

Town of Andover
Annual Town Meeting
May 5, 2015
Day 2

Commencing at 7:00 PM

J. Everett Collins Center Auditorium
Andover High School, Shawsheen Road, Andover, MA

Recorded Media transcribed July 29, 2015

DUFFY & MCKENNA COURT REPORTERS

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APPEARANCES

Town Moderator: Sheila M. Doherty
Town Manager: Reginald Stapczynski
Town Clerk: Lawrence Murphy
Board of Selectmen members
Finance Committee members
School Committee members

Transcribed by:
Camille M. Palladino-Duffy
NH LCR 105, RPR

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P R O C E E D I N G S

MADAM MODERATOR: Thank you very much. The hour of 7:00 p.m. having arrived, it is my distinct pleasure to call to reconvene the 2015 Annual Town Meeting.

Mr. Urbelis, please.

MR. URBELIS: Madam Moderator, I move to --

MADAM MODERATOR: If we could have this mic here on, please. Thank you.

MR. URBELIS: Madam Moderator, I move to admit Marinel McGraf, Christopher Cronin, and others who may come in here after, some of whom may be speaking.

MADAM MODERATOR: All those in favor of admitting nonvoters, please raise one hand. Thank you. The ayes have it.

Those opposed? Thank you. The ayes have it.

Please bring in the nonvoters. They'll be sitting up in the section in the back.

For those of you who are following along with me, I'm going to skip this next section and go through some more of the housekeeping.

The waiver of return of service, please,

1 Mr. Urbelis.

2 MR. URBELIS: Madam Moderator, I move to waive
3 the return of service and allow the Moderator to
4 refer to the Warrant Article by number and subject
5 matter.

6 MADAM MODERATOR: Thank you. The motion has
7 been moved and seconded to refer to the Warrant
8 Articles by number. All those in favor, please
9 raise one hand. Thank you.

10 Those opposed? The ayes have it. The motion
11 carries.

12 Could we turn these two lights down a little
13 bit, please? Thank you. I wasn't able to see you
14 all.

15 The voting sections in the hall, 1, 2 up until
16 Row L. Whoever's in Row L, could you raise your
17 hand, please? If you look down on the floor. So
18 up until that row back there is in Section 2.

19 Section 3, Section 4 up here. Section 5 from
20 Row M up. Section 6, Section 7 up there, and
21 Section 8 is the nonvoting section.

22 I'd like to introduce the members on the
23 stage. To my right, your left, is the Planning

1 Board, the Board of Selectmen, the Town Manager,
2 the Finance Director.

3 Over here to my left, your right, is the
4 Finance Committee, the Town Counsel, and Town
5 Clerk.

6 Over to my left, your right at the table there
7 is the Ombudsman, Christopher Vrontas. He will
8 help you if you want to amend any Article, he's got
9 the three-part form, if you need to have those in
10 order to submit an amendment.

11 In the Finance Committee Report in the back,
12 there are rules and regulations for the meeting, if
13 you would like to use -- make use of that. There
14 are mics here that are Pro and Con. There's a Pro
15 mic and a Con mic way up in the back. There is a
16 Pro mic in the back, and a Con mic here.

17 If you are going to speak to the Article, for
18 the Article, if you can get to a -- it's wonderful
19 to see you Marianne -- if you are going to speak
20 for an Article, if you would -- excuse me, but we
21 have one of our best teachers in our school system
22 who has gone through one of the most courageous
23 fights with cancer and she's here tonight. And so,

1 it's truly wonderful to see you here. Thank you.
2 I'm sorry for embarrassing you.

3 So if you are going to speak for an Article,
4 if you would be at the Pro mic. If you want to
5 speak against the Article if you would find
6 yourself to a Con mic.

7 If you have a question, you will have 30
8 seconds to ask it at the Point of Order mic, or if
9 you have a point of order: I don't know what
10 Article we're on, this is too cold, this is too
11 hot, could people speak up, I can't hear, I can't
12 see, that would be at the Point of Order mic.

13 Okay. We spoke yesterday a little bit about
14 the tone of our meeting. And I want to just remind
15 the Meeting that this is -- you can say anything
16 you want out on the middle of Shawsheen Road about
17 anything about anybody at any time, however you
18 want to speak.

19 This is not a free-speech forum. This is a
20 legislative body for the Town of Andover. Now,
21 unlike was said yesterday, we're not all elected
22 legislators, but by virtue of being a resident, we
23 are part of the legislative body for the Town of

1 Andover.

2 As such, there are rules in this legislative
3 body that we have been adhering to for many, many
4 years. And one is civility and the respect for
5 each other. Consequently, if you have something to
6 say and you want to disagree with town officials,
7 I'm all for that. I will defend your right to do
8 that until the cows come home. I will not allow
9 you to disparage them, anybody, for them to
10 disparage any citizen or for you to do that to
11 them.

12 If you cannot control that, I will ask you to
13 take your seat. If you will not take your seat, I
14 will ask the officers to escort you out of the
15 assembly. Does everybody understand that? And is
16 everyone okay with that? Yes? No?

17 THE FLOOR: Yes.

18 MADAM MODERATOR: Thank you. Thank you.

19 Okay. We have some recognitions tonight that I
20 think are important, and I would ask those who are
21 presenting, if you could go down to the mic to do
22 that.

23 Is the School Committee making a presentation?

1 No? Yes.

2 Mr. Salafia, would you like to start?

3 MR. SALAFIA: Thank you, Madam Moderator. It
4 it is with great pleasure and honor that we
5 recognize Brian Majors' long and distinguished
6 service to our community. Brian is no stranger to
7 community service. He grew up in a household where
8 his father was a former New Hampshire Selectmen and
9 serves today as a New Hampshire State
10 Representative.

11 As a young man, Brian himself took on public
12 service in Andover as a member of the Andover Youth
13 Counsel in 1994. He volunteered at the YMCA,
14 joined the Kiwanis Club, the Knights of Columbus,
15 and today is an assistant wrestling coach on the
16 AYS, and assistant scout master at Troop 75. And
17 he's also an active supporter of the Run for the
18 Troops. And, of course, without his leadership and
19 tenacity, our outstanding youth center may never
20 have been built.

21 But we all know Selectmen Brian Major best for
22 his 18 years serving as a member of the Andover
23 Board of Selectmen. When we think of Andover 18

1 years ago, and we think of Andover today, we are a
2 much better community for his service.

3 Although his accomplishments are many, his
4 greatest gift to our Board was his integrity, his
5 intelligence, and his incredible leadership skills
6 that often brought clarity out of a most complex
7 issue.

8 He has a unique skill that would bring people
9 with opposing views together and help them find
10 consensus, a skill he learned from his dear friend
11 and his mentor Jim Doherty. In short, Brian was
12 always able to find a way to do what was best for
13 his community.

14 Brian, on behalf of the Board of Selectmen,
15 the Town Manager and, by the way, on behalf of all
16 the people in this room, the citizens of Andover,
17 we thank you, thank you, thank you for your
18 service.

19 THE FLOOR: (Applause.)

20 MR. SALAFIA: Would you say a couple of words?

21 MR. MAJORS: This should be easy after all the
22 speeches over the years. Serving as Selectmen has
23 been a labor of love. It's been absolutely

1 phenomenal over the years because of the wonderful
2 people that I've been able to serve with. The
3 dedication of the employees across the town, the
4 schools is outstanding.

5 The volunteers that we have on our boards and
6 our committees is absolutely incredible. It's
7 outstanding, the knowledge and wisdom that they
8 bring to those boards and committees.

9 There are a few folks that have really
10 impacted my life throughout the last 18 years.
11 When I look to the stage behind me, the most
12 intelligent, financial mind when it comes to
13 municipal government, Joanne Marden.

14 A gentleman that we recognized last evening
15 who we all owe a debt of gratitude for his
16 incredible 25 years of outstanding leadership to
17 our community, Buzz Stapczynski.

18 And a couple of people that I refer to as
19 family members. In fact, I'm wearing one of Jim's
20 town meeting ties. Jim and Sheila Doherty.

21 MADAM MODERATOR: And he would say, you know
22 your time.

23 MR. MAJORS: So I'll finish up. The most

1 important person is my wife Margaret. If it wasn't
2 for her support and her sacrifices through the
3 years, I never would have had the time in order to
4 be able to serve this great community.

5 Paul did introduce my father, who's not only a
6 State Legislator, but he's the Chairman of Ways and
7 Means for the State of New Hampshire. And my mom's
8 here as well, Norman Grunden Major. My wonderful
9 mother-in-law, Ann Schwinn Gemble or Ann Gemble
10 Schwinn, and my four outstanding children: Rachel,
11 Danielle, Brendon and Nicole.

12 And to the citizens of Andover, thank you.
13 I've thoroughly enjoyed this ride. Thank you.

14 MADAM MODERATOR: Anything from the School
15 Committee?

16 MRS. GILBERT: Hi. Good evening. I'm Annie
17 Gilbert from the School Committee. Unfortunately,
18 David Burnbach is not able to join us here this
19 evening, and he does send his regrets, but we would
20 like to recognize him for his last two terms of
21 school service to the Andover School Committee.

22 He served two terms, but that is in addition
23 to two prior terms, one of which he served in the

1 1980's; the second of which he served in the
2 1990's, so I believe, if I'm not mistaken, that he
3 may be the only School Committee member ever, or
4 perhaps even elected board member ever, to have
5 served a term in each one of four different
6 decades.

7 MADAM MODERATOR: And two centuries.

8 MRS. GILBERT: It is not -- yes, and two
9 centuries. Not a goal that I aspire to equal.

10 David brought an incredible mind to the School
11 Committee. Great innovation, great creativity,
12 intelligence, and a passion for doing the very best
13 he could to make sure Andover public school
14 students received the best education they could
15 have.

16 He pushed all of our thinking. Certainly my
17 own, and we are the better for it. I'd like now to
18 have a round of applause for David Burnbach.

19 THE FLOOR: (Applause.)

20 MADAM MODERATOR: Thank you, Annie.

21 Buzz? Buzz?

22 MR. STAPCZYNSKI: Well, this evening I want to
23 recognize Earl Effinger for his 37 -- or excuse me,

1 38 years of service to the Town as a member of the
2 Trustees of the Punchard Free School.

3 Earl, are you here?

4 MADAM MODERATOR: Come on down. Come on down.

5 MR. STAPCZYNSKI: I think, Earl and Margaret,
6 would you please come down, please? Yes.

7 MADAM MODERATOR: Why don't you meet them at
8 the Point of Order mic.

9 MR. STAPCZYNSKI: I could do that.

10 MADAM MODERATOR: Just a suggestion.

11 MR. STAPCZYNSKI: Today is your special
12 recognition today because today they are
13 starting -- see I got this right -- their 59th year
14 of marriage; is that right?

15 SPEAKER: Right.

16 MR. STAPCZYNSKI: I was speaking with Earl
17 yesterday, just reminding him he had to be here and
18 getting some information for my little talk, and he
19 said, Well, I can't be there last night, May 4,
20 because that's our 58th wedding anniversary and he
21 was taking his lovely wife out to dinner.

22 So I'm glad you folks made it tonight. I hope
23 the dinner was good, Margaret? Okay. Very good.

1 MADAM MODERATOR: Which is why they've been
2 married for 58 years.

3 MR. STAPCZYNSKI: A smart man. Well, continue
4 standing, folks, because I know as Brian said, you
5 know, the person who serves doesn't do it alone,
6 whether it's a spouse or significant other or a
7 family that surrounds them with the love and the
8 support for all the work they do, the night
9 meetings, the AMOSEC activities, the interruptions
10 at home, I think we ought to give the spouses now a
11 round of applause, all of them.

12 THE FLOOR: (Applause.)

13 MR. STAPCZYNSKI: When I first met the
14 Effingers exactly 25 years ago because when I
15 started as Town Manager, we had a little problem on
16 Iceland Road. Seems like the Town put a penguin
17 park on their street without thinking about the
18 parking and the consequences and the popularity of
19 a playground for preschool for toddlers. And I was
20 on the phone with Earl and his neighbors trying to
21 work out a suitable compromise, but there was
22 really none to be found because Iceland Road is
23 pretty narrow and very short, so we ended up moving

1 it to Upper Shawsheen where it is today.

2 But in March of 1977, Earl started, first
3 elected to the Punchard Free School Board of
4 Trustees. Their assets at that time totaled about
5 \$200,000. Today the assets of the Trust are over
6 \$700,000, and they provide scholarships and program
7 assistance to Andover High School in the tune of
8 about \$30,000 annually.

9 Now, there are three main accomplishments that
10 Earl cited when I spoke to him the other day. One
11 is there's a plaque in the Town Offices that
12 acknowledge that the Town Office building that we
13 have been in for these past 27 some-odd years is
14 really Punchard High School.

15 The second is that he worked hard with the
16 Counsel on Aging and our elder services folks to
17 rebrand the Elder Services, the senior center, to
18 the center at Punchard.

19 And the third was a long, long project,
20 because in 1849 the Trustee -- the will of Benjamin
21 Punchard established the fund for the Free School.
22 And the school was under the direction of 8
23 Trustees -- and it probably was a good idea at the

1 time. A little outmoded today -- was the director
2 of Christ Church, the ministers of South Parish and
3 West Parish. And then there were five other
4 members, two representing South Church, two
5 representing Christ Church, and one representing
6 West Parish.

7 Earl saw the inner quality issues with that,
8 the inappropriateness of that in today's age, and
9 he worked hard for many, many years to change that.
10 And, as a result, in the Town Meeting of 2009, we
11 voted to restructure the Board so that it would be
12 made up of five elected individuals who are members
13 of the town, who are voters of the town, and that's
14 what we have today.

15 But he had to jump through a hoop of that
16 19 -- excuse me, that 2009 Annual Town Meeting.
17 Then it was followed by an act of a Legislature in
18 2010 or '11, and then followed by a petition to
19 Probate Court.

20 It took four or five years for Earl and the
21 Trustees to realign the membership to be a more
22 contemporary board, and I want to thank Earl for
23 his 37 years -- excuse me, 38 years of service to

1 the Town. Congratulations.

2 THE FLOOR: (Applause.)

3 MADAM MODERATOR: Thank you very much. We
4 have one more award tonight that I would like to
5 present. I will do the reading of the presentation
6 and the Chairman of the School Committee and the
7 Chairman of the Board of Selectmen will make the
8 actual presentation.

9 But many of you may remember Virginia Cole.
10 For those of you who don't, Virginia Cole was a
11 resident of the Town of Andover for many years.
12 Much of what is wonderful in Andover was brought
13 about through her efforts, and many others like
14 them through her volunteer work and her commitment
15 to our Town.

16 Because of the countless years of giving that
17 Ginny Cole gave to Andover, the Town initiated an
18 annual award in her honor to be given to a citizen
19 at this Town Meeting who has given much to our town
20 in an elected, appointed, or in a volunteer role.

21 Tonight I am very honored to present the
22 Virginia Cole Award to an individual in my -- who,
23 in the opinion of many, has taken the standard of

1 service to a new level. This individual has given
2 tirelessly to our town. In fact, the preservation
3 of all of that we hold dear that will be held for
4 generations to come.

5 I have had the honor of serving on a few
6 committees with this year's honoree, and I was so
7 pleased when I saw that she was put in nominations
8 for this year's Virginia Cole Award.

9 The historic significance of our treasured
10 past has been rooted into our future planning
11 because of our honoree. Having moved here from the
12 midwest, our honoree has embraced the New England
13 heritage, and specifically that of Town of Andover.

14 She's taught not only her own children by her
15 example, but all of us that listening is critical
16 to good decisions, that grace under fire will
17 always win the day, and that picking one's battles
18 in any fight is so important to moving a community
19 forward.

20 The design of our downtown, the preservation
21 of our old town hall, the documentation of historic
22 homes and locations at the library, serving on the
23 Historical Society Board of Trustees, the Andover

1 Preservation Commission as chair, the Design Review
2 Task Force have all had her thumbprint for the last
3 nearly 40 years.

4 Town Meeting members, I am truly honored,
5 truly honored to announce to you tonight that one
6 of our most intelligent and gracious citizens, and
7 a woman who is comfortable in the role of the
8 unsung hero if it means getting the job done, is
9 being honored with the Virginia Cole Award
10 Community Service Award, I present to you this
11 evening, Karen Van Welden-Herman.

12 Karen, come on down.

13 MS. VAN WELDEN-HERMAN: This is, for me, this
14 is -- I'm just so touched, and this is truly such
15 an honor for me to receive this award. I've not --
16 I knew Ginny Cole so well. And she actually pushed
17 me a number of times to do this and that, and she
18 always got her way. So, but my husband Jack and I
19 moved here from Colorado in 1982, and we saw
20 Andover as the place we wanted to live, and we
21 looked around quite a bit before we moved here.

22 I grew up knowing that preservation would
23 be -- historic preservation would be something that

1 would be part of my life forever.

2 As a child of urban renewal, I saw what it
3 did. And I knew that I wanted to help preserve
4 historic buildings, and it has been my privilege to
5 be involved with the Andover community. There are
6 wonderful, wonderful people here, and we've loved
7 every minute we've lived here. So thank you so
8 much.

9 MADAM MODERATOR: Our pleasure.
10 Congratulations, Karen.

11 Okay. We have -- there was a vote last year
12 that was made by this Board -- by this body to
13 appropriate a sum of money for the senior citizens
14 to do a survey. And they have done that and
15 they've asked me for two minutes because in their
16 Warrant Article they also asked if they can report
17 back to the meeting.

18 So Mr. Fonti, please, if you would go give us
19 a two-minute report and update.

20 MR. FONTI: Thank you, Madam Moderator.

21 MADAM MODERATOR: You're welcome.

22 MR. FONTI: Joe Fonti, 10 Marion Avenue. 75
23 years young, for the record. Last year, this body

1 authorized, and very wisely, a sum of money for a
2 comprehensive survey on the needs of Andover's
3 50-plus population. This survey activity was
4 managed at the Center at Punchard by its director,
5 Kathy Urquhart.

6 The University of Massachusetts Gerontology
7 Institute and Demographic Research Organization was
8 hired to conduct this survey. They designed a very
9 comprehensive questionnaire which was sent out on a
10 random basis to approximately 4,000 citizens in the
11 50, 59, those are the boomers, and the 60-plus age
12 group.

13 In addition, focus groups and direct
14 interviews were held to obtain supplemental and
15 supporting data. Comparisons were also made to
16 senior populations in three other towns similar to
17 Andover to assess how their senior needs are being
18 met.

19 It was a very high level of interest in the
20 survey and responses exceeded 28 percent, resulting
21 in a very valid statistical sample.

22 Two key findings were paramount: seniors need
23 affordable housing close to town. No big surprise.

1 And they need better transportation to support
2 their independent living status.

3 You know, it's no secret that Andover's
4 population is aging and current census figures
5 revealed that boomers and seniors account for
6 nearly 1/3 of the population.

7 The Counsel on Aging Board and the staff at
8 the Center plan to use this key information and
9 much of what is in the report to build both
10 strategic and tactical moving forward plans.

11 A review of the survey will be made to the
12 Selectmen at their next meeting, and the complete
13 report will be made available on the Town's web
14 page. You'll be able to access it then.

15 When available, I really urge all of you to
16 read it, and take advantage of this new
17 information. It's really integral to Andover's
18 future. Kathy Urquhart at the Center and the
19 entire Counsel on Aging Board will be available to
20 answer your questions. Thank you for your
21 listening.

22 MADAM MODERATOR: Thank you, sir.

23 Okay. Let's get started. Article 18 is where

1 we are beginning. It's on page 59 in your Finance
2 Committee report books, if that's what you are
3 using.

4 Article 59 -- I mean Article 18, please,
5 Mr. Salafia.

6 MR. SALAFIA: Yes, Madam Moderator. I move to
7 approve Article 18 as printed in the Warrant.

8 MADAM MODERATOR: Article 18 has been moved
9 and second.

10 Mr. Salafia, do you have a Selectmen's report?

11 MR. SALAFIA: Selectmen recommend approval.

12 MADAM MODERATOR: And, Mrs. Anderson, the
13 Finance Committee report, please.

14 MRS. ANDERSON: The Finance Committee
15 recommends approval.

16 MADAM MODERATOR: Are there any questions or
17 comments about the Article? All those in favor,
18 please raise one hand. Thank you.

19 Those opposed? The ayes have it. The motion
20 carries.

21 Article 19, please, Mrs. O'Donoghue.

22 MRS. O'DONOGHUE: Thank you, Madam Moderator.
23 I move to appropriate and raise by taxation the sum

1 of \$5,000 for the purpose of paying a portion of
2 the municipal costs associated with civic events in
3 the downtown.

