



Select Board Meeting

Monday, December 4, 2023 7:00 PM

School Committee Room, School Administration Building
30 Whittier Court, Andover, MA 01810

I. Call to Order – 7:00 P.M.

Melissa Danisch called the December 4 2023 Select Board Meeting to order at 7:00 PM.
Members in attendance: Laura Gregory, Annie Gilbert, Alex Vispoli.

Others in attendance: Town Manager, Andrew Flanagan, Deputy Town Manager, Mike Lindstrom, Asst. Town Manager/Town Clerk, Austin Simko, Chief Administrative and Town Clerk, Patrick Lawlor, and Town Counsel Douglas Heim.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence remembering Annie Gilbert's mother Roberta Wilson and Joanne Marden who was a 20-year member of the Finance Committee. The Pledge of Allegiance followed the Moment of Silence.

III. Communications/Announcements/Liaison Reports

Andrew Flanagan reported the following:

~They will be allocating \$150,00 from Free Cash to address some of the hazardous trees that have fallen on conservation properties as a result of the September storm.

~Flagship Pioneering, who we have a TIF agreement with, has pulled their first \$700,00 permit and we have started working with them and National Grid on a sub-station.

~Holiday Happenings will be held on Friday, December 8th.

~Congratulations to Tom Carbone Director of Health has received the Jeffrey Stevens Award from the Mass. Health Officers Association for his contributions in the field of public health.

Mike Lindstrom thanked the Conservation Commission and residents that participated in the site walk at the Haggetts Pond proposed ADA accessible rail trail. It was a productive meeting and helped to clear up some misconceptions and showed the benefits of the project. The next meeting will be held on Thursday January 4th at 7:00 PM at the Public Safety Center.

Patrick Lawlor recognized the following employees for their years of service:

Beth Kerrigan, Coordinator of Children's Services (26 years), Gerry Deyermond, Memorial Hall Library (25 years), Police Sergeant Steve Gerard (24 years), Mike Malandrino, Memorial Hall Library Custodian (19 years), Lt. Chris Mechazie (18 years), Andover Fire Rescue; Arthur Fleming Electrician(16 years) and Firefighter Brian Flanagan (15 years).

IV. Communications/Announcements/Liaison Reports

Austin Simko commended the employees at the Andover’s Clerk Office who certified the 7,000 signatures received for the 2024 election. It was an unbelievable organizational task on their part.

Alex Vispoli thanked everyone who set up the Christmas Market held at South Church and overflowed into the town. It was an amazing turnout and combined with the gift card program Ann Ormond ran it was successful weekend.

Melissa Danish said the Select Board will be taking up the discussion of next steps for the Special Town Meeting Articles I: 7A and 7B at their next meeting. A Triboard meeting is scheduled for Wednesday, December 6th for the Town Manager’s presentation of the CIP Program and a preliminary overview of the FY-2025 budget.

V. Citizens Petitions and Presentations

Dan Kowalski, has a question about the AHS Building Committee. He was unaware that the Town Manager is a voting member of the AHS Building Committee and voted for 7A at the Special Town Meeting. It was his understanding that per the Town Charter the Town Manager is prohibited from being on any Committee that he appoints voting members to.

VI. Public Hearings

A. Fiscal Year 2024 Tax Classification – 2nd Reading

Board to discuss and consider voting classification and taxation of all property in Town. Before the tax rate can be set the Board must hold a public hearing. The classes of property include residential, commercial, industrial, open space and personal property. The values and classification information are then reported to the Dept of Revenue and used to determine the tax rate. The Select Board is required to decide what the shift between classes will be. This tax setting project were budgeted and approved in May of 2023.

The first hearing was held at the Select Board’s previous meeting. Tristan Hoare, Chief assessor spoke about the four factors the Board will vote on and reviewed the chart of the value comparisons from FY2023-FY2024.

