



Select Board Meeting – Agenda Amended 9.15.2023

Monday, September 18, 2023 7:00 PM
Lifelong Learning Room at The Robb Center
30 Whittier Court, Andover, MA 01810

I. Call to Order – 7:00 P.M.

The Chair, Melissa Danisch, called the Select Board Meeting of Monday, September 18, 2023 to order at 7:00 PM in the Lifelong Learning Room at the Robb Center.

Members in attendance: Laura Gregory, Annie Gilbert, Chris Huntress, Alex Vispoli.

Others in attendance: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Assistant Town Manager/Town Clerk Austin Simko.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

The Town Manager announced on Wednesday, September 27th a Quad Board Meeting (Select Board, Finance Committee, School Committee, AHS Building Committee), will be held in the School Committee Meeting Room in regard to the Andover High School Building Project. The Town Manager and CFO, Patrick Lawlor will present an analysis of financial impacts relating to the project.

Austin Simko reported that the MBTA Multi-family Housing Working Group will hold a Public Forum on Thursday, October 12 at 7:00 PM in the Memorial Hall Library to continue investigating the implications of the law and how the Town might react to the requirements put on it by the state.

All of the Select Board members recognized the members of the Administrative Team, Dept of Public Works, Fire Department and Police/Public Safety for the job they performed during the recent storms that left 77% of the Town without power with many trees down and roads closed. The level of communications was excellent and hearing updates from the Town every few hours was very reassuring as was the information that the Town would be picking up the debris. Chris Huntress acknowledged the many residents who did well-being checks on their neighbors and helped out in so many ways.

Thank you Mark Comeiro, Director of Veteran Services, and the Patriotic Committee for a very moving September 11th Service on Monday.

Next Saturday is Andover Days in Downtown Andover.

Melissa Danisch reported on the two Chair's Meetings (Select Board, Finance Committee, School Committee), that included the Town Manager, Superintendent of Schools, and Asst. Superintendent of Finance and Administration, Keith Taverna, that were held last

month to review the dates for the budget and the process going forward for Town Meeting. They also discussed financial areas relative to the AHS Building Project.

IV. Citizens Petitions and Presentations

Joe Ponte, 10 Marian Avenue, asked if anyone had the opportunity to scan the magazine that lists the top 35 high schools in Massachusetts and if the expenditure of \$500M for a new high school get Andover on that list. Mr. Ponte provided the list of schools to the Chair.

Bob Pokress, Cherrywood Circle asked if the Select Board can decide to move the request for a Special Town Meeting on the docket for the Annual Town Meeting? The Town Manager said the AHS Building Committee requested the Select Board call for a Special Town Meeting to appropriate additional funds for Schematic Design. The Board can honor the request or defer to the Annual Town Meeting.

Andover resident, Kevin Coffey asked about the possibility of having inserts on important topics (i.e. AHS Building Project, MBTA Zoning Legislation) placed in mailings that normally go out to residents to inform them about important projects going on in town with links to the website. Many residents do not seem to be aware of these important projects.

V. Regular Business

A. Alcohol Beverage License – Beer Garden for Andover Day on Town Property

Board to consider voting to approve an application from the Andover Chamber of Commerce for a One-Day Liquor License for a beer garden on Town property under Section XI.2.N, “Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property.” Request was presented by Paul Salafia, Chairman of the Chamber of Commerce and Jim Cass, owner of Oak & Iron.

Annie Gilbert moved that the Select Board approve the application from the Andover Chamber of Commerce for a One-Day Liquor License for use on Town property under Section XI.2.N “Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property,” where the event will be a beer garden taking place during Andover Day, September 23, 2023, and where the manager of the liquor license will be Jim Cass of Oak & Iron and provided that all conditions of the Town are met prior to issuance. Motion seconded by Chris Huntress and voted 5-0 to approve.

B. Alcohol Beverage License – Wine Garden for Andover Day on Town Property

Board to consider voting to approve an application from the Andover Chamber of Commerce for a One-Day Liquor License for a wine garden on Town property under Section XI.2.N, “Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property.”

Alex Vispoli moved that the board approve an application from the Andover Chamber of Commerce for a One-Day Liquor License for use on Town property under Section XI.2.N “Special One-Day Alcohol License Policy & Application for Outdoor Events on Town-owned Property,” where the event will be a wine garden taking place during Andover Day September 23, 2023, and where the manager of the liquor license will be Eldridge

Leland, II of Marble Ridge Winery; provided that all conditions of the Town are met prior to issuance. Motion seconded by Chris Huntress and voted 5-0 to approve.

C. Alcohol Beverage License – Change of Category and Change of Manager

Board to consider voting to approve the application of Lavdisha, Inc., dba Richdale Convenience, located at 10 Railroad St., Andover, MA, to amend its Wine and Malt Alcoholic Retail Package Store License to an All-Alcoholic Retail Package Store License, and to consider voting to approve a change of manager. Austin Simko reported that all information is in order. Annie Gilbert recused herself at this time.

Atty. Sean Regan spoke on behalf of Disha Patel who is requesting a change from a beer and wine license to an all-Alcohol category based on customer requests. They would not be eliminating any of the current offerings at the convenience store; their main sales will still be lottery and customer convenience.

Laura Gregory asked about the impact on the current All-Alcohol License's. Austin Simko replied that this is allowed because of the action Town Meeting took in 2021 requesting an increase in All- Alcohol licenses from the State Legislature.

Alex Vispoli moved to approve the application of Lavdisha, Inc., dba Richdale Convenience, located at 10 Railroad Street, Andover, MA, to amend its Wine & Malt Alcoholic Retail Package Store License to an All-Alcoholic Retail Package Store License, subject to the condition that all other requirements of the Town are met prior to issuance. Motion seconded by Laura Gregory and voted 4-0 to approve.

Chris Huntress moved to approve the application of Lavdisha, Inc., dba Richdale Convenience, located at 10 Railroad Street Andover, MA, for a Change of Manager on its All-Alcoholic Retail Package Store License; the new manager to be Disha Patel of 536 Winthrop Street, Medford, MA; subject to the condition that all other requirements of the Town are met prior to issuance. Motion seconded by Alex Vispoli and voted 4-0 to approve. Annie Gilbert returned to the meeting.

D. Board of Registrars Appointment

Board to consider nominees for appointment to the Board of Registrars of Voters and to appoint a registrar for a term expiring March 31, 2025. The Republican Town Committee nominates June Qiao of 3 Karlton Circle and Keith Saxon of 15 Wethersfield Drive. The replacement will fill out the remaining two years of Brian Major's three-year term who has become a member of the Finance Committee.

June Qiao, 3 Karlton Circle has lived in Andover for over 20 years as a first-generation immigrant. June volunteered as a poll-worker last year working along-side the many dedicated poll-workers to ensure elections are fair to everyone. Her primary years as a teacher provided her with organization, leadership, and communication skills which will be helpful in the role of Registrar. June wants to uphold the principal of integrity and transparency of the voting process.

Keith Saxon, 15 Wethersfield Drive, is honored to be considered to be on the Board of Registrar of Voters and would like to serve the town using his expertise and experience

in compliance. He has had a good relationship with Andover's Town Clerks and is very familiar with the voting list. He has advertised opportunities to register to vote on his Face Book page, and is quite experienced with the election process. It is critical that every citizen has the opportunity to exercise their right to vote, get on the voting rolls and aware of elections and Town Meetings.

Alex Vispoli moved that the Select Board appoint Keith Saxon of 15 Wethersfield Drive as a member of the Andover Board of Registrars of Voters for a term beginning September 19, 2023 and ending March 31, 2025. Motion seconded by Laura Gregory and voted 5-0 to approve.

E. Retirement Board Appointment

Board to interview candidates, deliberate and consider voting to appoint a member to the Retirement Board. Candidate names are listed as initially confirmed.

Candidates: Charles Hughes (unable to attend tonight)

Questions:

1. Candidates were asked to tell the Board about themselves and why they are interested in serving on the Andover Retirement Board.
 2. Candidates were asked about what experience / background they have that will be helpful to the Board.
 3. Candidates were asked if they have any conflicts that could affect their service on the Board.
 4. Candidates were asked what strategies they would use to make sure they make the best decisions for the Retirement System and what knowledge of the Retirement Board they have.
- Candidate, Deidre Lockhart, 271 S. Main Street, credits her interest in serving on the Retirement Board as a result of her participation in the Andover Leadership Academy. Her background is in Finance. As an employee of the Citizen Financial Group she works with risk management and analysis objectively, looking at the pros and cons to come to solutions that address needs of multiple stakeholders while also balancing risk. She would recuse herself of any conflicts that might arise. She is not highly versed in the Retirement Board but she has attended their meetings and reviewed annual reports.
 - Candidate, Michael Malloy, 41 Enmore Street has lived in Andover with his family for five years and is a litigator with offices in Andover, Lowell, and Woburn. He feels the Retirement Board is a good opportunity to be involved with the Town. He is familiar with disability issues in Worker Compensation, Social Security venues, and financial aspects. His knowledge of the Retirement Board is very limited, but knows It is an important Board with a fiduciary duty to the taxpayers and the employees. He has no conflicts that would affect his service.

As a Retirement Board member, you would serve as a fiduciary responsible for the long-term sustainability of the Retirement System, what strategies would you use to make sure you make the best decision for the Retirement System.

Response: You have to make decisions on a case-by-case basis understanding that the retirees are going to be affected by decisions made.

Funding for the Pension System is one of the Town's most significant obligations as a Retirement Board member. How would you balance the impact of taxpayers with the impact of retired needs and active members? Response: It is a balancing act between the taxpayers and benefits for the retirees.

- Mathew Fabiani, 4 Corinthian Way, is a financial advisor for Ameriprise and believes his skillset would bring something different to the Board. He does not know what the Retirement Board does but he wants to know. He does not have any conflicts that he knows of and would recuse himself if something did. As a financial advisor he creates retirement plans. He is a fiduciary for his company and is required to act as a fiduciary for all his clients, looking at the best interest of who you are trying to serve and creating the best situation for them.

How to balance the impact to taxpayers and retirees is a difficult to answer but Mr. Fabiani believes in coming to a conclusion where you can look the taxpayers in the eye and say that you are doing this for the betterment of the people who you are paying the taxes for.

The Board deliberated on the candidates.

Laura Gregory moved that the board appoint Deidre Lockhart to the Andover Retirement Board to a term ending September 19, 2026. Motion seconded by Annie Gilbert and voted 5-0 to approve.

F. Alcoholic Beverage License, Policies and Regulations

Board to review and consider voting to approve amendments to Town of Andover Alcoholic Beverage License Policies & Regulations, Section XI.2.F "Events with Alcohol in General – Special Licenses" and "Section XI.2.N Special One-Day Alcohol License Policy for Outdoor Events on Town Owned Property". Austin Simko and Tom Carbone, provided explanations on the proposed amendments.

Chris Huntress Moved that the board approve the proposed amendments to Town of Andover Alcoholic Beverage License Policies & Regulations, Section XI.2.F "Events with Alcohol in General -Special Licenses" and Section XI.2.N "Special One-Day Alcohol License Policy for Outdoor Events on Town Owned Property." Motion seconded by Alex Vispoli and voted 5-0 to approve.

G. Quad Board Update

Town Manager to provide an update on the planning process for the September 27th Quad Board Meeting.

The Town Manager explained that this Quad Board s meeting is solely on financial impacts and to try to find some commonality amongst what they have heard, what to expect, and what will be modeled and if there are any gaps. They with the different boards and committees about the different models to see if they made a decision on

how to move forward with the AHS project. A Quad Board Meeting on potential educational impacts to be scheduled in the future. They also looked at the Town's Debt Service today and going forward and will provide an overview of Standard & Poor's analysis of the impact on new residential values and will look at several scenarios. The Chairs have been discussing the trajectory of these discussions and what an interim plan would look like. Annie Gilbert asked if a potential interim plan for AHS could be provided. We have heard a lot of feedback from the community asking what a targeted investment would look like that could take us further down the line, rather than an all or nothing. From a perspective of order of magnitude, the Town Manager thinks it gives some sense of the types of things that could be funded as part of an interim plan.

Joe Ponte, 10 Marian Drive – is the expectation that a Special own Meeting will be called. Melissa Danish said they are going to be receiving a lot of information and does not think conclusions will be drawn at that meeting but there will be a follow up meeting (Quad) to go through all that has been presented, the decision for a Special Town Meeting rests with the Select Board.

H. [2023-2024 Proposed Town Manager & Select Board Strategic Goals](#)

Board to review and consider adopting the 2023-2024 Town Manager & Select Board Strategic Goals. Please click on the link above to see the presentation.

Major Goal Areas: Administration & Finance, Resident Response, Management & Engagement, Capital Improvements, Economic Development and Housing, Active Transportation, River and Open Space, Energy and Sustainability, Diversity, Equity and Inclusion. Some of the goals are in process and some have been completed.

The Town Manager provided an update on the status of the goals for 2023-2024. The Goals are listed on the Town website with updates highlighted.

Alex Vispoli moved to adopt the 2023-2024 Town Manager and Select Board Strategic Goals as presented. Motion seconded by Chris Huntress and voted 5-0 to approve.

I. [Town Manager Review](#)

Select Board Chair to provide an overview of the Town Manager Review for the period of July 1, 2022 through June 30, 2023 and Board to consider voting to accept. Please see attached review.

Bob Pokress, 3 Cherrywood Circle, shared that he and his wife have been very pleased with the quality of the job Andrew Flanagan has done as Town Manager. Mr. Flanagan reported here shortly after the gas lines and houses exploded, the pandemic, and the recent storms, all of which had to be handled the right way at the get-go. Andrew has done an outstanding job as Town Manager.

Town Manager Review:	Scores
	<u>2022</u>

Personal Characteristics	4.72 out of 5.0
Professionalism	4.35 out of 5.0
Public Relations/Communications	4.25 out of 5.0
Board Support and Relations	4.48 out of 5.0
Community Leadership	4.20 out of 5.0
Organizational Leadership Personnel Management	4.44 out of 5.0
Financial Management	4.67 out of 5.0
Planning & Organization	4.20 out of 5.0

Recognized Strengths

Andrew maintains strong energy in difficult situations and is able to address issues at hand despite the difficult environment within which they may be presented. He has been called upon this past year to support residents through particularly challenging circumstances and displayed much compassion needed to support our community.

Leading the town to continue the delivery of quality services.

Capital Improvement projects planning and funding within the levy limit.

Maintaining the Town's AAA bond rating.

Areas for Improvement

~Continue to evaluate and build upon initial improvements in the area of communications.

~See more resources and focus on DEI across town government, and the region.

~Provide a list of upcoming openings/appointments/reappointments on all boards and committees for the upcoming year before January 1st. This would allow residents to see opportunities to serve in advance.

~Develop an approach for Select Board Policy review.

~The Board needs to be regularly provided with direct information regarding relationships, leadership, and professional development of town staff.

While communications with the Town have vastly improved, additional advance planning may reap more opportunities to reach community members who have expressed that they are not informed. "Clean-up" of the website may be helpful. There is a wealth of information available there, but seems less organized and slightly overwhelming to navigate, as more information is shared over time.

Overall Comments:

Commend the Town Manager for his work over the last several months. The issues associated with building new schools, hiring staff and dealing with unanticipated emergencies have been relatively seamless over the past year.

Andrew and his team's leadership abilities – both individually and collectively are at a high-water mark. It will be important to find ways to ensure retention and continued development of this talented team, as well as strategies to continue recruiting talented candidates in a changing workforce environment.

Andrew led the Tax Increment Financing Agreement with Flagship Pioneering that unlocked an approximately \$400M in investment at the former Phillips Medical

campus. It is estimated that the total Town benefit will be approximately \$75M over twenty years. This is a major economic driver for the Town.

The Town Manager has given a thoughtful and balanced review of the financial issues that surround the possible construction of a new high school.

During the review period, his major accomplishments included Rail Trail planning and funding using grants and ARPA funds.

After many years, the Old Town Yard site was put out for purchasing bids. A developer was selected for the sale and redevelopment. After a long negotiation process with the selected developer, Andrew led his team to a successful agreement to move forward in the sales and development of the Old Town Yard. This was a major accomplishment.

Overall rating 4.39 out of 5.0 which exceeds expectations.

The Board knows they have a great Town Manager who is committed to our Town and works very hard. Alex Vispoli thanked the Chair for her work in organizing and consolidating the review.

Alex Vispoli moved to accept the Composite Review of the Town Manager. Motion seconded by Chris Huntress and voted 5-0 to accept the Composite Review of the Town Manager.

The Town Manager thanked the Board for the time and effort the Board puts in for this review. We are all lucky to have such a great and talented team that goes above and beyond.

VI. Consent Agenda

A. Appointments by the Town Manager

The Town Manager provided an explanation of the process in hiring Town Counsel which was quite in-depth. Doug Heim is an Andover resident formerly Town Counsel in Arlington. He comes with a wide range of experience from a comparable community. Atty. Heim acknowledged the high level of work of Atty. Tom Urbelis. Atty Heim is grateful for the hiring process which gave him an insight of the amazing team Andover has.

Annie Gilbert moved to approve the appointments by the Town Manager as listed in the consent agenda. Motion seconded by Laura Gregory and voted 5-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Legal	Douglas Heim	Town Counsel	\$185,000.00/yr	10/10/2023
Legal	Kathryn Forina	Legal Administrator	\$91,570.00/yr	9/19/2023

Town Manager's Office	Amy Heidebrecht (Kathryn Forina)	Assistant to the Town Manager	\$86,500.00/yr	9/19/2023
Andover Police Department	Kristina Ryan	Behavior Health Clinician	\$83,000.00/yr	10/02/2023
Community Development and Planning – Conservation	Michael Murray (Marissa Browning-Kamins)	Land Manager	\$72,369.00/yr	10/02/2023
Department of Public Works	Mark Wood (David Van Dooren)	Vehicle Maintenance Working Foreman	\$40.84/hr	9/19/2023
Department of Public Works	Michael Ferris (Daniel Verrington)	Cemetery Working Foreman	\$36.76/hr	9/19/2023
Andover High School Building Committee	Scott Darlington	Member	Term Expires June 30, 2025	9/18/2023
Commission on Disability	Donald Silberstein	Member	Term Expires 6/30/2026	9/18/2023
Preservation Commission	Jessica Randolph	Member	Term Expires 6/30/2026	9/18/2023

VII. Executive Session

Laura Gregory moved to go into Executive Session pursuant to Purpose 2 of Massachusetts General Laws, Chapter 30, Section 21(a), to conduct contract negotiations with nonunion personnel, i.e., the Town Manager, 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. Roll call: Chris Huntress-Y, Laura Gregory-Y, Alex Vispoli-Y, Anne Gilbert-Y, Melissa Danisch-Y. Motion passes 5-0.

VIII. Adjourn

At 9:30 PM the Board adjourned from Regular Session and moved to Executive Session not to return to Open Session.

Respectfully submitted
Dee DeLorenzo
Recording Secretary

Presentations
Strategic Goals
Town Manager Review

