

In The Matter Of:
Andover Annual Town Meeting
Day Two

May 6, 2014

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TOWN OF ANDOVER
ANNUAL TOWN MEETING

Date: Tuesday, May 6, 2014
7 p.m.

Transcribed August 30, 2014

Transcribed By: P. Jodi Ohnemus, MA CSR #123193
NH LCR #91

1 P R O C E E D I N G S

2 MODERATOR DOHERTY: The hour of 7 p.m.
3 having arrived, it is my distinct honor to
4 reconvene the 2014 Town of Andover Annual Town
5 Meeting.

6 So we have before us those who are
7 lukewarm to hockey; is that my -- is that my read
8 on this meeting? Thank you all for coming out for
9 this very important function that we have as
10 members of the Town of Andover.

11 Mr. Urbelis, please, the admission of
12 nonvoters.

13 MR. URBELIS: Madam Moderator, I move to
14 admit Lawrence Murphy, Paul Symanski, Andy Goodwin,
15 and others who may enter hereafter, some of whom
16 may be speaking.

17 MODERATOR DOHERTY: Motion has been made
18 to admit nonvoters.

19 All those in favor, please say aye.

20 Those opposed?

21 Thank you. The nonvoters please go into
22 Section 8.

23 Waiver of return of service, please?

24 MR. URBELIS: Madam Moderator, I move to

1 waive the return of service and allow the Moderator
2 to refer the warrant articles by number and subject
3 matter.

4 MODERATOR DOHERTY: Motion has been made
5 and seconded to waive the return of service so that
6 we can refer to warrant articles by number.

7 All those in favor, please say aye.

8 Those opposed?

9 Thank you. The ayes have it. Motion
10 carries.

11 We'd ask you, please, if you could turn
12 off your cell phones -- or certainly please turn
13 off the ringers. I have asked members of the stage
14 if they could please -- in respect to the meeting
15 -- not text or use their phones. So please don't
16 text them during the meeting.

17 There's no smoking here, of course; and no
18 food or drink -- other than water.

19 The voting sections tonight will be as
20 they were last night if you were here: Section 1,
21 Section 2, Section 3, Section 4; we've left one
22 aisle separating Section 5 from Section 2. So
23 that's 5, 6, and 7 if we need it.

24 Up here to my right/your left are the

1 nonvoters.

2 I'd like to introduce those on the stage.
3 To my right/your left are the Board of Selectmen,
4 the Town Manager, and the finance director. To my
5 left and your right is the Finance Committee, Town
6 Counsel, and the Town Clerk.

7 Attorney Chris Vrontas is the ombudsman
8 over here to my left/your right. If you have an
9 amendment and you would like help wording it or if
10 you need the three-part forms -- we must receive
11 any amendments in three parts: One for myself, one
12 for the Town Counsel, and Clerk. So if you are
13 going to amend any articles, please see Mr.
14 Vrontas if you have -- if you need those forms.

15 In order to be counted in the voting
16 tonight, you must be at a seat -- whether it's
17 standing or sitting, but you must be at a seat.
18 You can't be in the aisles. It won't be counted.
19 And you must have your voter sticker on.

20 Counters, if you would please be aware of
21 that and make sure that people do have their
22 stickers.

23 Now, the beautiful thing about having a
24 Town Meeting in this room is that the seats are

1 significantly more comfortable for all of us.

2 The bad thing is it's very difficult for
3 me to see you, because the stage is made for you to
4 see me and not necessarily me to see you. So if
5 you need my attention, please don't hesitate to let
6 one of the voting counters know or just raise your
7 hand.

8 We have presentations, and pro, and con
9 mics here. If you are making a presentation --
10 last night I think there was some confusion -- you
11 don't have to be at this mic. You can be at that
12 one. The point of order mics are at the platform.

13 If you have a point of order or a
14 question, you may certainly ask that; and then we
15 have a pro mic and a con mic up in the back. And
16 we have lit those so that I will be able to see
17 those again. Again, it's very difficult to know
18 whether somebody's standing there ready to speak to
19 us or if they're standing there to chat with
20 friends. So if you could please keep that back
21 aisle clear, that would be helpful.

22 Most of what we'll be discussing will be
23 on the screens. Hopefully, you have found that to
24 be very helpful this Town Meeting. I would like

1 to, again, remind the meeting of the vote last
2 night to limit time limits on the discussion: Five
3 minutes for a presenter of an article; three
4 minutes for a speaker, and that includes people who
5 are offering an amendment.

6 Last night if you were here you recall I
7 was a little concerned that the paper thought we
8 would have a tumultuous meeting. I was curious
9 this morning to find out that, in fact, we had a
10 rancorous meeting. I'm not sure if that's better
11 or worse. But I do want to remind you that I will
12 not tolerate personal attacks or innuendos; that I
13 would ask everybody to please be respectful and to
14 be civil to each other. And we can discourse, and
15 disagree, and discuss as much as we can, but those
16 are conditions I would set for our meeting.

17 So we're going to start with Article 5.
18 That's where we left off. Those of you who thought
19 you'd come to the meeting half over -- not so much.
20 We were on Article 5.

21 Mr. Major, please.

22 MR. MAJOR: Thank you, Madam Moderator. I
23 move to approve Article 5 as printed in the
24 warrant.

1 MODERATOR DOHERTY: Article 5 has been
2 moved and seconded.

3 Mr. Major, are you going to address that?

4 MR. MAJOR: The Board of Selectmen
5 recommends approval of this article.

6 MODERATOR DOHERTY: Is there any
7 discussion about it?

8 MR. STAPCZYNSKI: Yes. If people turn to
9 page 44 in the Finance Committee recommendation
10 book, there is the list of projects that we will be
11 doing or vehicles that we'll be replacing in fiscal
12 '15 with the \$2.3 million that has been recommended
13 for approval.

14 MODERATOR DOHERTY: Finance Committee
15 report, please, Mr. Serrao.

16 MR. SERRAO: Madam Moderator, the Finance
17 Committee recommends approval of Article 5.
18 Historically the capital projects fund was voted as
19 part of the plant and facilities department budget.
20 While it is still considered part of the FY 2015
21 operating budget, the Capital Projects Fund now is
22 voted in a separate warrant article, an approach
23 recommended by the town's auditors so that any
24 balance in the fund at the end of a fiscal year can

1 be carried forward to finished projects not
2 completed by fiscal year end.

3 The Finance Committee recommends approval
4 of Article 5.

5 MODERATOR DOHERTY: Thank you. School
6 Committee report, please, Mrs. Gilbert.

7 MS. GILBERT: Madam Moderator --

8 MODERATOR DOHERTY: No. 2, please.

9 MS. GILBERT: Madam Moderator, the School
10 Committee recommends approval of Article 5.

11 MODERATOR DOHERTY: Thank you. Any
12 questions?

13 All those in favor, please say -- go right
14 ahead, sir.

15 MR. PASQUALE: John Pasquale, 47-B
16 Whittier Street. I'd like to ask a question about
17 the Munis financial software improvement.

18 Here's what Mr. Pasquale has: Five weeks
19 ago the illustrious Finance Committee was begging
20 for information from the School Committee about the
21 headcount. A lot of frustration. No numbers. I
22 watched on television what was transpiring.

23 What transpired was the highest-paid
24 employee in this town had to take notepads with

1 pencils with members of the Finance Committee to
2 extract all this information.

3 Now, for the audience, every department in
4 this town has the Munis -- except the school
5 department. They're not on any computerized system
6 to get the information.

7 MODERATOR DOHERTY: Mr. Pasquale, I'm
8 going to ask you for your question, please.

9 MR. PASQUALE: My question is the school
10 committee has said they recommend this. I want to
11 know if they're going to be part of the Munis
12 financial system or what system they're going to
13 have, such that the superintendant doesn't spend
14 100 hours finding out how many people are in the
15 school department.

16 That's the question.

17 MODERATOR DOHERTY: Go ahead. Identify
18 yourself.

19 MS. WALSH: The --

20 MODERATOR DOHERTY: Go ahead. Why don't
21 you identify yourself.

22 MR. PASQUALE: Is it true?

23 MODERATOR DOHERTY: Wait a minute. Trying
24 to get an answer to your question, sir.

1 MS. WALSH: You probably can't see me.

2 MODERATOR DOHERTY: There's an answer
3 coming right here from the finance director to you.
4 Go right ahead, just answer.

5 MS. WALSH: We are planning right now to
6 implement Munis position control with the school
7 and the town departments. So that should alleviate
8 or get rid of the problem of being able to track
9 our FTEs. The project will be starting at either
10 the end of may or the beginning of June.

11 MODERATOR DOHERTY: Thank you. All those
12 in favor, please raise one hand. Thank you.

13 Those opposed?

14 Thank you. The ayes have it. The motion
15 carries.

16 Article No. 6, Mr. Salafia.

17 MR. SALAFIA: Yes, Madam Moderator. I
18 move that the town vote to transfer funds from the
19 following 2013 Annual Town Meeting Article 4
20 appropriations: \$189,720 from FY '14 retirement,
21 and appropriate \$75,000 to FY '14 -- FY 2014
22 unemployment compensation fund; \$17,000 to the FY
23 2014 Greater Lawrence Technical High School
24 appropriation; and \$97,720 to the FY 2014 general

1 insurance fund; \$70,000 from FY 2014 general
2 government information technology, personal
3 services, and appropriate \$70,000 to general
4 government information technology other expenses.

5 MODERATOR DOHERTY: Thank you. And the
6 Selectmen's report, please.

7 MR. SALAFIA: Selectmen recommend
8 approval.

9 MODERATOR DOHERTY: And Finance Committee
10 report, please?

11 MR. BARRY: Madam Moderator, the Finance
12 Committee recommends approval of Article 6. This
13 article in the warrant serves as a mechanism to
14 transfer funds appropriated during the previous
15 Town Meeting from certain budgets in surplus and
16 cover cost not anticipated during the preparation
17 of the current year budget.

18 Finance Committee recommends approval.

19 MODERATOR DOHERTY: Any questions? All
20 those in favor, please raise one hand. Thank you.

21 Those opposed?

22 The ayes have it. The motion carries.

23 Article 7.

24 Mrs. O'Donoghue.

1 MS. O'DONOGHUE: I move to appropriate
2 \$400,000 from free cash to the fiscal 2014
3 municipal services snow and ice expenses.

4 MODERATOR DOHERTY: Thank you. And the --
5 Article 7 has been moved and seconded.

6 The Selectmen's report, please?

7 MS. O'DONOGHUE: The Board of Selectmen
8 recommend approval.

9 MODERATOR DOHERTY: Thank you.

10 Mr. Barry, Finance Committee?

11 MR. BARRY: Finance Committee recommends
12 approval.

13 MODERATOR DOHERTY: Any questions?

14 Thank you.

15 All those in favor, please raise one hand.

16 Thank you.

17 Those opposed?

18 The ayes have it. The motion carries.

19 Article 8. This is Mr. Vispoli.

20 MR. VISPOLI: Yes, Madam Moderator, I
21 recommend -- I make a motion to pass Article 8 as
22 printed in the -- in the report.

23 MODERATOR DOHERTY: Do we need to read
24 that?

1 You need to read that.

2 MR. VISPOLI: Okay. I move to appropriate
3 \$500,000 from free cash and to transfer \$500,000 to
4 the stabilization fund, in accordance with Mass.
5 General Law, Chapter 40, Section 5(b) as amended by
6 Chapter 46, Section 14 and 50, the acts of 2003.

7 MODERATOR DOHERTY: Article 8 has been
8 moved and seconded.

9 The Selectmen's report, please.

10 MR. VISPOLI: Board of Selectmen
11 recommends approval, Madam Moderator.

12 MODERATOR DOHERTY: Thank you.

13 Mr. Fortier, the Finance Committee report.

14 MR. FORTIER: Yeah. Thank you, Madam
15 Moderator.

16 The town's general stabilization fund is
17 used to accumulate funds for future spending
18 purposes. These can be for emergencies down the
19 road or for one-time expenditures for projects.

20 Bond rating agencies take stabilization
21 fund balances into account when they're rating a
22 town before bonds are issued. The Finance
23 Committee recommends approval of Article 8.

24 MODERATOR DOHERTY: Thank you. This vote

1 requires two-thirds vote. I'll try to do it with a
2 hand vote if I can.

3 All those in favor, please raise one hand.
4 Thank you.

5 Those opposed? The ayes clearly have it.
6 I declare it to be in excess of two-thirds.

7 Does anyone challenge that declaration?

8 Then I declare it to be more than a
9 two-thirds vote.

10 Article 9.A, please, Mr. Kowalski.

11 MR. KOWALSKI: Madam Moderator, I move to
12 withdraw Article 9.A from the warrant.

13 MODERATOR DOHERTY: It's been moved and
14 seconded to remove Article 9.A.

15 All those in favor please, raise one hand.
16 Thank you.

17 Those opposed?

18 The ayes have it. Motion -- or the
19 article is withdrawn.

20 MODERATOR DOHERTY: Article 9.B, Mr.
21 Major.

22 MR. MAJOR: Thank you, Madam Moderator. I
23 move to approve Article 9.B as printed in the
24 warrant.

1 MODERATOR DOHERTY: Article 9.B has been
2 moved and seconded.

3 Is the selectmen going to give their
4 report first or Finance Committee?

5 MR. MAJOR: I'll do it.

6 MODERATOR DOHERTY: Okay. Selectmen then
7 Finance Committee.

8 MR. MAJOR: So the Board of Selectmen
9 recommends approval of this warrant article.

10 Last night -- remember -- we had a
11 conversation about OPEB expenses. And part of that
12 -- the total number was 1.67 million that we were
13 going to contribute to OPEB. This is \$1 million of
14 that.

15 And the intent of this warrant article is
16 to take money out of our cash reserves -- so take
17 \$1 million out of cash reserves -- and move it over
18 to the OPEB trust fund. And then it just makes
19 sure that that money doesn't get spent on something
20 else, but we put it into that long-term reserve to
21 pay that future liability for us.

22 So, again, the Board of Selectmen
23 recommends approval of this warrant article.

24 MODERATOR DOHERTY: Finance Committee,

1 please, presentation.

2 MS. KRUSE: Yes. The Finance Committee
3 also recommends approval. The simple explanation
4 of this article is that it allocates \$1 million
5 from free cash into our OPEB trust fund. The full
6 explanation of the article requires an explanation
7 of the long-range plan for using this OPEB trust
8 fund. So OPEB stands for other post employment
9 benefits. "Other" is -- essentially, it's not
10 pension. It's the healthcare costs.

11 Andover has an unfunded liability of --
12 let me go back here, back -- there -- of \$145
13 million as of last year 2013's actuarial valuation.

14 The unfunded refers to the amount of money
15 that's been promised but no money has yet been set
16 aside for it.

17 So the actuarial projections are based on
18 a number of factors: The number of employees, when
19 they might retire, their expected longevity,
20 expected interest rates.

21 So there are -- this here shows the --
22 what the actuaries have projected if we do not put
23 any money into the trust fund. So this will be our
24 unfunded liability if we do nothing, and its fiscal

1 year on the horizontal axis there.

2 And so currently we have an unfunded
3 liability of \$145 million. In 30 years, it's
4 projected to rise to be almost \$590 million.

5 So that's a big number. And the Town
6 Manager has come up with a plan to begin addressing
7 this so that we can whittle down that liability.

8 The Town Manager's plan involves putting
9 money into the OPEB trust fund from two sources:
10 Operating budget and free cash. Last night the
11 last thing we voted on -- line 24 of Article 4 --
12 put \$4,000 from the operating budget into the OPEB
13 trust fund -- 400,000. Did I say...

14 Forget that.

15 So the plan is to increase that amount
16 about \$100,000 every year. So you WOULD expect
17 that line to be \$500,000 next year and 600,000 the
18 year after.

19 The second part of this plan is to take 25
20 percent of free cash and put that into the OPEB
21 trust fund every year. And free cash varies year
22 to year. This year that's -- this article that
23 we're voting on, it's \$1 million that would go into
24 the OPEB trust funds.

1 So if we do this faithfully year after
2 year for 30 years, the actuaries have projected
3 that we will have \$230 million in our OPEB trust
4 fund.

5 So the obvious question is, what does this
6 do to our unfunded liability? Well, this is the
7 graph I showed you before with the unfunded
8 liability going up to almost 590 million. If we
9 put money into the trust fund every year, as --
10 according to plan, this liability drops, as shown
11 in this graph here.

12 So there's two things to notice: One is
13 funding the trust fund according to this plan does
14 substantially reduce the liability. But the other
15 thing to notice is there is still a substantial
16 liability if this is all that we do.

17 There are other things we can do to
18 address this liability. And, in fact, this Board
19 of Selectmen have already taken some steps towards
20 this. These numbers are from last June's actuarial
21 valuation.

22 Since then the Board of Selectmen have
23 recommended taking money from the water and sewer
24 budget and putting it into the OPEB trust fund; and

1 you, in fact, voted on that last night. They are
2 also moving to bring the retired teachers back into
3 the town plan, which will help reduce the
4 liability.

5 There are other actions that can be taken
6 to address the liability. If you look on page 20
7 of your Finance Committee report, you will see a
8 summary of what else can be done.

9 But an important thing to understand is
10 those other actions are not under Town Meeting
11 control. What is under Town Meeting control is
12 allocating money into the OPEB trust fund. It's
13 also important to note that this trust fund plan
14 can evolve over time to meet changing
15 circumstances.

16 So in summary, funding the OPEB trust fund
17 according to this plan will make a substantial
18 reduction in our unfunded liability; and this
19 particular article is an integral component of that
20 funding plan. So the Finance Committee recommends
21 approval.

22 MR. POKRESS: Point-of-order question.

23 MODERATOR DOHERTY: You have a point of
24 order?

1 MR. POKRESS: Yes. Bob Pokress, 3
2 Cherrywood Circle.

3 Peggy, you partially answered the question
4 that I have. My question is, could the question --
5 could the Board of Selectmen, the Town Manager, the
6 Finance Committee put up on the screen a chart that
7 shows, year by year, under the most conservative
8 assumption -- because the part of my question which
9 you answered is we can't count on controlling
10 anything other than the amount of money we put in
11 ourselves, given those things that are outside of
12 our control -- say, at the state level.

13 But could you put up a chart that shows
14 year by year how much we have to put into the fund
15 just to get to the break-even point on the unfunded
16 liability?

17 Let's just assume for the sake of
18 discussion that there's zero inflation and make the
19 arithmetic simple.

20 MODERATOR DOHERTY: Do we have a slide?

21 MS. KRUSE: I don't have a chart for that.

22 MODERATOR DOHERTY: They don't have a
23 slide that could demonstrate that to you, Bob.

24 Is that -- is that accurate?

1 They do not have a slide available to show
2 you that. It's just not available to you tonight.

3 MR. POKRESS: I think the reason I ask
4 just -- as one example, is if you're doing a little
5 basic arithmetic and take the 100,000 a year and
6 increase it by 100,000 a year, by year 25 from now,
7 we'd have to contribute \$65 million out of our
8 operating budget into OPEB; and I don't think
9 that's what the Selectmen or the Finance Committee
10 would certainly intend.

11 So that's why I was asking, if you have a
12 chart that shows the actual plan that you've put
13 together that says -- under the most conservative
14 set of assumptions -- including, say, zero
15 inflation -- just to keep the arithmetic simple --
16 how much we'd have to contribute out of our
17 operating budget each year to bring the unfunded
18 liability down to zero.

19 MODERATOR DOHERTY: Okay. I think -- I
20 think the answer was no, they don't have the chart.
21 I appreciate your comment.

22 Yes, sir.

23 Then we'll come down here back to you.

24 If you can identify yourself, please.

1 MR. ARAI: Yes, I'm Max Arai from County
2 Road.

3 MODERATOR DOHERTY: Thank you.

4 MR. ARAI: I had a question about why this
5 is being allocated from free cash instead of being
6 an ordinary budget item, because free cash is a
7 very slippery thing. It varies from year to year;
8 it's -- you know, it's had a huge variation; and
9 the spending that's being applied from Town Meeting
10 is something that's -- it's kind of ad hoc whether
11 or not these things get approved or even suggested
12 to get moved.

