

Welcome to the 2022 Annual Town Meeting

To view the Finance Committee Report and Article Slides visit:

www.andoverma.gov/TownMeeting

ARTICLE 1	Annual Town Election
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The Clerk will give the Annual Town Election Results

ARTICLE 2

Election Not Required by Ballot

To elect all other officers not required by law to be elected by ballot, or take any other action related thereto.

Vote: Majority

Move that Calvin G. Perry of 25 Timothy Drive be elected Trustee of the Cornell Fund for three years.

ARTICLE 3

Salaries of Elected Officials

To establish the salaries of the elected officers for the ensuing year, or take any action related thereto.

Vote: Majority

Move that the Town Moderator receive a salary of \$250.00 for each Annual Town Meeting and \$60.00 for each Special Town Meeting except when it falls within the Annual Town Meeting.

Move the following salaries for elected officials:

Select Board – Members: \$1,500

Chair: \$1,800

School Committee – Members: \$1,500

Chair : \$1,800

ARTICLES 4-8

- 4) Instructional Assistants Special Articles Fund**
- 5) Mandating Municipal Employee Participation in Annual Review of Town Manager**
- 6) Prohibiting the Use of Non-Disclosure Agreements**
- 7) Mental Health & Wellbeing Special Articles General Fund**
- 8) Annual Public Posting of Every No-Bid Contract or Agreement**

Move to withdraw Articles 4-8

ARTICLE 9

Fiscal Year 2023 Budget

To see if the Town will vote to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, and to provide for a reserve fund for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023, or take any other action related thereto.

Vote: Majority

Move to raise and appropriate, including appropriations from available funds, the sum of \$215,886,493 less, \$2,329,957 for a total of \$213,556,536, to defray charges and expenses of the Town, including debt and interest, and to provide for a reserve fund for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023.

ARTICLE 9

Fiscal Year 2023 Budget

Department	Amount
Public Safety	\$18,359,028
General Government	\$10,262,646
Public Works	\$9,722,333
Facilities	\$3,946,941
Library	\$2,973,975
Community Services	\$2,459,024
Unclassified	\$1,048,339
Schools	\$95,126,891
Sewer	\$4,938,413
Water	\$10,070,846
Obligations	
Technical Schools	\$1,274,000
Debt Service	\$23,333,892
General Insurance	\$1,164,000
Unemployment	\$164,000
Retirement Fund	\$6,253,955
Health Insurance Fund	\$23,034,797
OPEB	\$1,753,413
Total	\$56,978,057

Total	Amount
Grand Total	\$215,886,493
<i>Less Budgeted Revenues</i>	<i>(\$2,329,957)</i>
Net Total	\$213,556,536

ARTICLE 10

Fiscal Year 2023 Capital Projects Fund

To see if the Town will vote to raise by taxation and appropriate the sum of money for the purpose of funding the Fiscal Year 2023 appropriation for the Capital Projects Fund, or take any other action related thereto.

Vote: Majority

Move to raise by taxation and appropriate the sum of \$2,756,500 for the purpose of funding the Fiscal Year 2023 appropriation for the Capital Projects Fund, including the leasing of equipment.

ARTICLE 10

Fiscal Year 2023 Capital Projects Fund

Project #	Description	Amount
TM-1	Participatory Capital Budgeting	\$30,000
CDP-7	Conservation Land Management	\$15,000
CDP-8	Review of Andover Wetlands Protection By-Law	\$20,000
SUS -1	Climate and Sustainability Action Plan	\$40,000
FIN-1	MUNIS Financial Software Improvements	\$15,000
FIN -2	Patriot Assessing Software Upgrade	\$30,000
DPW -7A	Public Works Vehicles - Small	\$150,000
DPW-28	Spring Grove Cemetery Improvements	\$20,000
FAC-1	Town Projects - Buildings	\$445,000
FAC-2	Town Projects – Mech. & Electrical	\$345,000
FAC-3	Town & School Security Projects	\$100,000
FAC-4	Town Vehicle Replacement	\$65,000
FAC-5	Town Park and Playground Improvements	\$120,000
FAC-7	Town & School Energy Initiatives	\$90,000
SCH-1	School Projects – All Schools	\$870,000
SCH-2	School Projects – By Building	\$401,500
	Total	\$2,756,500

ARTICLE 11

Financial Housekeeping Articles

See pages 29-31 of the Finance Committee Report

Vote: Majority

Move to withdraw Article 11A from the Warrant.