	FY2023 Value	FY2024 Value	% of Change
1. Residential Factor	\$9,069,491,168	\$10,062,323,85	+10.8%
2. Open Space Discount	0	0	0%
3. Commercial	\$680,896,666	\$766,160,279	+12.5%
4. Industrial	\$827,792,800	\$967,146,800	+16.8%
5. Personal Property	<u>\$354,008,940</u>	<u>\$355,152,574</u>	+ .3%
	\$10,932,189,574	\$12,150,783,188	+11.1%

Total value of the town: \$12,150,783,188

Total levy amount: \$182,740,788.32

Levy/Value x 1,000= \$15.04 tax rate

Dividing the town value into classes yields the following:

Residential	\$10,062,323,535.	82.8%
Open Space	0%	0%
Commercial	\$766,160,279	6.3%
Industrial	\$967, 146,8000	7.9%
Personal Property	\$355,152,574	2.9%

The presentation included the amounts of the various shifts. The Board discussed the effects of the shifts on the three classes; residential, commercial, and industrial.

The 169.5 factor for FY-2023 retains the most uniform tax increase.
The 171.0 factor for FY-2023 retains the shift adopted for FY23.

The Board discussed the impact of the shifts on the residential taxes (83% of the revenue comes from the residents).

Alex Vispoli moved to adopt the 1.71 classification. Motion seconded by Annie Gilbert and voted 4-1 to not approve.

Annie Gilbert moved to adopt a residential factor of 85.5751 for Fiscal Year 2024. Motion seconded by Laura Gregory and voted 4-0 to approve.

Open Space Discount: Alex Vispoli moved that the Select Board not provide an Open Space Discount. Motion seconded by Laura Gregory and voted 4-0 to approve.

Residential Exemption: Alex Vispoli moved not adopt the residential exemption. Motion seconded by Annie Gilbert and voted 4-0 to not adopt the residential exemption.

Commercial Exemption: Alex Vispoli moved not adopt the Commercial Exemption. Motion seconded by Laura Gregory and voted 4-0 to not adopt the Commercial Exemption.

VI. Regular Business

A. Town of Andover 375th Committee

Town of Andover 375th Committee to present to the Select Board the 375th Anniversary Journal "Celebrating 375 Years April 2021 – June 2022."

Buzz Stapczynski who led the Town's 375th Committee, spoke about the group of residents who each took on a special role in organizing the celebration. Ann Ormond kept them on track and moving. They organized eight major community events and partnered with local churches and businesses to have the 14-months of activities free of charge. All of the Town Department's stepped up and helped with the expense as well as donations from many companies in the surrounding area. The plan is to put the information about the 375th Celebration in the vault at Town Offices and also available on line including the Town's 350th Celebration. Thank you for the opportunity to serve our wonderful community. The Board thanked everyone who served on the 375th Committee.

B. Liquor License – Change of DBA

Board to review and consider voting to approve the application of Andover Classic Wines, LLC, doing business as Andover Classic Wines, at 209 North Main Street, Andover, for a Change of DBA to "Andover Liquors" on its All-Alcoholic Retail Package Store Liquor License. Annie Gilbert recused herself at this time.

Laura Gregory moved to approve the application of Andover Classic Wines, LLC, doing business at 209 North Main Street, Andover for a change of DBA to "Andover Liquors" on its All-Alcoholic Retail Package Store Liquor License subject to the condition that all

other requirements are met prior to issuance of the license. Motion seconded by Alex Vispoli and voted 3-0 to approve. Annie Gilbert returned to the meeting after the vote.

C. [Town Governance Study Committee Recommendations](#)

Board to discuss and consider voting to accept the Town Governance Study Committee's following recommendations: Austin Simko spoke about the recommendations.

Topics of Discussion:

- ~ Refresher on Recent Review Process which started in the fall of 2022.
- ~Town Manager – Implemented Recommendations
- ~Town Meeting- Implemented Recommendations

The Board accepted the recommendation to retain Andover's Open Town Meeting form of government with enhancements; some of which have been made.

Identified the implementing stakeholders for each recommendation: Select Board- policy action, Town Manager-administrative actions, and Town Meeting-legislative actions. They hired a communications

Motion: Annie Gilbert moved to approve the recommendation that residents who have recently moved to Andover as indicated through voter registration and RMV notifications be sent a welcome message from the Town. Motion seconded by Alex Vispoli and voted 4-0 to approve.

Motion: Alex Vispoli moved the Board to endorse the Town Governance Study Committee recommendation that when appointing members of boards/committees/commissions, the Town Manager should solicit information from incumbent members and feedback from staff / committee members and to evaluate incumbents in comparison to non-incumbent applicants. Motion seconded by Annie Gilbert and passes 4-0 to approve.