4 MADAM MODERATOR: Article 19 has been moved
5 and seconded. The Selectmen's report, please?

6 MRS. O'DONOGHUE: Yes. This Article
7 specifically provides \$5,000 to pay for the
8 overtime costs incurred by Town departments in
9 support of the annual Andover Days events in
10 downtown main street. The Board of Selectmen
11 recommends approval of this Article.

12 MADAM MODERATOR: Finance Committee report,
13 please, Mrs. Moffitt.

14 MRS. MOFFITT: Finance Committee recommends
15 approval.

16 MADAM MODERATOR: Okay. Sir, do you have a
17 question? Can we have mic number 3 on, please.

18 SPEAKER: Yes, Bill Pennington. I was just
19 wondering --

20 MADAM MODERATOR: If you can speak right into
21 the mic. I'm sorry, it is low.

22 SPEAKER: I was just wondering if the
23 nonprofits in this town that put on such great

1 events as Colleen Ritzer, Run for the Troops, could
2 also be supported.

3 MADAM MODERATOR: With this 5000?

4 SPEAKER: We -- I just think it might be in
5 a -- these events are very difficult to put on,
6 especially from ground zero, and it would, I think
7 I can speak for charity organizations that we would
8 like some support also.

9 MADAM MODERATOR: My question to you is are
10 you asking that these funds be available to those
11 organization also?

12 SPEAKER: We'd like to be involved in the
13 process.

14 MADAM MODERATOR: Okay. Somebody want to
15 address that?

16 MR. STAPCZYNSKI: I'd be happy to.

17 MADAM MODERATOR: Go ahead, Buzz.

18 MR. STAPCZYNSKI: Yes. As has been stated,
19 this is the -- this sum of money, the \$5,000
20 represents the Town's contribution to the Andover
21 Day. The Andover Day program has been in existence
22 for a number of years, and it's run by the Andover
23 Business Community Association. And the Andover

1 Business Community Association, for those of you
2 who are unfamiliar with it, it is an association
3 of the businesses, basically, on Main Street and in
4 the business areas of Andover.

5 It does include other parts or town as well,
6 but mainly Main Street, and they've been putting on
7 the Andover Days program for a number of years.
8 They are tax-paying businesses in town, and over
9 the years we felt that we ought to contribute some
10 town money to pay for the overtime details for
11 police, firefighters, if needed, municipal services
12 employees to help clean up and what not.

13 So that has been the purpose of it, is to
14 assist with the town's contribution in a small way
15 to make Andover Day a success in town.

16 MADAM MODERATOR: Town Counsel.

17 MR. URBELIS: The -- if I understand your
18 question, Mr. Pennington, is can some of the \$5,000
19 go directly to a particular organization? I mean,
20 is that what you were asking?

21 SPEAKER: I just think whether it's Run for
22 the Troops, Colleen Ritzer, I just think the
23 process should be open to nonprofits only.

1 MR. URBELIS: Well, the funds as the Manager
2 said, are not paid to an organization. They are
3 paid for the overtime for the employees and,
4 obviously, if there is some other entity that you
5 think the funds should go to in particular then,
6 you know, you can bring it to the Manager's or
7 Selectmen's attention at some point.

8 SPEAKER: We also have costs that are paid to
9 Town Employees, fire, police, janitorial costs,
10 too. I just think the process should be open to
11 nonprofits as a priority and not -- I understand --
12 correct me if I'm wrong, but Andover days, I
13 believe, is a nonprofit also.

14 MR. URBELIS: Well, the funds can't go to a
15 nonprofit. That would be a violation of
16 Massachusetts Constitution, but the payment of the
17 overtime for particular events, that's something
18 that, you know, you should discuss with the Manager
19 and the Selectmen.

20 MADAM MODERATOR: Any other questions or
21 comments?

22 SPEAKER: I'd just like to make an amendment
23 that it should go to -- the process should be open

1 to nonprofits.

2 MADAM MODERATOR: Does the Warrant Article
3 specifically state the Andover Business
4 Association? Does it in your book?

5 MR. STAPCZYNSKI: It does not. It talks about
6 municipal costs associated with civic events in the
7 downtown.

8 MADAM MODERATOR: So then could any other
9 organization appeal to the Selectmen for those
10 funds if they were to be voted tonight?

11 MR. STAPCZYNSKI: I suppose they could, if
12 there's any additional money left, but I think the
13 concern I would have is that we're specifically
14 naming Andover Day as the organization as the event
15 in which we are earmarking the money.

16 MADAM MODERATOR: Okay. So if you want to
17 offer an amendment, I need to have a copy of it.
18 If not, let's get it voted on.

19 Could somebody grab that for me, please?
20 John, do you mind?

21 Yes, sir, do you have a question on this while
22 we're waiting for the amendment?

23 SPEAKER: Yes, Madam Moderator, (inaudible).

1 MADAM MODERATOR: Number 4, please.

2 SPEAKER: Hello.

3 MADAM MODERATOR: Okay.

4 SPEAKER: Okay. There we go.

5 MADAM MODERATOR: If you could say your name
6 again, please.

7 SPEAKER: David Brown, 31 Glenwood Road.

8 MADAM MODERATOR: Thank you.

9 SPEAKER: I think what the previous speaker is
10 asking is whether these other groups, such as the
11 Ritzer Run, might be eligible for them to have
12 their overtime costs associated with the police
13 protection, whatever, funded through this Article.

14 And the way the Article is worded, it says
15 "civic events in the downtown." The Article itself
16 does not specifically mention Andover Days.

17 The explanation mentions Andover Days, so I
18 guess the question would be whether civic events in
19 the downtown would include other events other than
20 specifically the Andover Day celebration.

21 And, obviously, this would be subject to
22 whether there was enough money to do that. I think
23 that's what the gentleman's really looking for, not

1 to have money given to some other organization.

2 MADAM MODERATOR: Right, right. Does anybody
3 want to address that?

4 MR. STAPCZYNSKI: Well, again, as the author
5 of the Warrant Article several years ago the intent
6 was very clear in my mind, and that was for civic
7 events, and the biggest civic event that we have on
8 an annual basis in your downtown is Andover Day.

9 Now, it doesn't specifically say sporting
10 events. If we were interested in sporting events,
11 we could have written that. In fact, in our survey
12 of other municipalities, particularly those along
13 the Boston marathon route, we contacted them
14 several years ago and said, you know, who is paying
15 the overtime for police, for fire, for DPW, for
16 employees, and the feedback that we got was that it
17 was the BAA that was paying for that.

18 So it's been our policy and program to pass on
19 those costs to the operators of, specifically, road
20 races or walks that are coming into Andover.

21 Having -- well, that was the basis of
22 our approach was to pass on the costs of the
23 running events, the walking events to the

1 participants.

2 But for Andover Day or civic events, we felt,
3 or I felt, anyway, the need to contribute in some
4 way to these businesses that operate in Andover for
5 the benefit of all.

6 MADAM MODERATOR: Okay. Would you like to
7 proceed with your amendment? Thank you. Would you
8 like to proceed with your amendment? Okay. If you
9 could read that into the record, please and, Steve,
10 if you could put that up on the screen. And if I
11 could have that back.

12 SPEAKER: And it starts after donation.

13 MADAM MODERATOR: Okay. I need you to read
14 the whole thing, please. I'm sorry.

15 SPEAKER: Can I just read my amendment?

16 MADAM MODERATOR: You need to move -- I move
17 to amend, that the whole think that's on the page
18 there that you have in front of you.

19 SPEAKER: All right.

20 MADAM MODERATOR: Thank you.

21 SPEAKER: I move to amend to include --

22 MADAM MODERATOR: Article 19.

23 SPEAKER: Article 19 and for events supportive

1 --

2 MADAM MODERATOR: As follows. I need you to
3 read the entire think, Bill. I'm sorry. Do you
4 have a copy of it?

5 SPEAKER: I have a copy of my amendment.

6 MADAM MODERATOR: Do you have your pink copy?

7 SPEAKER: Yes.

8 MADAM MODERATOR: Of what you just gave me?
9 If you read that whole thing.

10 SPEAKER: Okay.

11 MADAM MODERATOR: Thank you.

12 SPEAKER: And for events supported by any and
13 all --

14 MADAM MODERATOR: No, I'm so sorry. For the
15 record, I'm just sorry. I need you to start, "I
16 move to amend Article 19 as follows." I need you
17 to read that whole thing for the record.

18 SPEAKER: Oh, okay. All right. I move to
19 have amend Article 19 as follows to add to the
20 following language, after the word "donation" and
21 for events supported by any or all 501C-3 nonprofit
22 organization who seek to put on civic events in the
23 Town.

1 MADAM MODERATOR: Okay. And it's not
2 donation, it would be after the word "downtown"
3 correct?

4 SPEAKER: Yeah, downtown.

5 MADAM MODERATOR: After the word downtown.

6 SPEAKER: Yeah.

7 MADAM MODERATOR: So we're being asked -- is
8 there a second to that amendment? Thank you.
9 Moved and second. The motion has been amended.
10 That is the motion.

11 Does anyone want to speak to that? Go right
12 ahead, Marilyn.

13 SPEAKER: Marilyn Fitzgerald, 25 Washington
14 Avenue. I commend Mr. Pennington for the
15 incredible herculean efforts he has done on his Run
16 for the Troops, and again for last Sunday, the
17 amazing race that was put on for Colleen Ritzer.

18 I represent the Kerns race here in town in
19 that when Krit was killed in a bicycle accident
20 seven years ago, we established a race in her
21 honor. We all know, from day one, the expenses
22 involved, and we take that on and include it in our
23 entry fees for the road race.

1 In Colleen's case, the scholarship money is,
2 obviously, used very well. Same thing with Krit.
3 No one can ever question the amazing results that
4 have happened for the Run for the Troops.

5 But I feel that, as a nonprofit organization,
6 there are certain expenses that we know we have to
7 incur and that we can't ask the Town to incur those
8 for us. We, in fact, ask the people in the town to
9 support us in the race, either by entering or
10 through donations or by sponsoring us.

11 So I feel that a nonprofit is just that. I
12 commend the Town Manager for pointing out that all
13 of our downtown businesses are tax-paying
14 organizations and, therefore, in this case -- and
15 the other part about Andover Days is, they turn the
16 streets over to all of the nonprofits so they can
17 get their message out.

18 So I know that they are well represented on
19 that day. Thank you.

20 MADAM MODERATOR: Thank you. Any other
21 comments? So we're going to vote on the
22 amendment.

23 If you are -- if you would like to add that

1 language to the last sentence of the Warrant
2 Article before us on Article 19, vote yes. If you
3 do not want to do that, vote no. Okay?

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

6 Those opposed? The motion fails. The
7 amendment fails. So now we'll go back to Article
8 19.

9 Does anyone have anything further they want to
10 add to the discussion about Article 19?

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

13 Those opposed? The ayes have it. The motion
14 carries.

15 Article 20, please, Mr. Kowalski.

16 SELECTMAN KOWALSKI: Madam Moderator, I move
17 to approve Article 20 as printed in the Warrant.

18 MADAM MODERATOR: Article 20 has been moved
19 and seconded. The Selectmen's report, please.

20 SELECTMAN KOWALSKI: Madam Moderator, the
21 Board of Selectmen recommends approval of this
22 Article.

23 MADAM MODERATOR: Thank you. Finance

1 Committee report please, Mr. Serrao.

2 MR. SERRAO: Madam Moderator, the Finance
3 Committee recommends approval of Article 20.

4 MADAM MODERATOR: Are there any questions?
5 All those in favor, please raise one hand. Thank
6 you.

7 Those opposed? The ayes have it. The motion
8 carries.

9 Article 21 please, Mrs. Marden.

10 MRS. MARDEN: I move Article 21 as printed in
11 the Warrant.

12 MADAM MODERATOR: Article 21 has been moved
13 and seconded. Fin Com report, please.

14 MRS. MARDEN: The Finance Committee recommends
15 approval of Article 21 in the amount of \$1,248,316
16 from free cash.

17 This is the Article that we talked about last
18 night that we wanted to put the money in this
19 Article and not in the Stabilization Fund.

20 So as I'm sure you all know by now, OPEB
21 refers to benefits retirees receive in addition to
22 to their pension, primarily, health insurance.

23 Andover's most recent OPEB actuarial

1 evaluations, dated June 30, 2013, identified an
2 unfunded actuarial liability of approximately \$153
3 million dollars.

4 Traditionally, funding to pay for health
5 insurance for retirees was provided on a
6 pay-as-you-go basis. No effort was made to include
7 the full cost of the compensation actually being
8 earned by town and school employees in annual
9 budgets.

10 Annual budgets just included the health
11 insurance appropriation needed to pay for health
12 insurance for the current retirees. Now,
13 Government Accounting regulations changed and
14 communities were required to report their OPEB
15 liabilities on their financial statements and have
16 a real actuarial evaluation.

17 It it was a real eye opener. It became
18 obvious the future retirees health insurance costs
19 were growing much, much faster than even our most
20 optimistic revenue projections, and that current
21 town and school service levels were unsustainable
22 without significant reform.

23 There's currently no requirement to prefund

1 OPEB but, wisely, Andover's 2010 Annual Town
2 Meeting voted to stable an OPEB Trust Fund.
3 Appropriations to the fund were approved in 2010,
4 2011 and 2013.

5 Then last years' Town Meeting approved
6 appropriations required to begin implementing a
7 plan devised by the Town Manager for addressing our
8 unfunded OPEB liability by building increased
9 funding into annual budgets each year, while
10 simultaneously taking action to reduce costs.

11 Last night, in Article 4, voters approved
12 increasing the OPEB appropriation by \$100,000 to
13 \$500,000. Also, voters approved water and sewer
14 budgets that included funding equal to their ARC,
15 which is the annual required contribution to those
16 departments.

17 Article 21 is the final part of that funding
18 plan for 2016, and we're seeking to transfer a 25
19 percent of free cash to the OPEB Trust Fund.

20 The Finance Committee wants to make sure you
21 understand that this level of funding does not even
22 cover the increase in the unfunded OPEB liability
23 due to the benefits that were earned by town and

1 school employees during the current fiscal year.

2 While we believe that there are good arguments
3 for a much larger annual appropriation for OPEB, we
4 appreciate how difficult it is to find the right
5 balance in the budget between the spending required
6 to provide the level of services desired in our
7 community today, and putting away the money needed
8 to ensure that we are responsibly addressing our
9 long-term liabilities.

10 We're trying to keep the budget affordable for
11 current taxpayers while, at the same time, making
12 it possible for future taxpayers to be able to
13 afford quality town and school services.

14 We look forward to the work of the OPEB
15 Committee, the development of a comprehensive plan
16 that will address both cost containment and a
17 workable funding schedule. But until then, we
18 believe that we should be, at least chiseling away
19 at this enormous obligation.

20 The Finance Committee recommends using, at the
21 very least, 25 percent of each years' available
22 free cash for OPEB. The Finance Committee urges
23 you to vote yes on Article 21.

1 MADAM MODERATOR: Thank you. Mr. Vispoli,
2 please, the Selectmen's report.

3 MR. VISPOLI: Yes, Madam Moderator, the Board
4 of Selectmen voted to recommend approval of
5 transferring from free cash the \$1,248,316 into the
6 OPEB Trust Fund.

7 Based on the vote last night, which we had
8 initially recommended going into stabilization, but
9 the will of Town Meeting did not do that.

10 We'd rather see it in the OPEB Fund rather
11 than free cash. So we voted that in a posted
12 meeting earlier this evening, so we are agreeing
13 with the recommendation. Thank you.

14 MADAM MODERATOR: Mr. Pokrus, do you have a
15 question?

16 SPEAKER: (Inaudible).

17 MADAM MODERATOR: Go right ahead, sir.

18 SPEAKER: Thank you. Robert Pokrus,
19 Cherrywood Circle. I just have a legal question,
20 then. Certainly, I've been a very strong advocate
21 for addressing the OPEB issue that we have here in
22 town, but last night we approved Article 9, which
23 says we are not going to apply any free cash

1 towards the FY 2016 budget.

2 If we also approve Article 21, and it would be
3 the same point of order question for Article 22,
4 wouldn't we potentially have two approved Articles
5 that could legally contradict each other because of
6 the fact that, in a sense, applying funds towards
7 OPEB, or the landfill, for that matter, is, in a
8 sense, a form of budget action for fiscal 2016?

9 MADAM MODERATOR: Buzz, can you answer that
10 question?

11 MRS. MARDEN: Article 9 actually appropriates
12 free cash towards THE overall operating budget of
13 the Town. These Articles that you are talking
14 about talk about specific appropriations of free
15 cash, kind of in a one-time basis, to specific
16 funds, so they are not at all contradictory.

17 MADAM MODERATOR: Okay. Any questions? All
18 those in favor, please raise one hand? Thank you.

19 Those opposed? The ayes have it. The motion
20 carries. Thank you.

21 Article 22, please, Mr. Landry.

22 MR. LANDRY: Madam Moderator, I move to
23 approve Article 22 as printed in the Warrant.

1 MADAM MODERATOR: Thank you. Article 22 has
2 been moved and seconded. The Selectmen's report,
3 please.

4 MR. LANDRY: The Board of Selectmen recommend
5 approval of this Article.

6 MADAM MODERATOR: And the Finance Committee,
7 Mrs. Kruse.

8 MS. KRUSE: The Finance Committee recommends
9 approval of this Article. Can I say a couple --

10 MADAM MODERATOR: Go right ahead.

11 MS. KRUSE: We started putting money away into
12 the Landfill Stabilization Fund a couple of years
13 ago. It now has -- we put it -- this would be the
14 third year of transferring \$1,000,000 into it.
15 The landfill capping is scheduled to start in the
16 fall of 2016, and the total cost is estimated to be
17 \$12,000,000.

18 So if this Article is approved, when the time
19 comes to pay the bill, we'll be able to pay some of
20 the cost in cash, and we will not have to borrow
21 the full amount of money. Finance Committee
22 recommends approval.

23 MADAM MODERATOR: Yes, sir. Point of order.

1 SPEAKER: Keith Saxon, Wethersfield Drive. I
2 understand the financial reasons to put the free
3 cash because, obviously, it's better than
4 borrowing. My question is that in January of this
5 year, the design of the landfill changed
6 substantially from the past. Now, we'll actually
7 have a liner to protect, you know, to minimize
8 ground water and surface water contamination with
9 the waste, but with that liner and that DEP
10 compliance system, all of the prior reviews of
11 costs for post closure uses, the cost of those have
12 changed dramatically because, you know, for
13 instance, when we talked about ball fields, the
14 cost was much higher because it included putting in
15 these drainage layers and venting layers in a
16 plastic membrane.

17 MADAM MODERATOR: If I could ask you for your
18 question.

19 SPEAKER: Yes.

20 MADAM MODERATOR: Thank you.

21 SPEAKER: Well, my question is, will the
22 public and the residents have an opportunity to
23 review the updated post closure use options and

1 cost and make a fully informed voter decision
2 before committing to a design in post closure use
3 with DEP. And this is important because, according
4 to a document filed by our consultant on March 17,
5 the post closure use considerations will not
6 require any further public input once that initial
7 step is completed under predesign, which is, as of
8 today, scheduled to be completed on July 1st.

9 MADAM MODERATOR: Can you address that?

10 MR. LANDRY: Yes, I think the answer is yes,
11 we will have the necessary public hearings, but
12 perhaps Mr. Cronin can answer this so with more
13 details than I.

14 MR. CRONIN: We're ab -- Chris Cronin,
15 Director of Municipal Services. We are planning on
16 bringing our findings and some opportunities, as
17 well as some ideas to the Board of Selectmen. Of
18 course, we will welcome all public input at that
19 time.

20 MADAM MODERATOR: Does that answer your
21 question?

22 SPEAKER: It doesn't. I mean, are we still
23 going to be filing the post -- anticipated post

1 closure uses with the Department of Environmental
2 Protection by July 1, because that would just be a
3 Selectmen's hearing. It wouldn't be a public vote
4 for a \$12,000,000 expenditure.

5 MR. CRONIN: Yes.

6 MADAM MODERATOR: Yes to which?

7 SPEAKER: You're still filing it?

8 MADAM MODERATOR: That we are still going to
9 be filing?

10 MR. CRONIN: That is correct.

11 MADAM MODERATOR: Okay.

12 SPEAKER: Madam Moderator, I'll --
13 (inaudible).

14 MADAM MODERATOR: Go right ahead.

15 SPEAKER: I've already filed, so, basically,
16 let me -- my amendment, which I've already filed
17 with the Moderator, is basically to amend the
18 Article by inserting the bolded text -- well, the
19 text as follows: after the word "fund"
20 stabilization fund, "after the public has had the
21 opportunity to review the updated options and cost,
22 and to take a vote to approve the post closure
23 usage."

1 I actually had a photo --

2 MADAM MODERATOR: Wait a minute. Let's get
3 your amendment into the record.

4 So you are amending the Article 22, and where
5 are you inserting --

6 SPEAKER: After the word "fund".

7 MADAM MODERATOR: After the word "fund".
8 "After the public has had the opportunity to review
9 the updated options and costs and take a vote to
10 approve the post closure uses," and then continuing
11 on with the amendment.

12 SPEAKER: With the original, right.

13 MADAM MODERATOR: Is that amendment second,
14 please? Okay. It's been moved and second.

15 Go right ahead with your explanation.

16 SPEAKER: Steven, do you -- can you have the
17 photo up? Well, the reason why this is important
18 again, is the post closure use consideration
19 determines the design and the total cost of the
20 project. Okay.

21 The long-term environmental impact, this site
22 is in our drinking water supply. So the operations
23 that go on here, it runs off into Fish Brook, it

1 goes into our drinking water supply.

2 It also affects the long-term impacts on the
3 neighborhood and abutting residential properties.
4 And, most importantly, for \$12,000,000, the value
5 and benefit provided to the taxpayer.

6 And, again, as I stated before, prior
7 assumptions about costs for options are not valid
8 as the closure design has been updated to meet
9 current environmental standards with the drainage
10 layer and venting layer and plastic cap. And there
11 are other options.

12 The options are to cap it and leave it with
13 the DEP recommended 5 percent slope. That's the
14 cheapest option. We can install playing fields,
15 whether they are ball fields or soccer fields.

16 You recall, yes, we have some nice fields on
17 Blanchard Road; however, two years ago at Town
18 Meeting we talked about buying land on Lowell
19 Junction Road with the idea that we can put future
20 fields. We have a site that could support future
21 fields here.

22 We could install solar fields. We could
23 continue -- this is a picture of the -- I had that

1 photo up there of the DEP material processing yard,
2 which handles items that are regulated by DEP, such
3 as asphalt grindings, street sweepings, catch basin
4 cleanings, logs and stumps, concrete debris, which
5 is all currently brought to the landfill site.

6 We could set aside -- if we're going to
7 continue that type of operation in our, you know,
8 water shed protection district and drinking water
9 supply, we could set aside a small quarter acre
10 parcel for a volunteer community recycling center
11 for hard to manage items. That's a service that's
12 provided in many of our neighboring communities,
13 but which we do not have.

14 So, for that reason, I mean, this is
15 \$12,000,000 we're expending. I think it behooves
16 us, as the public, and have the vote to decide what
17 are the options that are out there and what are the
18 costs. Because once this is filed with DEP, the
19 design is basically set and we will not have the
20 opportunity to change it again. So I would urge
21 you to vote yes for this amendment.

22 MADAM MODERATOR: Anyone else want to address
23 the amendment? Mr. Stapczynski.

1 MR. STAPCZYNSKI: Yes, Keith, I appreciate the
2 information you brought forth today, but I'd like
3 to point out at Town Meeting, this is an
4 appropriation Warrant Article. We are
5 appropriating a million dollars to go into a
6 stabilization fund for the landfill. We are not
7 citing what the money is going to be used for at
8 this moment. This is not to pay for anything at
9 this moment. This is a stabilization fund, so
10 we're putting a \$1,000,000 into this fund for a
11 future use.

12 Now, with that in mind, I think your point's
13 well taken, and I would suggest you bring this
14 information that you just cited to the Town Meeting
15 to the Selectmen's meeting when we have the
16 presentation and the public hearing on the uses.

17 So I would just say that I don't really -- I
18 appreciate your information, but I think it is not
19 appropriate to -- I'm not sure how you would tie it
20 to an appropriation Warrant Article, other than a
21 sense of Town Meeting, and I think we understand
22 the points you are trying to make tonight. Thank
23 you.

1 MADAM MODERATOR: Yes, sir.

2 SPEAKER: (Inaudible).

3 MADAM MODERATOR: If you could identify
4 yourself.

5 SPEAKER: Yes. Don Borenstein, 10 Avon
6 Street.

7 MADAM MODERATOR: Yes, Don.

8 SPEAKER: I'm a current member of the Board of
9 Directors of the Andover Soccer Association, past
10 president, current secretary. The information I've
11 heard tonight from Mr. Saxon is the first I've
12 heard of these changes or possibility for expansion
13 of ball fields on the Ledge Road site. We've
14 been -- Andover Soccer Association has been
15 requesting, pleading, begging that we have some
16 input on that process for years, at least five
17 years that I'm aware of, and this is all new
18 information to me tonight, and I believe it's all
19 new information to my board.

20 If, what we need to do to get the attention of
21 the Board of Selectmen on this is to attach
22 something like this as an amendment, then we should
23 do that tonight.

1 We should be engaged in that process. We
2 should know what's going on before those ball
3 fields are closed. We have 3 to 500 kids that play
4 on those ball fields every weekend. I didn't know
5 these ball fields were suppose to be closed a year
6 from this fall. That creates real problems. We
7 should be engaged in that process, and if an
8 amendment requiring the Board of Selectmen to have
9 a public meeting so we can have some input on that
10 is what's necessary to be contacted about it, then
11 let's pass the amendment and make them talk to us.

12 MADAM MODERATOR: Okay. Somebody from the
13 Board of Selectmen?

14 MR. STAPCZYNSKI: Yep, I can address that.
15 Don, you've been very involved with soccer for
16 many, many years, and the studies that we did about
17 five or six years ago led me and the Board of
18 Selectmen to conclude that putting play fields,
19 ball fields, flat play space on top of the landfill
20 was very expensive.

21 When we presented -- when Camp Dresser, our
22 consultants, made a presentation three or four
23 probably five, six months ago now, there were some

1 residents from the area who were there, and they
2 asked us to reconsider that, and we've asked Camp
3 Dresser to reconsider. But I would suspect that
4 we're going to get the same answer now that we did
5 in 1908 -- excuse me. That was -- 1908.

6 SPEAKER: It seems that long.

7 MR. STAPCZYNSKI: You got to love it. In 2008
8 or 2009, that the money is going to be very high to
9 put ball fields on top of that landfill.

10 But the -- the residents asked that we pursue
11 that, and we've asked our consultants to provide
12 those numbers to us as we did it '08 and '09.

13 SPEAKER: Madam Moderator, just very quickly.

14 MADAM MODERATOR: Very quickly.

15 SPEAKER: -- since that -- we've been told for
16 years that very same thing, too expensive. Can't
17 even look at it anymore.

18 MR. STAPCZYNSKI: Right.

19 SPEAKER: Since that conclusion was reached
20 five plus years ago, Andover Soccer has raised
21 hundreds of thousands of dollars looking to put in
22 a new ball field. Why don't we get to talk about
23 this? Why don't we get to hear about the

1 possibility that might be available before we
2 commit to spending \$12,000,000 to turn ball fields
3 into something we can never use again.

4 MR. STAPCZYNSKI: Well, if I may address that.
5 We made a decision about five or six years ago to
6 buy the property off of Blanchard and your
7 Association, as well as the Little League
8 participated in that because we had reached a
9 conclusion, at that time, that the Dareman
10 (phonetic) was going to be capped in a way that was
11 not available for ball fields.

12 As I said, we're revisiting it and I suspect
13 that we're going to find out today, as we did in
14 '09, that it's going to be very expensive to put
15 ball fields on top of that facility.

16 SPEAKER: Before I throw away my kid's toys --

17 MADAM MODERATOR: Very, very quickly.

18 SPEAKER: -- I look at them very closely to
19 make sure they need to be thrown out and can't be
20 reused or given to someone else, but I appreciate
21 your time.

22 MADAM MODERATOR: Thank you.

23 SPEAKER: Madam Moderator, can I address the

1 Town Manager's comment.

2 MADAM MODERATOR: Yep. Go ahead. Two
3 minutes.

4 SPEAKER: That's fine. Basically, as far as
5 the cost of the fields, so I would urge all of you
6 to register for the E-file, which has all the
7 filings. I do environmental work professionally.
8 I reviewed the files. There are many, they are
9 numerous, but going through those files, and as
10 confirmed by CDM, on January 21, the Pit meeting,
11 the construction of fields, now that we're building
12 a DEP complaint cap is very different.

13 In essence, the reason why fields cost more
14 money is because you have to have a flat surface,
15 and you have to have the drainage, and you have to
16 have the venting.

17 The prior designs did not have drainage, did
18 not have venting. Okay? So, yes, a flat surface
19 will be more than just keeping it as a green field,
20 capping it with a 5 percent slope, but what's
21 important to note is this DEP -- this DPW materials
22 storage processing area also requires a flat
23 surface. It's not -- you can't just put it on a

1 capped fill. You'd imagine heavy equipment moving
2 over a plastic liner. You have to build a
3 different subbase, you have to make it flat. That
4 also costs money.

5 So, again, the question is, shouldn't we as
6 the residents who are paying this bill, get a say
7 to see what the options and costs, updated for 2015
8 are, before talking about something that was looked
9 at five years ago because there are difference
10 there.

11 MADAM MODERATOR: Thank you.

12 SPEAKER: Mr. Manager, if I may. We have a
13 meeting tomorrow with our consultant. I think
14 you're getting ahead of ourselves. This is a
15 stabilization Article. It's not a post use
16 Article. We're looking at post use. We're
17 bringing that information before the Board of
18 Selectmen and the Town Manager.

19 MADAM MODERATOR: Okay. Let's vote on the
20 Article. I mean, the amendment.

21 SPEAKER: Point of order.

22 MADAM MODERATOR: Go ahead.

23 SPEAKER: This is a question. I don't.

1 MADAM MODERATOR: If you could identify
2 yourself.

3 SPEAKER: Steve Cotton, 19 Pomeroy Road. I
4 don't have a clear understanding of exactly what
5 the alternative uses of the parcel might be, but I
6 am baffled by the grammar of the -- of the
7 amendment. The way it reads, the transfer from the
8 Stabilization Fund can't be made until after, that
9 is, it's -- you can't transfer the funds until
10 after the public has had some sort of review and
11 taken a vote.

12 I think I understand the intent of the
13 amendment, which is to have some sort of public
14 process before funds are spent out of the fund. I
15 don't understand the mechanics of holding the
16 transfers to the Stabilization Fund until after the
17 public has voted. What does that mean? Is that a
18 referendum, a vote at Town Meeting?

19 MADAM MODERATOR: Who can answer that
20 question?

21 MR. STAPCZYNSKI: I'd be happy to take a stab
22 at it

23 SPEAKER: Well, I mean, it's mine. I would

1 say, to answer the question was, at the Pit meeting
2 some of the Selectmen, I believe it was Ms.
3 O'Donoghue suggested that before we spend any of
4 this money, that there would need to be a vote,
5 whether it's at a Town Meeting or some other forum.
6 So that's really the in -- I mean, clearly, yes,
7 you understand, you know, the concern is the timing
8 of us committing to what we're going to do on July
9 1. But that was the intent of the amendment.

10 MADAM MODERATOR: And I appreciate that.
11 We will vote on that in one minute.

12 This is an Article, however, to put money into
13 the stabilization, not to vote to take it out, and
14 you are acknowledging that, you understand that.

15 SPEAKER: I acknowledge that.

16 MADAM MODERATOR: So this is -- this is an
17 Article asking us to put money into the
18 Stabilization Fund for that purpose. We are being
19 asked to amend it. So let's speak to the
20 amendment.

21 All those in favor of the amendment, please
22 raise one hand. Thank you.

23 Those opposed? I believe the no's have it.

1 Does anyone question my judgement on it? The
2 amendment has failed.

3 So, now, Article 22 as it was moved and
4 second, are there any questions or comments?

5 Yes, sir.

6 SPEAKER: Doug Vichel, High Plain Road.
7 Following up on the line that Joanne Marden talked
8 to last night, I guess I'm curious why we are
9 appropriating a million dollars tonight and parking
10 it in a fund that's going to earn one and a half
11 percent? Why don't we make the decision to
12 appropriate this when we need it, maybe a couple of
13 years from now, and not appropriate it now? Why
14 are we appropriating a million dollars this year
15 and parking it?

16 MADAM MODERATOR: Does anybody have an answer
17 for that?

18 MR. STAPCZYNSKI: I --

19 MADAM MODERATOR: Go ahead.

20 MR. STAPCZYNSKI: Yes, well, the Ledge Road
21 Landfill has been the subject of discussion and
22 voting at Town Meetings probably for 20 years.
23 And, again, the date escapes me, but about 10 years

1 ago we appropriated, I believe, \$7,000,000 to,
2 actually, by way of bonding for the capping of the
3 landfill. Since that time, we know that cost has
4 gone up.

5 And in discussion with the Selectmen and
6 Finance Committee, we made the decision to come to
7 Town Meeting to establish a Stabilization Fund for
8 the purpose of capping the landfill and putting a
9 million dollars in every year that we, of course,
10 had the million dollars to put in, but to put in a
11 million dollars to take the -- to help us pay the
12 cost.

13 One of the things that we are concerned about
14 is that our debt schedule shows the bonding for
15 this in nonexempt, rather than exempt debt, I think
16 today if we were going to be bonding this, we would
17 take it to a Prop 2 and a half override, but in the
18 late '07 or '06 when we voted this, we did not use
19 an override, so it's -- it's not exempt debt.

20 And we're having the million dollars in the
21 Trust Fund to help buffer, as it were, the effect
22 of this bonding when we do bond it in a year or
23 two.

1 MADAM MODERATOR: Okay. Yes, sir, do you
2 have a question before we vote?

3 SPEAKER: Yes, Madam Moderator, I had a
4 question about --

5 MADAM MODERATOR: If I could identify
6 yourself.

7 SPEAKER: My name is Gary Schall from 249
8 Highland Road.

9 MADAM MODERATOR: Yes, sir.

10 SPEAKER: I had a few questions. For these
11 funds, what is usually the time frame for spending
12 the amount from the funds?

13 The second question is, if it's a long time
14 frame, are these funds invested in some way, and
15 who handles the investment?

16 MADAM MODERATOR: So you want to know --

17 SPEAKER: Like, is it, you know, I have
18 savings, too, right. I invest it in mutual funds.
19 I get about 10 percent return every year. Are
20 these funds, like if they are, like, 20-year
21 stabilization funds, who manages these investments?

22 MADAM MODERATOR: Buzz, can you speak to that?
23 How long would these funds be in the fund, in the

1 stabilization fund, and how are they invested?

2 SPEAKER: That's right. It's a general
3 question.

4 MADAM MODERATOR: Okay. So that's -- let him
5 answer the question and then we'll vote.

6 MR. STAPCZYNSKI: David Riley, would you -- I
7 know you are in the house. Would you take the mic
8 and I will start and, hopefully not mislead you,
9 and David, the collector/treasurer, will fill in.

10 But the Town has -- this, in the Stabilization
11 Fund, the Ledge Road Landfill Stabilization Fund,
12 and we are regulated by the Commonwealth in terms
13 of where we can put our money. So it's not like we
14 can put it in a Fidelity Contra fund or some such
15 think.

16 David works in a highly regulated field, so he
17 can only put it in areas in which the Commonwealth
18 will allow it. And we can keep it there for a
19 number of years. I don't think there's a limit to
20 the years we can have the Stabilization Fund, but
21 there certainly is a limit into the kind of
22 investments in which he can make.

23 MADAM MODERATOR: So, David, could you speak

1 very quickly to that, please, so we can bring
2 this --

3 MR. RILEY: There's several questions here.
4 It's all invested in securities, all regulated by
5 the Commonwealth of Massachusetts. It can stay in
6 those funds forever. It needs Town Meeting vote to
7 take the money out to spend that stabilization
8 fund. So it can stay there forever, if that's the
9 question. It needs this body's vote to spend it.

10 SPEAKER: The other question was, what is the
11 general interest rate that you get when it stays in
12 this -- my bigger point is, does inflation eat away
13 at these savings, then? Does it diminish in value
14 over time?

15 MR. RILEY: The money is invested in the
16 securities all -- mostly CDs, mostly
17 government-backed securities, earns about one and a
18 half percent per year right at the moment. That
19 has gone as high as 6 percent. It's down as low as
20 one percent but, right at the moment, we're one and
21 a half percent for the Stabilization Fund.

22 MADAM MODERATOR: Okay. Thank you.

23 SPEAKER: Thank you.

1 MADAM MODERATOR: Thank you, sir. Are we
2 ready to vote on this? All those -- I need a
3 two-thirds vote.

4 All those in favor of Article 22, please raise
5 one hand. Thank you.

6 Those opposed? The ayes clearly have it by
7 far more than a two-thirds vote. Does anyone
8 challenge that declaration? I would declare it
9 then to be in excess of a two-thirds vote.

10 Article 23, please, Mr. Salafia.

11 MR. SALAFIA: Yes, Madam Moderator. I move to
12 approve Article 23 as printed in the Warrant.

13 MADAM MODERATOR: Article 23 has been moved
14 and seconded.

15 Mr. Salafia, the Selectmen's report, please.

16 MR. SALAFIA: The Selectmen recommend
17 approval.

18 MADAM MODERATOR: Okay. And the Finance
19 Committee, please, Mrs. Anderson.

20 MRS. ANDERSON: Thank you, Madam Moderator.
21 Last year Andover voters established and funded a
22 Bond Premium Stabilization Fund. Moving forward,
23 Article 23 will be one of two recurring Articles

1 each year. The first will transfer bond premium
2 revenue received from the prior years' March bond
3 sale into the Bond Premium Stabilization Fund.
4 This year that amount is \$748,000.

5 These funds will be used to offset nonexempt
6 debt interest payments in future years. The
7 Finance Committee recommends approval of Article
8 23.

9 MADAM MODERATOR: Any questions? I need a
10 two-thirds vote again on this. And any time we put
11 money into the Stabilization Fund, we need a
12 two-thirds votes. Any time we take it out, we need
13 a two-thirds, vote so that's the reason.

14 All those in favor of Article 23, please raise
15 one hand. Thank you.

16 Those opposed? The ayes clearly have it. I
17 declare it to be more than a two-thirds vote. Does
18 anyone challenge that declaration? Thank you very
19 much. I declare it to be more than a two-thirds
20 vote.

21 Article 24, please, Mr. Salafia.

22 MR. SALAFIA: Yes, Madam Moderator, I move to
23 approve Article 24 as printed in the Warrant.

1 MADAM MODERATOR: Article 24 has been moved
2 and seconded. The Selectmen's report, please.

3 MR. SALAFIA: Yes, the Board of Selectmen
4 recommends approval of the Article.

5 MADAM MODERATOR: And the Finance Committee
6 report please, Mrs. Anderson.

7 MRS. ANDERSON: This is the second of the two
8 recurring Articles. Article 24 will transfer
9 \$200,000 back to the General Fund to offset
10 nonexempt debt interest payments. The balance in
11 the fund, after transfers voted in Article 23 and
12 24, will be \$1,174,445. The Finance Committee
13 recommends approval of Article 24.

14 MADAM MODERATOR: Article 24 has been moved
15 and -- oh, we already know that. Moved and second.

16 Is there any discussion? Anybody have any
17 issues or questions? Again, we need a two-thirds
18 vote.

19 All those in favor, please raise one hand.
20 Thank you.

21 Those opposed? The ayes have it. The motion
22 carries. I think unanimously, but certainly way
23 more than a two-thirds vote. Does anyone challenge

1 that declaration? Declaration. I would so
2 declare.

3 Article 25, please, Mrs. Gilbert. Thank you.

4 We're getting you some help. It's coming.

5 MRS. GILBERT: I move that the sum of
6 \$1,950,000 is appropriated to pay costs of design
7 services for the preparation of plans and
8 specifications, working drawings, bid documents,
9 and construction associated with library media
10 renovations at Andover High School located at 80
11 Shawsheen Road. And for the payment of all other
12 costs incidental and related thereto. That to meet
13 this appropriations: 1. \$47,225.25 shall be
14 transferred from amounts borrowed and no longer
15 needed to complete the project approved by the Town
16 under Article 27 of the 2008 Annual Town Meeting;
17 2. \$77,858.12 shall be transferred from amounts
18 borrowed and no longer needed to complete the
19 project approved by the Town under Article 18
20 of the 2013 Annual Town Meeting; and 3. The
21 treasurer with the approval of the Selectmen is
22 authorized to borrow \$1,824,916.63 under and
23 pursuant to Chapter 44, Section 7(3a) of the

1 General Laws or pursuant to any other enabling
2 authority, and to issue bonds or notes of the Town
3 therefore.

4 MADAM MODERATOR: Thank you. Article 25 has
5 been moved and seconded.

6 Go right ahead, Mrs. Gilbert.

7 MRS. GILBERT: Yes, if I could have the first
8 slide, just the title slide. While that's teeing
9 up, some background on this Article. In 2007, the
10 Town appointed a school space needs task force to
11 evaluate all 10 of our school buildings to assess
12 and prioritize space issues.