Pursuant to Article 11B, I further move to appropriate \$1,049,952 from free cash and transfer \$500,000 to Department of Public Works - Snow & Ice, \$274,952 to Technical Schools and \$275,000 to Public Safety – Fire.

Pursuant to Article 11C, I further move that the Town close out the sum of \$6,165.70 from the following appropriations: \$1,036.61 – Article 5, 2016 Annual Town Meeting – Capital Projects Fund and \$5,129.09 – Article 5, 2017 Annual Town Meeting – Capital Projects Fund.

I further move to approve Article 11D as printed in the Warrant.

I further move to approve Article 11E as printed in the warrant and further that the Town appropriates \$429,500 from cable fees for cable related purposes.

ARTICLE 12

Minor Financial Articles (A – D)

See pages 31-33 of the Finance Committee Report

Vote: Majority

Move to approve the consent Articles 12A & 12D, as printed in the Warrant. Pursuant to Article 12B, I further move to appropriate and raise by taxation the sum of \$12,000 for the purpose of continuing to provide for an elderly and disabled transportation subsidy program. Pursuant to Article 12C, I further move to appropriate and raise by taxation the sum of \$5,000 for the purpose of paying a portion of the municipal costs associated with Andover Day in the downtown.

ARTICLE 13	General Housekeeping Articles (A – F)
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See pages 33-35 of the Finance Committee Report

Vote: Majority

I move to approve the consent agenda, Articles 13A through 13F, as printed in the Warrant.

ARTICLE 14

Chapter 90 Authorizations

To see if the Town will vote to authorize the Town to acquire any necessary easements by gift, by purchase or by right of eminent domain for Chapter 90 Highway Construction or any other federal or state aid program for road or sidewalk improvements, or take any other action related thereto.

Vote: 2/3

Move to authorize the Town to acquire any necessary easements by gift, by purchase or by right of eminent domain for Chapter 90 Highway Construction or any other federal or state aid program for road or sidewalk improvements.

ARTICLE 15

Granting Easements

To see if the Town will vote to authorize the Select Board and the School Committee to grant easements for water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board and the Committee deem in the best interests of the Town, or take any other action related thereto.

Vote: 2/3

Move Article 15 as printed in the Warrant.

ARTICLE 16

Stabilization Fund Bond Premium

To see if the Town will vote to transfer the sum of \$100,000 from the Bond Premium Stabilization Fund to the General Fund to offset non-exempt debt interest payments, or take any other action related thereto.

Vote: 2/3

Move Article 16 as printed in the Warrant.

ARTICLE 17

Jerry Silverman Fireworks

To see if the Town will vote to appropriate and raise by taxation or available funds the amount of \$14,000 for the Jerry Silverman Fireworks Program as part of the Fourth of July festivities, or take any other action related thereto.

Vote: Majority

Move that the Town appropriate and raise by taxation, the amount of \$14,000 for the Jerry Silverman Fireworks Program as part of the Fourth of July festivities.

ARTICLE 18

Doherty Middle School Upgrades and Andover High School Design

To see if the Town will vote to appropriate \$9,500,000 or any other amount, of which \$8,000,000 shall be used to pay costs of purchasing professional services related to the design, renovation and construction of the Doherty Middle School, including the payment of all costs incidental and related thereto, and \$1,500,000 shall be used to pay costs of the Andover High School Design project, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, borrowing, transfer from available funds or by any combination thereof, or take any other action related thereto.