Motion: Alex Vispoli moved the Board endorse the Town Governance Study Committee recommendation that where possible, Town permit-granting and advisory public bodies with respective to jurisdictions to coordinate and sequence their reviews to allow for an efficient review process that does not sacrifice thoroughness, diligence or compliance support robust evaluation process for appointees to boards, committees, and commissions. Motion seconded by Laura Gregory and voted 4-0 to approve.

Hold: Recommendation: to endorse the Town Governance Study Committee recommendation to encourage pre-submission of amendments to Town Meeting warrant articles when practical and that the Moderator and Town Meeting support a notion at each Town Meeting providing for the consideration of any pre-submitted amendments before consideration of any floor-submitted amendments. No motion.

Board's role in confirming appointments of some Town employees by the Town Manager.

Discussion/Rationale: The Town Manager is the appointing authority and the Board confirms the appointments which can attract public attention, but obscures the line between policy making and administration. Many towns do not have this practice. The

Board would like to retain approval of the core positions so there is still transparency. There could still be a way where the Board receives notice of hire on some regular basis. The Board is not part of the hiring process (except for some of the top positions) and should not be withholding approvals of the vast majority of the organization. Sometimes there is a timeliness issue having to wait 2-3 weeks for a Select Board meeting for approval. Alex Vispoli would like to see this item expanded to include other key employees. Laura Gregory would appreciate information on what other towns have done. No action taken.

1. Change the perennial date for when elected officials take office from the day after Annual Town Elections to the day after Annual Town Meetings. Discussion on when the officials take office, and when the annual town meeting is. They might need a home rule petition. No action taken.

D. Determination of Useful Life

Board to consider voting to approve the maximum useful life of departmental equipment for December borrowing as explained by Patrick Lawlor. for two large public works vehicles (snow removal trucks) for a maximum useful life of up to 10 years and Fire Rescue replacement of engines with the useful life of 20 years. Alex Vispoli moved that the maximum use of the life of the departmental equipment listed to be financed with a portion of the proceeds of the \$4,605,000 capital project bonds authorized by the vote of the Town passed on May 1, 2023 Article 19 is hereby determined pursuant to General Law Chapter 4471 to be as follows:

Public Works Vehicle Large borrowing amount is \$455,000 with a maximum useful Life of 10 years.

The borrowing amount of \$975,000 for replacement of Fire Rescue of engine with a maximum useful life of 20 years. Motion seconded by Annie Gilbert and voted 4-0 to approve.

VII. Consent Agenda

A. Appointments by the Town Manager

Alex Vispoli moved that the following appointments by the Town Manager be approved as printed. Motion seconded by Laura Gregory and voted 4-0 to approve.

Department	Name	Position	Rate/Term	Date of Hire
Council on Aging	Judith Agnes	Member	Term Expires 06/30/2026	12/5/2023
Council on Aging	Setarreh Massihzadegan	Member	Term Expires 06/30/2026	12/5/2023

VIII. Approval of Minutes

A. Annie Gilbert moved for the Board to approve minutes from the following meetings: June 12, 2023, July 17, 2023, and September 13, 2023.

Motion seconded by Alex Vispoli and voted 4-0 to approve.

IX. Executive Session

Laura Gregory moved for the Board to go into Executive Session Board pursuant to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements (Open Meeting Law, G.L. c. 30A, s. 22); specifically, to perform a review of executive session minutes of April 23, 2018, May 10, 2018, September 4, 2018, October 7, 2019, January 27, 2020, February 22, 2021, August 2, 2021, August 12, 2021, November 29, 2021, December 13, 2021, January 5, 2022, January 12, 2022, February 15, 2022, February 28, 2022, March 14, 2022, April 13, 2022, April 25, 2022, May 2, 2022, June 13, 2022, November 7, 2022, November 21, 2022, December 12, 2022, January 23, 2023, February 27, 2023, April 12, 2023, April 24, 2023, May 15, 2023, June 5, 2023, and June 12, 2023 to determine whether all or portions thereof may be publicly released; and to vote to approve and release or not release executive session minutes of July 11, 2023, September 18, 2023, September 27, 2023 and October 16, 2023; and not to return to Open Session. Motion seconded by Annie Gilbert and voted 4-0 to approve.

X. Adjourn

At 9:20 PM the Board adjourned from the Regular Session of December 4, 2023 to enter into Executive Session not to return to open session.

*Respectfully submitted,
Dee DeLorenzo,
Recording Secretary*