

SPECIAL TOWN MEETING RESULTS
7:00 P.M.. December 6, 2010 – Collins Center

ARTICLE 1 – PURCHASE OF 3 BLANCHARD STREET

To see if the Town will vote to appropriate the sum of \$350,000 for the acquisition and for costs related to such acquisition of the land with the buildings thereon and demolition of the buildings thereon at 3 Blanchard Street containing 1.08 acres, more or less, as shown on Assessors' Map 199, Parcel 7 and described in the deed recorded in Book 5471, Page 243 at the North Essex Registry of Deeds and to authorize the Board of Selectmen to acquire such land with the buildings thereon by gift, option, lease, purchase or eminent domain, upon terms and conditions deemed by the Board of Selectmen to be in the best interest of the Town, and that to raise this appropriation, the Treasurer, with the approval of the Board of Trustees, is authorized to borrow said sum pursuant to Chapter 44 of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor, or take any other action related thereto.

Passed 2/3rds (Standing Vote: Yes 612 / No 180)

ARTICLE 2 – GRANT APPLICATION FOR FOSTERS POND CONSERVATION LAND

To see if the Town will vote to authorize the Treasurer to expend up to \$480,000 from the amount appropriated by vote upon Article 55 of the 2010 Annual Town Meeting to acquire the land near Fosters Pond as shown on Assessors' Map 123, Parcels 26 and 27, known as 30 and 32 Willard Circle, and shown as Lot G, Lot F, and the .41 acre parcel shown as "Now or Formerly of Rathburn" on Plan of Land entitled "Plan of Land in Andover & Wilmington, Mass. as surveyed for Fosters Pond Improvement Assoc., Inc." dated June, 1950 and recorded with North Essex District Registry of Deeds as Plan No. 2448, for conservation and open space purposes under the care, custody and control of the Andover Conservation Commission under the provisions of Chapter 40, Section 8C of the Massachusetts General Laws, and that the Town Manager be authorized to file on behalf of the Town of Andover any and all applications deemed necessary under the Self-Help Act (Massachusetts General Laws Chapter 132A, s. 11) or any other applications for funds in any way connected with the scope of this acquisition, and that the Town Manager, the Board of Selectmen and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments, including permanent deed or conservation restrictions, in accordance with Massachusetts General Laws Chapter 184, on terms and conditions they deem to be in the best interest of the Town and as may be necessary on behalf of the Town of Andover to affect said purchase, or to take any other action related thereto.

Passed

ARTICLE 3 – BANCROFT ELEMENTARY SCHOOL

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for the construction of a new K to five 680 student Bancroft Elementary School (approximately 99,949 square feet) located at 15 & 21 Bancroft Road, Andover, MA and as shown on Andover Assessor's Map 59, Lots 29 and 29A, including offsite improvements that are part of the project and which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of: (1) 45 percent (45%) of eligible, approved project costs as determined by the MSBA; or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2½); and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA, or take any other action related thereto.

Passed 2/3rds

ARTICLE 4 – EASEMENT FROM TOWN TO THE SCHOOL DEPARTMENT – BANCROFT ELEMENTARY SCHOOL

To see if the Town will vote to transfer the care, custody and control of a portion of the land shown on Assessors' Map 59, Lot 29 to the Board of Selectmen for the purpose of granting an easement to the School Department for use of said portion of land by the School Department for access, parking, off-site improvements and other uses associated with the Bancroft Elementary School and to authorize the Board of Selectmen to grant an easement to the School Department for such purposes on terms and conditions they deem to be in the best interest of the Town. The proposed easement area is shown as "Limits of Easement" on Plan of Land entitled "Town of Andover Easement to Bancroft School Site" drawn by Dana F. Perkins, Inc., dated October 21, 2010. The meets and bounds of the easement area, the final easement plan and the terms and conditions of the easement shall be determined by the Board of Selectmen, or take any other action related thereto.

Passed