Vote: 2/3

Move that the Town appropriates \$9,500,000, of which \$8,000,000 shall be used to pay costs of purchasing professional services related to the design, renovation and construction of the Doherty Middle School, including the payment of all costs incidental and related thereto, and \$1,500,000 shall be used to pay costs of the Andover High School Design project, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 19

Water Treatment Plant Maintenance

To see if the Town will vote to appropriate the sum of \$500,000 in the Water Enterprise Fund for the purpose of paying various maintenance costs related to the water distribution system and the Water Treatment Plant, including any other costs incidental and related thereto, or take any other action related thereto.

Vote: Majority

Move Article 19 as printed in the Warrant.

ARTICLE 20

Sewer Collection System Maintenance

To see if the Town will vote to appropriate the sum of \$300,000 in the Sewer Enterprise Fund for the purpose of paying various maintenance costs related to the sewer collection system, including any other costs incidental and related thereto, or take any other action related thereto.

Vote: Majority

Move Article 20 as printed in the Warrant.

ARTICLE 21

Capital Projects from General Fund Borrowing - \$5,350,000

See pages 38-39 of the Finance Committee Report

Vote: 2/3

Move that the Town appropriates \$5,350,000 to pay costs of purchasing capital equipment, making infrastructure improvements, or for purchasing services and materials related to capital improvements, as more particularly described below, including the payment of any other incidental costs: and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Project #	Description	Amount
FR-2	Multi-Band Portable Radios	\$200,000
DPW-4	Town Sidewalk Program	\$850,000
DPW-7b	Public Works Vehicles – Large	\$400,000
FAC-5	Town Parks & Playground Improvements	\$550,000
FAC-6	Major Town Projects	\$1,600,000
SCH-5	Major School Projects	\$1,750,000

ARTICLE 22

Capital Projects from Free Cash - \$1,983,372

See page 39 of the Finance Committee Report

Vote: Majority

Move the Town appropriates \$1,870,340 to pay costs of purchasing or leasing, capital equipment or infrastructure, or for purchasing services and materials related to capital improvements, as more particularly described below, including any other costs incidental and related thereto, and that to meet this appropriation, said amount shall be transferred from Free Cash.

Project #	Description	Amount
FR-1	Fire Apparatus Replacement	\$145,000
IT-1	Annual Staff Device Refresh	\$379,363
IT-2	Annual Student Device Refresh	\$436,477
IT-3	IT Platforms and Infrastructure	\$454,500
POL-1	Police Vehicle Replacement	\$205,000
DPW-2	Minor Sidewalk Repairs	\$250,000

ARTICLE 23

Capital Projects from Water and Sewer Enterprise Funds - \$6,560,000

See pages 39-40 of the Finance Committee Report

Vote: 2/3

Move the Town appropriates \$6,560,000 to pay costs of purchasing capital equipment, making infrastructure improvements, and purchasing services and materials related to making capital improvements, as more particularly described below, including the payment of any other incidental costs, and that to meet this appropriation, \$350,000 is appropriated from Water Enterprise Reserves for Water & Sewer Vehicles, \$210,000 is appropriated from Sewer Enterprise Reserves for the Dale Street Pumping Station, and the Treasurer, with the approval of the Select Board, is authorized to borrow \$6,000,000 under and pursuant to G.L. c. 44, §8(5) or pursuant to any other enabling authority for the Water Main Replacement Projects, and to issue bonds or notes of the Town therefor.