13 So the question is -- is why is this not
14 part of the regular budget?

15 MODERATOR DOHERTY: Why is this not part
16 of the regular budget?

17 Is there someone on Finance Committee...

18 MODERATOR DOHERTY: There you go, sir.

19 MR. STAPCZYNSKI: I can respond to that.
20 In the plan that I put forth, I had two basic
21 elements: One of them was out of the general fund
22 -- we voted that yesterday; and we're starting off
23 with 400,000 this year; and my plan called for
24 400,000 this year, and then an additional 100,000

1 out of the general fund every year.

2 You are correct. There is some
3 fluctuation in the free cash. But over the last 25
4 or 30 years, we've looked at free cash, our average
5 free cash has been between 3 million and 3.2
6 million. The last few years, we've been very
7 fortunate to have it in the \$4 million category.

8 So when I put the plan together, I didn't
9 say \$1 million every year; I said a quarter of
10 whatever our free cash is. If we get into tough
11 times and our free cash is -- is a million dollars
12 or half a million, then it would be a fraction of
13 that. Definitely that would float.

14 But over the last 20, 25 years, we've
15 averaged well over \$3 million a year in free cash.

16 MR. ARAI: Well, as recently as 2012, the
17 free cash going into the meeting was only 1.2
18 million -- according to the table on page 42 -- so
19 I don't find that a very convincing argument. I
20 mean, economic cycles happen pretty frequently, as
21 we've been seeing.

22 And it seems to me that this is a lack of
23 commitment on the part of the town management to
24 actually fund this liability. You know, we only

1 want to pay for it when we're feeling flush.

2 MR. STAPYCZYNSKI: May I...

3 No. Again, I take exception to that,
4 because, as I said, out of the general fund, we
5 would be paying 400,000 this year, 500,000 the
6 next, 600,000 the following year.

7 So I would disagree with you. We do have
8 a commitment; and I would trust that the board, and
9 the Finance Committee, and I will continue with
10 that commitment. We feel it's very important.

11 MR. ARAI: Well, as a clarification, if
12 you would confirm that the shortfall in the
13 payments to the OPEB are on the order of 4 1/2
14 million this year; that's what was recommended by
15 the town's accountants as the annual employer
16 contribution -- that that shortfall is about \$4 1/2
17 dollars.

18 MR. STAPCZYNSKI: No question. Our -- our
19 annual required contribution by the actuaries is
20 very high. We don't intend to beat it this year,
21 but, again, we are moving forward. We have a plan
22 to recognize, and it's been accepted by the Board
23 of Selectmen.

24 MODERATOR DOHERTY: Thank you, sir.

1 Down here. Go ahead, Mr. Landry.

2 MR. LANDRY: Bob Landry, Seminole Circle.

3 I want to give this one more shot. One
4 reason -- I just think everyone needs to understand
5 what this benefit is.

6 The reason why that red line up there is
7 going off the charts is because of what the OPEB
8 benefit is; and I don't think this is said often
9 enough. Here's what the benefit is: If you work
10 for the Town of Andover for as few as 20 hours a
11 week and accumulate just 10 years of service, you
12 and your surviving spouse will receive subsidized
13 health insurance benefits for the rest of your life
14 beginning at age 55.

15 I think that's all you need to know as to
16 why that number is running off the charts. And my
17 concern with this piece here is that this is the
18 last piece in this year's budget that goes towards
19 this OPEB funding.

20 Last year we put \$325,000 towards this
21 massive unfunded liability. This year already
22 approved there are -- through Article 4 -- we've
23 got a little over \$600,000; a significant increase
24 already. And now, the final piece, they want you

1 to take \$1 million more out of free cash and put
2 it, again, against this liability.

3 It is a drop in the bucket. It is not
4 even close to what we need to be doing. And I just
5 think, in my view, this is a system that, one,
6 there should be no rush; two, all these numbers
7 that we're looking at right here, are based on an
8 actuarial report that was just completed in
9 January. You need to know that none of these
10 boards here have sat down with the actuary and had
11 a presentation of this report. So all the
12 questions that are coming up last night, here, such
13 as the change in discount rate, all the -- all the
14 intricacies of how the valuation is calculated have
15 not been fully vetted.

16 There are people on this stage that
17 probably still have questions as to how -- what
18 assumptions are built in, what assumptions were
19 changed since the last valuation. We're showing
20 \$145 million liability. I mean, I don't know about
21 you, that's big enough for me to be worried. But
22 part of the reason it got there was simply because
23 of a funny thing called GASB 45 allowed us to play
24 with the interest rate; and that got it down.

1 There are other things that helped it,
2 yes. But this is not something that we're going to
3 be able to fund our way out of; and I just think we
4 ought to hit the brakes for a second.

5 We have already out in enough money last
6 year; it's enough to keep the S&Ps and analysts
7 happy and keep our Triple A rating -- all of the
8 things you've been hearing about last night. We've
9 done enough this year. This million dollars should
10 stay in free cash.

11 MODERATOR DOHERTY: Thank you, sir.

12 Any other comments?

13 Yes, sir? No. 4, please -- No. 4 mic.

14 MR. LUCKMAN: Madam Moderator, Greg

15 Luckman, 13 Florence Street.

16 This is just a general question on this --
17 the statement by the preceding speaker was that
18 this is the last that we'll see of OPEB tonight. I
19 just want to ask the Town Manager, is a potential
20 increase in the water and sewer rates being
21 considered as further additional funding for the
22 future for this?

23 MR. STAPCZYNSKI: To answer your question,
24 we took the big increase this year in both water

1 and sewer. I would expect that if our annual
2 required contribution for water and sewer is
3 increased -- let me just step back.

4 Every two years we are required to have an
5 actuarial review of our OPEB liability. So in --
6 in a year and a half, two years, we'll get another
7 one. And if they require an increase, then that
8 will be seen in the water and sewer rates. How
9 extensive it would be, I couldn't tell you at this
10 point; but to have a proper enterprise fund fully
11 funded and -- with the cost accounting -- properly
12 done, we will include the parts for both water and
13 sewer in there. And, again, at this point, I can't
14 tell you what the impact to the ratepayer will be
15 at that time.

16 MR. LUCKMAN: Okay. So just point of
17 information: Possibly this will come up again
18 later on tonight in Article 58, because that is for
19 water and sewer rate study.

20 MR. STAPCZYNSKI: Yes. Perhaps it could.

21 But last night we voted the water and
22 sewer budget, which included, as you reference, the
23 ARC for both of those divisions.

24 MR. LUCKMAN: I'm just speaking long term.

1 MR. STAPCZYNSKI: Thank you.

2 MODERATOR DOHERTY: Thank you.

3 Doctor Colby-Clements, please. How are
4 you?

5 DOCTOR COLBY-CLEMENTS: Good evening.

6 Paula Colby-Clements, 119 Chestnut Street.

7 I first had a question a year ago or two
8 years ago when we had the presentation to the
9 tri-board about coming up with an OPEB plan. I
10 recall one of the things that we were advised is
11 when you have a plan, one of the bad things that
12 you could do that might impact your bond rating is
13 funding high, then funding low, funding high, and
14 funding loan; that if you're going to fund, it
15 needs to be steady.

16 So my concern is, as Mr. Landry pointed
17 out, last year we funded at 325,000. This year
18 we're at 4 just out of the operating fund. We have
19 the ARC in the water and sewer budget. We have a
20 million out of free cash. It's pretty clear that
21 is not a level that we're going to be able to
22 sustain year after year.

23 So if we don't, what effect does that then
24 have on our bond rating, is my first question?

1 MR. STAPCZYNSKI: Yes -- I would
2 respectfully disagree, because, again, almost
3 300,000 is coming from the water and sewer
4 enterprise fund, as previously mentioned; and as I
5 said before to the other speaker, we start off with
6 400,000 this year. And my commitment is to add
7 100,000 out of the general fund every year; and the
8 third -- the third leg of this is out of the -- out
9 of free cash.

10 So whether free cash goes up to 4 million
11 or drops down to 2 million, we're still only taking
12 a piece of it. I think what would be important
13 when we talk to the S&P analysts or Moody's
14 analysts is that we are continuing the plan as,
15 again, the free cash wasn't a hard and set
16 amount -- percentage of it.

17 So I -- I would say it shows consistency
18 and good faith to follow the plan. I think we can
19 make a good argument with that.

20 MODERATOR DOHERTY: Okay. I just -- go
21 ahead.

22 DOCTOR COLBY-CLEMENTS: I guess -- just as
23 a final comment, I would respectfully submit that I
24 don't know, based on going through the budget

1 process the past few years, that it's going to be
2 sustainable for us to increase the contribution
3 100,000 every year; and even if it we could, we're
4 not going to meet the liability.

5 I would like to see us have more
6 discussions about what the plan -- as it's been
7 pointed out by Peggy Kruse -- there are things that
8 are out of our control. But as a town who may want
9 to collaborate with other towns, we might be able
10 to put pressure on our legislative delegation to
11 change the law so that we can really address this
12 liability. And right now to move the money out of
13 free cash is probably not the best thing to do with
14 taxpayer dollars.

15 If we leave it there, no harm, no foul.
16 We spend a little more time looking to see whether
17 or not it's a good idea, and it would be there next
18 year to move if we chose to do so. So I would
19 recommend not approving this.

20 MODERATOR DOHERTY: Thank you.

21 MR. STAPCZYNSKI: Well, Paula, I'm glad
22 you mentioned the legislative delegation, because
23 House 59 -- an act providing retiree healthcare
24 benefits reform -- has been in committee on Beacon

1 Hill for a considerable period of time. And there
2 are a number of elements in it, if passed, would
3 have serious positive impact to municipalities.

4 And I've talked to the MMA about
5 continuing promoting this; and there are a number
6 of issues with an election year upcoming, but I
7 have been told -- and Alex is on the MMA, perhaps
8 he can help push it through -- that the -- that
9 after the elections of this fall, the MMA will pick
10 this up as a torch to carry for all of us, because
11 this is -- there's serious money here for every
12 municipality across the state. So we are paying
13 attention to that legislation.

14 MODERATOR DOHERTY: Thank you.

15 Mr. Major, then this woman up here at mic
16 6, and then over here.

17 MR. MAJOR: That was the same answer I was
18 going to --

19 MODERATOR DOHERTY: Perfect. Are you all
20 set? Thank you.

21 Mic No. 6, please.

22 MS. SCULLY: Hi.

23 MODERATOR DOHERTY: How are you?

24 MS. SCULLY: I'm doing well. How are you?

1 MODERATOR DOHERTY: Good. Thank you.

2 MS. SCULLY: I'm Shannon Scully; I live on
3 School Street.

4 I just wanted to address the board for
5 this article. My concern is really looking at
6 these numbers -- they're gigantic, and quite
7 frankly, looking around the room, I'm not sure a
8 lot of us are going to be here in FY '41, except
9 for maybe the folks that are required to be here
10 for a class.

11 But the reality is, these numbers are
12 gigantic. And I want to thank you Mr. Landry for
13 the slides that he put together last night, that
14 really shed the light on how big of a problem this
15 is. I think we're all in agreement that it's huge.

16 I think the surprising thing -- and just
17 to take the analogy that was presented last
18 night -- is us being in a hole a little bit
19 further. I don't think -- or -- I agree that when
20 you're in the hole, you don't dig deeper. But I
21 disagree that you stand there at the bottom of the
22 hole and whine about why you got there. And I
23 don't think you should stand at the bottom the hole
24 and hope that the federal or state government comes

1 and throws a rope down to bail you out.

2 So I think we need to follow the advice of
3 the folks on the stage and try to figure out a way
4 out of this mess. And I want to make sure that, as
5 we vote tonight, we're not confusing the discussion
6 of whether or not employee benefits are too
7 generous -- maybe they are; and I don't want to
8 confuse whether or not there are other solutions to
9 this problem, such as employees contributing
10 more -- maybe they should; but the reality is where
11 we are today is that we've got a big problem. And
12 there's been a solution presented; and I think we
13 should go with that. Thank you.

14 MODERATOR DOHERTY: Thank you. Mr. Deso.

15 MR. DESO: Tom Deso; 81 High Street.

16 First thing I'll admit is, I'm not the
17 sharpest knife in the drawer; but when I look at
18 this and realize we have \$145 million liability now
19 based on the recent actuarial -- and if we don't do
20 anything, we'll have almost a \$600 million
21 liability in 30 years; and if we do this, we'll
22 have a \$360 million liability in 30 years -- I'm
23 not sure this is doing anything to really help us;
24 and I don't believe it solves the problem.

1 I would ask, as Mr. Landry did, that we
2 sit back and take a little more time to look at
3 this and try to come up with some -- some different
4 solutions. I think we've already contributed more
5 than we contributed last year. I think that's
6 enough for now.

7 I think we need to take some more time and
8 look at this issue; and I would -- I would suggest
9 that we vote against this article. Thank you.

10 MODERATOR DOHERTY: Thank you. Yes, sir;
11 right here. Thank you.

12 MR. CORDERARRO: Hi Chris Corderarro, 70
13 Holt Road.

14 Last night I thought that there was a bit
15 of rancor in the meeting; so I went home, and I
16 looked up some things. Here is the definition of
17 cowardice from Wikipedia. It says: "Cowardice is
18 a trait wherein fear and excess self concern
19 override doing or saying what is right, what's
20 good, and what's of help to others or one's self in
21 a time of need."

22 And I think this is definitely a time of
23 need; and we need \$145 million. That's -- that's
24 reasonable. And the reason we need this is because

1 we've made some promises and some contracts to the
2 people who we've employed to work for us. And I
3 think the American way is supposed to be to fulfill
4 your contracts, to fulfill your promises, not to
5 just rack up debt, and then hope that somebody else
6 will bail us out. I think that sounds an awful lot
7 like Ukraine. I mean, we could ask Russia to come
8 and take us over once we owe \$390 million.

9 To turn this down -- to say that, Oh, my
10 God, this is such a big hole; we can't do
11 anything -- is -- is I think a little bit
12 cowardly -- cowardice.

13 This is a reasonable plan. We've asked
14 our -- our elected members and Town Manager to come
15 up with a plan. They have. It seems like a
16 reasonable plan. Is it the best plan? Is it the
17 perfect plan? Probably not. Will we have to
18 revisit it in the future? Well, of course.

19 No one can predict anything out 20 years;
20 we can't predict anything out 10 years. So we're
21 going to have to look at this. But for us to do
22 nothing -- the nicest thing you could say about
23 that is it's foolish. These are reasonable
24 numbers; this is a reasonable plan. I would urge

1 people to support it and move on. Thank you.

2 MODERATOR DOHERTY: Thank you. I thought
3 maybe you were amending to have Russia take us over
4 in 20 years.

5 MR. CODERARRO: We don't have to do that.

6 MODERATOR DOHERTY: Exactly. Thank you,
7 sir.

8 Yes, sir.

9 MR. BROWN: Don Brown; 36 York Street.

10 As a former member of both the school
11 committee and the Finance Committee of the town,
12 I've had some experience over the years of dealing
13 with employee benefit issues. My concern at this
14 point with this article is that we are -- we have a
15 reasonable approach for addressing the revenue
16 portion of it. That is, there is a plan -- I think
17 it's a reasonable plan -- that the town needs to
18 invest money against this liability that will grow
19 in the future.

20 But we have no real plan yet -- despite
21 what the Town Manager has listed -- to control the
22 expense side of it. And I think it would be very
23 reasonable to wait until we hear more about what
24 the state legislature is going to do, what is going

1 to happen in negotiations with our various
2 employees; and, by the way -- point of personal
3 information -- I am a parent of a town employee.

4 But I still think it would be prudent for
5 this Town Meeting to say, Let's put the brakes on
6 it. We've already appropriated money to this
7 account for this year. Let's stop at this point
8 and say, Let's wait till next year, and we can hear
9 from the Town Manager, from the School Committee,
10 from the Board of Selectmen about how negotiations
11 are going and what may happen to our benefits
12 demands in the future. I think we're dealing with
13 only one half the problem.

14 MODERATOR DOHERTY: Okay. Are you ready
15 to vote?

16 Thank you. All those in favor of Article
17 9.B, please raise one hand.

18 Thank you. Those opposed?

19 The ayes clearly have it. The motion
20 carries.

21 Article 10, Mr. Salafia.

22 MR. SALAFIA: Yes, Madam Moderator. I
23 move to withdraw article 10 from the warrant.

24 MODERATOR DOHERTY: Article 10 has been

1 moved to be withdrawn.

2 Anybody object?

3 All those in favor, please raise one hand.

4 Thank you. Those opposed?

5 The article has been withdrawn.

6 Article 11 -- if you could take a look in
7 your -- your Finance Committee report, there are a
8 number of consent agendas which are housekeeping
9 items that we vote on every single year. We have
10 to by law. And they are listed on pages 50 to 53.

11 I would like to take items 11-A through F,
12 as in Frank -- A through F -- as printed in the
13 warrant. If anybody objects to any one of those, I
14 will certainly leave that out, and we can vote on
15 the others.

16 Would there be any objection from any
17 member of the assembly to taking item 11-A through
18 F at this time?

19 Could I have a recommendation, please,
20 from the Board of Selectmen?

21 MS. O'DONOGHUE: Motion No. 1, I move to
22 approve the consent agenda Articles 11-A through
23 11-F as printed in the warrant.

24 MODERATOR DOHERTY: Thank you.

1 Mrs. Marden?

2 MRS. MARDEN: Finance Committee recommends
3 approval.

4 MODERATOR DOHERTY: Any questions?

5 All those in favor, please raise one hand.

6 Thank you.

7 Those opposed?

8 Items 11 through F are passed.

9 11-G, please, Mrs. O'Donoghue.

10 MS. O'DONOGHUE: Motion No. 2 -- I move
11 Article 11-G as follows: That the town vote to
12 rescind the following unissued bond authorizations:
13 190,000, Article 33, 2010 Annual Town Meeting water
14 treatment plan GAC replacement, 550,000 Article 54,
15 2013 Annual Town Meeting, Reichold land purchase.

16 MODERATOR DOHERTY: Motion 2 of Article 11
17 has been made and seconded.

18 Selectmen's report, please, Mrs.
19 O'Donoghue.

20 MS. O'DONOGHUE: The Board of Selectmen
21 recommend approval.

22 MODERATOR DOHERTY: Thank you. Mrs.
23 Marden, Finance Committee report.

24 MRS. MARDEN: When a project's complete

1 and it becomes evident that the town meeting has
2 authorized more borrowing than will be needed, the
3 authorization for what those remaining funds can
4 and should be rescinded. These two bond
5 authorizations -- one was Article 33 of 2010 for a
6 million dollars; the work to the water treatment
7 plant has been completed, and funds remain in that
8 article.

9 Last year we voted additional money for
10 Reichold surface -- purchase in the amount of
11 \$550,000; and that can't go forward now, so this
12 article would rescind that authorization also.

13 MODERATOR DOHERTY: Thank you. Just for
14 the -- just for the meeting's information, when we
15 vote to borrow money, we need to have a two-thirds
16 vote. If we want to put it back, or rescind it, or
17 take away the authority, we will only require a
18 majority vote.

19 Yes, sir, do you have a question?

20 Mic No. 3, please.

21 MR. ROWE: Mike Rowe, College Circle --

22 MODERATOR DOHERTY: Thank you, Mike.

23 MR. ROWE: -- and I'm probably going to
24 get shut off here; but you blew through A through

1 F, and I never expected, you know, boom, boom,
2 boom. It was going to be a vote, and that's it.

3 I had a question on E, the contracts in
4 excess of three years. And this is important to
5 me, because as I read the last sentence, it seems
6 to state that a contract can be vote -- can be
7 accepted or voted on by the Board of Selectmen or
8 the School Committee as appropriate -- that means
9 beyond a three-year time frame; and am I correct
10 that presently a contract -- say that the School
11 Committee wished to -- for instance, I'm going to
12 use --

13 MODERATOR DOHERTY: Is your point -- is
14 your point of information --

15 MR. ROWE: Has it changed from three years
16 to four years --

17 MODERATOR DOHERTY: No. Is it the type --

18 MR. ROWE: -- without the Selectmen's
19 approval?

20 MODERATOR DOHERTY: Can I just ask you a
21 question, sir -- trying to get a clarification?

22 MR. ROWE: Yeah.

23 MODERATOR DOHERTY: Are you looking for
24 what types of contracts can be extended beyond

1 three years?