13 The two schools deemed most in need of
14 attention were the Bancroft School and Andover
15 High. In order to seek funding assistance from the
16 state, the Town was asked to prioritize one of the
17 schools and Bancroft was chosen due it its
18 significant safety concerns.

19 As you know, the Bancroft School is now
20 complete, so in 2013, Town Meeting approved
21 \$130,000 to conduct a feasibility study for the
22 renovation of Andover High School. There were two
23 goals of this study. The first, to look at options

1 for adding space to accommodate more students in
2 our classrooms and cafeteria. And, second, to
3 explore ways to reconfigure existing space so that
4 it better meets the needs of teaching and learning
5 today.

6 Once funding was approved, the Town selected
7 the design firm Drummey Rosane Anderson, and they
8 completed the feasibility study last year. That
9 complete report can be found on the school district
10 web site.

11 With that report in hand, the School Committee
12 then engaged the Board of Selectmen and Finance
13 Committee in discussions about a potential Warrant
14 Article to address a high school addition
15 renovation project, either in whole or in part, but
16 that did not move forward last year.

17 Since then, we have gone back to the drawing
18 board and looked at two different approaches to
19 solving our space challenges without resorting to a
20 full-blown building addition.

21 One is a potential off site satellite program
22 currently under development, which would relieve
23 the overcrowding in the high school. And the other

1 is the media center renovation project that we have
2 before you tonight, and which will reconfigure
3 space to better address the needs of teachers and
4 students today.

5 Could I have the next slide? This photo shows
6 you the high school media center as it exists
7 today. It's 10,400 square feet in size, and though
8 it is located in the heart of the building, it is
9 surprisingly inaccessible, as the only entrance
10 available to students is no where near the front of
11 the building.

12 It was built in the early 1990's at a time
13 when school libraries were meant to be quiet
14 places, to look for books, and study in silence.
15 And if you were at my high school, not even
16 whisper.

17 Today, as you can see in this photo, media
18 centers are places where we want students to come
19 together to collaborate, have discussions, and work
20 on projects, as they are doing in this picture.

21 Next slide. This photo shows you the book
22 stacks in the media center. They take up a
23 disproportionate amount of space relative to how

1 often they are used today.

2 Next slide. In this photo, you can see there
3 are actually three different classes working in the
4 media center, if you look closely, at one time,
5 which is typical at most times during the day at
6 Andover High.

7 What may be more difficult to see here is that
8 all four walls of the media center are made of
9 brick and concrete. Making acoustics our single
10 biggest challenge now that teachers and students
11 are teaching and talking and working
12 collaboratively together, instead of sitting
13 quietly inside this space.

14 Next slide. Very quickly, this is an overhead
15 view of the media center as it exists today.
16 Again, you can see that much of the current space
17 is taken up by traditional book stacks and the rest
18 is fairly chopped up making it difficult to use
19 this space flexibly.

20 Next slide. This is a concept sketch for the
21 proposed media center renovation. This is not
22 meant to represent a final design. It is simply an
23 aid for envisioning the kinds of changes we hope to

1 realize.

2 Just as in the Bancroft project, the final
3 choice will be made during the design phase of the
4 renovation, should this project be approved.

5 The role of high school and college media
6 centers has changed from what it used to be. They
7 are rapidly being transformed from places where
8 printed materials are simply stored into digital
9 commons that become the learning hub of the school.

10 More space is needed for collaborative work in
11 groups of different sizes, often with access to
12 technology and less space is needed for traditional
13 book shelves.

14 This concept sketch shows how the existing
15 footprint would be used to increase visibility into
16 the media center with the windows that you can see
17 around some of the walls, increase the number of
18 entrances and access points, and create different
19 kinds of spaces for collaboration, for individual
20 work, for group presentations, and for full class
21 discussions. Improving acoustics would be a
22 primary focus of the project.

23 The Warrant Article asks for authorization of

1 1.95 million in borrowing, with about \$200,000 of
2 that slated for design costs. If approved, the
3 project would be completed in the fall of 2016.

4 This project has been recommended for approval
5 by both the School Committee and the Board of
6 Selectmen.

7 The Finance Committee has expressed concerns
8 about knowing the final all-in costs. In
9 particular, costs related to asbestos removal, to
10 furnishings, and to technology.

11 With respect to asbestos, as in all projects,
12 the exact cost of asbestos removal is an unknown
13 until construction begins. That is why we have
14 contingencies built into the project costs, just as
15 we did in any -- just as we do in any of our
16 construction projects.

17 With respect to furnishings and technology, we
18 have existing furnishings and technology which can
19 be reused. To the extent additional resources are
20 necessary, we would need to address that within the
21 scope of this project as allocated or through our
22 CIP process. The School Committee recommends
23 approval

1 MADAM MODERATOR: Thank you. Selectmen's
2 report, please, Mr. Vispoli.

3 MR. VISPOLI: Yes, Madam Chairman, the Board
4 of Selectmen supports the project and recommends
5 approval.

6 MADAM MODERATOR: Thank you. The Finance
7 Committee report, please, Ms. Moffitt.

8 MRS. MOFFITT: The Finance Committee's vote on
9 Article 25 is not based on the educational merits
10 of transforming the library into a digital common.

11 Several members of the Committee, in fact,
12 find the concept compelling and would support it.
13 However, as Annie stated, the Finance Committee
14 looks at the financial implications for such a
15 project in light of the total cost and the budget
16 as a whole.

17 The Committee believes that in an effort to
18 make a responsible decision for spending tax
19 dollars on a capital project, it's necessary for
20 those making the request to provide the all-in
21 cost.

22 Annie did just now speak to the asbestos
23 abatement costs, but I do believe we could have a

1 figure factored into the request. And Marinel
2 spoke to the new prototype furniture for the media
3 center, which is not included in the cost, nor are
4 the IT needs for this space included in the cost,
5 and these items would likely be brought forth as
6 future CIP requests, perhaps, as early as next
7 year.

8 The library media center does not address the
9 space needs at Andover High School for classrooms
10 or cafeteria space. That may be addressed at a
11 satellite or a remote high school project or an
12 addition to the current high school, and those
13 plans will be part of the budget and capital
14 improvement plans for the next fiscal year.

15 At the same time next year in the fall of
16 2016, the high school will be moving to the new
17 H-block schedule, and this will require 5 to 7 new
18 FTEs.

19 So in light of all of these pieces, we didn't
20 feel comfortable that voters would have a grasp on
21 the all-in cost. Large capital requests require a
22 careful look at those costs in order to make a
23 prudent, financial decision. The Finance Committee

1 recommends disapproval.

2 MADAM MODERATOR: Okay. Are there any
3 comments or questions from the floor? Yes, sir.
4 Is that a question you have or are you going to
5 speak to the Article?

6 SPEAKER: (Inaudible)

7 MADAM MODERATOR: Go ahead, sir.

8 SPEAKER: Neil Senior, 14 Alderbrook Road.

9 MADAM MODERATOR: Thank you.

10 SPEAKER: And Ms. Moffitt can embrace this
11 point --

12 MADAM MODERATOR: Excuse me. Could you turn
13 his mic up a little more so we can hear him? Thank
14 you.

15 SPEAKER: Ms. Moffitt raised the point of --
16 that was the question I was going to ask is, how
17 this project actually solves the space issues which
18 were related to classroom space and cafeteria
19 space. So I don't know if that can be answered
20 directly.

21 MADAM MODERATOR: Go right ahead.

22 MRS. GILBERT: Yes, so as I mentioned during
23 my presentation, the feasibility study that was

1 conducted last year, or two years ago -- no, last
2 year -- was -- had two goals. One was to address
3 long-standing space needs in terms of sheer
4 classroom space and cafeteria space, and the other
5 was to reconfigure existing space so that it would
6 be used more effectively, efficiently, and flexibly
7 for our current student population, given the way
8 teaching and learning happens today.

9 We have chosen, as I mentioned, to address the
10 overall overcrowding at Andover High via the
11 exploration of this off site satellite program that
12 would accommodate roughly 300 students as it stands
13 now in development.

14 This particular piece component, the media
15 center renovation is part of the plan to
16 reconfigure existing space to allow for more
17 flexible use by teachers and students. While it
18 would not actually add to classroom space, it would
19 allow more students and classrooms to be using the
20 media center at any given time.

21 If you can see up on the picture we have
22 there, it -- by opening up the media center, you
23 could have four different classes in at once, as

1 well as small groups, working together in the green
2 spaces to the side.

3 Currently, three classrooms at a time are able
4 to work inside the media center.

5 MADAM MODERATOR: Thank you, Mrs. Gilbert.
6 Yes, sir, right here.

7 SPEAKER: Thank you, Madam Moderator. Daniel
8 O'Leary, 2012 Algonquin avenue.

9 MADAM MODERATOR: Thank you, Daniel.

10 SPEAKER: I have a number of issues
11 specifically with this project. While I do support
12 the general idea of overall improvements of the
13 town library, I have a number of key issues.

14 First off, as a procedural matter, I feel that
15 the overall plan does not adequately present it to
16 this Town Meeting. While the town packet said it
17 was on Andover's public school's web site, they did
18 not address the fact that it was under the School
19 Committees page, under Presentation, under a
20 different name from one year ago. This means that,
21 as members of this Town Meeting, we do not have the
22 accurate information necessary to make an informed
23 decision on this project.

1 Second, I question the overall necessity of
2 this project. I graduated around this time last
3 year. I did not see a specific need for this
4 during my tenure at Andover High School.

5 Furthermore, I see the need for this
6 collaboration is something that can be achieved in
7 classrooms when you have desks that can be moved
8 around and reconfigured in the classroom space that
9 all classes are assigned.

10 Finally, I question whether or not this
11 project is going to be the most effective way to
12 bring about the goals that are being presented
13 before us. First, this project does not -- is
14 not formatted the way traditional digital media
15 commons are. First, under this, you can see that
16 digital media commons are often methods to gain
17 access to cost-prohibitive technology, such as
18 recording studios, 3-D printing, expensive design
19 processees, which this project does not allow for.

20 Second, it does not address the underlying
21 technology issues associated with Andover High
22 School that are more necessary and more prudent for
23 this to be addressed.

1 All of the Windows computers in the school
2 system are on Windows XP, a very old operating
3 system that is out of date from Microsoft. This
4 operating system is not being supported anymore.
5 And the costs that are required to improve this are
6 vast simply because you need to -- there needs to
7 be overall database infrastructure changes to
8 implement this. I see this as a much more
9 effective way to spend these costs.

10 Finally, if, as this project proposal
11 suggests, Wi-Fi concerns can be addressed by this.
12 I see this as kind of problematic considering this
13 is directly contrary to district policy, which
14 specifically says, under the technology contract
15 that all students must sign, that you cannot bring
16 in outside technology and connect to school
17 networks with it.

18 I see that we are implementing a system that
19 does not address the needs that are required for
20 this system to be implemented. It does not address
21 the underlying desires of this system and, overall,
22 is a bad expenditure of town budget. Thank you.

23 MADAM MODERATOR: Daniel, could I make one

1 comment, please? If you are an example of the
2 future in our Town, your eloquence is wonderful.
3 Thank you for being here tonight.

4 Yes, sir, Up here.

5 SPEAKER: Thank you very much.

6 MADAM MODERATOR: If you could speak right
7 into the mic, so we can hear you, please.

8 SPEAKER: Yes, sorry. My name is Simon Bird.

9 MADAM MODERATOR: If you could identify
10 yourself?

11 SPEAKER: Yes. Simon Bird, 21 Chandler Road.

12 MADAM MODERATOR: Thank you, sir.

13 SPEAKER: I would like to ask permission,
14 first, to speak as a nonvoter.

15 MADAM MODERATOR: As a nonvoter? ?

16 SPEAKER: Yes.

17 MADAM MODERATOR: Do any of you have an
18 objection to Simon speaking as nonvoter?

19 Go ahead, Simon.

20 SPEAKER: Thank you very much.

21 MADAM MODERATOR: You're welcome.

22 SPEAKER: I'm currently a student at Andover
23 High School, and I would like to speak in favor for

1 this redesigning of the media center because I've
2 worked many, many times down in the media center,
3 but we've had problems with the space for -- to --
4 for the students to collaborate with each other.

5 And, just recently, we had to go back to our
6 classroom in order to collaborate together because
7 there was not enough room for our class, even
8 though we had -- we had booked room at the media
9 center, and that was, you know, it was argued that
10 we could -- you could just do it in -- you can just
11 work together in the classroom, but I think that
12 redesigning the media center like this, would make
13 it much easier for groups to go together. And it
14 would -- and it would take less time away from
15 having to put tables in the right spot in order for
16 the groups to look at each other and easily
17 collaborate.

18 MADAM MODERATOR: Thank you, sir.

19 SPEAKER: Thank you.

20 MADAM MODERATOR: Mr. Pokrus.

21 SPEAKER: Thank you, Madam Moderator. Robert
22 Pokrus, Cherrywood Circle. I would just like to
23 add several comments that compliment those of the

1 Finance Committee's report on this Article, and
2 those very eloquent observations shared with us by
3 Mr. O'Leary, and that is, that this Article, which
4 I support theoretically, I cannot support for
5 approval this year for the following five reasons,
6 and they all relate to the very full plate that our
7 school administration is going to have over the
8 next 14 months.

9 Over the next 14 months we are going to have
10 three different school superintendents. Our
11 current superintendent, an interim superintendent,
12 and then, ultimately, a new superintendent,
13 presumably coming on board sometime in the July
14 2016 time frame. That it is going to keep the
15 School Committee very busy over exactly the same
16 period of time that a very major capital project is
17 supposedly going to be taking place during the
18 2015/16 school year.

19 Last night, we heard the School Committee
20 indicate that even with an additional \$420,000 in
21 the operating budget, we're still going to
22 experience a guaranteed four or five cuts in
23 teachers on the faculty in our school system this

1 coming year, and that is an issue that the School
2 Committee and school administration should be
3 focusing their attention on, not dealing with a
4 redesign and new interior for the media center.

5 MADAM MODERATOR: I'm going to ask you to
6 stick your comment to the media.

7 SPEAKER: All right. They are all related to
8 issues --

9 MADAM MODERATOR: I understand.

10 SPEAKER: -- that the School Committee has to
11 address.

12 SPEAKER: Please keep to the Article we've got
13 before us. Thank you.

14 SPEAKER: And, lastly, just in general, we've
15 always seem to have problems with capital projects
16 that are in the multi million dollar range and
17 we've already heard that there are a lot of very
18 large unexpected costs that we should probably
19 anticipate. And this will just add to the issues
20 that the school administration has to face while
21 taking on this project.

22 And for reasons that compliment those of
23 Mr. O'Leary's and those of the Finance Committee,

1 which really have to do with overloading school
2 administration on a major project with so many
3 other major issues that they need to be addressing
4 during the coming year, I would recommend that we
5 vote no on this Article for this current fiscal
6 year. Thank you, Madam Moderator.

7 MADAM MODERATOR: Thank you, sir. Thank you.
8 Do we have somebody up there? I'll get to your
9 question in one moment, sir. Is there someone up
10 there who would like to speak.

11 SPEAKER: Hi.

12 MADAM MODERATOR: Hi.

13 SPEAKER: My name is Rosemary Halloran, I live
14 at 197 Haggetts Pond Road.

15 MADAM MODERATOR: Go ahead, Rosemary.

16 SPEAKER: I am currently a parent of a child
17 at Andover High School. I've had children in the
18 public schools all through, and I've been an active
19 parent for the last five years. I am asking for
20 your support. I'm listening to this as we put
21 off -- I'm gathering that you want to put this off
22 from all the people on the Con side, just keep
23 putting off any kind of work at our high school.

1 Our high school's be ignored in terms of the
2 physical space. I think we need to dedicate and
3 put energy into this high school and say that the
4 town is behind this high school, because you can
5 look at sights, you look at comments from people
6 coming into town. They want to know, tell us how
7 our school compares to Acton or Westburg or are of
8 the towns local. Should we move to Andover? And,
9 quite frankly, what are you suppose to say? We've
10 got brand new high schools in other towns, and yet,
11 we have not put any money into this school for, you
12 know, really long-term improvement.

13 I just listened to us, we put \$2,000,000 into
14 a Stabilization Fund where we're going to be making
15 one -- one and a half percent on that money. If we
16 prolong and do not put money into the school, you
17 are going to have a bigger project that's going to
18 cost a lot more than that 1 point, you know,
19 than -- it's going to be more than one and a half
20 percent increase in the project. It's going to be
21 much more expensive, the longer you put it off.

22 But, in fact, if you go -- I invite you all to
23 come on a tour of the high school and to come look

1 and sit in that media center when it's full of
2 children.

3 In fact, I would invite you all to come and
4 stand in the stairs of Andover High School when --
5 during lunch when the lunch bell rings. You would
6 be amazed at how many kids -- so how many kids are
7 going through, the mass of humanity.

8 That school needs to be -- it needs to be
9 addressed this year, not two years from now, not
10 three years from now, not eight years from now. We
11 need to dedicate and start putting some real --
12 real capital into this school, so that we can be
13 proud and continue as our, you know, it is the --
14 help me out, Shannon. It is -- it is our -- it is
15 our flagship, however you say it. I don't know.
16 I'm losing it.

17 But, anyway, please think about supporting
18 this. Thank you. And I'll also just say Annie
19 Gilbert did such a fantastic job in spearheading
20 the Bancroft School system, and she's still going
21 to be with us for another year, and so, this would
22 be a great year to go on to the project. Thank
23 you.

1 MADAM MODERATOR: Thank you. I would ask you,
2 please, to -- and I know it's very passionate on
3 all sides, but please keep to this Article. Okay?

4 Up here, please, if you can identify yourself.
5 Mr. Senior, is it?

6 SPEAKER: Yep. Neil Senior, 14 Alderbrook
7 Road.

8 MADAM MODERATOR: Thank you.

9 SPEAKER: I'm going to -- I recommend a no
10 vote on this for one simple reason, and almost in
11 support of what the last speaker just said, that
12 the high school needs much greater attention that
13 has to be addressed.

14 Obviously, annexing kids to a separate
15 facility to suboptimal. And the concern I have
16 about spending \$2,000,000 for this is the fact that
17 with a much bigger plan that's needed, there's a
18 high risk that this space will be obsolete. And it
19 will surely be obsolete for the 20 years has gone
20 by that we had to borrow to pay for it. So that's
21 my recommendation to vote no. Thank you.

22 MADAM MODERATOR: Thank you. And we have a
23 gentleman here who's waiting to ask a question; is

1 that correct?

2 SPEAKER: Yes.

3 MADAM MODERATOR: Go ahead.

4 SPEAKER: Wayne Rogers, 2 Cameron Road. Madam
5 Moderator, I'd like to know, first, how the
6 \$1,950,000 was arrived at; and second of all, the
7 language of the Article itself, I believe, is vague
8 enough. Are we voting for both design services and
9 construction?

10 MADAM MODERATOR: I'll have Mrs. Gilbert
11 answer this, if you would, please, Annie.

12 MRS. GILBERT: Yes, we are voting for both
13 design services and construction. The number was
14 arrived at through the process of the feasibility
15 study that was conducted last year. We asked them,
16 as part of that process, to not only put together a
17 cost for an entire building addition renovation,
18 but also to break pieces, you know, components of
19 that project into chunks so you could look at what
20 it would take to fund just a cafeteria expansion
21 versus what it would take to do the proposed media
22 center, addition renovation, and all the costs are
23 outlined, complete project costs are outlined

1 within that feasibility study. Those are the
2 numbers that we're using.

3 MADAM MODERATOR: Thank you.

4 SPEAKER: And who supplied the numbers?

5 MRS. GILBERT: The firm of Drummey Rosane
6 Anderson, a design firm that conducted the
7 feasibility study.

8 MADAM MODERATOR: Thank you. Mr. Vispoli.

9 MR. VISPOLI: Yes.

10 MADAM MODERATOR: And then Dr. McGrath.

11 MR. VISPOLI: When the School Committee
12 presented this to us and there was an earlier
13 presentation from the study, which wasn't all
14 encompassing. I think there were three phases.
15 This looked like the most highly recommended return
16 on the investment, and there was a compelling case
17 and the School Committee made it and we agreed.

18 We've also had meetings in that room and if
19 anybody's met in that room, you feel like you are
20 at the bottom of a basement somewhere because it is
21 dark, and if you look at new libraries as they are
22 constructed today, new ones are open. And this is
23 probably the best we're going to do for the space

1 we have.

2 The second point I want to make is the point
3 that was raised about things like asbestos. One of
4 the things we did, and I think we grilled them
5 twice in our budget hearings, Eddie Ataide who is
6 responsible for plant facilities, who is really the
7 town's guardian, really, of the projects like this.
8 And he was involved in all aspects of Bancroft and
9 other renovations, and we -- we really spent a
10 lot of time questioning Ed, as far as to make sure
11 that that 1.9 was going to cover it. And we told
12 him, we would hold him accountable on this because
13 we had heard the questions, you know, projects have
14 gone over. And time after time, we've seen capital
15 projects go over.

16 So we have raised that in here and, at this
17 point in time, you know, we support it because we
18 do think it's a return on the investment for the
19 high school, which has got bigger issues down the
20 road but, based on the study that was done, and it
21 was a pretty comprehensive study that was done a
22 couple of years ago, so the Board of Selectmen
23 really, you know, unanimously supports this

1 project.

2 MADAM MODERATOR: Thank you. Dr. McGrath.

3 SPEAKER: Just a little bit by way of
4 background.

5 MADAM MODERATOR: And she's holding the Con
6 sign in her hand behind her back.

7 SPEAKER: Yeah, I'm not speaking against this
8 for clarification. Over the past few years when
9 our community made the decision to build the
10 Bancroft School, there were two projects as Annie
11 Gilbert had said. There was the high school and
12 the Bancroft.

13 Because of the safety needs that were
14 absolutely imperative to address with the Bancroft,
15 that put the high school off. Over the last few
16 years, we have been asked to think very, very
17 creatively. We've been asked many times to think
18 out of the box about how we might be able to solve
19 space issues and space problems and address and
20 have a stronger environment for student learning at
21 the high school.

22 We have been working very hard on that and
23 this is one aspect of a three-pronged approach.

1 We are looking at, as Annie had mentioned, the
2 satellite school, which would be an off-campus
3 piece so that we could alleviate -- alleviate some of
4 these space issues because, remember, we are about
5 350 students over capacity in this school.

6 This school has been redesigned inside multiple
7 times because of what the emerging learning needs
8 of our students are. And how we have to
9 reconfigure space in order to meet their programs.

10 The library was actually redesigned in 1994.
11 I was here for that particular renovation project.
12 And it was never a good solution. It's just kind
13 of where it fit in the building with how this
14 building was designed at that time with the
15 renovation.

16 It is imperative that our students have a
17 better and more adequate learning space. As
18 Mr. O'Leary had said earlier, we do have a tech
19 plan that's in place with our CIO, Paul
20 Puzanghera. He is working to increase that space.

21 Part of our problems in that library is that,
22 if you look around and see how many brick walls
23 there are, and to keep the connectivity going in

1 that particular library is very, very difficult.

2 Our students and our teachers need that space
3 to sort of open that up, and we have opened it up
4 as much as we can, but we do need this in order to
5 continue to put forward how it is that our students
6 learn today and how they need to be prepared for
7 their future.

8 MADAM MODERATOR: Thank you, Dr. McGrath.

9 SPEAKER: Madam Moderator --

10 MADAM MODERATOR: Who's call -- who's .

11 SPEAKER: Janie Moffitt here.

12 MADAM MODERATOR: Janie, if you could just
13 wait.

14 SPEAKER: Yes.

15 MADAM MODERATOR: Until I have this one woman
16 who's been waiting here very patiently.

17 SPEAKER: Thank you.

18 MADAM MODERATOR: I'll be happy to get back to
19 you.

20 SPEAKER: Yes, of course.

21 MADAM MODERATOR: Thank you. Go right ahead.

22 SPEAKER: Laura Gregory, 5 Embassy Lane. I
23 would just urge everyone to vote in favor of this.

1 Although I understand their concerns because this
2 is a renovation. We aren't going to get a new high
3 school any time soon. The town isn't going to pay
4 for a high school. The state's not giving us
5 anymore money. We have a beautiful Bancroft, which
6 is an asset to this town, but we're not going to
7 get another one. So we need to do what we can do,
8 and this is a good start to give us the best
9 library we can, and I urge you to support it.

10 MADAM MODERATOR: Thank you.

11 MRS. MOFFITT: Madam Moderator, if I could
12 just ask Mr. Ataide --

13 MADAM MODERATOR: Mrs. Moffitt, go right
14 ahead.

15 MRS. MOFFITT: Oh, thank you. Excuse me.
16 Just to address the asbestos because this design
17 plan is going to have skylights in the roof,
18 windows and doors added on the walls, all along the
19 walls, a bathroom renovated. And so my impression
20 was that this was a significant issue. And if we
21 could just get that clear because Annie said that
22 the contingency would cover that.

23 MR. ATAIDE: Yes, I reviewed --

1 MADAM MODERATOR: If I could identify
2 yourself, please, sir.

3 MR. ATAIDE: Ed Ataide. I'm Deputy Director
4 of Plant Facilities.

5 MADAM MODERATOR: Thank you.

6 MR. ATAIDE: I reviewed all the numbers from
7 DRA when they submitted their estimates. Any time
8 you work in an old building, you are going to find
9 stuff in the walls. We can't see through the walls
10 to know what's in there. I know there is asbestos
11 in the walls if there is some pipes in it. It's
12 going to be a shot in the dark whether the
13 renovation is going to hit it or not.

14 There are floors in that building that, in
15 1995, instead of abating the asbestos, they covered
16 over them and left them in the building.

17 So if we have certain areas that we're going
18 to have to take the floors up, we're going to have
19 to address that. There's no way to predict exactly
20 what that's going to be until we actually see a
21 final design and see what we're going to be working
22 with.

23 MADAM MODERATOR: Thank you. Does that answer

1 your --

2 SPEAKER: Thank you.

3 MADAM MODERATOR: Okay. And up here, this
4 will be the last speaker and we'll take a vote, if
5 you're ready? Go right ahead.

6 SPEAKER: That's good. My name is Ron Escon.
7 I wanted to speak in favor of the proposal. There
8 does not seem to be any significant disagreement
9 of the necessity of building the change. And if we
10 had to wait the next time anything needed to be
11 built for a complete array radio of all-in costs,
12 I'm not sure what we would build.

13 I want to speak in favor of this because it's
14 necessary and the funding is reasonable and,
15 hopefully, it can address a need that's been
16 desperate for a while.

17 MADAM MODERATOR: Thank you.

18 Are you ready to vote?

19 THE FLOOR: Yes.

20 MADAM MODERATOR: Thank you. All those in
21 favor -- I'm sorry, I did not see you there. Are
22 you all right? Do you have a question you need to
23 ask quickly? Go ahead. If it's a qu -- you don't

1 have to run down the stairs. I'm sorry. But if
2 there's a question, go ahead.

3 SPEAKER: Amy Janofski, 6 Snowberry Road. I
4 was just going to ask Mr. Ataide, as far as whether
5 the contingency that has been built into this
6 estimate, basically, makes sense to him. I mean,
7 from your experience, is this a reasonable number,
8 are we somewhat confident that the contingency is
9 adequate?

10 MR. ATAIDE: Yes.

11 SPEAKER: Okay.

12 MADAM MODERATOR: Thank you. Okay. Let's go
13 for a vote. This requires a two-thirds vote.

14 All those in favor, please raise one hand.

15 Thank you.

16 Those opposed? I believe the ayes have it,
17 but can I do that one more time?

18 All those in favor, please raise one hand.

19 Those opposed? I do believe they have it. I
20 will declare it a two-thirds. Would anyone like to
21 challenge the vote?

22 MADAM MODERATOR: (Inaudible.)

23 MADAM MODERATOR: Would you like to

1 challenge -- if you'd like to challenge the vote,
2 we'll do a standing count. I need four people to
3 challenge. That's fine.

4 All those in favor -- I'm fine with doing that
5 if anyone has any question about the vote.

6 All those in favor, please stand. Thank you.

7 MADAM MODERATOR: Cal? If they have passed
8 you in the aisle, please have a seat.

9 BALLOT OFFICER: Section 1, please. 1, 1.
10 Section 2.

11 BALLOT COUNTER: Section 2, 46, 4-6.

12 BALLOT OFFICER: 46.

13 MADAM MODERATOR: 4-6.

14 BALLOT OFFICER: Section 3.

15 BALLOT COUNTER: Section 3, 11.

16 BALLOT OFFICER: 11, 1-1. Section 4. I'm
17 sorry, we're counting 4.

18 BALLOT COUNTER: Section 4, 48.

19 BALLOT OFFICER: 48. Section 5, please.

20 BALLOT COUNTER: Section 5, 37, 3-7.

21 BALLOT OFFICER: 37. Section 6.

22 BALLOT COUNTER: Section 6, 37, 3-7.

23 BALLOT OFFICER: 3-7. Section 5 was 37, too,

1 right?

2 BALLOT COUNTER: Uh-huh.

3 BALLOT OFFICER: Section 5 was 37, and 6 was
4 37, or am I just hearing things? I need Section 5
5 again to affirm 37.

6 BALLOT COUNTER: 37.

7 BALLOT OFFICER: Is that right?

8 BALLOT COUNTER: Yes.

9 BALLOT OFFICER: Okay. Section 7, please.

10 BALLOT COUNTER: Section 7 is closed.

11 BALLOT OFFICER: Nobody up there. And is
12 there anybody in 8?

13 BALLOT COUNTER: Section 8 is 7.

14 BALLOT OFFICER: 7 votes in the nonvoting
15 section.

16 BALLOT COUNTER: What's the stage?

17 BALLOT COUNTER: The stage is 9.

18 BALLOT OFFICER: There are voters attending
19 nonvoters in the nonvoting section. I shouldn't
20 have said that. We need the Nons.

21 MADAM MODERATOR: Okay. Those opposed, please
22 stand. Do we have any in the lobby? Do we have
23 any --

1 BALLOT OFFICER: I'm sorry. I didn't -- was
2 there a count from the lobby?

3 MADAM MODERATOR: No. Okay.

4 BALLOT OFFICER: They are all closed.

5 MADAM MODERATOR: Those opposed, please stand.

6 BALLOT OFFICER: Thank you, Kathy. Thank you.
7 Okay. So we didn't have anybody in the lobby,
8 either, and we got the stage at 9.

9 Now, we are going to no's in section -- look
10 to the counter, when she looks at you and counts
11 you, sit down, so she can see behind you.

12 Okay. Section 1 we can do. 10, 1-zero.
13 Section 2, please.

14 BALLOT COUNTER: Section 2, 13, 1-3.

15 BALLOT OFFICER: 1-3. Section 3.

16 BALLOT COUNTER: Section 3, 5.

17 BALLOT OFFICER: 5.

18 BALLOT COUNTER: 5.

19 BALLOT OFFICER: Section 4.

20 BALLOT COUNTER: Section 4, 27.

21 BALLOT OFFICER: 27. Section 5, please.

22 BALLOT COUNTER: Section 5, 24, 2-4.

23 BALLOT OFFICER: 24. Section 6.

1 BALLOT COUNTER: Section 6, 21, 2-1.

2 BALLOT OFFICER: Section 7's still empty. And
3 Section 8.

4 BALLOT COUNTER: Section 8, 2.

5 BALLOT OFFICER: 2. And the stage, please.

6 BALLOT COUNTER: Stage is 10, 1-zero.

7 BALLOT OFFICER: Stage is 10, and the hall is
8 still empty.

9 MADAM MODERATOR: Those voting in the
10 affirmative are 206. Those in the negative, 112.
11 The motion is lost.

12 Article 26 was previously --

13 SPEAKER: Madam Moderator, could I just ask
14 him, can they read the numbers again because it was
15 very confusing. I just want to make sure we have
16 the count right.

17 MADAM MODERATOR: I'll be happy to have the
18 Clerk read the numbers for you. Would you like him
19 to do that? Wait a minute. Would you read the
20 numbers?

21 MR. MURPHY: Okay. By section?

22 MADAM MODERATOR: By section, Paula?

23 SPEAKER: Yes. For and against. Okay.

1 (Inaudible).

2 MR. MURPHY: Okay. Voting yes, by section.
3 Section 1 was 11; Section 2 was 46; Section 3 was
4 11, 1-1; Section 4, 48; Section 5, 37; Section 6,
5 37; Section 7 is empty; Section 8, 7; the lobby,
6 again, there were no voters; and the stage was 9
7 for a total of 206.

8 Would you like the no votes as well?

9 MADAM MODERATOR: "Yes" or "no"?

10 SPEAKER: No.

11 MADAM MODERATOR: Okay. So the motion is
12 lost.

13 Article 26 was withdrawn last night previously
14 by the Meeting.

15 Article 27, please, Mr. Doherty.

16 MR. DOHERTY: Madam Moderator, thank you very
17 much. I move Article 27 as printed in the Warrant.

18 MADAM MODERATOR: Article 20 -- 27 has been
19 moved and seconded.

20 Is there a Planning Board report, sir?

21 MR. DOHERTY: Yes, ma'am. The Planning Board
22 is recommending Town Meeting approval of the zoning
23 amendment to assist the streamlining and permitting

1 process of the medical use and eliminates
2 competitive petition before the various boards.

3 The current process for a medical clinic would
4 require an applicant to petition both the Zoning
5 Board of Appeals and the Planning Board for a
6 special permit.

7 This proposed amendment would simply eliminate
8 the requirement of having to petition the Zoning
9 Board of Appeals. The amendment would be limited
10 to three zoning districts: Office Park, Industrial
11 A, and limited service zoning districts.

12 Paul, can we have the first, show the big map.
13 There are six districts that will be affected.
14 Four in the IA district, one in the Office Park,
15 and one in the limited services.

16 So I'd like to put you all on the Planning
17 Board tour bus and we'll take a tour and I'll show
18 you where those districts will be affected.

19 We're going out to Lowell Street, we're going
20 to cross over 93. On your left will be Raytheon.
21 That is the beginning of the first IA district.
22 It is framed by 93, comes down as far as Frontage
23 Road, around Osgood Street and back to Lowell

1 Street.

2 The second district is Lowell Junction. I
3 think that's pretty much the most well known IA
4 district in town. It is bordered by Tewksbury and
5 Wilmington.

6 The next one, we're coming down on Haverhill
7 Street, Riverina Road on your left just beyond the
8 river is Tantallon Road, York Street, Brickstone
9 Square would be part of this, and it stops at the
10 railroad station or railroad tracks.

11 River Road is bordered by the Lawrence line.
12 It includes Bull Finch Road, the Drive and
13 Riverside Drive.

14 The Office Park district has Haverhill Street,
15 the corner of Haverhill Street and High Street.
16 Most of us know that as Doctor Park.

17 And the last one would be the Limited Service
18 which is, again, is back on Lowell street. It
19 includes the IRS area and the new Andover medical
20 center area.

21 So that concludes our tour for today and thank
22 you very much for coming.

23 MADAM MODERATOR: I'm glad you're all back at

1 your seat.

2 Selectmen's report please, Mr. Salafia.

3 MR. SALAFIA: Yes, Madam Moderator, the Board
4 of Selectmen recommends approval of this Article.

5 MADAM MODERATOR: Okay.

6 Yes, sir. We'll start here, go right around
7 the room. Mr. Brown.

8 MR. BROWN: Hi, Madam Moderator. David Brown,
9 21 Glenwood Road, and I'm Chairman of the Zoning
10 Board of Appeals, although I'm speaking not on
11 behalf of the Board here tonight.

12 And, don't get me wrong. I totally support
13 this Article. I think it's a good Article and I
14 think everybody should vote for it, but I do want
15 to clarify some of the presentation of -- the
16 Article changes the table of uses for medical
17 clinics in three Zoning districts: In a limited
18 service district and the office park district it
19 changes it from requiring a special permit from the
20 Zoning Board of Appeals to a use allowed as a
21 matter of right.

22 In the Industrial A district, it changes it
23 from a use that is not allowed to a use that's

1 allowed as a matter of right.

2 These changes make sense, but to say that it
3 removes requirement for multiple special permits
4 from both the Planning Board and the Zoning Board
5 of Appeals is not quite correct, unless there's
6 something in the Zoning Bylaw that I can't find, a
7 medical clinic would not require a special permit
8 from the Planning Board, unless it triggered either
9 site plan review or major nonresidential
10 development review process, both of which,
11 basically, would be for a new building of 10000
12 gross square feet or more, or an addition to an
13 existing structure of 2000 gross square feet or
14 more. So a new building containing a medical
15 facility that was less than 10,000 gross square
16 feet, could be built as a matter of right.

17 And I think that's fine, but it doesn't always
18 remove a double permitting process. Thank you.

19 MADAM MODERATOR: Thank you. Yes, sir

20 SPEAKER: Kurt Halalor, 6 Chestnut Street.
21 This is a question, and I think the gentleman who
22 just spoke may have addressed most of it. But
23 would one of the proponents or whomever of this

1 Article explain if the Article were not approved,
2 the purpose of the Zoning Board of Appeals review
3 is different, is it not, than the purpose of the
4 Planning Board. I'm assuming the Planning Board is
5 more of a site approval and kind of a design review
6 but, really, it doesn't get at whether the use
7 should be there or not, whereas the Zoning Board, I
8 believe, is likely getting at the question of
9 should the use itself be permitted in that
10 particular district; is that a fair
11 characterization?

12 MADAM MODERATOR: Go ahead, Mr. Materazzo.

13 MR. MATERAZZO: Paul Materazzo, Director of
14 Planning. Essentially, your question is a good one
15 and what we're attempting to do here, that the
16 Planning Board is looking to do is really bring
17 this into one Board's authority for review and
18 approval. Kind of a one-stop shopping.

19 We have, you know, experienced, you know,
20 multiple applications and a perfect example is the
21 medical building that you see under construction
22 and is just opened on 133.

23 In that particular instance, the applicant had

1 to petition the Zoning Board of Appeals and then
2 petition the Planning Board. What we are
3 attempting to do here is allow for a process for an
4 applicant to submit to one Board, one public
5 process.

6 SPEAKER: If I may, Madam Moderator. But is
7 the two Boards are answering kind of different
8 questions, are they not? I mean, they have
9 different standards of approval, do they not? For
10 any use that requires a Zoning Board of Appeals --

11 MADAM MODERATOR: Go ahead.

12 MR. BROWN: May I answer that question, Madam
13 Moderator?

14 MADAM MODERATOR: Go ahead. You certainly
15 can. Thank you. Because I can't.

16 MR. BROWN: The Board -- the Zoning Board of
17 Appeals, in granting a special permit, and these
18 are requirements that are in the Zoning Bylaw, has
19 to consider a number of factors, including the
20 adequacy of public services, the effect on the
21 environment, the adequacy of existing roads to
22 service the facility, as well, more broadly and
23 perhaps the more important question, the impact of

1 any proposal on the established or future character
2 of the neighborhood and the town.

3 Those are general criteria for any special
4 permit and those are the criteria that the Zoning
5 Board has to apply any application where we're the
6 special permit granting authority.

7 The Planning Board deals with other issues,
8 maybe including site layout and design and so on.
9 Also --

10 MADAM MODERATOR: Does that answer your
11 question, sir?

12 SPEAKER: It does.

13 MADAM MODERATOR: Okay. He's good. So let's
14 go to the others who would like to speak. Thank
15 you. Up here, please.

16 SPEAKER: Steven Leed, 22 William Street.

17 MADAM MODERATOR: Mr. Leed, how are you?

18 SPEAKER: I'm well. Thank you, Madam
19 Moderator. I'm here this evening as a member
20 of the Economic Development Council. The Economic
21 Development Council supports this Article. The
22 council welcomes the streamlining of the permitting
23 process. It will accelerate the permitting process

1 of getting medical care to our residents, while
2 expanding economic opportunity for Andover. Thank
3 you.

4 MADAM MODERATOR: Thank you, sir. Any other
5 questions or comment? Are we ready to vote? This
6 requires a two-thirds vote.

7 All those in favor, please raise one hand.
8 Thank you.

9 Those opposed? The ayes clearly have it. I
10 would declare it a two-thirds vote. If anyone
11 would like to challenge that declaration? Thank
12 you. I would declare it a two-thirds vote.

13 Article 28, Mr. Landry, please.

14 MR. LANDRY: Madam Moderator --

15 MADAM MODERATOR: Yes, sir.

16 MR. LANDRY: I move to approve Article 28 as
17 printed in the Warrant.

18 MADAM MODERATOR: Article 28 has been moved
19 and seconded. Go right ahead, sir.

20 MR. LANDRY: The Board of Selectmen recommend
21 approval of this Article.

22 MADAM MODERATOR: Okay. Does anybody want to
23 explain this or we good to vote? Is everybody

1 ready to go?

2 All those in favor, it requires a two-thirds
3 vote -- all those in favor, please raise one hand.
4 Thank you.

5 Those opposed? Thank you. The ayes have it.
6 The motion carries. I declare it to be in excess
7 of two-thirds. Does anyone want to challenge that?
8 Thank you.

9 Article 29, Mrs. O'Donoghue.

10 MRS. O'DONOGHUE: Thank you, Madam Moderator.
11 I move to appropriate the sum of \$150,000 from free
12 cash for the purpose of providing public safety
13 communication upgrades, including any other costs,
14 incidental and related thereto.

15 MADAM MODERATOR: Article 29 has been moved
16 and seconded. Go right ahead, Mrs. O'Donoghue

17 MRS. O'DONOGHUE: The Board of Selectmen
18 recommends approval of this Article.

19 MADAM MODERATOR: Finance Committee, please,
20 Mr. Barry.

21 MR. BARRY: Thank you, Madam Moderator. The
22 Finance Committee recommends approval of Article
23 28.

1 As noted in the Finance Committee report, we
2 support this Article as it would update the
3 infrastructure of the system. The Article would
4 allow for funding to upgrade Andover public safety
5 communications equipment currently relying on
6 outdated technology and, as a result has a
7 potential of failure if the telephone lines are
8 compromised by manmade and natural events.

9 This is an important investment for the town
10 and will mitigate issues of safety for our on-duty
11 personnel responding to or operating at emergency
12 scenes by providing better communication
13 infrastructure.

14 In addition, there's an approximately \$20,000
15 savings annually as it will no longer be a need for
16 leasing telephone lines. So the Finance Committee
17 recommends approval.

18 MADAM MODERATOR: Are there any questions?
19 All those in favor, please raise one hand. Thank
20 you.

21 Those opposed? Thank you. The ayes have it.
22 The motion carries.

23 Article 30, please, Mr. O'Donoghue.

1 MRS. O'DONOGHUE: Thank you, Madam Moderator.
2 I move to approve the sum of \$175,000 from free
3 cash for the purpose of purchasing Public Works
4 vehicles, including any other costs, incidental and
5 related thereto.

6 MADAM MODERATOR: Thank you. Article 30 has
7 been moved and seconded. Go right ahead,
8 Mrs. O'Donoghue.

9 MRS. O'DONOGHUE: The Board of Selectmen
10 recommends approval of this Article.

11 MADAM MODERATOR: And the Finance Committee,
12 please, Mrs. Kruse.

13 MS. KRUSE: Finance Committee recommends
14 approval.

15 MADAM MODERATOR: Any questions?

16 SPEAKER: (Inaudible).

17 MADAM MODERATOR: I'm sorry?

18 SPEAKER: Okay. I'm sorry.

19 MADAM MODERATOR: Article 30. All those in
20 favor, please raise one hand. Thank you.

21 Those opposed? Thank you. The ayes have it.
22 The motion carries.

23 Article 31, please -- I'm sorry Mr. Vispoli.

1 MR. VISPOLI: Yes, Madam Moderator, I move to
2 appropriate the sum of \$337,000 from free cash for
3 the purpose of paying the costs of various
4 electrical, heating, ventilation and air
5 conditioning replacements and upgrade to town and
6 school facilities, including any other costs
7 incidental related to these projects thereto.

8 MADAM MODERATOR: Thank you. Article 31 has
9 been moved and seconded. Mr. Vispoli.

10 MR. VISPOLI: Yes, Madam Moderator, the Board
11 of Selectmen recommends approval of this Article.

12 MADAM MODERATOR: Thank you. Mrs. Zahorik,
13 the Finance Committee report, please.

14 MRS. ZAHORIK: The Finance Committee
15 recommends approval of Article 31. Andover's
16 investments in initiatives that reduce their energy
17 consumption and associated expenses are prioritized
18 based on expected payback, and are both good for
19 the environment and for our town's budget.

20 After grants and utility incentives, recent
21 initiatives evaluated at (inaudible) should
22 estimated payback from only two months to five
23 years.

1 MADAM MODERATOR: Thank you. Mrs. Gilbert,
2 please, School Committee report.

3 MRS. GILBERT: Thank you, Madam Moderator.
4 The School Committee recommends approval.

5 MADAM MODERATOR: Okay. Are there any
6 questions? Comments?

7 All those in favor, please raise one hand.
8 Thank you.

9 Those opposed? The ayes have it. The motion
10 carries. Thank you.

11 Article 32, please, Mr. Bernardin.

12 MR. BERNARDIN: Madam Moderator, Mark
13 Bernardin, Elm Street. I move to approve Article
14 32 as printed in the Warrant.

15 MADAM MODERATOR: Article 32 has been moved
16 and seconded. Go right ahead, sir.

17 MR. BERNARDIN: Well, I'm just going to rely on
18 the description that's printed in the Article.

19 MADAM MODERATOR: Do you want to make any
20 presentation about the Article?

21 MR. BERNARDIN: I would not, no.

22 MADAM MODERATOR: You would not. Okay.
23 Selectmen's report, please.

1 SPEAKER: Yes, Madam Moderator, the Board of
2 Selectmen voted to take no position.

3 MADAM MODERATOR: To take no position.

4 SPEAKER: No position on Article 32.

5 MADAM MODERATOR: All right. The Planning
6 Board, please, Mr. Chiozzi. The last mic, please.

7 MR. CHIOZZI: Oh. The Planning Board
8 recommends dis -- the Planning Board recommends
9 disapproval at this time. This topic will require
10 further study to address all of the applicable
11 issues and allow the time and input necessary for a
12 comprehensive review.

13 MADAM MODERATOR: Okay. Are there any
14 comments? Sir.

15 SPEAKER: Madam Moderator, Robert May, 139 Elm
16 Street.

17 MADAM MODERATOR: Yes, Robert.

18 SPEAKER: I speak this evening to oppose
19 Articles 32 and 33.

20 MADAM MODERATOR: If you could speak right
21 into the mic. I'm so sorry. Could you make sure
22 this number 2 mic is on as high -- well, not as
23 high, but --

1 SPEAKER: Is that better?

2 MADAM MODERATOR: A little bit. There you go.

3 SPEAKER: Let's try this.

4 MADAM MODERATOR: Maybe not.

5 SPEAKER: I speak this evening to oppose
6 Articles 32 and 33. These two private Articles are
7 an undisguised attempt to change the Zoning Bylaw
8 to influence an application submitted to the
9 Planning Board on October 28, 2014. Doubling the
10 space required and reducing the heights as proposed
11 in these Articles have one objective --

12 MADAM MODERATOR: Can I interrupt you for one
13 second?

14 SPEAKER: Certainly.

15 MADAM MODERATOR: You can only speak to the
16 Article before us, which is 32.

17 SPEAKER: Okay.

18 MADAM MODERATOR: So just, if you would only
19 reference that in your comments.

20 SPEAKER: Oh, Article 32.

21 MADAM MODERATOR: Thank you.

22 SPEAKER: Even though it applies to 33, as
23 well. Okay.

1 MADAM MODERATOR: I'm sorry. I don't mean to
2 throw you off, but the other one's not even in play
3 yet.

4 SPEAKER: Okay.

5 MADAM MODERATOR: Thank you.

6 SPEAKER: To establish requirements that are
7 so onerous that it would never make economic sense
8 to build an assisted living residence in these
9 zones.

10 My wife Heidi Halilan and I currently own a
11 property for which an assisted living residence is
12 proposed. The Planning Board is the proper
13 designated authority to judge this application and
14 will do so under the current Zoning Laws,
15 regardless of how these Warrant Articles are voted.

16 Our opposition to this Article 32 is of a more
17 fundamental nature. A private citizen should not
18 be allowed to use the Town Warrant process to set
19 an overall town zoning policy.

20 An eloquent memo written by a long-serving and
21 respected former Board member was read into the
22 public record at the Planning Board meeting of
23 April 28.

1 In part, it states, quote, "The private" --
2 "The ALR article in this years' Warrant proposed
3 changes which are restricted, ill-conceived, and
4 which will poorly serve our seniors if approved.
5 Article 32 propose changes in density and height
6 design standards which will effectively prohibit
7 the construction of senior housing in SRA and SRB
8 neighborhoods. This is a classic NIMBY strategy,"
9 end quote.

10 These articles have been improperly -- this
11 Article has been improperly positioned by some as a
12 single-family residence versus large institution
13 issue.

14 First, the current Zoning bylaw for SRA and
15 SRB allows for many types of uses in addition to
16 single-family residences and ALRs, included, but
17 not limited to a municipal facility, childcare
18 facility, cluster housing or college dormitories.

19 The number of properties available in SRA and
20 SRB that meet the existing acreage and density
21 requirements for the uses mentioned in Article 32
22 number in the single digits.

23 It would also be cost prohibitive to assemble

1 a conformant parcel by purchasing, demolishing and
2 then building from existing lots in these zones.

3 Finally, these proposed -- this proposed
4 Article is targeted only as residences that would
5 serve the elderly or those requiring long-term
6 care.

7 Article 33 -- I apologize. The Article plays
8 around with height and density requirements to push
9 ALR into industrial and mix use zones. We are not
10 warehousing components or employing light
11 industrial workers here. We're talking about
12 elderly residents of Andover who should be able to
13 live near their center of town in a residential
14 setting with access to all of the services
15 conveniently available in this setting.

16 Quality of life decisions should support the
17 opportunity to live in a town residential setting,
18 as opposed to being shunted off to an industrial
19 complex on the outskirts of town.

20 One phrase bandied about by some supporters
21 of the Articles concerns the will of the people.
22 At a prior Town Meeting, the current Zoning bylaw
23 was adopted by a vote of 1010 to one. Town

1 Meeting overwhelmingly felt that the Planning and
2 Zoning boards had done a very good job developing a
3 comprehensive zoning plan for the town.

4 I respectfully request that we allow these
5 Boards the same opportunity to do their jobs by
6 voting against Article 32. Thank you, Madam
7 Moderator.

8 MADAM MODERATOR: Thank you. Yes, sir, up
9 here. And then we'll come down here.

10 SPEAKER: Lawrence Defani, 11 Burton Farm
11 Drive.

12 MADAM MODERATOR: Yes, sir.

13 SPEAKER: I had nothing to do with the writing
14 of any of these Warrants, but I am a neighbor of
15 yours and, no, I'm not interested in 35-foot tall
16 buildings in the FRA or SRP.

17 I did tear my house down at 11 Burton Farm
18 Drive. I did not put up a 35-foot tall building,
19 business in a residential area.

20 So, yes, you're speak as somebody who's
21 selling his land to a business to put up his
22 business, that's fine, and that is my opinion.

23 My opinion, as an abutter of this area, I'm

1 not interested in this kind of building, and I
2 fully approve and support this Warrant, and hope
3 everybody votes in favor of it. Thank you.

4 MADAM MODERATOR: Thank you. Yes, sir.

5 SPEAKER: My name is Allen French, 17 Moreland
6 Avenue.

7 MADAM MODERATOR: Mr. French, how are you?

8 SPEAKER: Fine. Thank you. This is a complex
9 issue. My input is just to say that over the past
10 year and a half, or two years, I've made it my
11 business to attend a number of Planning Board
12 hearings and to investigate the issues surrounding
13 several recent proposals for multifamily housing.
14 And I just wanted to present my experience to the
15 Town Meeting.

16 I well respect the need of the Planning Board
17 to study, and that they are the primary resource
18 for complicated zoning matters. I just want to say
19 that after attending the meetings and making
20 written presentations without passing the merits on
21 any particular proposal, it's my feeling that we
22 have a need in this town to compromise between the
23 needs of a greater variety of different citizens,

1 including senior citizens, of which I'm proud to be
2 one, for sure, and also younger people, and people
3 of different means. So we need to compromise. In
4 my view -- sorry.

5 MADAM MODERATOR: That's okay.

6 SPEAKER: In my view, the proposal that's made
7 by this private Article, based on my attendance
8 of the meetings, is an adequate compromise between
9 the need to protect the interests of those in
10 single-family residencies, who are residents of the
11 town, and the needs of senior citizens and for
12 multifamily housing. There's a need for compromise
13 here.

14 And what I found in the recent examples, is
15 that the compromise is not there. The proposals
16 have been backed by mostly out-of-state syndicates,
17 whose primary interest is revenue, and the
18 interests of those living in the single-family
19 areas, which should be allowed to provide for
20 multifamily housing. But the balance currently, in
21 my experience, from just spending the time is not
22 adequate and, therefore, I would support this
23 Article.

1 MADAM MODERATOR: Thank you, sir. Any other
2 comments? Are we ready to vote?

3 All those in favor, it needs a two-thirds
4 vote.

5 All those in favor of Article 32, please raise
6 one hand. Those opposed? I don't believe they
7 have it. Would you like a standing vote? All
8 those in favor of Article 32, please stand. Thank
9 you.

10 BALLOT OFFICER: Section 1, please. 1, 8.
11 Section 2.

12 BALLOT COUNTER: Section 2, 11.

13 BALLOT OFFICER: 11, 1-1. Section 3.

14 BALLOT COUNTER: Section 3, zero.

15 BALLOT OFFICER: Zero. Section 4. I'm sorry
16 they are still counting. I don't mean to hustle
17 you (inaudible).

18 Now we can have Section 4.

19 BALLOT COUNTER: Section 4, 31.

20 BALLOT OFFICER: 31. Section 5, please.

21 BALLOT COUNTER: Section 5, 22, 2-2.

22 BALLOT OFFICER: 22. Section 6.

23 BALLOT COUNTER: Section 6, 28, 2-8.

1 BALLOT OFFICER: 28. Section 7, none, right?

2 And Section 8.

3 BALLOT COUNTER: Zero.

4 BALLOT OFFICER: And there's still nobody in
5 the hall, I assume. And the stage, please.

6 BALLOT COUNTER: Stage is 3.

7 BALLOT OFFICER: The stage is 3.

8 BALLOT COUNTER: 3; correct.

9 BALLOT OFFICER: Okay.

10 SPEAKER: Excuse me.

11 MADAM MODERATOR: Yes, sir.

12 SPEAKER: I think we're not getting counted
13 over here again.

14 MADAM MODERATOR: You are not getting counted
15 over there?

16 SPEAKER: No.

17 MADAM MODERATOR: Did somebody count --

18 SPEAKER: Point of information.

19 MADAM MODERATOR: No. They should be in
20 Section 3, I think. Over there. Over there.

21 So why don't you take their count and we'll
22 add it.

23 SPEAKER: Just -- just as a point of

1 information a little while ago, we were told that
2 we were being counted with the stage, and now we're
3 being counted -- just so you know.

4 MADAM MODERATOR: I would like to count you
5 now in Section 3.

6 SPEAKER: Thank you.

7 MADAM MODERATOR: So that we're all positive
8 that's where it's going to be counted.

9 BALLOT OFFICER: Section 3, would you please
10 add that to your count. You had a zero. And you
11 now have a 1?

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

14 BALLOT OFFICER: I need the Section 3, is it a
15 1 count now?

16 MADAM MODERATOR: Oh, I'm sorry.

17 BALLOT COUNTER: I have a --

18 BALLOT OFFICER: Section 3, do you have a 1
19 count instead of a zero? Okay. So Section 3 has
20 changed from zero to 1 for the motion.

21 Now we can go to no.

22 MADAM MODERATOR: All those opposed, please
23 stand.

1 BALLOT OFFICER: Section 1, please.
2 BALLOT COUNTER: 4.
3 BALLOT OFFICER: 4. Section 2.
4 BALLOT COUNTER: Section 2, 34, 3-4.
5 BALLOT OFFICER: 3-4. Section 3, please.
6 BALLOT COUNTER: Section 3, 11, 1-1.
7 BALLOT OFFICER: And that does include --
8 obviously, it does. Okay.
9 BALLOT COUNTER: Yes, that includes --
10 BALLOT OFFICER: Okay. Section 4, please.
11 BALLOT COUNTER: Section 4, 22.
12 BALLOT OFFICER: 22. Section 5.
13 BALLOT COUNTER: Section 5, 25, 2-5.
14 BALLOT OFFICER: 25. Section 6, please.
15 BALLOT COUNTER: Section 6, 13, 1-3.
16 BALLOT OFFICER: 7 is zero. 8 is zero. And
17 the stage?
18 BALLOT COUNTER: No, excuse me.
19 BALLOT OFFICER: Excuse me, is there 8?
20 BALLOT COUNTER: Section 8 is 2.
21 BALLOT OFFICER: I'm sorry. Okay. 7 is zero.
22 8 is 2. And the stage?
23 MADAM MODERATOR: If while there's a vote

1 going on, if others could please be seated.

2 BALLOT COUNTER: On the stage is 15, 1-5.

3 BALLOT OFFICER: The stage is 15.

4 MADAM MODERATOR: Those voting in the
5 affirmative is 114. Those in the negative is 126.

6 The motion is lost.

7 Article 33 --

8 SPEAKER: Madam Moderator.

9 MADAM MODERATOR: Yes.

10 SPEAKER: I have a question.

11 MADAM MODERATOR: Please, yes.

12 SPEAKER: Point of order.

13 MADAM MODERATOR: Go ahead.

14 SPEAKER: Nick Gregory, 5 Embassy Lane. Given
15 the closeness of Article 25 vote and the fact that
16 the folks on the stage --

17 MADAM MODERATOR: Article 25 vote, sir, we
18 have voted.

19 SPEAKER: I understand. Then I should
20 probably do -- there's an irregularity. Yes, this
21 it is a point of order. Given that they were
22 worried that they were not counted for a previous
23 vote, I feel like we need to redo this vote or be

1 certified that they were actually counted.

2 MADAM MODERATOR: I don't know if they were or
3 not.

4 SPEAKER: In that case, we need to redo that
5 vote.

6 MADAM MODERATOR: Sir, we have voted that
7 Article already.

8 SPEAKER: We can't have voted that Article if
9 they were not counted.

10 MADAM MODERATOR: Yes, sir, we did. I
11 appreciated your comment. We have voted that.
12 We're moving forward.

13 Article 33.

14 SPEAKER: Madam Moderator.

15 MADAM MODERATOR: Please, Mr. Bernardin.

16 SPEAKER: Madam Moderator, I also have a point
17 of order over here.

18 MADAM MODERATOR: Yes.

19 SPEAKER: I've been here several minutes. My
20 name is Chris Banta, 15 Gavin Circle. I would like
21 to repeat what that gentleman said, that I would
22 like a revote of the previous Article because if
23 these eight people were or were not counted, that

1 means --

2 MADAM MODERATOR: All of those eight people
3 are not residents of the town of Andover.

4 SPEAKER: Then why did they ask if they had
5 been counted in the vote.

6 MADAM MODERATOR: Well, there was somebody
7 there who was looking to be voted. They are two?
8 There are two members of that group that are voters
9 in the town of Andover.

10 SPEAKER: So, in other words, the other vote
11 was not correct.

12 MADAM MODERATOR: I don't know if it was or it
13 wasn't. I did not take the vote. The vote has
14 been taken. It has been declared. We're going to
15 move on. I appreciate your objection.

16 Article 33, please Mr. Bernardin.

17 MR. BERNARDIN: Madam Moderator, I move to
18 withdraw Article 33.

19 MADAM MODERATOR: There's a motion to withdraw
20 Article 33. All those in favor, please raise one
21 hand to withdraw? Thank you.

22 Those opposed? The ayes have it. The motion
23 is withdrawn.

1 Article 34, Mrs. Lauten.

2 MRS. LAUTEN: Thank you, Madam Moderator.
3 Heather Lauten, 243 Lowell Street. I move to
4 approve Article 34 as printed in the Warrant.

5 MADAM MODERATOR: Article 34 has been moved
6 and seconded. Go right ahead, please.

7 MRS. LAUTEN: Thank you. The town Zoning
8 bylaw section covering elderly housing includes, in
9 addition to the standard types of residential
10 categories listed in the Bylaw, four distinct forms
11 of senior housing, including independent living
12 residents, congregate living facilities, assisted
13 living residences, and long-term care facilities,
14 each of which provides for different levels of
15 support services, along a rational, continuum of
16 care for senior residents of Andover.

17 Independent living residences, for example,
18 are discrete dwelling units for seniors who are, as
19 the name suggests, wholly independent.

20 Assisted living residences and long-term care
21 facilities offer different levels of supportive
22 service for seniors who are not able to live
23 independently and who require varying levels of

1 support for daily living and medical supervision.

2 Congregate living is a form of senior housing
3 widely understood to fall into the range of elderly
4 housing options as a transitional form of housing
5 falling between fully independent living and
6 residences which provide significant assistance
7 with activities of daily living and healthcare
8 management.

9 My neighbors and I support the inclusion of
10 each of those forms of senior housing in Andover,
11 and are advocates of the thoughtful planning of
12 further development of options for seniors to
13 remain in town.

14 Our concern is that such planning be sensible
15 and consistent with sound zoning and land use
16 standards, as well as following Andover's Master
17 Plan.

18 These issues are of interest to all residents
19 of the town of Andover. The current definition
20 section of the town zoning bylaw includes a
21 definition for congregate living facility that is
22 unreasonably vague and which is proven to be
23 subject to overbroad interpretation.

1 In particular, the use of the word "may"
2 rather than the word "shall" has led to an
3 interpretation of the definition that negates the
4 shared component of such housing entirely.

5 This definition is also in conflict with the
6 Massachusetts Executive Office of Elder Affairs and
7 Andover's own Council on Aging description of
8 congregate housing, each of which requires that
9 residents share certain facilities and, as such, a
10 is to misapplication of an important concept in
11 elderly housing by essentially eliminating the very
12 congregate nature of such housing and removing the
13 key almost of a shared living environment.

14 In an informal survey of congregate living
15 facilities in the Merrimack Valley and across the
16 Commonwealth, indicates that that shared component
17 of this form of housing is included in every such
18 facility identified as being congregate primarily
19 with shared dining facilities and shared living
20 areas.

21 The proposed amendment that is the subject of
22 this Article requires that each resident of a
23 congregate living facility have an individual

1 bedroom, but share kitchen, dining, and/or bathing
2 facilities with the other residents.

3 Across the Commonwealth and nationally for HUD
4 eligible congregate housing programs, congregate
5 living arrangements include, as a bare minimum,
6 shared meals in a group environment.

7 A broad interpretation of the current
8 definition has already led to the seemingly
9 arbitrary consent to a developer's application to
10 construct a high density, multifamily, independent
11 apartment building with no shared living or dining
12 facilities in a location zoned for single family
13 residences.

14 In 2006, a Warrant Article was introduced at
15 Town Meeting proposing an amendment to the Zoning
16 Bylaw that would have opened up the opportunity for
17 the development of this very kind of project, in
18 part to allow new construction of senior housing,
19 independent living residences.

20 This Warrant was soundly defeated based on an
21 overwhelming opposition to the idea that immense,
22 high density, heavily massed, multifamily buildings
23 could be constructed in virtually any neighborhood

1 of single family residences in the town of Andover.

2 Adding clarity to the last grammatical
3 sentence of the definition of congregate living
4 facility will provide much improved guidance for
5 future interpreters of the Bylaw and better serve
6 the residents of Andover neighborhoods.

7 I ask that you support this amendment by
8 voting to approve this Article. Thank you

9 MADAM MODERATOR: Thank you very much.
10 Article 34, please, Mr. Salafia, report from the
11 Selectmen.

12 MR. SALAFIA: Yes, Madam Moderator, the Board
13 of Selectmen voted to have no position.

14 MADAM MODERATOR: Okay. And Mr. Chiozzi,
15 please, Planning Board report

16 MR. CHIOZZI: The Planning Board recommends
17 disapproval at this time.

18 MADAM MODERATOR: Recommends what, please, I'm
19 sorry?

20 MR. CHIOZZI: Recommends disapproval, I'm
21 sorry.

22 MADAM MODERATOR: Thank You.

23 MR. CHIOZZI: At this time. This topic will

1 also require further study to address all of the
2 applicable issues and allow the time and input
3 necessary for a comprehensive review.

4 MRS. LAUTEN: I would just like to respond to
5 that with the -- with gratitude that you are
6 interested in looking into various issues with
7 respect to the Zoning Bylaw but, with all due
8 respect, I think that the time frame that would be
9 required to provided a thoughtful review of these
10 kinds of issues will allow for, potentially,
11 multiple developments that don't meet the logical
12 and rational definitions that are and should be
13 more clear in our Zoning Bylaw. Thank you.

14 MADAM MODERATOR: Yes, sir.

15 SPEAKER: Madam Moderator, my name is Chet
16 Lyons and I live at 10 Weld Rose drive.

17 MADAM MODERATOR: If you could pull that mic
18 right up to you.

19 SPEAKER: I'll try to do that.

20 MADAM MODERATOR: I know, it's --

21 SPEAKER: Okay. I think that the Planning
22 Board's decision to kind of stay out of this
23 particular fight is -- it's weak, frankly. It just

1 kind of kicks the can down the road.

2 We have, on the one hand, we have a -- there's
3 a state definition of congregate living facility,
4 and there's our Andover definition. The difference
5 is very small, sentactical difference, but it has a
6 huge implication.

7 The implication is that it allows the
8 conflation of a congregate care facility to be
9 called an independent living facility. That's
10 simply really bad from a government standpoint.

11 So, regardless of your position on this
12 matter, it should be very, very clear
13 definitionally that, if you have a congregate care
14 facility, that the central feature of some shared
15 facilities is operational.

16 Because of the refusal of the Planning Board
17 to kind of really come to grips with this on it,
18 and independent living facility proposal is making
19 its way forward on it. And it just should not be.
20 You know, we should really adopt language that says
21 this is one thing and that's another thing. And
22 right now, these two things overlap.

23 So I'm asking friends and neighbors to support

1 Article 34 which, essentially, would adopt the
2 state's definition of congregate care living
3 facility, which has a very positive social intent.
4 It's really designed to facilitate the increase of
5 senior housing options on it.

6 By allowing this kind of, pardon me, screwball
7 definition, it really -- it works against that
8 optionality on it. So it's really not a good thing
9 for seniors.

10 MADAM MODERATOR: Thank you.

11 SPEAKER: Thank you.

12 MADAM MODERATOR: Any other comments? Are you
13 ready to vote?

14 All those in favor of Article 34, I need a
15 two-thirds vote, please raise one hand. Thank you.

16 Those opposed? I believe it's carried by far
17 more than a two-thirds vote. Does anyone challenge
18 the vote? I would declare it as such then as more
19 than a two-thirds vote.

20 Article 35, please, Mrs. O'Donoghue.

21 MRS. O'DONOGHUE: I move to approve Article 35
22 as printed in the warrant.

23 MADAM MODERATOR: Article 35 has been moved

1 and second. Selectmen's report, please.

2 MRS. O'DONOGHUE: The purpose of this Article
3 is to authorize the Board of Selectmen to petition
4 the legislature to change the 1923 deed from the
5 American Woolen Company to the town and permit the
6 reviews of the Shawsheen School for general
7 municipal uses, as well as administrative offices
8 for both school and town departments.

9 The Board of Selectmen recommends approval of
10 this Article.

11 MADAM MODERATOR: Thank you. School Committee
12 report.

13 SPEAKER: Yes, Madam Moderator. The School
14 Committee recommends approval.

15 MADAM MODERATOR: Thank you. Mr. Urbelis, do
16 you have anything to add?

17 All those in favor of Article -- I need a
18 standing count. Please stand because this is a
19 state requirement.

20 Oh, wait just a moment. Wait, wait, wait,
21 wait. We have one question. Go right ahead.

22 SPEAKER: I've been here two nights and I just
23 need to say something, I guess.

1 I'm Jennifer Honeg. I live at 180 Main
2 Street.

3 MADAM MODERATOR: Thank you.

4 SPEAKER: And I'm a very lucky lady. I am a
5 proud mother of a fantastic second grader at
6 Shawsheen School. He's going to be moving on,
7 regardless, because, as most of you know, Shawsheen
8 is Pre-K through 2. He's going to be moving onto
9 the brand new Bancroft School, so thank you to the
10 town and the School Committee for that. He's
11 getting his first tour tomorrow.

12 Back along, years ago, when we were first
13 taught -- starting to discuss Bancroft and having
14 the new Bancroft School, one of the issues that
15 came up was the size, and it was large, and there
16 were questions at Town Meeting about why did it
17 need to be so large.

18 And, in large part, it was due to the fact
19 that Shawsheen was costing the town a lot of money,
20 legitimately so --

21 MADAM MODERATOR: Do you have a question?

22 SPEAKER: Yes, I do.

23 MADAM MODERATOR: Thank you.

1 SPEAKER: It's a very old building, so it was
2 costing the town a lot of money. Bancroft needed
3 to be bigger to absorb a lot of those kids with
4 Shawsheen shutting down.

5 So the assumption was being made that the town
6 was going to end up probably selling it off because
7 it wasn't going to be able to afford the cost, but
8 now with this Bylaw it seems that they are asking
9 for it to remain municipal so the town will
10 continue to pay yearly -- the yearly cost of
11 operating this expensive town -- building.

12 So my question is just for clarification,
13 actually, on those two points.

14 MADAM MODERATOR: Go ahead.

15 MR. STAPCZYNSKI: Yes, I'd be happy to address
16 that. The facility itself has outlived its
17 usefulness as a school, but it certainly has not
18 outlived its usefulness as a municipal facility for
19 offices of, either for school offices or town
20 department offices, and that's basically what we're
21 asking for here.

22 When the Wood family provided the resources
23 for this facility, it was as a school. To use it

1 long term for other than that, we need to go
2 through the steps to change the paperwork going
3 back almost a hundred years.

4 So that's really the intent of this Article to
5 allow us the flexibility on a long-term basis, use
6 it for other than a school.

7 SPEAKER: So you are saying that the cost to
8 run it as a municipal office is less expensive than
9 what it was to run as a school?

10 MR. STAPCZYNSKI: Correct.

11 SPEAKER: Okay. Thank you.

12 MADAM MODERATOR: Okay. We need to have a
13 standing count on this.

14 All those in favor of Article 35, please
15 stand.

16 BALLOT OFFICER: Look at your counter. When
17 they've gone by, sit, please.

18 Section 1, please. 2, 2. Section 2.

19 BALLOT COUNTER: Section 2, 5-5, 55.

20 BALLOT OFFICER: 55 in Section 2. Section 3.

21 BALLOT COUNTER: Section 3, 18, 1-8.

22 BALLOT OFFICER: 18. Section 4.

23 BALLOT COUNTER: Section 4. 44, 4-4.

1 BALLOT OFFICER: 44 in Section 4. Number 5,
2 Section 5.

3 BALLOT COUNTER: Section 5, 50, 5-0.

4 BALLOT OFFICER: 5-zero, 50. Section 6.

5 BALLOT COUNTER: Section 6, 37, 3-7.

6 BALLOT OFFICER: 37. Section 7, zero? And 8?

7 BALLOT COUNTER: Section 8, 2. Section 8 is
8 2.

9 BALLOT OFFICER: 2? Okay. 2. And the stage?

10 BALLOT COUNTER: 21.

11 BALLOT OFFICER: 21 on the stage. Nobody in
12 the hall, out in the hall. Okay.

13 MADAM MODERATOR: All those opposed, please
14 stand.

15 BALLOT OFFICER: Section 1. Zero. Section 2.

16 BALLOT COUNTER: Zero.

17 BALLOT OFFICER: Zero. Section 3.

18 BALLOT COUNTER: Section 3, zero.

19 BALLOT OFFICER: Zero. Section 4.

20 BALLOT COUNTER: Section 4, 2.

21 BALLOT OFFICER: 2. Section 5.

22 BALLOT COUNTER: Section 5, 2.

23 BALLOT OFFICER: 2. Section 6.

1 BALLOT COUNTER: Section 6, 1.

2 BALLOT OFFICER: 1. Section 7 is empty.

3 Section 8.

4 BALLOT COUNTER: Zero.

5 BALLOT OFFICER: Zero. And the stage.

6 BALLOT COUNTER: Zero.

7 BALLOT OFFICER: Zero. Easy count.

8 MADAM MODERATOR: So 249 having voted in the
9 affirmative. 5 having voted in the negative. The
10 motion carries. Thank you.

11 Article 36, please, Mrs. O'Donoghue.

12 MRS. O'DONOGHUE: Thank you, Madam Moderator.
13 I move to withdraw Article 36 from the Warrant.

14 MADAM MODERATOR: Article 36 has been moved
15 and seconded to be withdrawn. All those in favor,
16 please raise one hand. Thank you.

17 Those opposed? The ayes have it. The motion
18 carries.

19 Article 37, please, Mrs. Gilbert.

20 MRS. GILBERT: I move to transfer \$148,766.85
21 from free cash and to transfer \$108,233.15 in
22 unspent funds from Article 32 of the 2013 Annual
23 Town Meeting, for a total of \$250,000, and

1 appropriate the sum of \$250,000 for the purpose of
2 paying the cost of track replacement at the Andover
3 High School, including any other costs incidental
4 and related thereto.

5 MADAM MODERATOR: Thank you. Article 37 has
6 been moved and seconded. Is there a report that --
7 from the School Committee?

8 MR. ATAIDE: Yes, Ed ATAIDE, Deputy Director.

9 MRS. GILBERT: I don't know. Do you want a
10 presentation first or --

11 MADAM MODERATOR: Go ahead. If you want to do
12 a presentation. Go ahead.

13 MR. ATAIDE: The track is deteriorating on the
14 surface, which is causing the students and anybody
15 using it to slip as they are running on it. It's
16 becoming a hazard. That's why we are proposing
17 this Article.

18 MADAM MODERATOR: Thank you. School Committee
19 report, please.

20 MRS. GILBERT: Thank you, Madam Moderator.
21 If we've learned one thing about maintaining our
22 athletic facilities with the high school tennis
23 court project being the most recent example, it's

1 that deferring maintenance too long makes the
2 project more expensive.

3 The track has outlived its life span. It's a
4 resource for the whole community and a revenue
5 source for the high school athletic program.

6 The School Committee recommends approval.

7 MADAM MODERATOR: Thank you. Do you have a
8 question, sir?

9 SPEAKER: Yes. Thank you, Madam Moderator.
10 Point of order, just a question. I understand what
11 free cash means. I think I understand what
12 stabilization funds mean. What I don't know is
13 what -- where is the bucket of unspent money from a
14 previous Town Meeting?

15 MADAM MODERATOR: Right here.

16 SPEAKER: What pocket is that money in?

17 MADAM MODERATOR: Right here.

18 SPEAKER: Okay. Can someone please explain,
19 seriously, where do those buckets of unspent money
20 reside?

21 MADAM MODERATOR: Who can explain that for us?
22 Just one moment. Does anybody know? Can you
23 explain that?

1 MR. STAPCZYNSKI: Yes. Several years ago we
2 had a Warrant Article that appropriated a certain
3 amount of money for the tennis courts from free
4 cash. This was the balance in that free cash
5 account. The \$101,000 that was referenced in the
6 motion.

7 SPEAKER: So that is money -- those are monies
8 that are also in free cash, in addition to the
9 first amount that Ms. Gilbert referenced; is that
10 correct?

11 MR. STAPCZYNSKI: Correct, but it was
12 allocated for the tennis courts. The tennis court
13 project that was, in part, funded by the tennis
14 advocates in the community raised more than
15 originally anticipated, so we used more of their
16 money and less of our money.

17 SPEAKER: So, just correct me if I'm wrong,
18 the full amount, then, is essentially all coming
19 out of free cash; is that correct?

20 SPEAKER: Prior years free cash.

21 MR. STAPCZYNSKI: Prior years free cash is
22 probably a better way to say it.

23 SPEAKER: But it's in that free-cash bucket,

1 in a sense?

2 MR. STAPCZYNSKI: Correct.

3 SPEAKER: Thank you.

4 MADAM MODERATOR: Selectmen's report, please,
5 Mr. Landry.

6 MR. LANDRY: Madam Moderator, the Board of
7 Selectmen recommend approval.

8 MADAM MODERATOR: Thank you. Finance
9 Committee report, please, Mr. Barry.

10 MR. BARRY: Yes. Madam Moderator, the Finance
11 Committee recommends approval.

12 MADAM MODERATOR: Yes, do you have a question?

13 SPEAKER: Are you speaking to me?

14 MADAM MODERATOR: I am. I'm sorry.

15 SPEAKER: I'm sorry, I'm looking at --

16 MADAM MODERATOR: I know, it's --

17 SPEAKER: Joan Johnson, 11 Moraine Street. If
18 you recognize the name of the street, you will
19 recognize that that track is directly across the
20 street from my house. I am just curious to find
21 out what is the life expectancy of the surface on a
22 track because it seems to me that I spent a lot of
23 summers listening to them replacing or repairing

1 the surface on the track. Does anybody know?

2 MADAM MODERATOR: Mr. Ataide, can you address
3 that?

4 MR. ATAIDE: I don't have the exact, what the
5 life expectancy is. It's determined by how much
6 use it gets and conditions, the environment will
7 affect it also.

8 As you can see some of the pictures up there,
9 you can see that the surface is delaminating and
10 peeling off.

11 SPEAKER: Can you tell me when the last time
12 was that it was replaced? I'm just curious about
13 that.

14 MR. ATAIDE: Well, it's the original surface
15 that we did a recoating when we did the turf,
16 (inaudible) turf field, and we did like a coating
17 on it to try to extend the life expectancy on it,
18 and we got a few more years out of it at that time.

19 SPEAKER: Thank you.

20 MADAM MODERATOR: Thank you. Are you ready to
21 vote?

22 All those in favor of Article 37, please raise
23 one hand. Thank you.

1 Those opposed? The ayes clearly have it and
2 the motion carries.

3 I'd like to take a moment to address the
4 concern of some of you on that last vote on Article
5 25 that you were questioning.

6 The vote was taken. It was a legitimate vote
7 at the time. If we were to go back and vote on
8 that Article, we would, by right, have to, right
9 now, go back and revote everything we've already
10 done.

11 The two votes for those folks over at that
12 table, and I don't know, I cannot attest to whether
13 they have been counted all along or not, but those
14 two votes would not have mattered in the outcome of
15 Article 25, and I don't believe the Town Meeting
16 had -- I don't believe you want to go back and
17 rehash a revote, especially since there was a whole
18 different group of people here last night.

19 So the reason for not going back on a vote is
20 because the dynamics have changed, the issues have
21 changed, if one of you got up and went to the
22 ladies' room or the men's room, you wouldn't get
23 voted, you wouldn't get counted then, either.

1 And it certainly is not an intent or malice,
2 but I just need you to understand that trying to go
3 for a recount on a vote means -- because of an
4 issue, means that that could be any other vote that
5 was before the meeting. So I just -- it's been
6 eating at me and I just need to say that to you.

7 Article 38, please, Mr. Kowalski.

8 SELECTMAN KOWALSKI: Madam Moderator, I move
9 that the Town appropriate \$600,000 for the purpose
10 of paying the cost of safety and security
11 communication upgrades in and connecting to school
12 and municipal facilities, including the payment of
13 any other costs incidental and related thereto, and
14 that to meet this appropriation the Treasurer, with
15 the approval of the Board of Selectmen is
16 authorized to borrow said sum under and pursuant to
17 Chapter 44, Section 7(9) of the General Laws or any
18 other enabling authority, and to issue bonds or
19 notes of the town, therefore.

20 MADAM MODERATOR: Article 38 has been moved
21 and seconded.

22 Mr. Puzanghera, are you going to make a
23 presentation to us, please? Thank you, sir. Five

1 minutes.

2 MR. PUZZANGHERA: Good evening everyone. I'm
3 Paul Puzzanghera. I'm the Chief Information
4 Officer for town and schools of Andover. Thank you
5 for your time tonight.

6 Article 38 speaks to a crucial deficiency in
7 our school and municipal buildings, which is
8 deficiencies in our security and communications
9 infrastructure.

10 This Article has -- next slide, Steve. This
11 slide will accomplish four primary goals. It will
12 put phones in all of our existing classrooms, which
13 we do not have today. It will replace all building
14 specific intercom systems. Today each of the 10
15 school buildings has a separate proprietary and, in
16 many cases, failing communications infrastructure.

17 This will also add paging and alert and
18 informational capabilities to the municipal
19 building, which currently have no infrastructure
20 whatsoever.

21 This will also enable us to add redundancy to
22 our town fiber network. Today, the town data
23 infrastructure is susceptible to any single point

1 of failure. And this will allow us to build
2 redundancy that will ameliorate that.

3 And, right now, in many of our school
4 municipal buildings, there is limited cell phone
5 reception, which means in an emergency situation,
6 cell phones are relatively ineffective.

7 We'll also, wherever possible, add repeater
8 infrastructure, which will enable a better
9 communications in case of an emergency.

10 There are two main -- next slide, Steve.
11 There are main goals here. One, and most
12 importantly, is to improve safety. We live in a
13 new reality. In the last three years, the number
14 of incidents in schools have gone five fold.

15 In 19 -- in 2014 alone, there were 40 separate
16 incidents that involved casualties in a school
17 attack. Three years prior to that, the highest
18 number it had ever been was 10. So we are facing a
19 new reality and we need new technology to address
20 that new reality.