Project #	Description	Amount
DPW-12	Water & Sewer Vehicles (Water Enterprise Reserves)	\$350,000
DPW-14	Water Main Replacement Projects (Water Enterprise Borrowing)	\$6,000,000
DPW-34	Dale Street Pumping Station (Sewer Enterprise Reserves)	\$210,000

ARTICLE 24

Other Post Employment Benefits Fund

To see if the Town will vote to take the following actions:

- 1) Pursuant to G.L. Chapter 32B, Section 20 (d), to designate the town treasurer as the trustee of the Other Post Employment Benefits Fund, who shall have general supervision of the management, investment and reinvestment of the Other Post Employment Benefits Fund, and to authorize the trustee to employ reputable and knowledgeable investment consultants to assist in determining appropriate investments and to pay for those services from the fund;
- 2) To authorize the trustee to appoint a volunteer advisory committee who may make recommendations to the trustee regarding the management, investment and reinvestment of the Other Post Employment Benefits Fund; and
- 3) Pursuant to G.L. Chapter 32B, Section 20(g), to authorize investment or reinvestment of the Other Post Employment Benefits Fund under the prudent investor rule established in G.L. Chapter 203C, or take any other action related thereto.

Vote: Majority

I move to designate the town treasurer as the trustee of the Town's Other Post-Employment Benefits (OPEB) Trust Fund. As trustee the town treasurer will then be authorized to appoint a volunteer advisory committee to assist in making decisions about the management and investment of the OPEB assets held by the Town. I further move to accept MGL Chapter 203C (the Prudent Investor Rule) which allows the Town to invest the OPEB assets in a more diversified range of products than the "legal list" that we are currently limited to.

ARTICLE 25

Pension Obligation Bond Stabilization Fund Transfer

To see if the Town will vote to appropriate and raise from taxation or transfer from available funds a sum of money to the Pension Stabilization Fund in accordance with MGL Chapter 40, Section 5B, as amended by Chapter 46, Sections 14 and 50 of the Acts of 2003, or take any action related thereto.

Vote: Majority

Move that the Town appropriates the sum of \$502,481 to the Pension Obligation Bond Stabilization Fund in accordance with MGL, Chapter 40, Section 5B and further that \$252,481 be raised from taxation and \$250,000 be transferred from the unfunded liability offset account.

ARTICLE 26

Retiree Cost of Living Adjustment Maximum Base

To see if the Town will authorize the Contributory Retirement Board to increase the maximum base on which the cost-of-living increase is calculated for retirees and beneficiaries of the Andover Contributory Retirement System by \$1,000 each July 1st for the next two years resulting in a base change from \$12,000 to \$13,000 effective July 1, 2022 and from \$13,000 to \$14,000 effective July 1, 2023.

Vote: Majority

Original Motion

Move that the Town accept the provisions of Chapter 188, Section 19 of the Acts of 2010 and increase the cost of living allowance base from \$12,000 to \$13,000 effective July 1, 2022 and from \$13,000 to \$14,000 effective July 1, 2023.

Amended Motion

Move that the town vote to accept the provisions of Chapter 32, Section 103(j), and increase the maximum base on which the cost-of-living increase is calculated for retirees and beneficiaries of the Andover Contributory Retirement System by \$1,000 each July 1st for the next two years resulting in a base change from \$12,000 to \$13,000 effective July 1, 2022 and from \$13,000 to \$14,000 effective July 1, 2023.

ARTICLE 27

Public Safety Multi-Band Portable Radios

To see if the Town will amend the action taken under Article 23 of the June 5, 2021 Annual Town Meeting which, in part, appropriated \$200,000 for CIP# FR-4 Public Safety Bi-Directional Amplifier System, to instead appropriate that \$200,000 to the purchase of Public Safety Multi-Band Portable Radios, including the payment of costs incidental or related thereto, or take any other action related thereto.

Vote: 2/3

Move the Town hereby amend the action taken under Article 23 of the June 5, 2021 Annual Town Meeting which, in part, appropriated \$200,000 for CIP# FR-4 Public Safety Bi-Directional Amplifier System, to instead appropriate that \$200,000 to the purchase of Public Safety Multi-Band Portable Radios, including the payment of costs incidental and related thereto, or take any other action related thereto.

ARTICLE 28

25 Miles-Per-Hour Speed Limit

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 90 § 17C: Establishment of 25-miles-per-hour speed limit in thickly settled areas or business district in a city or town; or take any other action relative thereto.

Vote: Majority

Move Article 28 as printed in the Warrant.

ARTICLE 29

Discontinuance of a Portion of Lewis Street

To see if the Town will vote to discontinue as a public way that portion of Lewis Street which is described as follows: The area shown as “Portion of Lewis Street to be Discontinued 4,000 S.F.+/-” on Plan of Land entitled “Discontinuance Plan, Portion of Lewis Street, Andover, Mass. Prepared for: Town of Andover, Date: January 18, 2022, Scale 1”=40’, Andover Consultants, Inc., 1 East River Place, Methuen, Mass., 01844,” a copy of which Plan is on file in the Office of the Town Clerk, or take any other action related thereto.

Vote: Majority

Move Article 29 as printed in the Warrant.

ARTICLE 30

Transfer of Portion of Lewis Street

To see if the Town will vote to transfer the care, custody, management and control of a portion of Lewis Street to be discontinued, which land is shown as Portion of Lewis Street to be Discontinued 4,000 S.F. +/- on Plan of Land entitled "Discontinuance Plan, Portion of Lewis Street, Andover, Mass. Prepared for the Town of Andover, Date: January 18, 2022, Scale 1"=40' " prepared by Andover Consultants, Inc., 1 East River Place, Methuen, Mass. 01844, "containing 4,000 S.F. +/- , a copy of which Plan is on file with the Office of the Town Clerk, from the Select Board for the purposes for which such land are currently held to the Select Board for the purposes of sale of said land, to declare said land available for sale and to authorize the Select Board to sell said land, according to the provisions of Massachusetts General Laws Chapter 30B, upon such final terms and conditions as the Select Board deems to be in the best interests of the Town, and further that the Select Board approve any restrictions, including restrictions on use, that are in the best interests of the Town, or take any other action related thereto.

Vote: 2/3

Move Article 30 as printed in the Warrant.

ARTICLE 31

Stream Gage System on the Shawsheen River

To see if the Town will appropriate from free cash the sum of \$75,000 for the purpose of operating and maintaining a Streamgage Station on the Shawsheen River in the vicinity of Balmoral Street and further to authorize the Town manager to enter into an agreement for the same with the United States Geologic Survey.

Vote: Majority

Original Motion

Move to appropriate from free cash the sum of \$75,000 for the purpose of operating and maintaining a Stream Gage Station on the Shawsheen River in the vicinity of Balmoral Street and further to authorize the Town manager to enter into an agreement for the same with the United States Geologic Survey.

Amended Motion

Move to appropriate from free cash the sum of \$31,000 for the purpose of operating and maintaining a Stream Gage Station on the Shawsheen River in the vicinity of Balmoral Street and further to authorize the Town manager to enter into an agreement for the same with the United States Geologic Survey.

ARTICLE 32

Shawsheen River Interceptor Improvements

To see if the Town will vote to appropriate the sum of \$228,794.24 to pay costs for Shawsheen River Interceptor Improvements, including all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, and authorize the Select Board to apply for and accept any state or federal grant or assistance, or both, that may be available to pay for the above improvements, or take any other action related thereto and to see if the Town will vote to amend its action taken under Article 33 of the 2008 Annual Town Meeting, which vote authorized the borrowing of \$4,000,000 (of which \$2,200,000 is currently unissued) for the purpose of paying costs of constructing and reconstructing the Shawsheen River Outfall Sewer, including the payment of costs incidental and related thereto, so that such funds may, instead, be borrowed and expended to pay costs of design, engineering and construction services for the Shawsheen River Interceptor Improvements, including the payment of all other costs incidental and related thereto, or take any other action relative thereto.