2 MR. ROWE: Yes. For instance, I wanted to
3 deal with, for instance --

4 MODERATOR DOHERTY: Okay. I would like to
5 get the answer to that question, 'cause we've
6 already voted. So let me -- as a courtesy to
7 you -- get the answer.

8 MR. ROWE: I understand. But does it
9 include, like, the contract that was for the
10 computers? The 400 --

11 MODERATOR DOHERTY: Let me have Counsel
12 answer your question.

13 MR. ROWE: Yeah.

14 MODERATOR DOHERTY: Okay. Thank you.

15 MR. URBELIS: This warrant article relates
16 to Chapter 30(b), which is the uniform procurement
17 act for goods and services. And it says that the
18 -- a vote of Town Meeting for anything beyond three
19 years; and so we do this every year to give the
20 flexibility to the Board of Selectmen and school
21 committee in various goods or services.

22 I think -- if I'm anticipating your next
23 question, I'll answer that -- if you're going with
24 regard to the issue of the computer issue that has

1 come up, that was bid under the state bid list; and
2 any contracts under that state bid list do not come
3 under Chapter 39(b), which has the three-year
4 restriction.

5 MODERATOR DOHERTY: Article 12. Mr.
6 Kowalski.

7 MR. KOWALSKI: Madam Moderator --

8 MODERATOR DOHERTY: Did we vote on -- did
9 we vote -- I'm very sorry. I'm very sorry. I am
10 very sorry.

11 So we have motion 2, 11-G; all those in
12 favor, please raise one hand. Thank you.

13 Those opposed?

14 The ayes clearly have it. The vote
15 carries. I'm very sorry about that.

16 Article 12, Mr. Kowalski.

17 MR. KOWALSKI: Madam Moderator, I move to
18 approve article 12 as printed in the warrant.

19 MODERATOR DOHERTY: Article 12 has been
20 moved and seconded. Mr. Kowalski?

21 MR. KOWALSKI: Madam Moderator, this
22 article allows the Board of Selectmen and the
23 School Committee to grant various routine easements
24 for various purposes on town properties that are in

1 their care and custody. Board of Selectmen
2 recommends approval.

3 MODERATOR DOHERTY: Thank you. Finance
4 Committee report, please, Mrs. Kruse?

5 MS. KRUSE: Finance Committee recommends
6 approval.

7 MODERATOR DOHERTY: Thank you. Are there
8 any questions?

9 All those in favor, please raise one hand.

10 Thank you.

11 Those opposed?

12 I do need a two-thirds vote. Could we do
13 that again, please? I'm sorry.

14 All those in favor, please raise one hand.

15 Thank you.

16 Those opposed?

17 It's clearly far more than a two-thirds
18 majority. I would declare it as such.

19 Does anyone want to challenge that
20 declaration?

21 Thank you. I would declare it to be more
22 than two-thirds vote.

23 Article 13, Mr. Major.

24 MR. MAJOR: Thank you, Madam Moderator.

1 I'm happy to report that the town has zero
2 unpaid bills. So I move to withdraw Article 13
3 from the warrant.

4 MODERATOR DOHERTY: Article 13 has been
5 moved to be withdraw.

6 All those in it favor, please raise one
7 hand.

8 Thank you.

9 Those opposed?

10 The ayes have it. The motion is
11 withdrawn.

12 Article 14, Mr. Salafia.

13 MR. SALAFIA: Yes, Madam Moderator.

14 I move to approve Article 14 as printed in
15 the warrant.

16 MODERATOR DOHERTY: Article 14 has been
17 moved and seconded.

18 Mr. Salafia.

19 MR. SALAFIA: Yes. Chapter 90 is the
20 annual transportation bond bill funding the
21 Commonwealth issues to cities and towns for roadway
22 paving and other associated work.

23 The Board of Selectmen recommends
24 approval.

1 MODERATOR DOHERTY: Thank you. Mr.
2 Fortier, Finance Committee report?

3 MR. FORTIER: Madam Moderator, the Finance
4 Committee recommends approval of Article 14.

5 MODERATOR DOHERTY: Thank you. Any
6 questions or comments?

7 I also need a two-thirds vote on this.
8 All those in favor, please raise one hand.
9 Thank you.

10 Those opposed?

11 The ayes have it by far more than a
12 two-thirds vote.

13 Does anyone challenge that declaration?

14 Thank you. I declare it to be more than a
15 two-thirds vote. It passes.

16 Article 15, please, Mrs. O'Donoghue.

17 MS. O'DONOGHUE: I move to appropriate and
18 raise by taxation the amount of \$14,000 for the
19 Gerry Silverman fireworks program as part of the
20 4th of July festivities.

21 MODERATOR DOHERTY: Mr. Pyxus (phonetic),
22 do you have something to say?

23 MR. PYXUS: Thank you, Madam Moderator.
24 On behalf of my good friend, Jerry Silverman, I ask

1 for your support on this annual event; I'd like to
2 keep the tradition going. You'll see these jars
3 around town; and feel free to put anything you want
4 in there.

5 MODERATOR DOHERTY: Thank you, sir.
6 Selectmen's report, please?

7 As long as it's monetary, is that what
8 you're saying?

9 MR. PYXUS: Absolutely.

10 MODERATOR DOHERTY: Thank you.
11 Selectmen's report, please, Mrs. O'Donoghue?

12 MS. O'DONOGHUE: Board of Selectmen
13 recommend approval.

14 MODERATOR DOHERTY: Finance Committee
15 report, Mrs. Anderson?

16 MRS. ANDERSON: Finance Committee
17 recommends approval.

18 MODERATOR DOHERTY: Any questions or
19 comments?

20 All those in favor, please raise one hand.

21 Thank you.

22 Those opposed.

23 See you on the 3rd of July. The motion
24 carries.

1 THE FLOOR: Jerry, thank you.

2 MODERATOR DOHERTY: Hopefully we will have
3 no ice.

4 Article No. 16, please, Mr. Vispoli.

5 MR. VISPOLI: Madam Moderator, I move that
6 Article 15(a) through M, revolving accounts be
7 approved as printed in the warrant.

8 MODERATOR DOHERTY: Article 16 has been
9 moved and seconded. If you take a look at page 56
10 in your Finance Committee report, there are a list
11 of revolving accounts where money comes in and
12 comes out due to fees or expenses that -- that go
13 in and out. We take this each year as one vote so
14 that we don't have to approve each separate
15 revolving account.

16 If anyone has a question and wants to
17 withhold one of these accounts, I'm happy to do
18 that.

19 If not, then I will ask for a
20 recommendation from the Selectmen for a
21 recommendation, please.

22 MR. MAJOR: Madam Moderator, the Board of
23 Selectmen recommends approval.

24 MODERATOR DOHERTY: Thank you. Finance

1 Committee report?

2 FINANCE COMMITTEE: Finance Committee
3 recommends approval.

4 MODERATOR DOHERTY: Thank you. Any
5 questions?

6 All those in favor, please raise one hand.

7 Thank you. Those opposed?

8 The ayes have it. The motion carries.

9 Article 17, Mr. Kowalski.

10 MR. KOWALSKI: Madam Moderator, I move to
11 appropriate and raise by taxation the sum of \$8,000
12 for the purpose of continuing to provide for an
13 elderly and disabled transportation subsidy
14 program.

15 MODERATOR DOHERTY: Article 17 has been
16 moved and seconded.

17 Mr. Kowalski?

18 MR. KOWALSKI: Board of Selectmen
19 recommends approval.

20 MODERATOR DOHERTY: Thank you. Ms.
21 Anderson -- Finance Committee?

22 MS. ANDERSON: Finance Committee
23 recommends approval.

24 MODERATOR DOHERTY: Any questions or

1 comments?

2 All those in favor, please say aye.

3 I'm sorry. Just wanted to keep you awake.

4 All those in favor, please say aye.

5 Those opposed?

6 Thank you. The ayes have it. The motion
7 carries.

8 Article 18, Mr. Major.

9 MR. MAJOR: Thank you, Madam Moderator.

10 I move to appropriate and raise by
11 taxation the sum of \$5,000 for the purpose of
12 paying a portion of the municipal cost associated
13 with civic events in the downtown.

14 MODERATOR DOHERTY: Article 18 has been
15 moved and seconded. Mr. Major?

16 MR. MAJOR: The Board of Selectmen
17 recommends approval. This money will help to
18 defray the overtime costs associated with events
19 such as Andover Days.

20 MODERATOR DOHERTY: Thank you. Finance
21 Committee report?

22 MS. ANDERSON: Finance Committee also
23 recommends approval.

24 MODERATOR DOHERTY: Finance Committee

1 recommends approval. Any questions?

2 All those in favor, please raise one hand.

3 Thank you. Those opposed?

4 The ayes have it. The motion carries.

5 Article -- Article 19. Mr. Salafia?

6 MR. SALAFIA: Yes, Madam Moderator.

7 I move to approve Article 19 as printed in
8 the warrant.

9 MODERATOR DOHERTY: Article 19 -- there's
10 been -- a motion has been made and seconded.

11 Mr. Salafia, Selectmen's report?

12 MR. SALAFIA: This article provides \$6,000
13 for Spring Grove Cemetery repairs including roadway
14 paving, masonry work to historic stone wall, and
15 support for the cemetery master plan. Funding is
16 out of the funds from interest on the Spring Grove
17 Cemetery perpetual care fund. The Board of
18 Selectmen recommends approval.

19 MODERATOR DOHERTY: Thank you. Finance
20 Committee, please? Mrs. Kruse.

21 MS. KRUSE: Finance Committee recommends
22 approval.

23 MODERATOR DOHERTY: Any questions or
24 comments?

1 All those in favor, please raise one hand.

2 Those opposed?

3 Thank you. The ayes have it. The motion
4 carries.

5 Article 20, please. Mrs. O'Donoghue.

6 MS. O'DONOGHUE: I move that the town
7 appropriates the sum of \$138,000 to pay costs of
8 constructing a sidewalk on Holt Road, including the
9 payment of any other costs incidental and related
10 thereto; and that to raise this appropriation, the
11 treasurer, with the approval of the Board of
12 Selectmen, is authorized to borrow said amount
13 under and pursuant to Chapter 44, Section 7.12.6 of
14 the general Laws or any other enabling authorities.
15 The Board of Selectmen is authorized to acquire any
16 necessary easements associated with this project by
17 gift, purchase, or eminent domain.

18 MODERATOR DOHERTY: Article 20 has been
19 moved and seconded. Is there a presentation to be
20 made?

21 Do you have anything further to say?

22 MS. O'DONOGHUE: Article 20 appropriates
23 \$138,000 for a sidewalk on Holt Road between
24 Stinson and Bancroft Streets. The sidewalk master

1 plan gives priority to construct two sidewalks on
2 at least one side of the streets within one mile of
3 a school or other municipal facility, which
4 generates heavy pedestrian traffic. This section
5 of the proposed sidewalk is within one mile of the
6 new Bancroft School.

7 MODERATOR DOHERTY: Thank you. Then the
8 Selectmen's report, please.

9 MS. O'DONOGHUE: The Board of Selectmen
10 recommend approval.

11 MODERATOR DOHERTY: Thank you. Finance
12 Committee report, please, Mr. Barry.

13 MR. BARRY: Finance Committee recommends
14 approval of Article 20 as printed in the warrant.

15 MODERATOR DOHERTY: Thank you. And
16 Planning Board, please, Mr. Doherty.

17 MR. DOHERTY: Planning Board recommends
18 approval.

19 MODERATOR DOHERTY: Thank you.

20 Any questions?

21 Yes, sir.

22 MR. CORDERARRO: I'm not sure which
23 microphone -- I'm not really pro or con --

24 MODERATOR DOHERTY: If you could

1 identify --

2 MR. CORDERARRO: Chris Corderarro again;
3 70 Holt Road. I live on this section of road,
4 actually, on the corner of Bancroft and Holt. The
5 school has two entrances: A north entrance -- and
6 just for people's information -- a north entrance
7 that -- that comes onto Bancroft Road, a south
8 entrance that, via a path, comes onto Holt Road.

9 And so there are sidewalks on the north
10 part of town that feed into the north side of -- of
11 the school grounds. There are sidewalks on the
12 south part of town that feed into the south part of
13 the school grounds.

14 So this section of sidewalk was never
15 built, because it really only serves a few houses
16 there. There are pros and cons to the sidewalk.
17 My unofficial polling of the people there find some
18 people softly in favor; some people softly against.
19 No strong feelings.

20 This is a good time to borrow money to
21 build things. The -- the interest rates are low.
22 On the other side, people are trying to save money;
23 this would be an easy low-hanging fruit. If people
24 don't want to build this sidewalk, there's not a

1 pressing need for people to make a decision.

2 MODERATOR DOHERTY: Thank you. Thank you,
3 sir. Yes, sir.

4 MR. HOUND: Richard Hound; 3 Normandy
5 Road. I have a question: Is this to be
6 constructed on the east side of Holt Road?

7 MR. CRONIN: Hello. We have not
8 determined what side --

9 MODERATOR DOHERTY: If you can identify
10 yourself, please.

11 MR. CRONIN: I'm sorry. Chris Cronin,
12 director of municipal services. We haven't
13 identified what side of the road it will be built
14 on. We typically have public input for what side
15 people propose that to be on.

16 When we looked at the sidewalk about 20
17 years ago, it was on the east side; and at that
18 time, there was a couple of reasons not to go over
19 the big tree that would have needed to be cut down
20 that we didn't want to cut down. So, to add to
21 that, the sidewalk will be bituminous concrete and
22 granite curb. Again, there will be public input.

23 We also discussed this with the school
24 principal, as well as the superintendent of

1 schools; and they strongly were in favor of
2 building a sidewalk.

3 MODERATOR DOHERTY: Thank you. Any other
4 questions?

5 Those of you who don't know, Mr. Chris
6 Cronin is our new director of municipal services.
7 First time at the job and first time -- long-time
8 resident of the town; and it's wonderful to see you
9 in this position, Chris, and welcome in that
10 capacity to the meeting.

11 Yes.

12 MS. SULLIVAN: Hi. My name is Jeanie
13 Sullivan. I live at 5 Blueberry Hill Road; and I
14 strongly support -- I strongly support this
15 article. I have two children who walk home from
16 Bancroft daily on that back walker's path that
17 dumps out onto Holt Road. It's a very busy
18 intersection with only one stop sign stopping
19 traffic in one of three directions where -- it's a
20 four-way intersection where walkers come in, cars
21 come in two directions, and a stop sign only
22 stopping one side of traffic.

23 So right now there's one house with
24 school-aged children that would be served by this

1 particular sidewalk, but there's nothing to be said
2 that the other houses won't turn over in the next
3 several years. And I think that just the presence
4 of a sidewalk will have -- will have an impact to
5 drivers, making them realize that this is an area
6 where children are walking, and biking, and
7 scootering and everything else. I think it's very
8 important.

9 MODERATOR DOHERTY: Thank you very much.

10 Yes, sir.

11 MR. PASQUALE: John Pasquale, 47-B
12 Williams Street. Up until last August, my youngest
13 son owned a house on the corner of Holt and
14 Bancroft Road; and I used to take my granddaughter
15 for walks. I'm all in favor of the sidewalk.
16 However, I have a couple of questions. There's a
17 private way, it says, that goes up into the school.
18 I never could get an answer who owns the private
19 way. The school, the residents -- so part of that
20 question is, if they're going to do the sidewalk on
21 that side, we ought to consider doing some pavement
22 on that private way.

23 The second observation is that, through
24 the years -- this is what has happened -- where

1 people don't know where the sidewalk is, they start
2 to put beautiful things in front -- like the wall;
3 they've got fences; all kinds of flowers.

4 So I think you're going to have to have a
5 major discussion -- even though it's only a few
6 homes there -- because you're going to take all of
7 that away from the front of those houses.

8 So it might be wise -- it might be wise to
9 look at putting it on the other side of the street
10 just for that reason.

11 MODERATOR DOHERTY: I think -- I think Mr.
12 Cronin indicated they would talk with the neighbors
13 about that.

14 MR. PASQUALE: Okay. Thank you.

15 MODERATOR DOHERTY: Thank you, sir.

16 All those in favor of Article 20, please
17 raise one hand.

18 Thank you. Those opposed?

19 Thank you. The ayes have it. The motion
20 carries.

21 On line 2 -- okay. Okay. It's a
22 two-thirds vote. I'm sorry. Can we do that again,
23 please?

24 All those in favor, please raise one hand.

1 Thank you.

2 Those opposed.

3 The ayes clearly have it by far more than
4 a two-thirds vote.

5 Is there anyone who challenges that
6 declaration?

7 Thank you. I declare it to be more than a
8 two-thirds vote.

9 Article 21, please, Mr. Vispoli.

10 MR. VISPOLI: Yes, Madam Moderator, I move
11 to approve Article 21 as printed in the warrant.

12 MODERATOR DOHERTY: Article 21 has been
13 moved and seconded.

14 Go right ahead, sir. Do you have a --

15 MR. VISPOLI: Article 21 appropriates
16 \$30,000 from water and sewer reserves to engage a
17 geographic mapping company to help the town align
18 the new aerial photographs with its existing
19 geographic information. An additional \$15,000 from
20 taxation is included in Article 5.

21 MODERATOR DOHERTY: Selectmen's report,
22 please?

23 MR. VISPOLI: Selectmen recommend
24 approval, Madam Moderator.

1 MODERATOR DOHERTY: Thank you. Finance
2 Committee report, please.

3 MS. KRUSE: The Finance Committee
4 recommends approval.

5 MODERATOR DOHERTY: Thank you.

6 And, Mr. Doherty, the Planning Board
7 report?

8 MR. DOHERTY: Planning Board recommends
9 approval.

10 MODERATOR DOHERTY: Thank you. Any other
11 questions or comments?

12 All those in favor, please raise one hand.

13 Thank you.

14 Those opposed?

15 Thank you. The ayes have it. The motion
16 carries.

17 Article 22, Mr. Kowalski.

18 MR. KOWALSKI: Madam Moderator, I move
19 that the town appropriates the sum of \$500,000 to
20 pay costs of fire hydrant infrastructure
21 rehabilitation and improvements, including the
22 payment of any other costs incidental and related
23 thereto; and that to raise this appropriation, the
24 treasurer, with the approval of the Board of

1 Selectmen, is authorized to borrow said amount
2 under and pursuant to Chapter 44, Section 8, clause
3 7(c) of the General Laws or any other enabling
4 authority, and to issue bonds or notes of the town
5 therefor.

6 MODERATOR DOHERTY: Thank you.

7 Article 22 has been moved and seconded.

8 Mr. Kowalski.

9 MR. KOWALSKI: Board of Selectmen
10 recommends approval, Madam Moderator.

11 MODERATOR DOHERTY: Mr. Fortier.

12 MR. FORTIER: Madam Moderator, this will
13 be the second year of this project. And like last
14 year, the Finance Committee feels this is an
15 important public safety initiative and recommends
16 approval.

17 MODERATOR DOHERTY: Any other questions?

18 Any comments?

19 I require a two-thirds vote on this as
20 well.

21 All those in favor, please raise one hand.

22 Thank you.

23 Those opposed?

24 The ayes have it, clearly, by far more

1 than a two-thirds vote; and I declare it as such.

2 Article 23 -- with the meeting's
3 indulgence, I will be recusing myself from this
4 discussion. I am not directly involved in it, but
5 I will recuse myself. I've asked the Town Clerk if
6 he would conduct the discussion on this article.
7 Thank you.

8 MR. MURPHY: Article 23 is to petition
9 legislature regarding health insurance benefits for
10 Town of Andover election officials.

11 Mr. Major?

12 MR. MAJOR: Thank you, Mr. Town Clerk.

13 I move to -- I move to approve Article 23
14 as printed in the warrant. Additionally, as an
15 amendment, I move to amend the article to include
16 the following as part of the requested special act:
17 The provisions of this act shall not apply to
18 former elected officials or their spouses who are
19 receiving health insurance benefits at the time of
20 the enactment of this act. Additionally, the
21 provisions of this act shall not apply to current
22 elected officials who are receiving health
23 insurance benefits through the end of their current
24 term.

1 MR. MURPHY: Thank you. And the
2 Selectmen's recommendation?

3 MR. MAJOR: The Board of Selectmen
4 recommend approval.

5 So what we're doing here is, by state law,
6 elected officials are eligible to receive health
7 insurance benefits. We're trying to correct that
8 in the Town of Andover.

9 So going forward, we'd like to eliminate
10 that benefit, but in order to do so, we have to
11 petition the state legislature.

12 So we need your permission to then have --
13 allow us to petition the state legislature to
14 eliminate this benefit.

15 What we're doing with the amendment is two
16 things: No. 1, there's a -- when folks have been
17 elected in the past, we've almost formed a contract
18 with them; and so there are some folks that have
19 received the health insurance benefit and continue
20 to receive the health insurance benefit. So we
21 want to exclude those folks from this
22 forward-looking correction.

23 Additionally, there are individuals that
24 are currently elected that are receiving this

1 benefit; and the intent is to allow those
2 individuals to continue to receive the benefit
3 through the end of their currently-elected term.

4 And so the Board of Selectmen recommends
5 approval.

6 MR. MURPHY: And Finance Committee
7 recommendation?

8 FINANCE COMMITTEE: Finance Committee
9 recommends approval of Article 23, as printed in
10 the warrant -- as amended.

11 MR. MURPHY: Oh, I'm sorry.

12 FINANCE COMMITTEE: As amended.

13 MR. MURPHY: As amended. Okay. Thank
14 you.

15 So we have -- the Board of Selectmen and
16 the Finance Committee I believe are recommending
17 approval of the warrant as amended.

18 So first this will be a matter of two
19 votes: First, we're going to have to vote on the
20 amendment itself to determine whether or not -- oh.
21 I'm sorry. We have a question?

22 THE FLOOR: Yeah, I just have a question.
23 So just to clarify -- I'm not for or against --
24 just to clarify, is this elected officials or is

1 this compensated elected officials?

2 MR. MAJOR: Ah. Compensated elected
3 officials.

4 THE FLOOR: So when we voted the small
5 amount of compensation or salary earlier, that also
6 kind of triggers that eligibility for the health
7 insurance?

8 MR. MAJOR: Correct.

9 THE FLOOR: Okay. I just wanted to
10 clarify that.

11 THE FLOOR: Point of order, Mr. Town
12 Clerk. I'm just not sure if we had seconds -- if
13 either motion that's pending has been seconded.

14 MR. MURPHY: I heard a second. If I can
15 didn't clear it, I apologize. But do we have a
16 second on the original motion?

17 THE STAGE: Second.

18 MR. MURPHY: Second.

19 And on the motion to amend?

20 THE STAGE: Second.

21 MR. MURPHY: Any further comments or
22 questions?

23 MR. DESO: I have a question. Mic 1. Tom
24 Deso, 81 High Street. I also want to speak on the

1 motion, but I do have a question on the amendment.
2 I know the Finance Committee just recommended
3 approval of the amendment. I'm wondering when the
4 Finance Committee had discussions on this proposed
5 amendment in order to deliberate upon it?

6 MR. MURPHY: Can someone answer that?

7 MR. STUMPF: John Stumpf. The Finance
8 Committee voted on -- during our normal open
9 meeting -- I don't know the exact date of that --
10 but we -- the intention of our vote was to support
11 the elimination of the benefit; and the -- and I
12 believe that's what the original article proposes;
13 and we voted in favor of that.

14 MR. DESO: But you also recommended
15 approval of the amended article. And I guess what
16 I'm asking is, did you discuss and deliberate on
17 the effects of the amendment to the article that
18 you recommended approval of?

19 MR. STUMPF: We -- we didn't in an open
20 meeting; no.

21 MR. DESO: Did you in a private meeting?

22 MR. STUMPF: No.

23 MR. DESO: Oh. So you had no deliberation
24 on the amended motion which, apparently, has come

1 up since the original article was approved or
2 recommended for approval.

3 MR. STUMPF: Okay. We -- we weren't able
4 to -- a posted open meeting is not tonight, so
5 we'll have to right now -- if you don't mind, and
6 if it's okay with the Town Clerk -- we'll do it
7 right now.

8 And so could I ask the Finance Committee
9 members if they are in support of the amendment?
10 If you just go right down the line, John?

11 MR. MURPHY: Yeah.

12 MR. STUMPF: At the recommendation of Town
13 Counsel, that's what --

14 MR. DESO: Doesn't a meeting have to be
15 posted 48 hours in advance with the agenda?

16 (Applause.)

17 MR. URBELIS: No. The attorney general
18 has recently ruled that a committee like this can
19 take a vote during a Town Meeting as an exception
20 to the open meeting law.

21 MR. DESO: Could you cite that ruling for
22 us?

23 MR. URBELIS: It's a ruling of the
24 attorney general, which recently came out in the

1 last several months.

2 MR. DESO: Thanks. Go ahead and
3 deliberate.

4 THE STAGE: Can I make a motion that we
5 don't take a position on the amendment? I have no
6 interest in voting right now.

7 MR. MURPHY: You can do whatever you want.

8 MR. STUMPF: Well, just to make things
9 simpler, we won't take a position on the amendment.
10 So -- sorry -- recommend approval of Article 23, as
11 corrected in the warrant. The Finance Committee
12 recommends approval as printed in the warrant.

13 MR. DESO: Okay. I find myself a little
14 taken aback here, but I would say --

15 MR. MURPHY: Well, do you have any
16 comments regarding the merits, please?

17 MR. DESO: Yes, I do -- I do on the
18 amendment.

19 MR. MURPHY: Please, go ahead.

20 MR. DESO: On the amendment. I came
21 tonight prepared to speak on and support the
22 article.

23 Having just heard the amendment, having
24 not really had time to think about the

1 ramifications of it, I don't feel comfortable at
2 this point supporting the amendment, and I would
3 ask the Town Meeting to vote against the amendment,
4 but I would support the article. Thank you.

5 MR. MURPHY: Okay. Are there any further
6 comments or questions? No. 4.

7 MS. JANOWSKI: Just a quick question.

8 MR. MURPHY: Would you state your name,
9 please.

10 MS. JANOWSKI: Yes, I will. Amy Janowski,
11 Snowberry Road.

12 I just wondered, what is the duration of
13 this benefit? I mean, are -- are elected officials
14 eligible for health insurance forever or...

15 MR. MURPHY: My understanding is that
16 compensated elected officials are eligible to be on
17 the town's health insurance -- whether that lasts
18 forever -- and, please, someone, if you want to
19 correct me or add to this -- it would depend on
20 whether or not they're eligible for retirement
21 benefits, which would depend on the length of
22 service.

23 Is there anything you'd like to...

24 MR. MAJOR: Yeah. My current -- my

1 understanding is that the way the law currently is
2 written, then if a -- an elected official -- a paid
3 elected official receives the health insurance,
4 they can continue receiving that health insurance
5 even after they leave the post.

6 So what we're trying to do here is to
7 correct that. So going forward, as people get
8 elected into a paid position, then we'd like to
9 eliminate that benefit.

10 The intent of the amendment is just an
11 intention of fairness; that there are folks that
12 are currently receiving that benefit who have
13 retired from the tenure -- their tenure with the
14 town, and allow them to continue; and then, those
15 who are currently elected -- paid elected
16 officials, they would be eligible through the end
17 of their current term.

18 So once their current term expires and
19 they run again, perhaps, then that benefit would
20 expire.

21 MS. JANOWSKI: Thank you.

22 MR. MURPHY: Okay. Now we're debating the
23 amendment; correct?

24 Could you identify yourself, please.

1 MS. MULVEY: Nancy Mulvey, High Plain
2 Road. I really have a question; and that is, how
3 many individuals are we talking about? And -- and
4 how is it figured that they are eligible for health
5 insurance if their salary has been a thousand or
6 \$1,500 a year?

7 I -- I would just be curious as to what
8 the extent of this is that we're debating?

9 MR. STAPCZYNSKI: Yes. There are
10 currently two currently elected officials receiving
11 this benefit; and there are currently two retirees
12 or spouses of retirees who are receiving this
13 benefit.

14 So that, I think, addresses your question.

15 MR. MURPHY: Mrs. Carbone.

16 MS. CARBONE: Yes. Mary Carbone, Cyr
17 Circle.

18 You just answered a question in part. I
19 would like to know if the numbers that you just
20 gave also cover the school department; and also
21 does this health coverage cover the family members?
22 Is it a family -- are they family plans?

23 MR. MAJOR: So it covers both town and
24 school -- I think that's what you're asking, Mary.

1 MS. CARBONE: Yes.

2 MR. MAJOR: And the eligibility is either
3 individual or family.

4 MS. CARBONE: Or?

5 MR. MAJOR: Or family, yes.

6 MS. CARBONE: Does this coincide or is
7 there another area involved here relative to
8 pensions for elected officials?

9 Are we going to talk about that?

10 MR. MAJOR: The state legislature has
11 already taken action there to eliminate that
12 benefit for anyone that makes under \$5,000.

13 MS. CARBONE: Anyone that makes -- meaning
14 the stipend?

15 MR. MAJOR: Any elected official that has
16 a paid stipend. Like, the Board of Selectmen
17 receives a paid stipend of \$1,500. So anyone that
18 receives a paid stipend of less than \$5,000 would
19 not be eligible for pension benefits.

20 The state legislature already enacted
21 that.

22 MS. CARBONE: It's not a time factor for
23 the number of years served.

24 MR. MAJOR: It's no longer a factor.

1 MS. CARBONE: Thank you.

2 MR. LANDRY: Bob Landry, Seminole Circle.
3 I'm big on transparency here, so just to clarify
4 what we just said -- someone was asking about
5 whether there was family or just single coverage.

6 There are at least the two active elected
7 officials' family coverage; and the cost to the
8 town of that is \$15,000 a year -- is the town's
9 share of that. And I just think that ought to come
10 out.

11 And just one -- just general wonder: This
12 petition is -- you know, we're going to go petition
13 the state legislature to change the law, and, you
14 know, we'll see how that goes. And I'm all in
15 favor of that.

16 But is there anything that stops Town
17 Counsel from simply drafting a waiver that all
18 elected officials can voluntarily sign right now
19 and put up for public display to show that they
20 reject this benefit?

21 MR. MURPHY: The question, I believe, is
22 -- is could Town Counsel prepare a document that
23 elected officials could sign, waiving those
24 benefits?

1 Is that your question?

2 MR. LANDRY: That's my question. For any
3 -- for any employer that offers health insurance,
4 an employee that doesn't want the coverage
5 typically is asked to sign a waiver. They sign a
6 waiver saying, no, thank you; I have coverage for
7 my spouse, or I just don't need it. And what I'm
8 saying is, until this law passes, as a gesture of
9 good faith, couldn't the Town Manager ask Town
10 Counsel to draft an appropriate waiver so that any
11 elected official that voluntarily wants to do so
12 could sign the waiver and say, I waive any rights I
13 have, unconditionally in Shermanesque fashion to
14 have these benefits.

15 (Applause.)

16 MR. URBELIS: I'm not exactly sure I
17 understand the question. I mean, they could just
18 not take these benefits.

19 MR. LANDRY: The fact that somebody is
20 eligible -- in the private sector, if you are
21 eligible for benefits, at open enrollment -- for
22 example, Andover is coming up July 1 -- you are
23 eligible to get on the health plan if you're not
24 already on the health plan. You typically sign an

1 enrollment form, in which case you'll enroll in the
2 health plan, or you'll see a waiver form -- it used
3 to be called a HIRD form in Massachusetts -- but
4 just a waiver form that says, I have coverage
5 elsewhere; I waive -- I formally waive my rights.

6 What I'm saying is, is there any reason
7 why -- this would happen on a voluntary basis. But
8 in the interest of disclosure and transparency,
9 every elected official would have the right to sign
10 this waiver, post it on the town's website, and
11 say, Even though I'm eligible, I'm going to waive
12 my right to this benefit, because it's an expensive
13 benefit that somebody receiving a stipend probably
14 shouldn't have -- not to mention the perceived
15 conflict of interest if you are on a board,
16 overseeing a budget that has health insurance, and
17 you, yourself, are eligible for that health
18 insurance benefit. It is just a perception -- to
19 avoid the perception of a conflict of interest.

20 I know I wouldn't accept it. I would just
21 sign a waiver, just say, I'll never take it.

22 Thank you.

23 MR. URBELIS: I don't -- I don't know if
24 that's allowable under the law. I mean, I just

1 don't have it in front of me, so I wouldn't want to
2 give you an answer --

3 MR. LANDRY: Could you look into it?

4 MR. URBELIS: -- that I don't know the
5 answer to.

6 MR. LANDRY: Could you look into it and
7 get back to the Town Manager?

8 MR. URBELIS: I can't do it in the next
9 five minutes.

10 MR. LANDRY: No, not now. I just want to
11 throw the idea up there. Thank you.

12 MR. MURPHY: Okay. Are we ready to vote
13 on the amendment?

14 Any other questions/comments?

15 All right. So the original motion as
16 printed in the warrant, is to -- reads as follows;
17 and I think it's worthy of reading this again.

18 "Notwithstanding Massachusetts General
19 Laws chapters 32(b) or any other general or special
20 law to the contrary, health insurance benefits for
21 elected officials shall not be provided by the Town
22 of Andover."

23 Now, the motion to amend reads as follows:
24 "The provisions of this act --" I'm sorry.

1 The motion is to move to amend the article
2 to include the following as part of the requested
3 special act: "The provisions of this act shall not
4 apply to former elected officials or their spouses
5 who are receiving health insurance benefits at the
6 time of enactment of this act. Additionally, the
7 provisions of this act shall not apply to current
8 elected officials who are receiving health
9 insurance benefits through the end of their current
10 term."

11 So I'm going to ask for a vote on the
12 motion to amend -- to add that language to the
13 article.

14 All those in favor of the motion to amend,
15 please raise your hand.

16 All those opposed to the motion, please
17 raise your hand.

18 The ayes clearly have it. The motion
19 passes.

20 So now it's -- we have to vote on the
21 motion -- or excuse me -- the article, as amended.

22 And because this is a special act -- yes,
23 sir, I'm sorry.

24 MR. DESO: Tom Deso, 81 High Street. I

1 just -- I support this article. I just want to
2 remind folks who were here last night and those who
3 might not have been that we -- we passed in Article
4 3 salaries for elected officials. And I indicated
5 at that time -- although I couldn't directly
6 reference this article; this is the article I was
7 indirectly referencing -- if we don't get this
8 passed by the state legislature by this time next
9 year, we have a simple remedy. We can simply not
10 choose to pay elected officials next year in
11 Article 3. Thank you.

12 MR. MURPHY: Okay. Thank you.

13 Now, because this is a special act of the
14 legislature, we have to report an actual hand count
15 to the state legislature. That's part of the --
16 their requirements. So I'm going to ask the
17 counters, please, if you would all count your
18 sections.

19 So all those in favor of the initial
20 motion as amended, when our counters are ready --
21 and I'll count the stage.

22 COUNTER: Just a standing count.

23 MR. MURPHY: All right. Standing count.
24 If -- everyone in favor of the amended motion,

1 please stand.

2 COUNTER: You all needed a stretch.

3 Same rule as last night. So see your
4 counter look at you and make eye contact, please
5 sit down so he can count -- or she.

6 Look to your counters to the left in
7 Section 4 so she can count and then sit. Thank
8 you.

9 COUNTER: Section 1, please.

10 THE FLOOR: Section 1, 45, 4-5.

11 COUNTER: 45.

12 Section 2.

13 THE FLOOR: Section 2, 5-9, 59.

14 COUNTER: 59.

15 Section 3, please.

16 THE FLOOR: Section 3, 17, 1-7.

17 COUNTER: 17?

18 THE FLOOR: 17.

19 COUNTER: 1-7. Thank you.

20 Section 4, please.

21 THE FLOOR: Section 4, 83, 8-3.

22 COUNTER: 83.

23 Section 5.

24 THE FLOOR: Section 5, 58.

1 COUNTER: 58.

2 Section 6.

3 THE FLOOR: Section 6 has 66.

4 COUNTER: 66 in Section 6. How about
5 that?

6 No. 7? Nobody in 7.

7 Are there any votes in 8?

8 THE FLOOR: Section 8, five.

9 COUNTER: Five.

10 MR. MURPHY: Okay. The stage is 16, 1-6.

11 COUNTER: 16. And are there any --

12 Charlie, is there any out in the hall?

13 Anybody voting from the hall, please?

14 Will you check in.

15 THE FLOOR: Have you got me on?

16 COUNTER: Yeah.

17 THE FLOOR: Cal? 21, 2-1.

18 COUNTER: 21. Okay. Thank you. We'll go
19 to the nos now.

20 MR. MURPHY: All right.

21 Now we'll call -- for all those opposed,
22 please stand.

23 All those opposed to the article as
24 amended -- or the motion as amended.

1 COUNTER: Section 1.
2 THE FLOOR: Zero.
3 COUNTER: Section 2.
4 THE FLOOR: Section 2, zero.
5 COUNTER: Section 3.
6 THE FLOOR: Section 3, zero.
7 COUNTER: Section 4.
8 THE FLOOR: Section 4, one.
9 COUNTER: Section 5.
10 THE FLOOR: Section 5, zero.
11 COUNTER: Section 6.
12 THE FLOOR: Section 6 has four.
13 COUNTER: Section 7, nothing.
14 8?
15 THE FLOOR: Section 8, zero.
16 COUNTER: Stage, please.
17 THE FLOOR: Stage is zero.
18 COUNTER: And, Charlie, outside the hall?
19 THE FLOOR: Zero.
20 COUNTER: Zero.
21 MR. MURPHY: A total of five. So the
22 motion, as amended, passes 370 to 5.
23 Madam Moderator, come on back. I'm not
24 sure I like it up here.

1 MODERATOR DOHERTY: Thank you very much,
2 Mr. Murphy.

3 Did you miss me?

4 THE FLOOR: Yes. Welcome back.

5 MODERATOR DOHERTY: Thank you.

6 We'd like to take a break for just a
7 moment, please, and allow two individuals who have
8 served our community well to be recognized.

9 Mr. Vispoli?

10 MS. GILBERT: Good evening. Dennis Forgue
11 joined the School Committee in 2008 and is now
12 stepping down after two terms of service.

13 He joined us on the board after working on
14 the school space needs task force and serving as
15 president of the Shawsheen PTO.

16 During his six-year tenure on the School
17 Committee he served twice as chair, played a lead
18 role in contract negotiations, helped oversee the
19 elementary redistricting process, and helped
20 spearhead the initiative that led to the
21 consolidation of the town and school IT systems.

22 Through it all, Dennis was a remarkably
23 engaged and deeply committed member of the School
24 Committee, as well as one of its most productive

1 workers.

2 On behalf of the School Committee and the
3 school system, I'd like to thank Dennis for all the
4 time and energy he devoted to our public schools
5 and to the students of Andover.

6 Unfortunately, Dennis couldn't join us
7 here this evening, as he is out of state attending
8 a funeral, but asked me to send his thanks to the
9 town for this recognition. And we have a plaque to
10 give him. Thank you.

11 (Applause.)

12 MR. VISPOLI: Thank you. I'd like to call
13 selectman Mary Lyman to the stage.

14 Nice view from up here.

15 On behalf of the Board of Selectmen, we'd
16 like to recognize the service of this loyal and
17 dedicated town servant, Mary Lyman. Mary served on
18 the Board of Selectmen for 12 years. She's a
19 dedicated fighter to reduce costs; and she's a
20 friend of the taxpayers. She's sincere; she's got
21 a big heart; she's reliable; and she's always there
22 and responsive at every time.

23 Mary has done so many things to be --
24 since searching on the Board of Selectmen, but

1 before that, she was the town's HR director; and
2 she was also on the town School Committee. She was
3 the first to volunteer for just about any
4 subcommittee that we had; and it's truly a pleasure
5 serving with her. And we've got to get her on
6 another committee somehow.

7 But on behalf of the Board of Selectmen,
8 I'd like to present you this, Mary. And it says
9 "Mary Kelvev Lyman, Town of Andover Board of
10 Selectmen, October 2001 to March 2014. Thank you,
11 Mary."

12 MS. LYMAN: Thank you very much. I just
13 want to thank each and every one of you for your
14 support. It has been an honor -- and I truly mean
15 it -- to serve this town. Everyone knows I get a
16 little emotional at times like this. My heart's
17 definitely in it; and I still care about this town
18 deeply. And in any way that I could continue to
19 help, I hope I'm there for each and every one of
20 you. Thank you.

21 MODERATOR DOHERTY: Talk about a lifetime
22 of service, and she's only halfway through. Thank
23 you all very much.

24 Article 24, Mr. Goldsmith.

1 MR. GOLDSMITH: Madam Moderator, I move to
2 withdraw --

3 MODERATOR DOHERTY: If you could just
4 identify yourself please, Bob.

5 MR. GOLDSMITH: Bob Goldsmith, Bayberry
6 Lane.

7 MODERATOR DUFFY: Thank you.

8 MR. GOLDSMITH: I move to withdraw Article
9 24 as written in the warrant.

10 MODERATOR DOHERTY: Article 24 has been
11 moved to be withdrawn.

12 Any objection?

13 All those in favor, please raise one hand?

14 Thank you.

15 Those opposed?

16 The ayes have it. The motion is
17 withdrawn.

18 Article 25. Mr. Bowen, are you moving the
19 article?

20 MR. BOWEN: Madam Moderator, I have a
21 presentation.

22 MODERATOR DOHERTY: Can we move the
23 article first, then we'll be happy to do that.

24 MR. MODERATOR: Thank you, Madam

1 Moderator. My name is Richard Bowen. I live at 12
2 Bannister Road in Ballardvale.

3 I move that the town vote to purchase
4 8,000 square feet -- more or less -- combined from
5 the two parcels adjoining the Ballardvale Fire
6 Station property site also known as parcel 017 and
7 019 on town assessor's map 137; said land for a
8 proposed addition to the Ballardvale Fire Station,
9 and appropriate the sum of \$200,000 for the
10 purchase thereof and related expenses and raise
11 said sum from free cash.

12 MODERATOR DOHERTY: Thank you. Article 25
13 has been moved and seconded.

14 And who's giving the presentation, please,
15 Mr. Bowen?

16 Who will give the presentation?

17 Paul, do you have that you can put it up
18 on the screen, please?

19 Thank you.

20 Go right ahead, sir. Go right ahead with
21 your presentation.

22 MR. BOWEN: Okay. Allow me to introduce
23 myself again for the record. My name is Richard
24 Bowen. I have lived in Andover and at 12 Bannister

1 Road for 50 years. I have maintained a keen
2 interest in town affairs during all of the years in
3 which I have lived here.

4 I take great pride -- great pride in the
5 fact that I was a Town Manager of Andover, and to
6 somewhat lesser extent in terms of pride, a member
7 of the Board of Selectmen -- albeit many, many
8 years ago.

9 For 123 years, the Ballardvale Fire
10 Station has been and continues to be a vital,
11 vibrant, and respected member of Andover's first
12 class fire and rescue department.

13 In many respects, it has withstood the
14 ravages of time remarkably well, despite a number
15 of fixable -- fixable shortcomings.

16 There are, nonetheless, space
17 deficiencies: First and foremost, the station
18 cannot accommodate a standard-sized fire engine.
19 There is also insufficient space for additional
20 equipment -- especially an ambulance.

21 Since the current site is not large enough
22 to accommodate the addition, the fire station
23 abutters have been contacted -- by my personally.
24 Fortunately, they have expressed a willingness to

1 consider the sale of portions of their property for
2 the proposed addition after favorable action at
3 Town Meeting.

4 The funds requested in this article should
5 be sufficient to engage in immediate and meaningful
6 negotiations.

7 The additional space would house a
8 standard fire -- sized fire engine. There would be
9 room for an ambulance in the future. It would also
10 allow for expansion, renovation, and improvements
11 of the offices, training areas, and all living
12 areas, including the kitchen and sleeping quarters
13 for both male and female firefighters.

14 There is a -- there is a score of -- of
15 collateral improvements that -- that result from
16 this addition and the renovations. And include
17 such things as a safer exit ramps for the fire
18 trucks, and the opportunity for the town to take
19 perhaps one of the most dangerous intersections in
20 town and to improve it so that it would be safer;
21 and that's the intersection of Clark Road and
22 Andover Street.

23 Please join me in voting yes on this
24 article. Thank you.

1 (Applause.)

2 MR. WHALEN: Good evening, Madam
3 Moderator. I'd like to continue the presentation.

4 MODERATOR DOHERTY: Go right ahead. And
5 could you identify yourself please.

6 MR. WHALEN: Yes, ma'am. My is name is
7 Colin Whalen, Winterberry Lane.

8 MODERATOR DOHERTY: Thank you.

9 MR. WHALEN: Could we go to the next
10 slide, please.

11 I'd like to address the first point: I
12 know there's been considerable debate as to which
13 side of the tracks the fire station -- Ballardvale
14 Fire Station should be on in the future; and this
15 is understandable as the data from the
16 town-sponsored criterion report shows that both
17 sides of the tracks offer advantages.

18 For example, on page 21 of the report that
19 I have here, it says "Moving the Ballardvale Fire
20 Station to the Route 128 Lutheran church location
21 or thereof maximizes the number of incidents that
22 can be covered by two stations"; and that's nice
23 but certainly not a requirement.

24 Conversely, moving it to South School

1 makes the call coverage 13 percent worse than it is
2 today. Furthermore, if the station is moved to the
3 east side of the tracks and there is a train on the
4 tracks, the Ballardvale residents will see
5 significantly longer response times than they do
6 today, as an engine will need to come from central.

7 However, keeping the station in
8 Ballardvale and eventually optimizing the west
9 stage location which has been proposed, results in
10 a 25 percent improvement in call coverage and all
11 incidences in town would now be reached 10 percent
12 faster. That's shown in table on page 18 of the
13 report.

14 Therefore, keeping the station where it is
15 provides the best long-term solution for Andover
16 residents. It provides the lowest risk for
17 Ballardvale residents.

18 As to the second point, the town
19 structural analysis recently has shown that the
20 building has performed adequately, but needs 200 to
21 \$360,000 worth of improvements that should be
22 addressed immediately for prolonged use of the
23 location. These are usually covered as part of the
24 proposed renovation and expansion that we've heard

1 from from Mr. Bowen.

2 And I'd like to turn it over to Mr.
3 Goldsmith.

4 MR. GOLDSMITH: Bob Goldsmith again,
5 Bayberry Lane. Additional reasons to vote yes:
6 Budget concerns. A new station is not necessary,
7 so why would we spend 6 to \$8 million when a \$2
8 million renovation and expansion will suffice.

9 To save your children -- huge issue.
10 There have been a huge number of horrific tragic
11 accidents involving children and fire trucks. Why
12 would we ever consider increasing the likelihood of
13 that type of fatal accident at the South School
14 location? Should not be done.

15 (Applause.)

16 And in summary, I hope you will all join
17 me in voting yes, because there's a lot of good
18 reasons. Voting yes keeps the Ballardvale Fire
19 Station in its current location, where Colin has
20 just proven and showed you it is where it should
21 be.

22 Voting yes repairs the building's issues,
23 which we know has to be done. Voting yes approves
24 the Ballardvale Fire Station for the services it

1 can provide, for the people that work there.

2 Voting yes saves the Town of Andover millions of
3 dollars; and voting yes keeps our children safe.

4 Once again, please join me in voting yes
5 for Article 25. Thank you.

6 MODERATOR DOHERTY: Yes, sir, do you have
7 a point of order?

8 MR. HINDIN: Point of information, Madam
9 Moderator.

10 MODERATOR DOHERTY: Go ahead.

11 MR. HINDIN: Robert Hindin, Wedgewood
12 Drive. Could the Board of Selectmen and the
13 Finance Committee outline their thinking why they
14 recommend disapproval?

15 MODERATOR DOHERTY: Well, they have --
16 they're about to give their reports, which I'm sure
17 will include -- I'm sure that will include that.

18 Excuse me for this highlighted information
19 I need to give you. There's a red Chevy Silverado
20 with your cab lights on out in the parking lot. So
21 if you have a red Chevy Silverado, you may want to
22 go out there and lock your car. We won't look. Go
23 ahead and leave.

24 Selectmen's report, please, Mr. Major.

1 MR. MAJOR: Thank you, Madam Moderator.

2 The Board of Selectmen recommends
3 disapproval of this warrant article for two primary
4 reasons: The first reason is that we don't know
5 how much space we would need in order to rebuild or
6 to add an addition onto that facility; and there
7 have been zero conversations with the neighbors
8 from the town as to what that cost would be.

9 So, we don't know those answers. But the
10 primary reason that we're recommending disapproval
11 that the experts in this case, and that is, Fire
12 Chief Mike Mansfield and the Ballardvale Fire
13 Station task force who have been evaluating the
14 need for replacing the Ballardvale Fire Station for
15 many years and have done extensive analysis, are
16 recommending to us that the location is the wrong
17 location; that the location for a station that can
18 support south Andover needs to be on the opposite
19 side of the railroad tracks. And for that reason,
20 the Board of Selectmen unanimously recommends
21 disapproval of this warrant article.

22 MODERATOR DOHERTY: Thank you.

23 Finance Committee report, please, Mr.
24 Fortier.

1 MR. FORTIER: Thank you, Madam Moderator.
2 First off, the Finance Committee would like to
3 commend Mr. Bowen and the petitioners for bringing
4 these articles forward. We always appreciate when
5 citizens come up with creative plans to save the
6 town money and solve problems.

7 The town needs a new fire station. The
8 Ballardvale station has served Andover well for
9 over 100 years, but it's time to move on. This was
10 the finding of the two studies undertaken in the
11 last several years, the conclusion of the
12 Ballardvale Fire Station Building Committee, and
13 the expert opinion of Chief Mansfield.

14 The town needs a new state-of-the-art
15 station which can be designed to meet the needs of
16 the Andover Fire Department and all citizens and
17 businesses of the town.

18 There are several reasons the Finance
19 Committee voted unanimously to recommend
20 disapproval. First, we are not willing to dismiss
21 the finding of the aforementioned studies, which
22 strongly suggest that the fire station should be on
23 the east side of the railroad tracks.

24 As you know, the existing fire station is

1 on the west side. Second, the dollar figures
2 attached to this article are someone's best
3 estimate. And we can't, in good conscience,
4 recommend approval, given the uncertainty off the
5 figures.

6 Third, we strongly disagree with the
7 manner in which this article would be funded.
8 Projects or items with an expected life of greater
9 than 10 years should be funded with borrowing,
10 rather than free cash.

11 For projects with land purchases and/or
12 building construction, the town's policy is to
13 borrow.

14 If approved, these articles would result
15 in our free cash balance dropping to dangerously
16 low levels.

17 And finally, the issue of where this
18 project ranks on the town's priority list. Even if
19 the first three objective -- objectives -- excuse
20 me -- objectives I mentioned were off the table, it
21 would be difficult to recommend approval of a
22 significant capital expenditure like this without
23 knowledge of when it might be undertaken.

24 The Finance Committee recommends

1 disapproval of Article 25. Thank you.

2 MODERATOR DOHERTY: Thank you.

3 Yes, sir.

4 MR. CASPER: Thank you, Madam Moderator.

5 Dan Casper, 232 Andover Street in Ballardvale.

6 I served as chairman of the Ballardvale
7 Fire Station Replacement Committee that was made up
8 of seven citizens who were appointed by the Town
9 Manager and the Board of Selectmen in 2008. Our
10 committee studied the issue of whether or not the
11 existing Ballardvale Fire Station needs to be
12 replaced; and if so, where it should be located,
13 and how it should be designed.

14 After five years of work, we filed a final
15 report with the Selectmen last December. I don't
16 believe that report has been acted on yet.

17 We were an advisory committee. We did not
18 have the ability to make any decisions. All we
19 could do was advise.

20 As many of you know, the committee
21 recommended that a new public safety substation be
22 built at the corner of Andover and Woburn Streets,
23 the current site of the little league field
24 adjacent to the South School.

1 This is not about -- these articles are
2 not about the location at the South School. That's
3 something that's going to have to be determined at
4 a later date.

5 The real issue is whether or not the
6 current station should be slated for renovations
7 and more money should be poured into it.

8 We were very well aware that there was
9 neighborhood opposition to the South School site;
10 and hopefully some day we'll figure out a place to
11 put it.

12 Of the current site at the Ballardvale
13 station, however -- even if it's renovated -- will
14 not adequately serve the public safety needs of the
15 town, as a whole; and more particularly, the south
16 Andover and the Lowell Junction areas.

17 While I have great respect for the
18 citizens who have presented these articles, I find
19 myself compelled to oppose them for several
20 reasons: First and foremost, the committee
21 believes that a new fire station should be located
22 on the easterly side of the railroad tracks that
23 bisect Ballardvale.

24 Since the current station was built more

1 than 120 years ago, southern Andover and Lowell
2 Junction have seen a tremendous amount of
3 development. I'm sure many of you have been held
4 up waiting for trains at Ballardvale Crossing.
5 Imagine a fire going on on the other side of those
6 tracks.

7 The new station needs to be on the
8 easterly side of the tracks to achieve -- excuse me
9 -- achieve the greatest possible response times and
10 serve not only the Ballardvale community, but all
11 of Andover, including south Andover and Lowell
12 Junction.

13 Article 25 requests the town to
14 appropriate \$200,000 to acquire 8,000 square feet
15 of land. There's no indication that that land is
16 sufficient for this purpose. We do not know
17 whether the neighbors will accept that amount for
18 their land, so how can you appropriate money to
19 purchase it? Also, that's not a good bargaining
20 strategy.

21 Article 26 proposes -- excuse me.

22 MODERATOR DOHERTY: We're dealing with
23 Article 25, sir.

24 MR. CASPER: All right. I'm sorry. I

1 just -- I only want to have to speak once, so let
2 me just finish this way: Our committee often
3 stated we would not build a new station at all than
4 build one in a location that did not adequately
5 provide public safety to the town. Same goes for
6 spending a lot of money to repair the old station.
7 Don't build or renovate just for the sake of doing
8 something.

9 MODERATOR DOHERTY: Mr. Casper.

10 MR. CASPER: I'm almost done. If you
11 simply throw \$2 million at the old station without
12 improving fire and rescue service and response
13 times, I believe you'll be doing a disservice to
14 the town, because it will then be decades before
15 the need for a new station will be addressed again.

16 Please remember that this is not simply
17 about keeping the quaint old Ballardvale Fire
18 Station, but about providing modern, effective fire
19 and rescue services for the benefit of the entire
20 town.

21 MODERATOR DOHERTY: Mr. Casper, I must ask
22 you to pull it together. Thank you.

23 MR. CASPER: I'm all done. Thank you.

24 MODERATOR DOHERTY: Yes, ma'am.

1 MS. RECK: Hi. My name is Joanna Reck,
2 and I'm the chairman of the Ballardvale Historic
3 District Commission; and I just wanted to let
4 everyone know that the board unanimously voted to
5 support the next two articles in keeping the fire
6 station where it is in its current location and
7 preserving its -- the building and its current use.

8 Having the fire station where it is helps
9 protect many of the town's most -- old and most
10 vulnerable houses in the district. And as a
11 taxpayer, I'd like to see this option explored more
12 so that we could see if this would be a viable
13 option instead of building new. Thank you.

14 MODERATOR DOHERTY: Thank you.

15 (Applause.)

16 Yes, sir.

17 MR. WASHBURN: Sam Washburn, Oriole Drive.

18 MODERATOR DOHERTY: If you could talk
19 right into the mic, please, Sam, I'd appreciate it.

20 MR. WASHBURN: Sam Washburn, Oriole Drive.

21 Would someone explain to me why moving the
22 fire station to the south side of the tracks would
23 mean that fire trucks are not blocked by trains
24 when they need to get to a fire on the west side of

1 the tracks?

2 (Applause.)

3 MODERATOR DOHERTY: Mr. Major.

4 MR. MAJOR: The answer is that we've got
5 to be able to provide coverage -- both fire and
6 rescue coverage -- for the entire town.

7 And so we've got three stations -- unless
8 we want to build a fourth station somewhere -- but
9 we have three stations; and we need to find the
10 optimum place so that those stations can react to
11 emergency situations anywhere within the boundaries
12 of the Town of Andover.

13 MR. WASHBURN: Yeah. But that didn't
14 answer my question.

15 MR. MAJOR: Well, so I think the Chief --

16 MR. WASHBURN: I meant, I'm driving a fire
17 truck -- I'm driving a fire truck from South
18 School, and my house is on fire up on Andover
19 Street, and there's a train crossing Ballardvale,
20 how is that truck not blocked?

21 MR. MAJOR: I think the Chief is best to
22 answer this.

23 CHIEF MANSFIELD: Mike Mansfield, Fire
24 Chief.

1 MODERATOR DOHERTY: Sir, could you --

2 CHIEF MANSFIELD: Good evening, Madam
3 Moderator.

4 To answer to your question, what we're
5 trying to do with the relocation of this fire
6 station is to provide the best service -- not only
7 to the area of the Ballardvale section of Andover,
8 but also to south Andover.

9 So if we place the -- the station on the
10 east side of the tracks, that allow us to not only
11 service South Andover, but also the area at Lowell
12 Junction, which is a very highly congested area.
13 It's filled with residential -- not residential,
14 but commercial and industrial facilities -- as many
15 people in this room know; and we could still get
16 emergency and fire service vehicles from the
17 Central Station to respond to the Ballardvale
18 station -- Ballardvale area quickly if necessary.

19 So by locating the station on the east
20 side of the tracks, we are able to respond more
21 quickly to a bigger geographical area of the
22 community than we can right now.

23 MODERATOR DOHERTY: Yes, ma'am.

24 MS. BACHMAN: My name is Rebecca Bachman,

1 Pomeroy Road. I also served on the Ballardvale
2 Fire Station Replacement Committee. The one thing
3 that Mr. Bowen has not mentioned but he mentioned
4 several times during our meetings when he made a
5 presentation -- and was alluded to by Mr. Major --
6 is that the people in Ballardvale understood if we
7 were to renovate the Ballardvale Fire Station,
8 Andover really needs a fourth fire station.

9 And they're not bringing that up tonight,
10 because a fourth fire station is not anything that
11 this town has the appetite to finance.

12 A fourth fire station would be needed if
13 the Ballardvale station were to remain so that the
14 south part of Andover could be adequately served.

15 A fourth fire station would mean
16 additional personnel, additional equipment, and,
17 most likely, an additional ambulance. But that has
18 not been brought up by the proponents, though
19 several times in our meetings Mr. Bowen
20 acknowledged that that is the only way to properly
21 service Andover if the Ballardvale station is to
22 remain in Ballardvale. Thank you.

23 MODERATOR DOHERTY: Thank you very much.

24 THE FLOOR: Madam Moderator.

1 MODERATOR DOHERTY: If I can -- and I'll
2 come right up to you, Karen, in one moment.

3 Go right ahead, sir. Would you identify
4 yourself.

5 MR. RAFFI: Terry Raffi, 13 Center Street.
6 If I may go back 15 minutes, Madam Moderator, I
7 believe FINCON implied that this construction
8 project which would come to a subsequent Town
9 Meeting would be paid for with the free cash. And
10 if I understood it correctly, that's not correct.
11 The only free cash we are seeking in this project
12 is for the architectural fees from this meeting --
13 Article 26.

14 Also, I'd just like to point out one --
15 one of many things: That the first study -- which
16 was done six years ago -- was called -- referred to
17 as the "Ballardvale Fire Station Study."

18 In early 2013, Richard Bowen and myself
19 came into the picture with this suggestion; and at
20 that time, they -- they sought to get a second
21 study done, which took several months, because it
22 had to be corrected several times.

23 I'd just like to point out that the study
24 began as Ballardvale; and then, all of a sudden,

1 when Mr. Bowen and I came into the picture, it
2 became the South Andover Fire Station Study.

3 MODERATOR DOHERTY: Thank you, sir.

4 Mrs. Herman.

5 MS. HERMAN: Karen Herman, 50 Sunset Rock
6 Road. I'm chair of the Andover Preservation
7 Commission.

8 The preservation commission voted
9 unanimously to support both of these articles to
10 restore, enhance, and continue the use of the
11 Ballardvale Fire Station.

12 Too often historic buildings are
13 overlooked for adaptive reuse in favor of new
14 construction. Numerous historic fire stations
15 exist in New England and beyond, appreciating --
16 appreciated for their firefighting tradition, their
17 historic architecture; and their proximity to the
18 neighborhoods they've always served.

19 It is important for Andover to have the
20 opportunity to evaluate and study the options
21 presented in these two articles to keep the
22 Ballardvale station in Ballardvale and provide the
23 protective services that we need in this area.

24 Thank you.

1 MODERATOR DOHERTY: Thank you, Mrs.
2 Herman.

3 Are you ready to take a vote?

4 Article 25, we need a majority vote.

5 Go right ahead, sir.

6 THE FLOOR: I was a fireman for seven
7 years. I have a little bit of experience. So a
8 few things I wanted to bring up. We're talking
9 about \$4 million savings if we go for the
10 renovation over the new place. We're talking about
11 a densely populated area, with a lot of houses in
12 excess of 75 to 100 years.

13 If there is a fire in Ballardvale, that
14 response time could be critical to saving a densely
15 populated area. And if you think about
16 Ballardvale, where the houses are close together,
17 it wouldn't be long before the next house over is
18 on fire.

19 The train hazard keeps coming up about the
20 train blocking the tracks. If there -- that train
21 and the dangerous goods it contains -- the
22 hazardous materials, if there is an incident with
23 the train, wouldn't I want the fire station right
24 in place that could respond to that incident, as

1 opposed to all the way up the hill.

2 (Applause.)

3 It just makes sense. They keep talking
4 about an ambulance that might be added to that.
5 Wingate. Every time I pass Wingate, the ambulance
6 is there. What better to have it service those
7 people that we can get right to Wingate?

8 And then also you're leaving out the
9 response to 93. Dascomb Road is right there. If
10 there is accidents -- which the medical and the
11 fire is constantly going to 93 -- the optimum place
12 is right there in Ballardvale, where it has easy
13 access to it.

14 There are a lot of reasons to keep that
15 fire station. There a lot of reasons to save money
16 as well as protect the citizens of Ballardvale and
17 the rest of Andover. Thank you for your time.

18 MODERATOR DOHERTY: Thank you, sir.

19 Are you ready to vote?

20 MR. LEWIS: Can I speak?

21 MODERATOR DOHERTY: Okay. This will be
22 our last speaker here. Let's go right here.

23 MR. LEWIS: George Lewis, Bayberry Lane.

24 When they did the study on the fire

1 station, the Manitle (phonetic) study of five or
2 six years ago, they initially decided that we
3 should have four firehouses. Moving the firehouse
4 on Chandler Street down to -- closer to where the
5 IRS is, putting the Ballardvale Fire Station
6 someplace else; and all that -- if we -- if we did
7 that -- would cost the town many, many millions of
8 dollars.

9 What the Ballardvale -- leaving the
10 Ballardvale station where it is improves the
11 station capacity, services the Ballardvale Avenue
12 -- Ballardvale area on the west side of town; and
13 provides adequate service -- which it has been
14 doing for the last 120 years -- on the east side of
15 the town.

16 If we move the Ballardvale station further
17 from its present location, we're doing a disservice
18 to the children at Sanborn School, which now puts
19 them in jeopardy and increasing the response time
20 by probably three or four minutes.

21 Wingate, the -- the assisted living home
22 is -- also the response time is significantly
23 increased. And, furthermore, if we don't renovate
24 the Ballardvale station, we're looking at

1 tremendous expenses to create three or four new
2 firehouses within the town.

3 I think the remedy is to basically improve
4 and expand our present facility at Ballardvale.
5 Thank you. I suggest voting for this amendment.

6 MODERATOR DOHERTY: Thank you. Okay.

7 This -- this vote -- this vote will
8 require a two-thirds vote.

9 MS. DUNNING: Excuse me.

10 MODERATOR DOHERTY: So want to try a hand
11 vote?

12 MS. DUNNING: Excuse me. Excuse me. Can
13 I just say one thing, please?

14 MODERATOR DOHERTY: Oh. Please, you
15 know -- go ahead.

16 MS. DUNNING: My land abuts the fire
17 station. They could use the land and our neighbors
18 on both --

19 MODERATOR DOHERTY: Did you identify --

20 MS. DUNNING: I'm sorry. I'm sorry.

21 Dolores Dunning, 161 Andover Street.

22 MODERATOR DOHERTY: Thank you.

23 MS. DUNNING: And both neighbors that abut
24 the land for the fire station are willing to let

1 them use the land. Mr. Bowen has talked to both of
2 us.

3 MODERATOR DOHERTY: Let's go ahead with
4 the vote. Let me see if we can do this with a hand
5 vote, please. If you would be seated.

6 THE FLOOR: Point of order.

7 MODERATOR DOHERTY: I don't --

8 THE FLOOR: You said two-thirds, but Mr.
9 Bowen moved the article only with -- from free cash
10 not with --

11 MODERATOR DOHERTY: Town Counsel can
12 address that for you.

13 THE FLOOR: He -- what's printed in the
14 warrant includes borrowing, which would be
15 two-thirds, but he moved the article only with free
16 cash.

17 MODERATOR DOHERTY: Let me have Attorney
18 Urbelis address that. Thank you, sir. It's an
19 excellent point.

20 MR. URBELIS: Chapter 40, Section 14
21 requires if there is an appropriation from whatever
22 source for the acquisition of land, it's by a
23 two-thirds vote.

24 MODERATOR DOHERTY: So we're required by

1 law, if we're going to make an appropriation to
2 acquire land, that it requires a two-thirds vote of
3 this body.

4 So let's see if we can do that with --
5 with a show of hands.

6 All those in favor, please raise one hand.

7 Those opposed?

8 I believe that we have it by far more than
9 a two-thirds vote.

10 Does anyone challenge that declaration?

11 Would you like a count? All right.

12 All those in favor, please stand.

13 Once your counter has passed your row,
14 please be seated so they can see the next row.

15 Doctor Perry?

16 COUNTER: Close enough. Section 1,
17 please.

18 Section 1.

19 THE FLOOR: Section 1, 39, 3-9.

20 COUNTER: 39.

21 Section 2.

22 THE FLOOR: Section 2, 32, 3-2.

23 COUNTER: 32.

24 Section 3.

1 THE FLOOR: Section 3, four.
2 COUNTER: Four?
3 THE FLOOR: Four; yeah.
4 COUNTER: Four.
5 Section 4.
6 THE FLOOR: Section 4, 83, 8-3.
7 COUNTER: 83.
8 Section 5, please.
9 THE FLOOR: Section 5, 49.
10 COUNTER: 4-9.
11 Section --
12 MODERATOR DOHERTY: 49?
13 COUNTER: 49.
14 MODERATOR DOHERTY: Thank you.
15 COUNTER: 4-9.
16 Section 6, please.
17 THE FLOOR: Section 6, 63, 6-3.
18 COUNTER: 6-3.
19 Section 7, nothing.
20 8. Section 8?
21 THE FLOOR: Section 8, two.
22 COUNTER: Two votes in the nonvoting
23 section. How about that?
24 On the stage? There are parents sitting

1 with children. I shouldn't --

2 MODERATOR DOHERTY: Cal, was there anybody
3 in 7? No?

4 COUNTER: Nobody in 7, and no 9, 10, 11
5 and 12.

6 And stage?

7 THE FLOOR: Two.

8 COUNTER: Two.

9 And Charlie in the hall, please.

10 THE FLOOR: 17, 1-7.

11 COUNTER: 1-7.

12 MODERATOR DOHERTY: All those opposed,
13 please stand.

14 COUNTER: Looking to the counter, please;
15 and sit as he looks at you.

16 Okay. Section 1, please.

17 THE FLOOR: Section 1, six.

18 COUNTER: Six.

19 Section 2.

20 THE FLOOR: Section 2, 23, 2-3.

21 COUNTER: 23.

22 Section 3.

23 THE FLOOR: Section 3, 12, 1-2.

24 COUNTER: 12.

1 Section 4.

2 THE FLOOR: Section 4, 15, 1-5.

3 COUNTER: 15.

4 Section 5.

5 THE FLOOR: Section 5, 18.

6 COUNTER: 18.

7 Section 6.

8 THE FLOOR: Section 6, 17, 1-7.

9 COUNTER: 17.

10 Nobody in 7.

11 And Section 8, please.

12 THE FLOOR: Section 8, two.

13 COUNTER: Two.

14 And Charlie in the hall.

15 THE FLOOR: Four.

16 COUNTER: How many?

17 THE FLOOR: Four.

18 COUNTER: And on the stage, please.

19 THE FLOOR: 13, 1-3.

20 COUNTER: 13 on the stage.

21 MODERATOR DOHERTY: 291 having voted in
22 the affirmative, 110 having voted in the negative,
23 the motion carries.

24 Now, before we lose some of our -- before

1 we lose some of our student members here tonight --
2 we would hate to have you miss this -- there's a
3 little-known factoid that I think many of you may
4 know -- and most of you should know; and I would
5 like to take a moment between these two articles,
6 'cause I suspect some of you might want to run off.

7 But today, as we sit here, on May 6, 2014,
8 we have a very huge date. The Town of Andover is
9 368 years old today. Today.

10 So I'd like to ask Mr. Major if you would
11 all stand and lead us in a happy birthday to our
12 town.

13 Come on. We need to do that.

14 (Happy birthday song sung.)

15 MODERATOR DOHERTY: Let's pick it up.

16 A little more, Mr. Major.

17 We certainly have -- we certainly have
18 much to celebrate. And those who incorporated our
19 town 368 years ago, I wonder if they had a clue
20 what would be happening in this town and the items
21 -- I'm sure many of them are the same that they
22 discussed 368 years ago. But, boy, have we come a
23 long way. And we have a lot to be proud of.

24 Thank you very much for indulging me in

1 that.

2 Article 26, Mr. Bowen.

3 MR. BOWEN: Madam Moderator, my oldest
4 daughter's birthday is today.

5 MODERATOR DOHERTY: Is it? Wow. She
6 should have been here. We could have added it
7 right to her. Go right ahead, sir. Article 26.
8 Thank you very much.

9 MR. BOWEN: Richard Bowen, 12 Bannister
10 Road, Ballardvale.

11 Madam Moderator, I move that the town
12 appropriate the sum of \$200,000 for the
13 appropriation of plans and specifications,
14 including working drawings, bid documents, and
15 related expenses for the construction of an
16 addition to and the renovation of the present
17 Ballardvale Fire Station, and raise said sum from
18 free cash.

19 MODERATOR DOHERTY: Article 26 has been
20 moved and seconded.

21 Go right ahead, sir.

22 MR. BOWEN: This article calls only for
23 planning funds for the renovation of an addition to
24 the Ballardvale Fire Station. Construction funding

1 would be requested at a later town meeting. The
2 additional space, as indicated previously, would
3 house a standard-sized fire engine. There would be
4 room for an ambulance in the future. It would also
5 allow for renovation and improvement of the
6 offices, training areas, and all living areas,
7 including the kitchen and sleeping quarters for
8 both male and female firefighters.

9 The stark but unavoidable fact when all is
10 said and done is that the cost for replacement of
11 the Ballardvale Fire Station would probably be at
12 least three and possibly four times less [verbatim]
13 than that of an addition and renovation -- \$2
14 million were the addition and renovation; and a
15 minimum of \$6 million for a replacement, where the
16 benefits to be realized from either one are
17 similar, if not identical.

18 So you ask yourself -- you can pay \$10 for
19 something, or do you pay a lot less than that to
20 get the same thing?

21 On a somewhat personal note, Article 26
22 has been the most daunting and the boldest task of
23 my 50 years in Andover. It may also prove to have
24 been the most worthwhile. I have been encouraged

1 in presenting it -- along with other Andover
2 citizens -- in my firm belief that, one, it is a
3 responsible proposal. It is a reasonable proposal.
4 It works.

5 And the final thing I would say, I care
6 deeply for the community in which I live. Please
7 join me in voting yes for Article 26.

8 MODERATOR DOHERTY: Yes, sir. Do you have
9 board -- are you going to address that, or are you
10 continuing the presentation?

11 MR. GOLDSMITH: A presentation.

12 MODERATOR DOHERTY: Go right ahead.

13 MR. GOLDSMITH: Please put the slide back
14 up, "Why vote yes?"

15 To keep this very brief, the same reasons
16 that we passed No. 25 are the same reasons to vote
17 yes for article No. 26. The current location is
18 the best. Once again, we analyzed all the town
19 studies, all the reports, all the call data. The
20 current location is where that fire station should
21 be.

22 The recent study showed that building is
23 sound. It does not need to be replaced. It needs
24 to be repaired.

1 Budget concerns: We can't afford to spend
2 \$6 to \$8 million when \$2 million for a renovation
3 and expansion will suffice. And really the safety
4 of our children, again, how can we even think about
5 bringing a fire station onto a South School
6 baseball field and playground area and possibly
7 introduce a tragic or fatal accident to one of our
8 kids?

9 So in summary, please vote yes again to
10 keep the Ballardvale Fire Station in its current
11 location. Vote yes -- voting yes repairs the
12 building's issues. Voting yes improves the
13 Ballardvale Fire Station. Voting yes saves the
14 Town of Andover millions of dollars. Voting yes
15 keeps our children safe.

16 Once again, I am asking you to join me in
17 voting yes for article No. 26. Thank you.

18 MODERATOR DOHERTY: Thank you.

19 Any questions or comments?

20 You have a point of order or a question?

21 MR. LOTHROP: A comment and a question.

22 Bob Lothrop from 70 Porter Road. And in the
23 interest of this article, as we look forward with
24 technology, and transparency, and communication --

1 I know the Board of Selectmen have already seen
2 this done a couple of times over the last few years
3 -- collaboration with the other towns of North
4 Andover, of North Reading, and Wilmington and as
5 they work together, maybe we don't need this fourth
6 station in Andover for the first responders. Maybe
7 they could be quicker coming from the other towns;
8 and it might be a lot less expensive, along with
9 the new technology. Thank you.

10 MODERATOR DOHERTY: Thank you, sir.

11 Selectmen's report, please, Mr. Major.

12 MR. MAJOR: Thank you, Madam Moderator.

13 The Board of Selectmen recognizes that the ultimate
14 authority in this community is Annual Town Meeting.
15 So the Board of Selectmen will convene right now
16 live in front of you and re-take up this issue.

17 Mr. Chairman.

18 Is there --

19 MR. KOWALSKI: Mr. Chairman, I move the
20 Board of Selectmen reconsider Article 26.

21 MR. MAJOR: Second.

22 MR. KOWALSKI: All those in favor say aye?

23 MODERATOR DOHERTY: So now what is the
24 Selectmen's report, thank you very much?

1 MR. KOWALSKI: We'll give you that. We've
2 got to convene.

3 MODERATOR DOHERTY: Oh. You've got to
4 convene what your report is.

5 Can I get a Finance Committee report?

6 Mr. Fortier?

7 MR. DESO: Madam Moderator, just point of
8 order. I assume the Selectmen are meeting in
9 public.

10 Can we hear their discourse?

11 MR. KOWALSKI: Madam Moderator, I didn't
12 hear Mr. Deso's comment.

13 MODERATOR DOHERTY: He wanted to know if,
14 since you're meeting in public, if he can hear what
15 you're saying.

16 MR. KOWALSKI: Sure. Oh. Yeah. Yeah.
17 Definitely. We actually haven't started meeting in
18 public as of yet.

19 So yeah. We haven't started deliberation.
20 But I am going to make a motion: Mr. Chairman, I
21 move the Board of Selectmen vote to approve Article
22 26, as printed in the warrant.

23 MODERATOR DOHERTY: Hold on, if you will,
24 please. There hasn't been a vote.

1 SELECTMAN: Motion's been seconded.

2 MR. MAJOR: Is there a second? All those
3 in favor say aye?

4 SELECTMAN: What about discussion?

5 MODERATOR DOHERTY: Mr. --

6 MR. KOWALSKI: So --

7 MR. MAJOR: The concerns that we
8 outlined --

9 MODERATOR DOHERTY: Mr. Chairman, I would
10 suggest that you move to approve as the motion was
11 made, not what's necessarily printed in the
12 warrant.

13 Was it different? 'Cause it was
14 different. So you might want to talk among
15 yourselves.

16 MR. KOWALSKI: I'd like to -- Mr.
17 Chairman, I move that the -- move that the town
18 Board of Selectmen approve Article 26 as moved by
19 Mr. Bowen.

20 SELECTMAN: I will second.

21 MR. MAJOR: Okay.

22 MR. KOWALSKI: Any discussion?

23 MR. MAJOR: Yes, the concerns that we
24 offered earlier are still valid concerns; that we

1 still need to be able to provide safe coverage to
2 the south Andover portion of the community and the
3 Lowell Junction portion of the community.

4 So in this case, since we're -- we've
5 already approved, as a Town Meeting, to investigate
6 and to seek expansion of the land parcel so that we
7 can renovate the facility, then obviously it makes
8 sense that we fund the renovation of that facility
9 or at least the design work of that.

10 So with that, then I'll vote yes.

11 MR. KOWALSKI: Yes, Mr. Chairman. I had
12 initially planned to take the floor and speak in --
13 in favor of this article, but I was opposed to
14 Article 25 for structural concerns.

15 One of the things I think that we need to
16 do as a board --

17 MODERATOR DOHERTY: Could I ask a
18 question: Are you still in deliberations?

19 MR. KOWALSKI: Yes.

20 MODERATOR DOHERTY: Okay. So if you could
21 deliberate among yourselves, and then get back to
22 us, then I'll be happy to take a report from the
23 Selectmen.

24 MR. KOWALSKI: So one of the things to the

1 -- to the board that I believe we need to do is --
2 is that we need to -- to deliberate and discuss the
3 final report. We have received the final report;
4 and we need to do some further review of that final
5 report. So I support this motion.

6 SELECTMAN: Any other comments?

7 Seeing none, all those in favor say aye.

8 Opposed?

9 It passes 5-0.

10 So what would be the recommendation from
11 the Board of Selectmen?

12 MR. MAJOR: Thank you, Madam Moderator.

13 The Board of Selectmen unanimously recommends
14 approval of this warrant article.

15 MODERATOR DOHERTY: Thank you.

16 Finance Committee? Finance Committee
17 report? Mr. Fortier.

18 MR. FORTIER: Thank you, Madam Moderator.

19 Finance Committee recommends disapproval of Article
20 26, consistent with my previous comments.

21 MODERATOR DOHERTY: Thank you.

22 Any other comments?

23 Yes, sir. Do you have a question or a
24 point of order?

1 THE FLOOR: The question I have really is
2 that when you are talking about security, I
3 understand that fire trucks don't have a computer
4 or laptop on each one of the engines.

5 Can we expand somehow to make sure that
6 each fire truck does carry such a computer so that
7 security concerns that are expressed are addressed
8 with the right technology in each fire truck?

9 I don't know about that --

10 MODERATOR DOHERTY: Can I -- can I
11 recommend to you that that be a recommendation
12 being made to the manager to bring before the
13 Selectmen? Because it's not within the context of
14 this article.

15 Your point is well taken; and I think they
16 should take that under advisement.

17 THE FLOOR: But I think we should consider
18 that as part of the enhanced security that we all
19 expect and want. That's all.

20 MODERATOR DOHERTY: It's not within the
21 purview of this particular article. I don't -- I
22 don't dismiss your observation and your concerns,
23 but that should probably be referred back, 'cause
24 it's not within the confines of this article.

1 THE FLOOR: Okay. Thank you.

2 MODERATOR DOHERTY: Thank you, sir. Okay.
3 Yes, sir. One second. Go right ahead.

4 CHIEF MANSFIELD: That -- that situation
5 -- the question that that gentleman just brought up
6 has been answered by the approval of Article 5. So
7 we'll start seeing computer workstations on the
8 engines, and the ladder trucks, and ambulances, and
9 so forth sometime later this year.

10 MODERATOR DOHERTY: Sir, did you hear his
11 answer to that?

12 Sir, did you hear his answer to that?

13 Okay. You're all set.

14 Mr. Deso.

15 MR. DESO: Tom Deso, 81 High Street. I
16 opposed this article. I opposed the last article.
17 I understand -- I'm sure it's going to pass, and I
18 have no doubt -- but I just had to get up and say
19 for those in the audience tonight who don't
20 normally watch the town board meetings or attend
21 the town board meetings, we've had a really inside
22 look tonight of what's been going on in the last
23 few months. Thank you.

24 MODERATOR DOHERTY: Okay. Yes, sir.

1 MR. SUTTON: Jim Sutton, Farrwood Drive.
2 I just have a question: Reading the Finance
3 Committee report, it says the money's to be
4 borrowed, but I think when I heard the motion made,
5 it was to take it out of free cash.

