconded by Alex Vispoli. Roll call: : C. Huntress-Y, D. Koh-Y, A. Gilbert-Y, A.Visopli -y. Motion passes 5-0.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary