

Select Board Meeting
Monday, August 30, 2021
Virtual Meeting

I. Call to Order

Chairperson Chris Huntress called the Select Board Meeting of Monday, August 30, 2021 to order at 7:00 P.M. Members in attendance: Annie Gilbert, Laura Gregory, Alex Vispoli, and Dick Howe.

Others in Attendance: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Assistant Town Manager Patrick Lawlor, Town Clerk Austin Simko, Town Counsel Tom Urbelis, HR Director Jess Porter, Community Services Director Jemma Lambert.

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

Congratulations to everyone involved in the opening of the Robb Center. It was a great event and it was exciting to see the new activities going forward.

The Town Manager gave a brief statement regarding Non-disclosure agreements (NDA). A search of records since he has been appointed Town Manager shows that he has signed seven NDA's and none were for a monetary settlement, all other employees who have left either retired or changed employment. He has written to each of the seven former employees indicating his desire to release them from the NDA clause with the Town. Providing they agree, they will be released from the NDA agreement with the Town. Once the signed responses are received, there will be no former town employees, that left during his tenure, that are subject to non-disclosure clauses or separation or settlement agreements.

Annie Gilbert has heard there were twenty-two ND agreements, do you know where that number is coming from? The Town Manager does not. Laura Gregory asked to clarify what Andrew Flanagan said, that right now, the NDA are both directions and he is saying that the Town is willing to release their side of it, if the employee does? *Yes.*

Austin Simko reported that the Town Yard Selection Committee is holding meetings in the Library this Wednesday and Thursday afternoon to conduct interviews with proposals for the New Town Yard Development. The public is welcome to attend.

Tom Urbelis reported the following: In July, the Town released the redacted report of Atty. Regina Ryan who conducted the report of William Fahey which was based on the privacy protection of Public Records. Various speakers criticized the redactions and called for the unredacted report released. The Supervisor of Public Records has the redacted and unredacted reports and last week a written ruling was released stating that the Town had met its burden proving that the redactions were proper and closed out the appeal. This ruling totally justifies the action taken by the Town.

There was an article in the media on August 10th about payments reportedly made by AYF to AYS employees. The former Inspector General of the Commonwealth was quoted as saying that these reported payments creates a giant ball of ethical problems. On August 16th, the Select Board supported an investigation of these payment issues and accordingly the Town has retained the services of Nixon Peabody of Boston to conduct an investigation which is underway. The Board announced that it supported the investigation.

After announcement of the Board's support for an investigation, an AYS employee stated that there was a toxic work environment at AYS; but prior to the August 16th meeting, neither the Town Manager or the HR Director ever received a complaint of a toxic work environment from anyone on the staff at AYS. Four days later, the town received the four letters of resignation from the full-time AYS employees. The Town takes seriously this claim of a toxic work environment, and The Town has retained Jean Haertl of Safety and Respect at Work LLC to conduct a 3rd party independent audit into the alleged claim of a toxic work environment, not investigating any specific individual.

Alex Vispoli congratulated everyone involved with the successful ribbon-cutting of the Robb Center last week involved from the Town Departments, especially Jane Burns, Jemma Lambert, the Town Manager and his team.

Laura Gregory also participated in the grand opening which was a great event. Laura would like to have a discussion on the next Select Board agenda for a mask mandate in Town.

Annie Gilbert echoed everyone's comments about the Robb Center ribbon cutting and to help recognize the extremely generous donors who had contributed to various rooms, bricks on the patio. We are grateful for the partnership of so many in Town. There is a link to an accessibility survey on the Town website and on Tuesday, September 21st there will be a public meeting at the Robb Center to go over the results of the survey.

Dick Howe attended the Commissioning of the new Ballardvale Fire Station this morning and the decommissioning of the old one. Chief Mansfield did a fine job and Chris Huntress spoke as well. It was a great event.

Chris Huntress reported that tonight's agenda has been adjusted to place Citizen Input after the public input of the Board so they could hear the discussion by Town Staff on AYS.

IV. Regular Business

A. Update on Andover Youth Services

Board to receive an update on the next steps for Andover Youth Services and vote to approve the charge for the Andover Youth Services Steering Committee. Chris would like to table the motion and vote for the charge for the AYS Steering Committee until the end of the meeting after public comment.

Andrew Flanagan said the majority of work has been putting together the pieces for AYS to open the Youth Center after Labor Day. The resignation of the full-time staff was unanticipated. A real effort has been made to continue the existing programming with the goal of having the program the same that participants are accustomed to. AYS looks different now and will need the community's help to shape what the future of AYS will look like going forward. The Town Manager is proposing an AYS Steering Committee of eleven members and is asking the Board to consider a Selection Process.

Next Steps for Andover Youth Services

Short-term Planning

AYS will re-open on Tuesday, September 7th and to establish a temporary staffing plan and continuing the existing program. Includes an oversight on program development and planning, program staff, a support model is under way to have a continuity of operations and Programming.

Long-term Planning

Charge for the AYS Steering Committee

Selection Process

Establish a Steering Committee of 11 members

The goal is to maintain existing programs when possible, including retaining existing seasonal staff who wish to continue with AYS and to add new programming staff.

Jessica Porter reported that they have begun advertising for Transition Leaders, Program Coordinators, and Seasonal Staff.

Compensation Charts

Temporary Staff Compensation / hourly rates. Transition Leaders – Temporary

Director \$55.46

Asst. Director \$52.42

Program Coordinator \$44.22

Outreach Worker \$42.77

Program Assistant \$33.00

The hourly wages are not benefited positions.

Jemma Lambert said they are prepared to open the AYS Building up until 6:00 PM and then at 8:00 PM and on Saturday mornings. For the drop-in center, we understand it is best to have unstructured time and to have friendly faces to meet the youth where they are at. Our regular season staff and some volunteers will be assisting. The Skate Park will be resuming their regular hours. Drop-in Center will open on September 7th Monday-Friday from the end of the school day until 6:30 PM.

They will be looking at additional programming that will be developed with participating youth and are working to confirm current program staff for existing programs and to identify new staff for new and additional programming going forward. Several community groups and associations have contacted the Town about potential partnerships to provide programming support.

Dick Howe asked what information is being given to the temporary employees regarding how long this is likely to last for? Jemma Lambert reported that the ads estimated a time frame of 6-9 months roughly, depends upon the Steering Committee.

Andrew Flanagan said there are two parallel courses, short term which is underway and the long-term plan. The success will depend on the community's help to create the next steps which include:

The long term goal is to establish a Steering Community of 11 members from a group of residents/stakeholders who can come together to dialogue about AYS. They will be charged with facilitating a community discussion about the future of AYS and to solicit input from the community, from both youth and adults, through public meetings and a community wide survey and make recommendations for necessary steps to ensure long term success of AYS and to develop a profile for the Director of AYS and to participate on the hiring committee for the next Director of AYS.

The Long-Term Selection Panel shall include Andrew Flanagan or his representative Superintendent of Schools, Dr. Parvey, and two community members including a youth representative for a total of 4 people. The final appointments to the Steering Committee will be confirmed by the Select Board.

The AYS Steering Committee members will be composed of:

Residents & Community leaders.

Youth representatives.

Representatives from partnering or relevant organizations.

Staff representative from Departments and/or Divisions that regularly interact with AYS (max of 3 members).

Those who have submitted interest through the "Next Steps for AYS " email will be contacted about participating on the Committee.

The Town Manager would like the Steering Committee appointed within the next 30 days and a have clear plan and advertise for a Director in the spring.

Comments/Questions from the Board.

- Underscored the importance of somebody representing the Youth Foundation being involved and to have members who have a deep familiarity of Youth Services as it has been and a deep understanding of what has made it successful and that the programs are consistent with all the things that have made Youth Services successful in the past.
- What the scope of youth representative will be and how far removed from the program would still be considered a youth representative (college now, etc.)? *The Town Manager said it should extend from age 17-21.*
- What would examples be of departments/divisions that regularly interact with Youth Services? *The Recreation Department, Elder Services, Community Services, and MHL. There may be more.*
- What to anticipate in the coming weeks and months?
Open on September 7th and operate under the terms of the agreement between the Town and the AYS Foundation with qualified staff in place for the opening and efforts to continue to build out the staff are underway. The AYS Steering Committee will serve as a strong community-based review committee to ensure AYS is successful for the next generation. The entire organization is committed to the future success of AYS.
- Will we have staffing in place to handle social and emotional assistance for youth?
The Town Manager said they are actively working to have those resources available.
- It is critical that we have enough youth representatives on the Committee. What is the time-frame which is needed so expectations can be set? *They should have a Selection Panel by the end of next week and would like to come back to the Board at the end of the month.*

Alex Vispoli asked to have the timeline available for the Board's next meeting. Chris Huntress said it would be appropriate to have it on the Board's agenda for every meeting.