21 How do these communication technologies help
22 this situation? It allows you to community from
23 any location to any other location. So the town

1 manager, the police chief, a SWAT commander on
2 site, can communicate to a room, can communicate to
3 a wing, to a building, or to all buildings
4 simultaneously. They can do it through voice
5 communications to provide alerting, or they can do
6 it silently through LED type displays so they can
7 provided crucial real-time information in case of
8 an intruder situation, or in case of any natural
9 disaster to allow people within those buildings to
10 act appropriately to shelter in place, to react, or
11 to escape the situation.

12 This -- these new technologies coordinate with
13 the Alice protocol, which allows coordinated
14 response to these types of emergencies, and it
15 crates a unified two-way communications and unified
16 Communication that integrates phones, speakers,
17 cell phones, computers, all become vehicles for
18 communication.

19 Next slide, Steve. And, secondarily, this
20 will reduce costs and improve productivity. Each
21 school building currently maintains a separate
22 communications infrastructure. Many of these are
23 20-plus years old and are failing. Your choices

1 are whether to build a unified approach that builds
2 on our existing, new digital infrastructure, or to
3 replace these failing buildings one at a time.

4 Right now, every building has a separate
5 maintenance contract. This new system rides on top
6 of our new data infrastructure. It's completely
7 digital, requires no analog wiring, requires no
8 unique support, and we can eliminate all of the
9 building specific maintenance contracts that we
10 currently have.

11 It replaces every clock and time management
12 system, all the bell systems, all this in one
13 integrated, easy to use system. It completely
14 integrates with our new technology and replaces an
15 aging infrastructure with a contemporary
16 infrastructure. Thank you very much for your time.

17 MADAM MODERATOR: Thank you. Selectmen's
18 report, please, Mr. Kowalski.

19 SELECTMAN KOWALSKI: The Board of Selectmen
20 unanimously recommends approval of this Article.

21 MADAM MODERATOR: Thank you. Finance
22 Committee report, please, Mrs. Anderson.

23 MRS. ANDERSON: The Finance Committee

1 recommends approval of the Article, as well.

2 MADAM MODERATOR: School Committee report,
3 please, Mrs. Gilbert.

4 MRS. GILBERT: Thank you, Madam Moderator.
5 The School Committee recommends approval.

6 MADAM MODERATOR: Thank you. And is there an
7 information technology advisory committee report?

8 SPEAKER: Yes, Madam Moderator. Mark Merritt
9 with the Information Technology Advisory Committee.
10 We recommend approval of this Article.

11 MADAM MODERATOR: Thank you. Are there any
12 questions? This requires a two-thirds vote.

13 All those in favor, please raise one hand.
14 Thank you.

15 Those opposed? Thank you. I think it's
16 unanimous. The ayes have it. The motion carries
17 by far more than a two-thirds votes. Is there
18 anybody who questions that? The Article carries by
19 more than a two-thirds.

20 Article 39, please, Mrs. Gilbert.

21 MRS. GILBERT: Thank you, Madam Moderator. I
22 move that the Town appropriate \$455,000 for the
23 purpose of paying the cost of constructing, adding

1 to, remodeling, reconstructing and making
2 extraordinary repairs to and equipping various
3 school buildings and roofs, including the payment
4 of any other costs incidental and related thereto,
5 and that to meet this appropriation, the Treasurer,
6 with the approval of the Board of Selectmen is
7 authorized to borrow said sum under and pursuant to
8 Chapter 44, Section 7(3a) of the General Laws or
9 any other enabling authority, and to issue bonds or
10 notes of the Town therefor.

11 MADAM MODERATOR: Thank you. Article 39 has
12 been moved and seconded.

13 Who is speaking to that? Ed, are you speaking
14 to this? Okay. They told me you were.

15 MR. ATAIDE: There's a few projects associated
16 with this Article. One of them is the Woodhill,
17 High Plain School. This is the second phase of the
18 sealing of the masonry on the outside. Last year
19 we appropriated money, we did half the building.
20 This is the final part of it.

21 There's money in here to install lighting
22 upgrades at Lovely Field on either side entering
23 the field. There is no lighting for at night, so

1 we have to run extension cords with lights clamped
2 to the fences.

3 MADAM MODERATOR: Okay. Thank you.
4 Mrs. Gilbert, the School Committee report, please.

5 MRS. GILBERT: Yes, the School Committee
6 recommends approval.

7 MADAM MODERATOR: Thank you. Mrs. O'Donoghue
8 the, Selectmen's report, please.

9 MRS. O'DONOGHUE: The Board of Selectmen
10 recommends approval of this Article.

11 MADAM MODERATOR: And the Finance Committee
12 report, please, Mrs. Kruse.

13 MS. KRUSE: The Finance Committee recommends
14 approval.

15 MADAM MODERATOR: Any questions? It's a
16 two-thirds vote.

17 All those in favor, please raise one hand.
18 Thank you.

19 Those opposed? Again, the ayes have it. The
20 motion carries. A unanimous vote. I declare it to
21 be more than a two-thirds vote. Does anyone
22 challenge that? Thank you very much.

23 Article 40, Mrs. Gilbert. You are getting a

1 lot of time tonight?

2 MRS. GILBERT: I know. Here I am again.

3 Thank you, Madam Moderator. I move that the Town
4 appropriate \$319,000 for the purpose of paying the
5 costs of design and engineering services for making
6 school site safety, circulation, drainage and
7 infrastructure improvements at the West Elementary
8 School, including the payment of any other costs
9 incidental and related thereto, and that to meet
10 this appropriation, the Treasurer, with the
11 approval of the Board of Selectmen, is authorized
12 to borrow said sum under and pursuant to Chapter
13 44, Section 7(3a) of the General Laws or any other
14 enabling authority, and to issue bonds and notes
15 of the Town therefor.

16 MADAM MODERATOR: Thank you. Article 40 has
17 been moved and seconded. School Committee report,
18 please.

19 MRS. GILBERT: Do you want --

20 MADAM MODERATOR: Does anyone have any
21 questions for Mr. Ataide on this? Do you want to
22 speak to it? Well, let me get -- would you like a
23 report?

1 MRS. GILBERT: Sure.

2 MADAM MODERATOR: Go ahead.

3 MR. ATAIDE: This project is part of our
4 Master Plan of all the school sites throughout the
5 Town. We started with the West Middle School, and
6 last -- two years ago, we did the Doherty Middle
7 School. Most of these school sites are original in
8 all their pavements, curbing, sidewalks. We need
9 to start upgrading them to meet the current ADA
10 codes, fix a lot of the traffic flow issues on some
11 of these school sites.

12 Most of these sites, when they were designed,
13 they were not designed for parent pickup. So some
14 of this traffic flow is going out into the streets.
15 And the students are crossing with the traffic on
16 the site.

17 A lot of the pavement on these sites are
18 deteriorating to the point where they are unsafe
19 and people are tripping and falling.

20 MADAM MODERATOR: School Committee report,
21 please.

22 MRS. GILBERT: Did you want to -- I just want
23 to --

1 MADAM MODERATOR: No, I'd like you -- I'd like
2 the -- the Boards to give their report and then
3 I'll enter your comment, please.

4 MRS. GILBERT: Okay. Thank you. There's no
5 question that West Elementary needs site
6 improvements to address ongoing paving, drainage,
7 traffic circulation and safety issues.

8 Discussion this year among the various Boards
9 has centered in part on whether pieces of the
10 project might be eliminated, reduced in scope, or
11 phased in over time to save money. Because many
12 of the elements of this project are so
13 interconnected, it is the design process itself
14 that is the best way to define the most efficient,
15 most cost effective path forward to address the
16 infrastructure and safety needs that have been
17 deferred now for quite a number of years.

18 Continued deferral is bound to drive the costs
19 up further. The School Committee recommends
20 approval in order to, at least, begin making these
21 improvements, not only for the benefit of our
22 teachers, students and staff, but for the many
23 residents, sports teams, and other groups who use

1 these school grounds seven days a week.

2 MADAM MODERATOR: Thank you. The Selectmen's
3 report, please, Mrs. O'Donoghue.

4 MRS. O'DONOGHUE: Thank you, Madam Moderator.
5 The West Elementary site definitely needs
6 improvements, including improved traffic flow and
7 safety, repaving, drainage and sidewalks.

8 We need to look at all of the alternatives
9 before committing the Town to 3.2 million dollars
10 in borrowing for next year.

11 Article 40 seeks appropriations of \$319,000
12 for design and engineering services for the repair
13 and renovation project for the site around the
14 school, as part of the school-wide Master Plan as
15 Mr. Ataide referred to.

16 Construction funding estimated to be
17 approximately 3.2 million dollars, which would be
18 requested for Fiscal '17. The Selectmen did not
19 support this Article because approving the design
20 funding this year, implies that Town Meeting would
21 approve the 3.2 million of construction funding
22 next year.

23 We do not think this is a good approach.

1 Also, the Town has a limited amount of borrowing
2 capacity available each year, and we question
3 whether or not these complete school site
4 reconfiguration projects are a priority and whether
5 the key deficiencies could be addressed over a
6 number of years with more modest appropriations.

7 The Board of Selectmen recommends disapproval
8 of this Article.

9 MADAM MODERATOR: Thank you. The Finance
10 Committee report, please, Mrs. Kruse.

11 MS. KRUSE: So the Finance Committee
12 recommends approval of this Article. This is, as
13 you heard, part of a larger plan to address the
14 outdoor areas of all the schools in town. This
15 request is only for the design money. Next year
16 there would be a request for a larger amount which,
17 actually, would be determined by the design money
18 exactly how much the large amount would be.

19 We would like to note that we have already
20 deferred this site last year. So it has already
21 been put off for one year, and we want to remind
22 you that putting off maintenance doesn't make the
23 need for the maintenance go away, it just drives up

1 the cost. And we also have other school sites
2 waiting behind this one to be done.

3 So the Finance Committee recommends approval
4 of this Article.

5 MADAM MODERATOR: Thank you. Yes, ma'am.

6 SPEAKER: Thank you. Liz Ruze, 5 Buchan Road.

7 MADAM MODERATOR: Yes.

8 SPEAKER: I agree a hundred percent with what
9 Peggy said and with what Annie said, that all
10 schools in Andover need to be maintained to the
11 same level of safety. West Middle, AHS and Doherty
12 have all had some reconfiguration. South and
13 Sanborn, within the past 15 or 20 years have had
14 upgrades. High Plain, to me, feels like brand new.
15 And then you see Bancroft, whoa. That's great.

16 West has had nothing. And we need a better
17 traffic flow. Children do cross a driveway to get
18 to the playground, which is very unsafe. And our
19 drainage on our fields are horrendous. It's soggy
20 a couple of months of the year which is, again,
21 very unsafe.

22 I think it's imperative to keep all the
23 schools safe and welcoming, and don't forget us

1 tucked away. So I encourage everyone to please
2 support Article 40. And many of you up there are
3 West Elementary students. Some of you come and
4 read every month to our school, so you see the
5 deplorable conditions of our parking lot and our
6 sidewalks.

7 The content: Teachers, kids, parents are
8 awesome, but the building and the playgrounds
9 really need your help. It was knocked down last
10 year. Let's not have it happen again. It's going
11 to end up costing us a lot more in the long run.

12 MADAM MODERATOR: Thank you. Yes, please.

13 SPEAKER: Yes, ma'am. Jimmy Casticchio, 127
14 Greenwood Road. I don't want -- I'm not speaking
15 against this Article, I --

16 MADAM MODERATOR: Right now I need you to just
17 ask me a question.

18 SPEAKER: Sure.

19 MADAM MODERATOR: Unless you want to speak for
20 or against it.

21 SPEAKER: Nope, I'm getting to the question.

22 MADAM MODERATOR: Go right ahead.

23 SPEAKER: I'm not speaking against this

1 Article. I have a question relative to the
2 interest that's being paid on this. And I just
3 don't understand why the interest on this
4 particular one is \$117,000, and the interest on the
5 last one, which was more money -- I can't find
6 right now -- was significantly less, was '\$87,000.
7 Just a question why there's such a difference in
8 the interest payments on this particular matter.
9 And I'm a graduate of West Elementary School, by
10 the way.

11 MADAM MODERATOR: So your what West Elementary
12 produces?

13 SPEAKER: Yes, I am.

14 MADAM MODERATOR: Okay.

15 SPEAKER: See, that's why we need to spend
16 more money on the schools.

17 MADAM MODERATOR: I am sorry. I just -- it
18 was just there. I had to say it.

19 SPEAKER: Which one did you graduate from?

20 MADAM MODERATOR: St. Augustine's, thank you
21 very much.

22 SPEAKER: Those private school people.

23 MADAM MODERATOR: Joanne, do you have and

1 answer? Does anybody have an answer for that?

2 MR. STUMPF: Well, we'd like to congratulate
3 you on your question. It's a very good question
4 that we don't have an answer to right now. This
5 was added -- this section was added at a request a
6 couple of years ago, just so everyone knows why we
7 added the interest, because when money is borrowed,
8 obviously, you to have pay back more than what was
9 just borrowed. So we don't have the specific
10 answer. Donna, unless you -- unless Donna has
11 it -- but it can vary based upon the length of
12 years and things like that. So, I'm sorry, we --

13 SPEAKER: Obviously, we'd be looking at trying
14 to find the lowest interest rate possible for the
15 shortest period of time. I'm satisfied. Thanks.

16 MADAM MODERATOR: Thank you. Yes, sir.

17 SPEAKER: Joe Bloomstein.

18 MADAM MODERATOR: Yes, sir.

19 SPEAKER: 3 Athena Circle, ankle also a member
20 of the School Committee. Just to address a couple
21 of points that, and you haven't yet been addressed,
22 just to make clear, we're asking only for design
23 money. This body is not being asked to make any

1 commitment towards the construction money. That
2 will be -- be up to this Board next year based on
3 what the design study shows is necessary.

4 Second, just want to point out the liability
5 concerns that we we face, just like at the AHS
6 track where it's dangerous conditions, very similar
7 here at West El. I think the Town is just taking
8 on an unnecessary liability by not moving forward
9 on this project. Again, one that was voted down
10 last year. So I hope everybody will consider
11 approving it this year. Thank you.

12 MADAM MODERATOR: Thank you. Any other
13 questions or comments. We need a two-thirds vote
14 here.

15 SPEAKER: Madam Moderator.

16 MADAM MODERATOR: I'm sorry.

17 MRS. O'DONOGHUE: I have a comment.

18 MADAM MODERATOR: Go ahead.

19 MRS. O'DONOGHUE: We were not against
20 improving the site. We absolutely feel, and we've
21 communicated this to Mr. Ataide that improving
22 certainly needs to be done. We asked for
23 alternatives to this particular proposal, which is

1 almost 3.5 million dollars, and we did not receive
2 those.

3 Secondly, while you say that this is only
4 \$319,000 this year, it commits the Town to
5 borrowing 3.2 million dollars next year. It's very
6 important to understand that. We're not going to
7 suspend \$319,000 this year and not proceed with the
8 project.

9 MADAM MODERATOR: Go ahead, Mrs. Gilbert.

10 MRS. GILBERT: I just wanted to clarify --

11 MADAM MODERATOR: If we can get number 2 mic
12 on, please. Go ahead.

13 MRS. GILBERT: Hi. Thank you. I think it's
14 been said, but we won't know precisely what the
15 total construction cost is without going through
16 the design. I don't think this is a -- represents
17 a commitment to spending any particular amount of
18 money, certainly not necessarily 3.2. I don't
19 think we can tell what it will cost until we go
20 through the design process and, as a Town, makes
21 choices about what component should be in and out
22 or addressed in a phased manner, or whatever it is.

23 But we need to go through this study in order

1 to define that path, and then bring the project
2 forward for consideration next year.

3 MS. KRUSE: May I add one comment over here?

4 MADAM MODERATOR: Go ahead.

5 MS. KRUSE: The other thing is, Town Meeting
6 has to approve spending money. There is no
7 commitment, if you spend -- approve design money
8 this year, you have not committed any money for
9 next year. It would have to come back to you and
10 Town Meeting would have to vote for it next year.
11 You would know what the dollar amount was at that
12 point.

13 MADAM MODERATOR: Do you have a question, then
14 maybe we can take a vote?

15 SPEAKER: I just want to make sure that that
16 is, in fact, the case because, to my recollection,
17 we spent \$200,000 to do a space study for the high
18 school, and I think we just lost by six votes the
19 ability to do anything with that space study.

20 So I think that -- I'm just a little confused
21 by your comments, Mrs. O'Donoghue, as to, if we
22 spend money on a space study, we are not actually
23 committing to spending money to improve anything at

1 all.

2 MRS. O'DONOGHUE: So if I heard all of the
3 Boards here this evening in support of this
4 project, which has not been the case as we
5 discussed this during the budget process, I would
6 certainly be advocating to you, and I think you
7 would be more in favor of voting for it, knowing
8 that we're going to, next year, vote for the
9 borrowing.

10 In terms of the cost, when we asked Mr. Ataide
11 to come up with a number, and I agree with Annie,
12 we won't have a firm number until the study is
13 complete, but we did ask our own in-house
14 personnel.

15 SPEAKER: My question was just really --

16 MRS. O'DONOGHUE: -- to come up with a number.

17 SPEAKER: My question was only about the
18 statement you made with respect to there being some
19 follow on commitment. That that was --

20 MADAM MODERATOR: Voting for this is not
21 committing to the project.

22 SPEAKER: Thanks --

23 MADAM MODERATOR: At this time. That is

1 absolutely factual. Okay. Let's take a vote.

2 All those in favor --

3 SPEAKER: Point of order.

4 MADAM MODERATOR: Who's -- who's --

5 SELECTMAN KOWALSKI: Point of order, Madam
6 Moderator.

7 MADAM MODERATOR: Yes.

8 SELECTMAN KOWALSKI: I'd just like
9 clarification on a number in the Fin Com book. Fin
10 Com book reflects \$319,000 appropriation over five
11 years, and the interest for that would be \$117,000.
12 That just logically seems --

13 MADAM MODERATOR: It's your cousin, Vinny
14 isn't it that we're borrowing from ?

15 SELECTMAN KOWALSKI: That just logically
16 seems --

17 MADAM MODERATOR: Does anybody have an answer
18 for that?

19 SELECTMAN KOWALSKI: -- incorrect.

20 MADAM MODERATOR: They just answered that.

21 SELECTMAN KOWALSKI: Sorry?

22 MADAM MODERATOR: They just answered that.
23 Go ahead, and answer it again.

1 SELECTMAN KOWALSKI: Maybe I didn't hear it.
2 What was the interest on, for the five year note?

3 MADAM MODERATOR: They are going to tell you
4 in a minute.

5 MR. STUMPF: Well, first of all, what is
6 before you tonight is not the interest number.
7 We're not going to know what the interest number is
8 for sometime until we borrow that funds, we've
9 determined the length of years that we are going to
10 pay that back, and what the rate of interest will
11 be.

12 The only reason why there's an interest number
13 in the book is for informational purposes. There
14 was a resident request years ago saying that when
15 you borrow money, you have -- it costs you a lot
16 more than principal, and that's a very accurate
17 statement.

18 So we put that in simply for informational
19 purposes, and we are not really going to know
20 because sometimes when you commit to borrow tonight
21 we might not borrow for a year or two years down
22 the road, the lending market may be completely
23 different, the years that we're going to pay it

1 back could be different, so we don't have a
2 specific answer to the question about how the
3 interest rate was calculated right here tonight.

4 MADAM MODERATOR: So we're voting on \$319,000.

5 All those in favor -- it's a two-thirds vote.
6 All those in favor of Article 40, please raise one
7 hand.

8 Those opposed? I believe we have more than a
9 two-thirds vote. Does anyone want to challenge
10 that? Then I would declare it to be more than a
11 two-thirds vote. The motion carries.

12 Now, I have to tell you, after my experience
13 last night, I do believe that nothing good happens
14 after 10:00. So, my father would say after
15 midnight, but I think that time has changed.

16 I would entertain a motion to adjourn?

17 So moved. All those in favor, please say yes.

18 THE FLOOR: Yes.

19 MADAM MODERATOR: Those opposed? We will
20 reconvene next Monday night at 7:00 p.m.

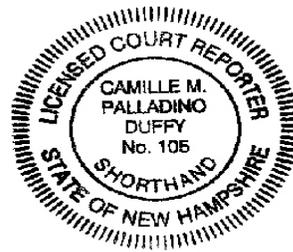
21 Please tell your friends and neighbors to be
22 here. Thank you very much.

23 (Recording ends.)

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C E R T I F I C A T E

I, Camille M. Palladino-Duffy, a
Licensed Court Reporter in the State of New Hampshire,
do hereby state that the foregoing transcript is a true
and accurate transcription of the recorded media to the
best of my knowledge, skill, ability and belief.



*Camille M.
Palladino-Duffy*

Camille M. Palladino-Duffy
LCR No. 105, RPR

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