6 So where's the money coming from?

7 That's my question.

8 MODERATOR DOHERTY: Where is the money
9 coming out of? Who could tell me that?

10 Where is the money coming out of?

11 THE STAGE: Free cash.

12 MODERATOR DOHERTY: Free cash, sir. We're
13 not borrowing. Any other questions? Questions.

14 Mic No. 4, please.

15 MR. LUCKMAN: Greg Luckman, 13 Florence
16 Street. I won't even bother with the same question
17 I had before, but I don't know whether this is a
18 point of information or a point of personal
19 privilege, but we do have students in the school
20 observing this Town Meeting.

21 I do hope that all the people who came
22 here for this article in particular be good role
23 models and not all get up and just leave after --

24 MODERATOR DOHERTY: Thank you very much.

1 MR. LUCKMAN: -- after you get your
2 article.

3 MODERATOR DOHERTY: Point very well taken.
4 Thank you, sir.

5 MR. LUCKMAN: All of the articles in Town
6 Meeting are important.

7 MODERATOR DOHERTY: Thank you, sir.

8 Article 26. All those in favor, please
9 raise one hand. Thank you.

10 Those opposed? Thank you.

11 The ayes clearly have it by a vast
12 majority. The motion passes.

13 Article 27.

14 (Applause.)

15 Article 27, Mr. Vispoli.

16 MR. VISPOLI: Yes, Madam Moderator. I
17 move to appropriate and raise by taxation the sum
18 of \$35,000 for the purpose of paying costs for a
19 comprehensive assessment of the service needs of
20 Andover's residents 50 years of age and older.

21 MODERATOR DOHERTY: Article 27 has been
22 moved and seconded. Mr. Vispoli -- oh, Mr. Robb
23 are you speaking to this?

24 MR. ROBB: Yeah.

1 MODERATOR DOHERTY: Go right ahead.

2 THE FLOOR: Don Rob, 36 York Street,
3 cochair of the Council on Aging. I'd like to
4 introduce my cochair, Anne Grecco.

5 MS. GRECCO: 49 Whittier Street. Thank
6 you.

7 MR. ROBB: We are asking this money
8 because of several things that have happened with
9 the last couple of years with the council of aging
10 as we worked our way through a strategic plan. And
11 we found on a number of occasions that, as you've
12 heard tonight from several of our boards, it's very
13 hard to make decisions or recommendations without
14 the appropriate information in hand.

15 We have had informal kinds of surveys.
16 We've had analyses informally of census statistics
17 and things of that sort. But we are now faced with
18 a situation in the Town of Andover where the
19 fastest growing part of our population is, in fact,
20 those over 60 years old.

21 There are more people in town over 60 than
22 there are in our public schools. It is a
23 population that has specific needs and needs some
24 services from the town. What we would like to do

1 is fund a study which would take place during the
2 coming year that would allow us to hear from some
3 experts from the University of Massachusetts
4 gerontology department to put together a survey
5 that would really dig into the community with focus
6 groups, with interviews, with data analysis, and
7 other kinds of information, and present that back
8 to us.

9 I do want to assure the town that this is
10 not a study that will go on a shelf. I recall that
11 it was more than 30 years ago, as a town official,
12 that I first visited the Ballardvale Fire
13 Station -- which then needed repairs and
14 refurbishing.

15 I hope this doesn't take 30 years. And,
16 in fact, I will promise you that by this time next
17 year, there will be a report from the Council on
18 Aging to the Board of Selectmen and to the Town
19 Meeting. I ask your support for Article 27.

20 MODERATOR DOHERTY: Thank you, Mr. Robb.
21 Board of Selectmen's report, please.

22 MR. VISPOLI: Yes, Madam Moderator. The
23 Board of Selectmen recommends approval of this
24 article.

1 MODERATOR DOHERTY: Thank you. Finance
2 Committee report, please, Ms. Anderson.

3 MS. ANDERSON: Finance Committee also
4 recommends support of this article.

5 MODERATOR DOHERTY: Any discussion?

6 All those in favor, please raise one hand.

7 THE FLOOR: I have a question -- excuse
8 me.

9 MODERATOR DOHERTY: Oh. I'm so very
10 sorry. Thank you.

11 THE FLOOR: I just -- for the people --

12 MODERATOR DOHERTY: Would you identify
13 yourself, please.

14 THE FLOOR: Sorry. Bonnie (inaudible),
15 Granli Drive. I have a question about the age 50
16 plus versus age 60 plus. And I'm kind of curious.
17 It seems like there's a focus here on the seniors
18 in the community. I happen to be 50 plus. I don't
19 consider myself in that particular category.

20 MODERATOR DOHERTY: Oh, you are.

21 THE FLOOR: I do have my AARP card.

22 MODERATOR DOHERTY: Very sorry.

23 THE FLOOR: I do have an important point
24 here. \$35,000 to study the needs of seniors in our

1 community, I fully support that. I feel it will be
2 diluted if the study is focusing on age 50 to 60,
3 as well as the 60 plus residents of the community.
4 I just want people to understand that the needs of
5 someone 50 to 60 are quite different than the needs
6 of those 60 plus.

7 MODERATOR DOHERTY: Thank you.

8 THE FLOOR: And I'm not really speaking
9 for or against it. I'm just saying I think there
10 should be focus.

11 MR. ROBB: Madam Moderator, I'd like to
12 ask our elder services director, Kathy Gerhardt, to
13 speak specifically to that issue.

14 MS. GERHARDT: The reason that we've
15 included people over age 50 when we referenced this
16 article is because of an incredible statistic: One
17 out of six Andover residents is over 60; another
18 one out of six Andover residents is over 50;
19 one-third of the population in this town is over
20 50.

21 In order to reach age 60, you first have
22 to pass age 50. It's one of those, you know,
23 stepping stones. A lot of people who are 50 are in
24 the lower end of the boomer generation. You may

1 have moved here to town for your kids to be in the
2 Andover schools. And your kids are probably out of
3 school. What are you going to do? Are you going
4 to stay in town? You no longer need the schools.
5 We, as a town, need to look at what you would
6 like -- how you're leaving or staying is going to
7 impact the town.

8 So that is why that's also included,
9 because it's, one, the immediate needs of people
10 over age 60, but it's also -- long term -- how is
11 this huge cohort going to affect the town?

12 And I would like to say one more thing:
13 40 percent of Andover homeowners are over age 60.
14 That's a huge part of the tax base. What happens
15 if that group starts to leave town? How many
16 families with kids move in, and how is that
17 supported?

18 MODERATOR DOHERTY: Thank you. Okay.

19 Are we ready to vote?

20 All those in favor of Article 27, please
21 raise one hand.

22 Thank you.

23 Those opposed?

24 Thank you. The ayes have it the motion

1 carries.

2 Article 28, please.

3 Who was making this motion? Alex, would
4 you --

5 SELECTMAN: Anne Grecco.

6 THE FLOOR: Anne Grecco, Whittier Street.
7 The article is being withdrawn.

8 MODERATOR DOHERTY: You're make a motion
9 to withdraw the article?

10 MS. GRECCO: Yes.

11 MODERATOR DOHERTY: Thank you. Article 28
12 has been a vote -- moved to be withdrawn.

13 Any objections?

14 All those in favor please raise one hand.

15 Thank you.

16 Those opposed?

17 The ayes have it. The motion is
18 withdrawn.

19 Article 29, please, Mr. Ponte. If you can
20 identify yourself please sir.

21 MR. PONTE: Yes, Madam Moderator, Joe
22 Ponte, 10 Marion Avenue. Hey, I'm 74. I think I'm
23 the new 54.

24 Please note that this is a home rule

1 article, and if voted upon at this meeting, the
2 state's attorney general will review it for
3 constitutionality; and if deemed appropriate, it
4 must be voted upon in the affirmative by the
5 legislature before it can take effect.

6 This article is intended to provide real
7 estate tax relief to seniors in Andover 70 years of
8 age or older who own their own homes or condos and
9 have lived in town for 20 years.

10 There's a big explanation in the blue
11 book. Let me give you a sentence as an example:
12 Let's say real estate taxes go up this year 4 1/2
13 percent. In January the Social Security benefits
14 for those on Social Security went up 1 1/2 percent.
15 This article means that seniors age 70, their taxes
16 would only go up that 1 1/2 percent.

17 So there's a 3 percent delta. If you
18 calculate this in money, for people owning homes in
19 the 6 to \$8,000 tax range, you're talking \$180 to
20 \$240 a year. We're not talking big dollars. It
21 may not seem like a lot of money.

22 However, there are many seniors in this
23 town living on fixed income, running low on their
24 retirements. And this amount could be the

1 difference on what to spend on basic living
2 expenses.

3 You know, Andover's an affluent community.
4 I've heard the town's net worth is approaching \$15
5 billion. If you'd look at the average salary of a
6 family, that's 150k. Those are big dollars. And
7 there are many seniors -- often unknown to us --
8 who are living on the edge; and any amount of tax
9 relief would be most welcome.

10 By the way, to many of us in this room,
11 the word "senior" takes on a more intimate and
12 expanded meaning -- like grandparents, or parents,
13 or relatives, or close friends, next-door neighbors
14 -- and maybe even you in the not-too-distant
15 future.

16 For their sake and for yours, please
17 support this article.

18 (Applause.)

19 MODERATOR DOHERTY: Thank you.

20 Mr. Salafia.

21 If we could have a mike on down here,
22 please.

23 MR. SALAFIA: Madam Moderator, the Board
24 of Selectmen recommends disapproval of this

1 article, 'cause it would require a special act of
2 the legislature.

3 MODERATOR DOHERTY: Okay. The Finance
4 Committee report, please, Ms. Anderson?

5 MS. ANDERSON: Well, the Finance Committee
6 found that Article 29, as it's presently written,
7 does not adequately address some significant
8 issues: First, this article would shift the tax
9 burden from some of those over 70 years of age to
10 all of those under 70, yet the total tax levy will
11 not go down. It will just be spread out
12 differently. There is no means-based
13 differentiation between the financially-needy
14 seniors and those who can afford to pay increased
15 taxes -- thus an affluent 75-year-old tax burden
16 might be lightened at the expense of his
17 financially-struggling, 65-year-old neighbor.

18 Secondly, there was insufficient data
19 provided to properly understand the financial
20 impact this article might have on the town.
21 Andover presently administers two real estate tax
22 exemption programs, and a tax deferral program, and
23 a tax work-off program, all targeted towards senior
24 citizens.

1 Any additional programs should consider
2 the adequacy of financial relief programs already
3 in place, what needs are still unmet, and the full
4 financial impact of change before moving forward.

5 We hope the study the voters just approved
6 can address some of these questions. But for now,
7 the Finance Committee recommends disapproval of
8 this article.

9 MODERATOR DOHERTY: All right. Thank you.
10 Any other questions or comments? I need
11 a --

12 MR. ROLI: Hello?

13 MODERATOR DOHERTY: Who's saying "hello"
14 to me? I'm sorry. Thank you.

15 MR. ROLI: Okay. First of all, my name's
16 Mike Roli. I'm the sponsor of this article. I
17 wasn't the maker of it -- the creator. And to be
18 honest, I wish he were here tonight.

19 I want to address -- as far as giving the
20 figures of what this -- the impact would be to the
21 town to the Finance Committee, we had sent a
22 booklet to every member of the Finance Committee
23 and the Selectmen for their review prior to giving
24 our -- our speech, and in that were the figures

1 that you are asking for.

2 I would like to just address those
3 figures. As -- as stated, the positive impact for
4 the seniors would be, on average, based on \$8,000
5 average real estate tax. The positive for the
6 senior is \$240 of lower taxes.

7 So that would go to the town. Now, there
8 are 3,197 seniors in this town over the age of 70.
9 And that's from the latest census that was taken by
10 the town.

11 Taking that into account, we also
12 investigated -- and we could only come up with an
13 approximation -- but a very educated guess by an
14 educated company -- and we have come up with 1,390
15 single-family homes are occupied -- owned by
16 seniors over the age of 70.

17 So we came up with the figures of if
18 there's 1,390 homes owned by a portion of this
19 3,197 seniors, the impact to the town would be 300
20 -- approximately \$334,000 a year.

21 Now, that is only based on one year. It's
22 based on the fact that the -- the plan we've put
23 out increases -- only increases the senior's tax by
24 1 1/2 percent this coming year, because that's what

1 the Social Security gave us as a -- an increase.

2 Next year, it could be 2 percent they give
3 us, in which case, this figure goes down, okay,
4 because we will pay more taxes.

5 All it's doing is trying to allow the
6 seniors that are being severely impacted by 4 1/2
7 percent increases in taxes -- projected this year
8 and 4.7 percent increase last year, that is -- is
9 turning them to such a -- state of stress.

10 Yes, there are wealthy people in this town
11 that are probably over the age of 70. But the
12 majority of the people in this town are not. And
13 those are the people that could benefit by this.

14 You talk about it not being means tested.
15 Well, we could have put a number -- we could have,
16 you know, come up with some -- all right --

17 MODERATOR DOHERTY: (Pounds gavel.)

18 MR. ROLI: All right. I'd better talk
19 fast.

20 I look at -- the reason I'm for this --
21 and I've got to say it quick -- I've watched the
22 Selectmen go through an unbelievable amount of
23 effort this year -- finally getting the message
24 that taxes need to be reduced for the town -- only

1 to have all the work that was done thrown out the
2 window by a vote from a group of -- of what do you
3 call it, the...

4 MODERATOR DOHERTY: The unions.

5 MR. ROLI: -- the unions --

6 MODERATOR DOHERTY: Thank you.

7 MR. ROLI: -- okay, reversed everything;
8 and in doing so, the fact that the IAs had to be
9 cut.

10 MODERATOR DOHERTY: I'd like you to stay
11 on the topic, please.

12 MR. ROLI: I am.

13 MODERATOR DOHERTY: What does this have to
14 do with --

15 MR. ROLI: What it has to do with --
16 everything they tried to do to help the whole town
17 was reversed; and that's why seniors can't count on
18 the town coming up with benefit for them to reduce
19 their taxes. And that's why an article like this
20 is so necessary, because we cannot continue to go
21 in the direction we're going. We can't count on
22 the town saving us. And -- and another figure I
23 just have to tell you --

24 MODERATOR DOHERTY: Mr. Roli.

1 MR. ROLI: One last figure -- one last
2 figure. You gave other people extra time.

3 MODERATOR DOHERTY: Mr. Roli. I'm asking
4 if you -- if you would listen to me for a few
5 minutes --

6 MR. ROLI: Yes.

7 MODERATOR DOHERTY: I will extend you
8 another 30 seconds if you can wind this up, please.

9 THE FLOOR: If I can do what?

10 MODERATOR DOHERTY: If you can wind it up.
11 You've already been almost five minutes.

12 MR. ROLI: I told you, there are 3,197
13 seniors in this town now over the age of 70. Age
14 75, that number drops to 2,095. Where did those
15 1,100 people go? Okay.

16 Why isn't that a consistent number? Did
17 they all die? No, they didn't die. They moved
18 out. Okay. And they had to move out for a reason.
19 And a lot of people leave this town -- even though
20 they don't want to -- because they can't afford the
21 taxes. They need this now. Okay. And, you know,
22 you're in a good mood. You just got through saving
23 \$4 million. We're asking for \$334,000.

24 MODERATOR DOHERTY: Okay. Thank you, sir.

1 Thank you, Mr. Roli.

2 All right. Any other comments? Somebody
3 up here.

4 MR. ROLI: That's the --

5 MODERATOR DOHERTY: Mr. Roli. Mr. Roli.

6 MR. ROLI: That's the equivalent of --

7 MODERATOR DOHERTY: Mr. Roli, you're out
8 of order, please. Thank you.

9 Up here, please.

10 MS. GIFUN: My name is Jane Gifun, Castle
11 Heights Road. I support this article. We talk
12 about it -- it's only a couple of hundred dollars.
13 Well, that's about 10 percent of someone's oil bill
14 this year if they heated with oil -- would be kind
15 of nice to know that it goes to warm the house up.

16 But I'm also supporting this because I was
17 at a meeting recently with mixed people from town;
18 and there was an elderly gentleman -- shouldn't be
19 saying this -- he's 89, World War II veteran; and
20 he just shook his head and he said, "This town
21 doesn't care about me. I spent my whole life here.
22 They don't care about me. I can't afford this town
23 anymore, and no one cares about me."

24 We spend less than \$100 per person on our

1 seniors. We spend over \$15,000 on our students. I
2 think to be able to give these people back a little
3 bit of money to let them know -- as a town -- we
4 care about them I think is very important.

5 Please support this article.

6 MODERATOR DOHERTY: Thank you very much.

7 Are you ready to vote?

8 Mrs. Carbone, go ahead.

9 MS. CARBONE: Okay. Thank you.

10 MODERATOR DOHERTY: Did you have a point
11 of order, or are you speaking to the article?

12 MS. CARBONE: Mary Carbone. Actually, I'm
13 just speaking in general as a senior citizen.
14 Basically I've been aware of this article. I want
15 to relate to the seniors if they don't already know
16 it that we have -- there's quite a few programs for
17 senior citizens: Circuit Breaker -- a state
18 program. There is the script program. There's a
19 tax deferral program. But the tax deferral program
20 asks for a lot of information in order to achieve
21 that. And the senior citizens -- I give it to them;
22 they're extremely intelligent. They know when they
23 want to give out pertinent information and they
24 don't.

1 So in order to achieve those programs, you
2 have to give out the information. And on 60
3 Minutes Sunday, the greatest population now is over
4 90. And they're going at great storms, I'm telling
5 you -- drinking wine, dancing, just doing
6 everything. So there you go.

7 There are programs available, but,
8 seniors, you have to give out some private
9 information in order to achieve it. Thank you.

10 MODERATOR DOHERTY: Thank you, Mary.

11 Yes, sir. If you could identify yourself.

12 MR. MCNEIL: Stuart Mcneil, 37 Sagamore
13 Drive.

14 MODERATOR DOHERTY: Thank you, sir.

15 MR. MCNEIL: I'm also a member of the
16 Council on Aging in Andover. I'm speaking in favor
17 of this; and for -- really -- dollars and cents
18 reason why, you want to keep seniors in their
19 homes.

20 In my neighborhood in the last three
21 years, we've had eight homes sold. They were all
22 seniors with no children. You say the average tax
23 bill is \$8,000. So those eight houses generated
24 \$64,000 in tax revenue for the town.

1 When they were sold, families moved in
2 with 21 children. If you figure even \$13,000 per
3 child per year, that's \$273,000 of school cost.
4 The homes are still only generating the same
5 \$64,000. That's a net loss of \$209,000 a year to
6 the Town of Andover. You could have kept the
7 seniors in their homes tax free and saved almost
8 \$150,000.

9 MODERATOR DOHERTY: Thank you.

10 Yes, sir.

11 MR. BARRY: Hi. My name is Patrick Barry.
12 I live at 30 Dunster Road. I've been in Andover
13 for 49 years. When I moved in here 49 years ago,
14 my whole neighborhood was adults -- people. Now
15 I'm the only one left on my street that's over 70.
16 The only one. And the reason all these people have
17 moved out -- because they can't afford the taxes.
18 And it seems here that money is being spent on
19 everything else, everything like that, but when it
20 comes to the people who have built the Town of
21 Andover over the past 49 years, well, they just
22 turn their back on them. Thank you very much.
23 Support this amendment.

24 MODERATOR DOHERTY: Thank you.

1 Excuse me. Over here, please, Susan. I'm
2 sorry. I didn't see you.

3 MS. STOTT: Hi. My name is Susan Stott,
4 30 Pasho Street. I've seen people come and go. I
5 lived on Robin Road for 35 years; and we had times
6 of lots of kids, times with no kids, and now there
7 are lots of kids again.

8 I think it was Linn Anderson who mentioned
9 that there are many programs already in Andover.
10 There are other models also in other communities
11 and tax deferral if we want to expand what's
12 available.

13 I happened to look at the past town
14 reports, and our real estate tax exemptions that
15 have been granted to seniors have dropped from 42
16 in 2008 to 31 now. I think people perhaps need to
17 do a better job of making people know what options
18 are available to them.

19 I happen to think that -- I moved from a
20 larger house to a smaller house. There are,
21 fortunately, are very nice modest homes left in
22 Andover. There are also condos. So if we want to
23 stay, we can.

24 I think benefits to seniors who have a

1 real financial need is a very good idea. But
2 speaking for myself and other seniors that I know
3 -- and I am over 70, so I'm eligible for this
4 benefit -- I think we should have a needs-based
5 system. And for those of us who don't need the
6 help, I think we should continue paying our fair
7 share toward the school. The best thing we do in
8 this town is educate the next generation.

9 MODERATOR DOHERTY: Yes, sir. Up here in
10 the back.

11 MR. COTICCHIO: Madam Moderator.

12 MODERATOR DOHERTY: Yes, sir.

13 MR. COTICCHIO: Jimmy Coticchio, 127
14 Greenwood Road; and I am a town employee.

15 I rise in support of this -- of this
16 motion. I appreciate what my good friend and the
17 previous speaker just said about educating our --
18 our children; and they are our future. We have an
19 obligation to do that. And I am fully in favor of
20 that.

21 I have no children going to school. I am
22 the last one from my house that has attended
23 school. So that was a long time ago. And I've
24 been paying my taxes pretty regularly -- I don't

1 think I'm late, Larry; I'm not sure -- I mean,
2 David -- I'm not sure.

3 But having said that, I think we also have
4 an obligation to our senior citizens and the people
5 who have lived here the longest, whether they might
6 have a few bucks in the bank or not. I think it's
7 important that we look out for our senior citizens
8 and make it attractive for our senior citizens to
9 be here. It helps broaden the depth of our
10 community.

11 I think that it's important that we look
12 to this, and we either amend this so that it works,
13 or we accept it the way it is and go forward and
14 give the senior citizens a break on their taxes.
15 Thank you.

16 MODERATOR DOHERTY: Thank you.

17 Let's have one more speaker who's been
18 waiting here, and then, please, don't anyone else
19 get up, because we'll take a vote right after this
20 woman speaks.

21 MS. O'CONNOR: Okay. My name is Margaret
22 O'Connor. I live at 22 Railroad Street in Andover.
23 And I am also a member of the Council on Aging.
24 It's time to raise awareness of the fact that

1 Andover demographics are changing. We are an
2 aging-in-place community. Right now our seniors
3 are subsidizing the school budget without receiving
4 any actual service from the school department.

5 What would happen if 10 percent of the
6 seniors moved out and sold their property,
7 resulting in a huge increase in our school
8 population?

9 I'm asking not to necessarily adopt this
10 proposal verbatim, but I'm asking that we ask the
11 Selectmen to draft and approve a home rule
12 petition. This article has to have a home rule
13 petition. It has to be submitted to the
14 legislature. And I think the Selectmen would be
15 wise to incorporate some of these points, and also
16 to probably add an income eligibility or
17 needs-based portion to it.

18 But we can't deny the fact that Andover is
19 aging. And Andover demographics are changing. And
20 we need to keep our seniors in Andover or face an
21 extremely high increase in our school population.

22 So basic economics says, give a little to
23 the seniors and save a lot in the school budget.

24 Thank you.

1 MODERATOR DOHERTY: Thank you. Okay.
2 Article 29. All those in favor of Article 29,
3 please raise one hand? Thank you.

4 Those opposed?

5 The eyes have it clearly. Does anyone
6 challenge that?

7 I'm sorry.

8 THE FLOOR: Count.

9 MODERATOR DOHERTY: Do you want a count?
10 I just was told I didn't -- all those in favor,
11 please stand.

12 I am sorry to do this a second time.

13 When they've passed your row, please be
14 seated.

15 COUNTER: Okay. Section 1, please.

16 THE FLOOR: Section 1, 28, 2-8.

17 COUNTER: 28.

18 Section 2.

19 THE FLOOR: Section 2, 16, 1-6.

20 COUNTER: 16.

21 Section 3.

22 THE FLOOR: Section 3, one.

23 COUNTER: One?

24 THE FLOOR: One.

1 COUNTER: One.
2 Section 4.
3 THE FLOOR: Section 4, 59.
4 COUNTER: 59.
5 Section 5, please.
6 THE FLOOR: Section 5, 27.
7 COUNTER: 27.
8 Section 6.
9 THE FLOOR: Section 6 has 45, 4-5.
10 COUNTER: 4-5.
11 Section 7 is nonvoting.
12 And 8.
13 THE FLOOR: Section 8, zero.
14 COUNTER: Zero.
15 Stage please?
16 THE FLOOR: Zero.
17 COUNTER: Zero.
18 And the hall, please, Charlie.
19 THE FLOOR: Two.
20 MODERATOR DOHERTY: Those opposed, please
21 stand.
22 COUNTER: Section 1, please.
23 THE FLOOR: Section 1, seven.
24 COUNTER: Seven.

1 Section 2.

2 THE FLOOR: Section 2, 3-2, 32.

3 COUNTER: 32.

4 Section 3, please.

5 THE FLOOR: Section 3, 14, 1-4.

6 COUNTER: 1-4, 14.

7 Section 4.

8 THE FLOOR: Section 4, 18, 1-8.

9 COUNTER: 18.

10 Section 5, please.

11 THE FLOOR: Section 5, 30.

12 COUNTER: 3-0.

13 Section 6.

14 THE FLOOR: Section 6 has 21, 2-1.

15 COUNTER: 21.

16 Section 7 has zero.

17 8.

18 THE FLOOR: Section 8, three.

19 COUNTER: Three.

20 And the stage, please?

21 THE FLOOR: 15, 1-5.

22 COUNTER: 15.

23 And Charlie.

24 THE FLOOR: Zero.

1 COUNTER: Thank you.

2 MODERATOR DOHERTY: Those having voted in
3 the affirmative are 78, in the negative 140. The
4 motion carries.

5 I believe -- I believe there's someone up
6 in heaven smiling down tonight.

7 Article 30, please. I'd like to get four
8 more articles -- if we can -- in tonight. If you
9 could please bear with me.

10 Article 30, Mrs. O'Donoghue.

11 MS. O'DONOGHUE: I move that the town
12 appropriate \$1,286,446.58 from the premium paid to
13 the town upon the sale of bonds issued for the
14 construction of a new K to 5, 680-student Bancroft
15 Elementary School, including off-site improvements
16 that aren't part of the project which are the
17 subject of proposition 2 1/2 debt exclusion to pay
18 cost of the project being financed by such bonds
19 and to reduce the amount authorized to be borrowed
20 for such project but not yet issued by the town by
21 the same amount.

22 MODERATOR DOHERTY: Article 30 has been
23 moved and seconded.

24 Selectmen's report, please, Mr.

1 O'Donoghue.

2 MS. O'DONOGHUE: This article requests to
3 reduce the borrowing authorization previously voted
4 for the Bancroft School construction project by the
5 premium received from the most recent borrowing in
6 March 2014.

7 In accordance with new Massachusetts
8 Department of Revenue regulations, the net premium
9 received of \$1,286,446.58 was applied to the
10 borrowing to reduce the actual amount borrowed.

11 This reduces the overall interest cost
12 incurred and requires a Town Meeting vote to reduce
13 the borrowing authorization in the same amount as
14 the premium as it is no longer needed.

15 MODERATOR DOHERTY: Thank you. And the
16 Selectmen's recommendation?

17 MS. O'DONOGHUE: Yes, Madam Moderator.
18 The Board of Selectmen recommend approval.

19 MODERATOR DOHERTY: Thank you.

20 Mrs. Marden, the Finance Committee report?

21 MS. MARDEN: The Finance Committee
22 recommends approval. And Mrs. O'Donoghue said
23 everything that I was going to say. So...

24 MODERATOR DOHERTY: There you go. I saw

1 her go over to your seat earlier and take the
2 paper. Okay.

3 All those in favor -- if there are no
4 comments and questions, all those in favor of
5 Article 30, please raise one hand. Thank you very
6 much.

7 Those opposed?

8 The ayes clearly have it. The motion
9 carries.

10 Article 31, please, Mr. Coticchio.

11 MR. COTICCHIO: Thank you, Madam
12 Moderator. Jimmy Coticchio, 127 Greenwood Road.
13 I'm a firefighter here in town, and I am chairman
14 of the Andover Retirement Board. I'd like to move
15 that Article 31 be withdrawn.

16 MODERATOR DOHERTY: Motion has been made
17 and seconded that Article 31 be withdrawn. Is
18 there any objection?

19 All those in favor please raise the other
20 hand.

21 Those opposed?

22 The article has been withdrawn. Thank
23 you.

24 Article 32, please. Mr. Coticchio.

1 MR. COTICCHIO: Thank you, Madam
2 Moderator. Again, I'm Jimmy Coticchio, Chairman of
3 the Andover Contributory Retirement Board. I'd
4 like to make a motion that we approve Article 32 as
5 printed in the warrant.

6 MODERATOR DOHERTY: This motion, Article
7 32, has been moved and seconded.

8 Go ahead, sir.

9 MR. COTICCHIO: Article 32 will allow a
10 maximum increase of \$425 a year to a retiree.
11 Currently we are allowed to give \$360 a year. It's
12 -- there's a formula that it's calculated on.
13 Currently an increase can only be based on the
14 first \$12,000 of retirement income with a maximum
15 of 3 percent.

16 So that allows for a maximum of a \$360
17 increase. This article would move to allow us to
18 amend that formula, allowing us to give a retiree
19 an additional \$5 a month or \$60 a year, bringing it
20 up to \$420.

21 We have come up with a way that's been
22 utilized in the past that can not change the
23 appropriation -- not increase your tax bills. If
24 the town pays its appropriations to the retirement

1 board in one lump sum, as opposed to multiple
2 payments, that amount of money that they would save
3 by making -- by making the payment in one lump sum
4 would be in excess of \$200,000.

5 This would require us to put an additional
6 \$171,000 into -- into our fund. That is just to
7 prefund the system. That is not what it costs for
8 this per year.

9 It increases our benefit payments by about
10 \$16,000 a year. But due to the way the unfunded
11 liability is calculated, you have to pre-fund all
12 the employees' benefits up front.

13 This would allow us to do that without
14 increasing the appropriation and without changing
15 your taxes.

16 Currently 85 percent of the Massachusetts
17 cities and towns have increased their COLA base
18 from \$12,000, some to \$13,000, many to \$14,000,
19 15,000, and up to \$18,000. \$18,000 is the maximum
20 increase that's allowed by law. We're only asking
21 to increase it \$2,000 to \$14,000.

22 There's been no increase in the COLA base
23 in Andover since July 1st, 1998, when it was raised
24 from 9,000 to \$12,000.

1 Currently employees pay for their pension.
2 Some people think that the employees do not pay for
3 their pensions, but they do. Some of our active
4 employees -- 138 of our active employees pay 10
5 percent, and 555 of our active employees pay 11
6 percent.

7 With all new employees that have been
8 hired since 4 of '12, they have to work an
9 additional two years to reach maximum -- to reach a
10 maximum pension. So it used to be you would have
11 to work 32 years. You now have to work 34 years to
12 reach a maximum pension.

13 There are a total of 730 active employees
14 in the -- in the system. This will not require us
15 to modify our current FY 215 -- 2015 funding
16 schedule. So there would be no change in that at
17 this time.

18 And, Madam Moderator, after the
19 committee's make their report, I'd like to close.

20 MODERATOR DOHERTY: Thank you, sir.

21 Finance Committee -- I mean, the
22 Selectmen, please, your report.

23 MR. KOWALSKI: Board of Selectmen voted 5
24 to zero to recommend disapproval of this article.

1 MODERATOR DOHERTY: Recommend disapproval?

2 MR. KOWALSKI: To recommend disapproval.

3 MODERATOR DOHERTY: Thank you.

4 Finance Committee report, please.

5 MS. MARDEN: Finance Committee also

6 recommends disapproval of Article 32.

7 This is one of those seemingly small
8 decisions that has a significant impact on future
9 budgets. The Finance Committee is very concerned
10 about Andover's unfunded pension and OPEB
11 liabilities. Adding to our pension obligations at
12 this time before we've even figured out how to pay
13 for the commitments made in the past is
14 irresponsible.

15 Five years ago Andover's retirement budget
16 was \$4.6 million. This year it's \$6.4 million.
17 The currently-adopted funding schedule shows the
18 required retirement appropriation increasing to
19 \$9.5 million over the next five years. And this
20 only includes the COLA increases already approved.

21 Available revenues will not keep up with
22 these projected increases.

23 For the Finance Committee, adding to our
24 pension obligations when we don't have a sound plan

1 for paying for Andover's existing commitments make
2 no sense.

3 If the retirement board does have the
4 ability to reduce costs and improve the finances of
5 Andover's retirement system, it should take that
6 action now for the benefit of both current
7 employees, retirees, and Andover taxpayers, whether
8 or not there's an increase in the COLA base for
9 retirees.

10 We recommend a no vote on Article 32.

11 MODERATOR DOHERTY: Yes, ma'am.

12 MS. WOOD: My name is Florence Feldman
13 wood. I live at --

14 MODERATOR DOHERTY: If you could speak a
15 little louder.

16 MS. WOOD: Florence Feldman Wood. I live
17 at 44 Rocky Hill Road. I am a town employee --
18 retired; and I would like to -- before I speak in
19 favor of this article -- I'd like to take a Mary
20 Carbone minute and say that I have felt -- having
21 come for 30 years to Town Meetings -- that the
22 feeling of the people who spoke mostly last night
23 and again today was very much against the town
24 employees, and the retirees, and that we are not

1 appreciated; and it is not a respectful attitude
2 towards us.

3 I resent being the poster child of this
4 problem. I worked 20 hours a week at the library.
5 I started out actually less than that, but then I
6 switched positions. I worked for 14 years, then,
7 with the help of Elena Kaufman, our wonderful
8 retirement person, I was able to buy back the 12
9 years that I worked at the Boston Public Schools;
10 and my pay scale as one of the circulation people
11 was the same as many of the support staff --
12 secretarial staff in town hall. So it was a
13 middling of income.

14 So I had -- when I retired at the age of
15 66 -- 26 years of service in the retirement
16 program.

17 So let me give you a couple of hard
18 numbers: My 2013 tax form from the retirement
19 board said that I made \$18,978. I paid in checks
20 to Medicare \$1,256. For those who don't realize
21 it, Medicare is not free. Likewise, I added to
22 that \$652 for the Blue Cross that the town offers
23 as supplemental, because Medicare doesn't cover
24 everything.

1 So I am asking you to give me and all the
2 -- by voting yes on this, to give me and all my
3 other retirees \$5 a month more. Thank you.

4 MODERATOR DOHERTY: Thank you. Any other
5 comments?

6 Okay. Are you ready to vote?

7 All those in favor of Article 32, please
8 raise one hand. Thank you.

9 Those opposed?

10 I think the opposition clearly has it.
11 Motion is lost.

12 THE FLOOR: Madam Moderator, I'd like a
13 count, please.

14 MODERATOR DOHERTY: All right. All those
15 in favor, please stand.

16 All those in favor of Article 32, please
17 stand.

18 COUNTER: Section 1, please.

19 THE FLOOR: Section 1, nine.

20 COUNTER: 9.

21 Section 2.

22 THE FLOOR: 14. Section 2, 14, 1-4.

23 COUNTER: 14.

24 Section 3.

1 THE FLOOR: Section 3, seven.

2 COUNTER: Excuse me. Seven.

3 Section 4.

4 THE FLOOR: Section 4, 25.

5 COUNTER: 25.

6 Section 5.

7 THE FLOOR: Section 5, 48.

8 COUNTER: 48.

9 Section 6.

10 THE FLOOR: Section 6 had 29, 2-9.

11 COUNTER: 29.

12 Section 7.

13 08.

14 THE FLOOR: Section 8, one.

15 COUNTER: One. Charlie in the hall.

16 THE FLOOR: One.

17 COUNTER: One.

18 On the stage, please.

19 THE FLOOR: Zero.

20 COUNTER: Zero. All done.

21 MODERATOR DOHERTY: Would you repeat
22 Section 5, please.

23 COUNTER: I'm sorry. Section 5, I had
24 zero. Section 5? How did I get -- or a zero?

1 5 I had 4-8.

2 MODERATOR DOHERTY: 48?

3 COUNTER: Is that correct? Yes. Okay.

4 48 in 5; 29 in 6; zero in 7; and one in 8.

5 Okay.

6 MODERATOR DOHERTY: And one in the hall?

7 COUNTER: One in the hall, and zero on the
8 stage. Yes.

9 MODERATOR DOHERTY: Okay. Thank you.

10 All those opposed, please stand.

11 If you could please remain while a vote is
12 being taken, I would be grateful. Thank you.

13 COUNTER: Section 1, please.

14 THE FLOOR: Section 1, 17, 1-7.

15 COUNTER: 17.

16 Section 2.

17 THE FLOOR: Section 2, 27, 2-7.

18 COUNTER: 27.

19 Section 3.

20 THE FLOOR: Section 3, four.

21 COUNTER: Four.

22 Section 4.

23 THE FLOOR: Section 4, 36.

24 COUNTER: 36.

1 Section 5.

2 THE FLOOR: Section 5, 29.

3 COUNTER: 29.

4 Section 6, please.

5 THE FLOOR: Section 6 had 30, 3-0.

6 COUNTER: 3-0.

7 Section 7 is still zero.

8 8?

9 THE FLOOR: 8, zero.

10 COUNTER: Zero.

11 And the hall, please, Charlie.

12 THE FLOOR: Zero.

13 COUNTER: Zero. On the stage.

14 THE FLOOR: 1-6, 16.

15 COUNTER: 16. Thank you.

16 MODERATOR DOHERTY: Cal, could you repeat
17 the nos again, please, by section.

18 COUNTER: No or the -- against? The nos?

19 MODERATOR DOHERTY: The nos.

20 COUNTER: Okay. 1 is 17; 2 is 27; 3 is
21 four; 4 is 36; 5 is 29; 6, 30; 7 and 8 are zero;
22 stage is zero; and -- stage is 16; and the hall was
23 zero.

24 MODERATOR DOHERTY: Those voting in the

1 affirmative are 134. Those in the negative is 159.
2 The motion is lost.

3 If -- I would like to take the next
4 article and then maybe start with the marijuana
5 articles next week -- the marijuana district -- not
6 the marijuana lunch. Don't tell everybody they can
7 come and have -- that's what we're doing -- but the
8 marijuana district.

9 Article 33, please, Mr. Major.

10 MR. MAJOR: Thank you, Madam Moderator.

11 MODERATOR DOHERTY: If you can just hang
12 in there with me for one more article, I'd be so
13 grateful.

14 Go right ahead, sir.

15 MR. MAJOR: I move to approve Article 33
16 as printed in the warrant.

17 MODERATOR DOHERTY: Article 33 has been
18 moved and seconded.

19 Mr. Major.

20 MR. MAJOR: Yes, this warrant article --
21 every three years we do a full reevaluation of all
22 personal property and -- all properties across the
23 Town of Andover. And so this money allows us to
24 hire an outside firm to come in and do that

1 complete re-inspection of all the properties.

2 MODERATOR DOHERTY: Thank you. Finance
3 Committee report, please, Mr. Barry?

4 MR. BARRY: Finance Committee recommends
5 approval.

6 MODERATOR DOHERTY: Any questions?

7 All those in favor, please raise one hand.
8 Thank you.

9 Those opposed?

10 The ayes have it. The motion carries.

11 Do we have a report on the score?

12 THE FLOOR: They lost.

13 MODERATOR DOHERTY: They lost? Oh, man.
14 I'm glad I didn't know that.

15 Mr. Urbelis.

16 MR. URBELIS: Madam Moderator, I move to
17 adjourn this Town Meeting to next Monday, May 12th
18 at 7 o'clock, same place.

19 MODERATOR DOHERTY: Motion that we adjourn
20 till next Monday, May 12th at 7 p.m. here.

21 All those in favor please say aye. Thank
22 you so much.

23 Those opposed?

24 Thank you.

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See you next week.
(Meeting adjourned.)

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CERTIFICATE

I, P. Jodi Ohnemus, LCR #91, and
Certified Shorthand Reporter, do hereby certify
that the foregoing transcript is a true, accurate,
and complete transcript of the recorded media, to
the best of my knowledge, skill, and ability.



Patricia Jodi Ohnemus

P. Jodi Ohnemus, LCR #91
RMR, RPR, CRR

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