Annie Gilbert said there has been a lot of focus on how mental health services are delivered. What are the models we are going to use and this should be kept on the front burner? Mr. Flanagan said that it will have its own process and he will provide an update at a future meeting. When the drop-in program open, there will be social services available. Jemma Lambert shared that they have spent a lot of time looking to identify mental health service providers but they are in short supply. They will continue to work on this, it is just going to take more work.

Annie Gilbert moved to approve the charge for the Andover Youth Services Committee as presented and to include a timeline for milestones to be considered to be presented at the Select Board's next meeting. Motion seconded by Alex Vispoli. Roll call: D. Howe-Y, A. Gilbert-Y, L. Gregory-Y, A. Vispoli-Y, C. Huntress-Y. Motion passes 5-0.

B. Seasonal or Part-Time Non-Benefitted Hires

Board to vote to permit the Town Manager to hire seasonal or part-time non-benefitted employees to be later confirmed by the Select Board at its next meeting in order to maintain continuity of operations for Andover Youth Services. Board to agree to approve retroactively. The AYC will be open before the next Board meeting on September 13th.

Laura Gregory moved to authorize the Town Manager to hire seasonal or part-time non-benefitted employees to be later confirmed by the Select Board at its next meeting in order to maintain continuity of operations for Andover Youth Services. Motion second by Dick Howe. Roll Call: D. Howe-Y, A. Vispoli-Y, A. Gilbert-Y, L. Gregory-Y, C. Huntress-Y. Motion passes 5-0.

V. Consent Agenda

A. Appointments by the Town Manager

Annie Gilbert moved to approve the consent agenda as presented by the Town Manager. Motion seconded by Laura Gregory. Roll call: A. Gilbert-Y, L. Gregory-Y, D. Howe-Y, A. Vispoli-Y, C. Huntress-Y. Motion passes 5-0

Department	Name	Position	Rate/Term	Date of Hire
Elder Services	Angela Lonergan	Social Day Care Lead Program Assistant	\$23.90 per hour	8/31/21
Town Seal Review Panel	Tom Adams	Member	Three Years	8/31/2021
Town Seal Review Panel	Melissa Litton	Member	Three Years	8/31/2021
Town Seal Review Panel	Basenal Dessin	Member	Three Years	8/3/2021
Town Seal Review Panel	Karen Van Weldan Herman	Member	Three Years	8/31/2021
Town Seal Review Panel	John Hess	Member	Three Years	8/31/2021
Town Seal Review Panel	Elaine Clements	Member	Three Years	8/31/2021
Town Seal Review Panel	Andrew Flanagan	Member	Three Years	8/31/2021

VI. Citizens Petitions and Presentations

Public comment will be limited to 30 minutes.

To provide public comment during Citizens Petitions and Presentations visit:

www.andoverma.gov/JoinSelectBoardMeeting or call 978-623-8311 to call in comments or send an email to manager@andoverma.gov

Michael Silverman, 54 Tewksbury Street, appreciated hearing the Town Manager’s presentation and also the questions about citizen participation. He felt the presentations were vague about who the community groups are and it seems like it is going to be top-heavy with town employees. He suggested having a separate Board made up of kids and others. Keep in mind Jerry Silverman (his Dad) and how he was able to join people together. He would like to see that happening and looks forward to them being able to do that.

Mr. Flanagan said the composition of the Commission will be parents, residents, and to solicit public input through a variety of different means. Students, those who have used AYS services, and to have the Steering Committee facilitate the process, not be the process.