Vote: 2/3

Move that the Town appropriates \$228,794.24 to pay costs of Shawsheen River Interceptor Improvements, including the payment of all costs incidental and related thereto, and that to meet this appropriation, \$23,356.52 shall be appropriated from Article 25 ATM 2004, and \$205,437.72 shall be appropriated from Article 33 ATM 2008, which projects are complete and no liability remains; further, that the vote adopted by the Town under Article 33 of the 2008 Annual Town Meeting, which vote authorized the borrowing of \$4,000,000 (of which \$2,200,000 is currently unissued) for the purpose of paying costs of constructing and reconstructing the Shawsheen River Outfall Sewer, including the payment of costs incidental and related thereto, be hereby amended so that such funds may, instead, be borrowed and expended to pay costs of design, engineering and construction services for the Shawsheen River Interceptor Improvements, including the payment of all other incidental costs.

ARTICLE 33

Funding to Repair Hacienda Way for Street Acceptance

To see if the Town will vote to authorize the Select Board of Andover to acquire by eminent domain, gift, purchase, or otherwise, any fee, easement or other interest in the land known as Hacienda Way as shown on a plan entitled Subdivision & Acceptance Plan Pleasant Street Estates Andover, Mass, April, 1973 Approved 6/18/1973 and recorded with Essex North Registry of Deeds, Plan 7035 and on file in the Office of the Town Clerk, and as constructed, and to award no damages for said taking or payment for said acquisition, and to appropriate and raise by taxation, transfer from available funds or borrowing or any combination thereto a sum of \$110,000 for required engineering services, legal services, repairs and improvements to Hacienda Way and expenses incidental thereto, or take any other action related thereto.

Vote: Majority

Move that the Town appropriates the sum of One Hundred, Ten Thousand Dollars (\$110,000) to assist in bringing the street up to code from a construction and title/legal perspective, in order for the Town to accept is as a public way.

ARTICLE 34

Land Acquisition

To see if the Town will vote to appropriate the sum of \$413,000.00 for the acquisition of land, such land being described as follows: The land known as 138A Chandler Road described in a Deed recorded in Book 16981 Page 126 in Essex North Registry of Deeds and shown as Lot 1 on a Plan of Land entitled "Plan of Land 138 Chandler Road Andover, MA 01810, JM Associates, 325 Main Street, N. Reading, MA 01864, John F. McQuilkin, Professional Land Surveyor," dated March 12, 2020, and said plan being recorded in Essex North Registry of Deeds as Plan Number 18061, which Plan is on file with the Town Clerk, containing 78,064 square feet, more or less, as shown on said Plan, for municipal purposes, and for any other costs incidental and related thereto, and to authorize the Select Board to acquire such land thereon, by gift, option, purchase or eminent domain, upon terms and conditions deemed by the Select Board to be in the best interest of the Town and to determine whether the amount appropriated by the Town under this Article shall be raised by taxation, transfer from available funds, borrowing, or otherwise provided, or to take any other action related thereto.

Vote: 2/3

Move that the Town appropriates the sum of Four Hundred, Thirteen Thousand (\$413,000.00) Dollars for the acquisition of land , such land being described as follows: The land known as 138A Chandler Road described in a Deed recorded in Book 16981 Page 126 in Essex North Registry of Deeds and shown as Lot 1 on a Plan of Land entitled "Plan of Land 138 Chandler Road Andover, MA 01810, JM Associates, 325 Main Street, N. Reading, MA 01864, John F. McQuilkin, Professional Land Surveyor," dated March 12, 2020, and said plan being recorded in Essex North Registry of Deeds as Plan Number 18061, which Plan is on file with the Town Clerk, containing 78,064 square feet, more or less, as shown on said Plan, for municipal purposes, and for any other costs incidental and related thereto, and to authorize the Select Board to acquire such land thereon, by gift, option, purchase or eminent domain, upon terms and conditions deemed by the Select Board to be in the best interest of the Town and that to meet this appropriation, \$413,000 be transferred from free cash, or to take any other action related thereto.

ARTICLE 35

Zoning Bylaw Recodification

See pages 46-47 of the Finance Committee Report

Vote: 2/3

Move Article 35 as printed in the Warrant.