Maria Bartlett, 26 Jenkins Road. It sounds like things are merrily moving along but it is important to state that the AYS was operating extremely well for 27-years under Bill Fahey as Director. Everything you are doing now would not be necessary if Bill had not been fired.

Gabe Levine, 23 Kenilworth Street. The misdirection in putting a statement about what is going on is deplorable, talking about complaints by AYS when there are 22 other employees who want to talk about the toxic environment under this Town Manager. Before the August 16th meeting, there was no talk of a toxic work environment. He is pleased that they are hiring an independent person to investigate the toxic work environment. We are launching several complaints with several state agencies about the mismanagement in the Town. The issues that have been happening will not continue, it is important and necessary for good governance. There were many instances of failure to follow policies and for citizens input. Thank you for your time.

Email: Cara McNeil, 1 Forbes Way. Who hired the investigator to look into the toxic environment? Tom Urbelis said the selection was done by him. He investigated their qualifications and did research finding them to be totally independent and will run the audit on the alleged toxic environment on AYS.

Patrick Hogan, 10 River Road, runs the Gaming Program at AYS and is concerned about the lack of communication and feels that they are taking a lot of their time and energy to keep their programming going. Jenna Lambert said she spoke with Patrick on Friday and discussed his program and dates and that she will be back in touch with him. Alex Vispoli thanked Patrick Hogan for what he has done with the Gaming Program and for continuing the program and keeping communications up.

Jan Makkinje, 7 Crescent Drive. He has known Tony, Glen, and Neil and is proud of them for standing up for their values. The Town Manager mentioned it will go in accordance with the contract, please explain how the time will be divided up. The Town Manager said there are no changes or plans for other Divisions going into the Youth Center at this time.

Matt Doyle, 38 Prospect Road. Previous question asking if Chris Huntress received emails regarding AYS emails regarding toxic work environment. Chris said he has had conversations with Glenn Wilson but a toxic work environment was not talked about.

Happy to hear AYS will be reopening Sept 7th What makes AYS special is the staff and when can we expect to have a program schedule as in past years? How do you plan to minimize the time between now and when staff is on board? Jemma Lambert said the drop-in center will be open on September 7th with an array of activities and adults to welcome the

youth and we continue to build from there. She welcomes parents and others to join them. Mr. Flanagan said there will be new faces with experiences in providing programming to and for youths.

Jane Giffin, Castle Heights Road, commented on the opening of the Robb Center. She loves the new parking lot and as much as the physical space is wonderful, everyone who comes in leaves smiling. Thank you for your hard work.

Email: Susanne Clark Allen, asked if they will they look at toxic work place complaints in other departments. Response: *No*.

Chris Huntress. said they support the investigation into the Toxic Work Environment.

Will English, Beverly MA: What specific health supports will be put into place at AYS, are the schools being called upon, what agencies? The lack of support at this time could not have come at a worse time. The Town Manager responded that they are engaged with the School Department and in dialogue and outside agencies.

Chris Huntress closed public comment at 8:32 PM.

Alex Vispoli recognized Austin Simko thanking him for the phenomenal job he has done over the last few years as Town Clerk and Chief Strategy Officer and for his service to the Community. Austin thanked the committee for their support.

VII. Adjourn

At 8:51 P.M Dick Howe moved to adjourn the Select Board Meeting of Monday, August 30, 2021. Motion seconded by Alex Vispoli. Roll call: A. Vispoli-Y, L. Gregory-Y, A. Gilbert-Y, D. Howe-Y, C. Huntress-Y. Motion passes 5-0.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary

Pursuant to S.2475 "An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency," which was enacted into law on June 16, 2021, this meeting of the Select Board will be conducted via remote participation to the greatest extent possible. The virtual meeting will be broadcast on Comcast Channel 45 and Verizon Channel 22

Members of the public who wish to participate in the meeting can do so by calling (978 623-8311, or by emailing manager@andoverma.us. Residents are encouraged to email their questions or comments ahead of the meeting – however, staff will be available to present the Select Board with questions and comments received during the meeting. Please include your name and address with your question or comment.

Every effort will be made to ensure that the public can adequately access the proceedings in real time via technological means. In the event that we are unable to do so despite our best efforts, we will post on the Town's website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting.