

2015

TOWN OF NORTH ANDOVER
MASSACHUSETTS



NEW CENTRAL FIRE STATION

2015
ANNUAL TOWN MEETING WARRANT
AND
FINANCE COMMITTEE REPORT

NORTH ANDOVER CITIZENS

The Town of North Andover will take any measure necessary to ensure that any individual with a disability is not excluded, denied services, segregated, or otherwise treated differently than other individuals because of the absence of auxiliary aids and/or services.

If you need any of the auxiliary aids or services identified in the “Americans with Disabilities Act” in order to participate at Town Meeting, please contact the Town Clerk’s Office at 978-688-9502.

Thank you!

If you require handicapped parking access or need special parking accommodations, please call the Town Clerk’s Office for advance arrangements.

Voters will be checked in by last name. Each voter will be given a Town Meeting Voting card and will need this card to be able to vote. Individuals will need to be registered to vote by Wednesday, April 29, 2015. All voters who have registered to vote as of that date will be eligible to vote at the May 19, 2015 Annual Town Meeting. You may call the Town Clerk’s Office at 978-688-9502 to verify voter status or request a voter registration form.

Non-voters must sign in, display a non-voter pin and sit in the designated section.

The Town will make any arrangements available to assist with warrants and participation in our Town Meeting. Please do not hesitate to call the Town Clerk’s Office at 978-688-9502 or e-mail (jbradshaw@townofnorthandover.com).



**2015
ANNUAL TOWN MEETING WARRANT**

**Annual Town Meeting May 19, 2015
7:00 P.M.
North Andover High School
430 Osgood Street**

ANNUAL FINANCE COMMITTEE REPORT TO VOTERS

“The North Andover Finance Committee, constituted as required by Massachusetts law and the North Andover Home Rule Charter, consists of a diverse group of citizens appointed by the Town Moderator to learn about, explain, and make recommendations on all aspects of municipal finance on behalf of the Town’s residents.”

The Finance Committee is a representative group of nine taxpayers appointed by the Town Moderator who conduct a thorough review of municipal finance on behalf of all North Andover citizens. Its primary role is to advise and make recommendations to town meeting on the budget and other areas of finance. We review and help explain the budgetary process and fiscal tools used by Town officials to manage municipal and school services. Our focus is to evaluate the operating and capital budgets and debt service to ensure that the Town is cost-effective in the delivery of those services.

While the health of the national economy has strengthened this past fiscal year, state aid to local government has not fully recovered in Massachusetts. At 11% of operating revenues, North Andover relies less on State funds than many neighboring communities. Due to limited revenues and laws that prevent adding additional sources of funds, Town management has worked hard over the past several years to eliminate duplicate services and instill fiscal discipline in each of the Departments.

Over the past two budget years, the major change to our town’s finances has been the change in health insurance plans – from self-insurance to coverage under the state’s Group Insurance Commission (GIC) plan. The buying power of the GIC enables more predictability and lower rates of increase in health insurance premiums. As a result, the approximately 10-13% of budget consumed by health insurance declined in real terms for one year by \$0.8M, is increasing at a slower rate, and no longer requires the Town to set aside sizable sums of money for unexpected claims. Winding down the Health Insurance Trust Fund enables the Town to move those funds into other reserve funds such as the Other Post-Employment Benefits (OPEB) Trust Fund.

As positive as the near term budget appears, North Andover and the other 350 municipalities in the Commonwealth face the prospect of funding OPEB, principally retiree health insurance, without having saved sufficient funds for them. Our current unfunded liability stands at \$86 million. Utilizing some of the benefit from moving to the GIC, the Town has created and appropriated OPEB reserves to start funding this liability. Building this reserve is imperative; left unaddressed, more and more of our budget will be consumed by retiree health care insurance.

Further efficiencies in town government will be smaller and hard won. Much of what the Town provides are labor-intensive services like teaching, firefighting and policing. The Town continues to look at every opportunity to consolidate or share resources between departments, as has been done with the Facilities and Information Technology departments. This allows

efficiencies of scale and expertise within the shared service departments and enables all departments to concentrate on their core missions.

Under the guidance of the Town Manager Andrew Maylor and Finance Director Lyne Savage, the Town installed new accounting software that enhances transparency with clearer allocation of expenses. Furthermore, consistency of process and classifications across town departments has yielded a sharper picture of how budgets are allocated and accounted (e.g. cost of overtime, impact of retirements).

Process

In order for the Finance Committee to fulfill its watchdog and advisory role, it considers all aspects of the Town finances. This is done over the nine month period before town meeting each year by analyzing the long range and annual revenue and expenditure plans prepared by the Town Manager, Finance Director, the School Department and all other Town departments. Early in the fall the Finance Committee reviews the prior year's audited financial statements which serve as a point of reference. Then two members of the Finance Committee join with School Department officials and the Town Finance Director to form the Revenue and Fixed Cost Committee (RFCC) to prepare revenue projections for the next fiscal year. Revenues consist of taxes, license, and other fees collected by the Town and funds provided by state government. The RFCC's projection serves as the consensus revenue base for the budget.

The Finance Committee begins with an examination of the Budget Policy Statement which describes the objectives and strategic goals of the budget. Subsequently, the committee studies and makes recommendations to the Capital Improvement Plan (CIP) that prioritizes the Town's capital expenditures over the next five years, and lays out how they will be funded. The Facilities Master Plan is part of the CIP. Next it considers the budgets proposed by each of the Town departments, including the School Department budget which typically makes up over half the municipal budget. Following this process the Finance Committee votes on whether to recommend action on each of the financial articles which will be on the warrant at town meeting.

Budget Overview

The FY2016 proposed budget totals \$89,348,722, an increase of 3.61% over the FY2015 budget. The budget will require a property tax levy increase of 2.5%. In our opinion the recommended budget balances needed investments with efficiencies in major areas that will allow the Town to continue to deliver quality services over the long term. In other words, this budget provides value to North Andover taxpayers.

As documented in the Town Warrant, some of the more significant year over year trends includes:

- Debt service as a percentage of revenue is 4.10% (which is below the historical trend of 5-6%).
- The number of full time equivalent employees grew .5% or 3.25 heads.

- The Retirement Assessment increases by 8.3%, (the Finance Committee recognizes that this trend is worthy of further study).
- The Public Safety budget increases by 4.5% (The Committee notes that there have been productive strategies used by the Town to reduce the effect of contract-mandated time-off provisions.)
- The Department of Public Works Budget increases by 3.8%.
- The Health Insurance Budget increases by 3.6%.
- The School Department increases by 3.5%.
- The Information Technology Budget is down 11.7% (as the Town is no longer paying for two General Ledger accounting systems).
- The State Assessments are down 7.1% (as the Town has assumed the payment of health insurance premiums previously paid and then assessed by the State).
- The General Government has a 0.8% increase (due to reduced head count at Town Hall).
- For the fourth consecutive year, through successful management of the Water and Sewer Enterprise operations, there are no recommended rate increases in water and sewer rates.
- The Town's utility costs will decrease by a minimum of \$354,882 due to the Energy Services Company agreement, an annual savings.

Stabilization Funds and Reserves

For the last few years, Town management has been active in developing, strengthening, and managing fund balances and reserve policies to protect the Town from unforeseen increases in expenditures, reduction in revenues, or any extraordinary event. In certain circumstances, they also provide an additional source of funds for capital construction and replacement projects. These funds can be thought of in layman's terms as "Savings Accounts." The use of all these funds is governed by formal policies adopted by the Board of Selectmen and the Finance Committee in concert with the Town Manager to provide a system of checks and balances for their accumulation and disbursement. Each fund has a defined floor and ceiling which insures adequate funds on hand, but prevents the accumulation of excessive balances. Once targeted funding levels are reached, some of the funds are either spent for their intended purposes or no further additions are made.

Not only do the Town reserves policies provide a soft landing for unforeseen hardships, they demonstrate to the financial community sound fiscal stewardship. This enables the Town to achieve favorable bond ratings which reduce interest costs.

Why do we have funds to support such additions to Stabilization funds?

Several years ago, when the Town moved from being self-insured for employee health care to participating in the GIC, significant savings were realized. Rather than using those savings to increase the operating budget (which would then have to be sustained year over year) the Town is using these savings to strategically plan for the future.

The following table outlines the proposed additions to Stabilization Funds for FY 16. All such additions are supported by the Finance Committee:

Fund name	Fund Purpose	Current Balance	2016 Proposed +	FY 16 Warrant Article	New Balance (if approved)	Target Funding Level
Stabilization	Supports operating budget when revenues unexpectedly drop or in case of unforeseen expenses	4,198,054	64,412	21	4,262,466	4,259,535
Capital Stabilization	Funding of projects approved under Capital Improvement. Minimize need for debt, provide flexibility	454,153	213,000	22	667,153	847,786
OPEB Stabilization	To offset cost of Other Post-Employment Benefits for retired employees	1,005,089	0	NA		
OPEB Trust #	Same as above	0	500,000	23	1,505,089	4,330,269
SPED Stabilization	To respond to unforeseen special education costs	0	750,000	24	750,000	750,000

Town access to these funds will be restricted, because these funds will be eligible to be managed by the State Pension Insurance Retirement Trust. It is anticipated that management with the Trust will improve our rate of return in comparison to the \$1 million dollars in the companion OPEB Stabilization Fund (which saw a return of 0.05% last year). In addition, the Trust structure is viewed favorably by bond rating agencies. The Target Funding Level for the two OPEB funds is viewed in the aggregate under the Town's reserve policies.

For fiscal year 2016, Town and School officials have proposed as Warrant Article 24, a new, Special Education Stabilization Fund. The Finance Committee recommends approval for this new Special Education Stabilization Fund as it provides a proactive, strategic approach to planning for unforeseeable Special Education costs. These funds can only be spent within the framework of a usage policy that sets specific limits on annual expenditures from the fund and places accountability for such use with three Town governing bodies (The School Committee, the Board of Selectmen and the Finance Committee). The recommended funding of \$750,000 is appropriate.

Capital Improvement Plan (CIP)

Improvement and maintenance of our town infrastructure and services requires annual funding as described in the Capital Improvement Plan or CIP. It is important to point out here that capital projects which cost less than \$50,000 are included in the operating budgets of the departments and are not tracked in the CIP.

2016 CIP Budget

Total Fiscal Year 2016 CIP budget excluding our water and sewer operation is \$6.5 million, of which \$4.7 million or 72% is for renovation of the Fire Station on Main Street into offices for Community Development Department as part of the Facilities Master Plan. \$1.3 million or 20%

is allocated to the Department of Public Works as part of our commitment to maintain our road and walk ways. \$0.3MM is going to the School Department to improve its information technology and sport facilities (resurfacing of track at the High School).

The fiscal year 2016 CIP budget for our water and sewer operation is \$1.5 million. The majority of these funds will be used to upgrade and improve our current water and sewer infrastructure.

5 year (2016 to 2020) CIP Budget

The total budget for the CIP excluding our water and sewer operation for the next five years (2016 to 2020) is \$27.8 million, of which \$23.2 million will be bonded resulting in debt service below our target of 5% of revenue, which is one of the criteria to maintain our good AA bond rating. \$14.8 million or 53% of the total budget is allocated to the implementation of the Facilities Master Plan, which is so far on time and within budget as approved by Town Meetings in 2012, 2013 and 2014. \$8.1MM or 29% of the total budget is allocated to the Department of Public Works, of which \$7.3 million will be spent to maintain our roads, parks, water and sewer mains and other infrastructure and \$0.8 million to replace sweeper, dump trucks and other vehicles. The remaining budget of \$4.9MM or 18% is allocated among other departments, of which \$2.1 million is allocated to the School Department for mainly improving its information technology and sports facilities.

The total budget for the CIP for our water and sewer operation for the next five years (2016 to 2020) is \$7.9 million, of which \$7.2 million will be bonded. The majority of the budget of \$6.4 million or 81% is allocated to our water treatment plant, which is now 20 years old and requires major improvements and upgrades in the 2018 to 2020 time frame.

Recommendation

The Finance Committee reviewed in four meetings the CIP for all departments including the water and sewer operation. Each project is tracked by a project sheet which contains a description, justification, funding requirements by year and schedule for completion. Each project is rated and scored based upon agreed ranking. The criteria reflect the project's importance to and alignment with the town's goal of sustainability and stewardship. The projects with the highest scores get funding. We recommend accepting the proposed CIP Budget as presented.

Looking forward

A well-crafted budget for FY16 will enable us to move forward with the Facilities Master Plan, maintain a sound infrastructure for our community, and continue to provide excellent services to the citizens of North Andover. We have benefited greatly from good stewardship of town resources and by taking advantage of a plethora of opportunities for efficiency.

We invite our fellow citizens to join the conversation on the future of our town and our budget

The Committee extends its sincerest thanks to the employees of the Town who demonstrate daily their dedication to our community. Special thanks to our Town Manager Andrew Maylor, Town Finance Director Lyne Savage, and Clerk Patricia Sifferlen who have spent many a long evening reviewing the budget with us.

**Respectfully submitted,
North Andover Finance Committee**

William Callahan, Jr., Chairman

Susan Almono

Karin Blake

Donald Elliott

Liz Gerron

Chris Nobile

Thomas Ringler

Marta Solof

Timothy J. Tschirhart

2015 MESSAGE FROM THE TOWN MODERATOR

Dear Neighbors:

Please allow me to invite all citizens to North Andover's upcoming Annual Town Meeting on Tuesday evening May 19, 2015 commencing at 7:00PM in the North Andover High School auditorium.

Thank you for the privilege of presiding at Town Meeting the past three years. I have made a deliberate effort to preserve the traditions and procedures of Town Meeting, developed over centuries, while modernizing the functions and reach of the meeting. New procedures and rules have made the meeting both more transparent and efficient. The introduction of a large overhead screen that displays Warrant Articles, motions and changes in real-time for all to see provide for immediate understanding by all in attendance. I will continue to allow more informal conversation among participants for the purpose of easing voter understanding of the issues to be decided. The appointment of Citizen Advocates at the meeting to guide attendees in crafting motions or amendments that they wish to present will remain.

These initiatives, accompanied by significant improvements in broadcast quality and sound fidelity of the live broadcast and live-streaming of the meeting for the benefit of those citizens who cannot attend affords a richer and more comfortable Town Meeting experience for all - whether they are in the room or not.

Apropos of that, I continue to believe that Town Meeting has two constituencies – those who attend and participate in the meeting and those who are governed by what is decided at Town Meeting. This fact spurred me, last year, to allow questions to be submitted from citizens who could not attend the meeting itself. Citizens observing the meeting but unable to attend were allowed to email questions to a secure website and, after proper vetting for redundancy and voter identity, have their question posed to the meeting. Only questions could be presented - no statements of position, amendments or motions were allowed.

This first time ever initiative in any Town Meeting anywhere was a success both in operation and process. Thank you to the volunteers and town officials who helped make it so. In my desire to assure that Town Meeting does not become an anachronism – a dinosaur of governance anchored to history and not relevant to the lives and society in which we live, I have decided to expand the program. This year I will relieve the restriction that questions be submitted only during the time the article is under review. In an effort to find the best mix of access and process I will open up the opportunity to submit questions prior to the Town Meeting itself. This may only be done via the Town's web site with restrictions available for review on that site.

Many have wondered why we can't have a virtual Town Meeting. I have little doubt that such an experience will yet happen in generations hence. Government practice and law do not allow such drastic opportunity, however, that does not mean we cannot continue to incrementally experience the future.

It is important to note that the power of the meeting remains with those who do take the time and effort to be present, listen, deliberate and vote at the meeting. While all power is in the room, all knowledge may not be in attendance. I recognize that there is inherent risk in this initiative but will continue to develop this as we continue attempting improvement in Town Meeting.

The North Andover Town Charter gives the Moderator the unilateral power to establish rules of parliamentary procedure in simplified form for Town Meeting. Significant new rules of procedure, including the first-ever in the nation requirement of disclosure of personal financial interest, have now been established and part of our practice for the past three years.

There is one new rule, pertaining to distribution of materials at the meeting. Materials and handouts may not be distributed in the meeting place and/or during conduct of the meeting. All materials must be distributed outside the doors of the auditorium or placed on the table provided for such materials by the Town Clerk. It is strongly encouraged that all materials clearly state the author and/or person(s) responsible for the content of the material. I cannot require, as matter of civil liberty, attribution. However, I strongly recommend it as a simple courtesy to participants but also as a matter of credibility as opponents will deservedly exploit anonymity as a reason to not support the avowed interest.

Participating in our annual community assembly is a hallmark of Open Town Meeting. The general tenure of respectful deliberation and debate are governed by and evidenced in our neighbors' adherence to the three simple behaviors below:

- It is asked that petitioners and follow-up speakers who address the meeting provide only new information in an effort to persuade undecided voters. Continued repetition of previously heard information as a show of support takes time and does little to positively influence the outcome of a vote.
- Please refrain from applause or negative responses during discussions.
- Keeping remarks brief and relevant shows respect for the value of your neighbors' time. The most persuasive statements at Town Meeting are often those succinctly stated, disclosing new facts or arguments in an effort to advance a position while retaining the audience's full attention. The five minute speaking time limit will be strictly enforced.

Lastly, please review the Simplified Rules of Parliamentary Procedure, Addendums on Electronic and Visual Presentations, a Glossary of Town Meeting Terms and Participants as well as the Town By-laws that relate to Town Meeting. These rules and other information, presented below, will be helpful to all who attend, speak and/or present at Town Meeting.

Participation at Town Meeting remains a unique tradition, one which differentiates New England towns from other regions of the country and from cities, and some towns, in our own

Commonwealth. Open Town Meeting remains the most direct and inclusive form of participatory democracy ever utilized in any form of government on this earth. I invite you to contribute to this vital community conversation. Please do attend, as every vote counts - and at Town Meeting each vote has profound influence.

A handwritten signature in black ink, appearing to read 'Mark S. DiSalvo', written in a cursive style.

Mark S. DiSalvo
Town Moderator

179 Coventry Lane
mdisalvo@sema4usa.com
978 683-4396

2015 NORTH ANDOVER TOWN MEETING SIMPLIFIED RULES OF PARLIAMENTARY PROCEDURE

The purpose of Town Meeting is to establish and update the By-laws, operational policies, budgets and land use rules that govern our Town. North Andover's Open Town Meeting has been in force as our form of government since 1646. It represents the purest form of democracy in that every vote truly counts. Each registered voter is guaranteed an equal voice in the decisions made by the Meeting. In order to protect the sanctity of that vote, the North Andover Town Charter empowers the Town Moderator to establish the rules of Procedure under which Town Meeting is to be conducted. These rules are historically based on the traditions established by generations of North Andover citizens and by other New England communities, acting as legislators of their local governments.

Specific parliamentary rulings and conduct are governed by the Moderator, using Massachusetts General Laws, the North Andover Charter, North Andover By-Laws, and local tradition as a guideline. The passing of each Town Meeting adds to the rich history – and changes – to that practice and tradition that helps guide future Moderators and meetings. Please know that “Roberts’ Rules of Order” are not applied and have no bearing on conduct of our meeting. Past Moderators have utilized the book “*Town Meeting Time: A Handbook of Parliamentary Law*”, published by the Massachusetts Moderators’ Association, to provide guidance for unusual situations and I have elected to utilize that resource if appropriate.

Town Meetings across the Commonwealth of Massachusetts are similar, but not identical, in the manner in which they are conducted. Local traditions can significantly affect a town's proceedings and help define the role and latitude of the Moderator. At North Andover Town Meetings we will endeavor to present all necessary information in an efficient and timely manner so that the most clarity can be afforded to voters, enabling them to make informed decisions. Voters, in turn, have a unique responsibility. Not only must they express, by vote, the decisions made based upon their own judgment and perspective, but also be cognizant of the effect their vote and/or decision has on all citizens of North Andover.

There are ten simple rules of procedure for North Andover Town Meeting:

1. The first action required after the announcement of any **Article** on the Meeting's **Warrant** is that a **Main Motion** be proposed. The citizen sponsor of an article, Town Board sponsor, or Town Board with an affirmative recommendation, are likely movers of a main motion. The initial motion for the Town budget will be made by the Finance Committee. Any Town Board or voter may amend the motion for consideration and deliberation of the meeting. All motions must be seconded by a voter other than the person offering the main motion and only then may discussion and debate begin.
2. Any voter wishing to address the meeting must first gain the attention of the Moderator when no other speaker has the floor. Public microphones are to be utilized, where a speaker seeking to be recognized, being courteous to others and

those next in line, will call out to be heard by addressing the Moderator. Speakers must introduce themselves using their full name and street address each time speaking at a session of Town Meeting.

3. Once recognized by the Moderator, a speaker is given a turn to speak for up to five (5) minutes and must address the meeting on only the article currently under discussion. Voters not doing so or speaking in a disrespectful fashion may be suspended from speaking on the matter at the discretion of the Moderator. Additional time can be granted by assent of the meeting, by prior arrangement with the Moderator, and at the discretion of the Moderator. Questions are welcome, as well as statements endorsing a position. A voter with a question will take precedence over anyone stating an opinion of support or non-support for an article.
4. Any person who has a financial interest in any article under discussion shall make a disclosure of that interest before speaking. Any person who is a spouse, parent, grandparent, child, brother, sister, or in-law of a person who has a financial interest in an article shall also disclose such relationship before speaking. The employment, whether paid or unpaid, of any person acting as an attorney, engineer, architect, land surveyor, broker, consultant, agent or in any other capacity by a person interested in the article under discussion, shall be disclosed before that person speaks. Violation of such disclosure, or refusal to disclose the required information, if asked, shall result in revocation of the speaker's right to be heard on the matter then before Town Meeting. Disclosure is not generally required of voters who are utilizing and/or are beneficiaries of Town services such as, for example, public safety, public works and public utilities, or parents of children in public schools. However, if the speaker has a personal financial interest beyond what is reasonably available to all eligible citizens then disclosure is required.
5. Town employees and/or appointed or elected officials are required to identify their position and whether or not they are speaking in an official capacity. Such identification shall satisfy the disclosure requirement unless there is a specific matter under discussion that does not involve their official capacity as an employee, appointed or elected official. A blanket initial identification, upon the first opportunity to speak, is acceptable for each session of the meeting unless the individual is not speaking in an official capacity. In such case, the speaker shall be compelled to make a disclosure.
6. All remarks should be addressed to and through the Moderator, for the benefit of all attendees. Direct questioning of others is not permitted. Questions may be directed, through the Moderator, to any petitioner, speaker or official and, if determined germane by the Moderator, the person asked will have the immediate opportunity to answer should they choose.
7. An amendment, changing or limiting the main motion, can be offered during the course of debate. The Moderator may rule an amendment out of order if it is beyond the scope of the warrant article. The Moderator will redirect the discussion to

consider the proposed amendment once it is properly before the meeting. Specific wording of any proposed amendment must be made available in writing to the Moderator and Town Clerk before it can be considered. The party proposing such motion shall concisely state, to the meeting, the consequence of the amendment on the existing main motion and/or article being considered. Should reference or context be necessary to provide the meeting with full understanding of the amendment then this shall be allowed at the Moderator's discretion.

- 8.** Respectful deliberation and debate are fundamental to Town Meeting. The Moderator may seek to establish a time limit on a specific article as a guide to the meeting in order to budget time and discussion. The Moderator will discourage repetitious statements. In due course it will become apparent that sufficient information has been presented and voters are ready to make their decision and the Moderator shall so rule. Motions to move the question to a vote are in order and are not generally subject to debate. A motion to move the question requires a 2/3 vote for approval. At the Moderator's discretion, such motion may not be allowed and/or may be subject to debate, particularly if the motion to close debate would restrict informed consideration of the entire meeting and/or comes before an appropriate discussion has taken place on the main motion.
- 9.** Votes are taken by two methods – voice (“Ayes” and “Nays”), or a counted vote (“show of hands”) – and declared to be complete by the Moderator when results are announced. The Moderator is empowered to make declaration of two-thirds (2/3), four-fifths (4/5), or other majority. If the determination of a voice vote is doubted, a request by at least seven (7) voters, either rising or standing in place, will mandate the Moderator to request a counted vote. Issues requiring a two-thirds (2/3), four-fifths (4/5), or other majority will be clearly identified to the meeting at the time the article is presented and again at the time of the vote. Articles that require greater than majority votes may be taken by voice and/or a limited counted vote for the efficient conduct of the meeting.
- 10.** There may be no distribution of handouts within the confines of the meeting place at any time during conduct of the Town Meeting. Handouts or other materials may be distributed outside the meeting hall before the check-in stations or placed on the table reserved for such materials by the Town Clerk. It is strongly encouraged that all materials clearly state the author and/or person(s) responsible for the content of the material.

Addendum A

Advisory on Electronic and Other Visual Presentations

Any speaker at Town Meeting wishing to utilize an electronic or other visual presentation must abide by this advisory as well as adhere to all rules regulating conduct of any speaker.

- The use of electronic/visual presentations are limited to provide necessary information that is not easily conveyed in verbal form, such as maps, graphs, charts and photos. The propriety of use is to improve the clarity of information given to the meeting. The Moderator will encourage consolidation of presentation material to benefit the attending voters, and to ensure balance during the debate.
- Electronic/visual presentations by Town agencies, with similar recommendations on an article, are encouraged to consolidate electronic/visual presentations into a single presentation. That presentation, scheduled with the Moderator at least one week prior to a Town Meeting, may utilize up to 15 minutes, with the intent that it will reduce the time needed for multiple presentations and follow-on comment and response. The deadline for submission of a presentation may be waived upon the Moderator's discretion.
- Electronic/visual presentations by any citizen must also be coordinated with the Moderator at least one week prior to Town Meeting.
- All voters in attendance must be able to see and hear any presentation made, regardless of where they are seated in the venue. If this standard cannot be met then the presentation shall not be allowed as no voter, by happenstance of proximity to any presentation, shall have an advantage of more easily viewing any presentation over any other voter. Equipment availability is the responsibility of the petitioner/presenter. Technical assistance and arrangements for display equipment must be coordinated with the Town Clerk and Moderator, at least one week before the meeting. Computers, projectors and screens may be available. Use of an overhead projector is not allowed. Equipment malfunction or any other reason for lack of ability to use any planned electronic or other visual display will not invalidate consideration of the article or keep the body from considering the motion. It becomes the responsibility of the petitioner/presenter to present arguments in another form within the rules of the Town Meeting.

Addendum B

Glossary of Town Meeting Terms and Participants

Town Meeting

Town Meeting is the duly-called meeting in which all registered voters are eligible to participate. It is the Town's de facto legislature, where fiscal issues, zoning changes, by-law amendments, and other matters affecting the Town are decided. An Annual Town Meeting is held in the spring to decide issues for the following fiscal year, which begins in July. A Special Town Meeting may be called at any time to deal with issues that cannot wait for the next Annual Meeting. A Special Town Meeting is called by vote of the Selectmen or if two hundred (200) voters sign a petition requesting one.

Warrant

The Warrant is the official public notice of business to be considered at Town Meeting. It will be publicly posted throughout the Town, set a time and place for the meeting, and contain one or more articles. Once the warrant is opened by the Selectmen, articles may be submitted until the stated deadline.

Article

An Article is the self-described characterization of an issue to be decided at the meeting and must be clearly defined by the petitioner or sponsor. The content of the article must be clearly and completely explained so that voters will fully understand the context and meaning of the article. The **scope** of each article sets the bounds of actions that may be taken. Amendments or motions outside the scope of issues and/or actions presented in the article at the time of posting of the Warrant may not be considered at the meeting. Articles are submitted by Town Boards or agencies, citizen petitions of ten (10) registered voters at Annual Town Meeting, or one hundred (100) registered voters at Special Town Meeting.

Main Motion

A main motion is required for the meeting to act on a given article and must be within its scope. It may be as simple as "To adopt the article, as printed in the warrant" or a more complex motion, as long as the article's scope is not exceeded. A main motion must be made and seconded for discussion to proceed; a favorable recommendation from the **Finance Committee** will be taken as a main motion, to be then seconded by an individual at the meeting. Affirmative rather than negative main motions are preferred to avoid voter confusion.

Amendments

Amendments may be offered to a main motion, debated and then accepted or rejected. All amendments must be submitted to the Moderator in writing. Individual amendments will be considered in the normal course of business, in turn. Amendments to amendments will be actively discouraged and generally not allowed unless, in the Moderator's discretion, it provides specific clarity to the issue under consideration. Upon all secondary motions having been voted, voters will return to discussion and vote on the main motion, whether amended or not.

Reconsideration

Reconsideration of an action under any single or multiple article(s) may be proposed only once upon the conclusion of any article and prior to the commencement of the next. Whether offered for reasons of clarity or tactic to preclude reconsideration of votes already taken, the introduction of a motion to reconsider should not be done lightly as once reconsideration is denied, the decision on an article cannot be reversed or altered. However, Town By-law provides the Moderator discretion, for reasons which he shall state to the meeting, to allow a second motion for reconsideration of any action taken by any Town Meeting during that meeting or any previously adjourned session.

Adjournment

A motion of adjournment requires the meeting to convene at a certain future time, date and place.

Dissolution

Dissolution is the final act of a meeting. All issues will have concluded, and future discussion will require another separate meeting and duly posted warrant.

Responsible Parties:

Voters

Voters are the ultimate decision makers. Voted decisions are binding on the entire Town, including its elected officials, with the exception of resolutions or advisory articles.

Moderator

The Moderator is the person elected and responsible for the conduct of the meeting. Establishment of rules, procedural rulings, conduct of debate, and voting are vested solely in the Moderator.

Town Clerk

The Town Clerk is appointed by the Town Manager and is responsible for distributing notices of any Town Meeting, keeping all public records associated with the meetings, and producing the final recorded minutes of actions voted. The Town Clerk's minutes are the only tangible record of debate and voting, and are used in formal enactment of local By-law.

Selectmen

The Board of Selectmen is an elected body responsible for calling the meeting and setting the warrant. This executive board is often authorized by the meeting to act on the Town's behalf between Town Meetings and oversee its management through the appointed Town Manager.

School Committee

The School Committee is an elected body responsible for setting policy and directing management of the schools, through its appointed Superintendent of Schools.

Finance Committee

The Finance Committee is appointed by the Moderator and is responsible for specific recommendations to the Town Meeting on financial and certain other articles. This body of

citizens has the obligation to investigate finance related articles proposed to the meeting and make independent recommendations in the best financial interest of the Town.

Planning Board

The Planning Board is appointed by the Town Manager and is responsible for administering the Town's Zoning By-law. This Board is required to hold hearings and make recommendations on articles which affect zoning or environmental issues.

Town Counsel

Town Counsel is the Town's Attorney, appointed by the Selectmen. Town Counsel will make legal rulings and advise the meeting when that advice is needed.

Executives, Staff and Committees

Many other participants have strong interest in assuring the success of Town Meeting. They propose issues, explain interests and supply information to the voters. Included in this group are the Town Manager, Superintendent of Schools, Town Accountant, Department Heads, and various other Town Committees.

Operating Staff

Significant effort is made to properly organize and operate Town Meeting. Town staff and volunteers provide the necessary support to conduct each Town Meeting and include Registrars of Voters, Voter Check-in Clerks, Counters, Public Safety Officers and Facilities Personnel of the building in which the meeting is held.

Addendum C

Town Bylaw Affecting Town Meeting – Chapter 59

§ 59-1 Adjournment.

When a Town Meeting shall be adjourned to a time certain that is more than fourteen (14) days from the time of adjournment, the Town Clerk shall cause notice of the time and place of such adjourned meeting to be duly posted in three (3) or more public places in each precinct in the town two (2) days at least before the time of holding said adjourned meeting, which notice shall also briefly state the business to come before such meeting.

§ 59-2 Quorum.

There is no quorum requirement for Annual or Special Town Meetings.

§ 59-3 Reconsideration Vote.

Unless the Moderator shall otherwise rule, for reasons which he shall state to the meeting, no second motion for the reconsideration of any action taken by any Town Meeting shall be entertained during that meeting or any adjourned session thereof.

§ 59-4 Secret Ballots.

Upon motion duly made and seconded, at any Annual or Special Town Meeting, and upon the affirmative vote of at least twenty-five percent (25%) of the voters present at said Annual or Special Town Meeting, any Article in the warrant for said Annual or Special Town Meeting shall be voted upon by Australian (secret) ballot.

§ 59-5 Information Required for Consideration of Articles.

A. The sponsor of any Article requiring the raising and/or appropriation of town funds shall provide to the Town Manager and to the Finance Committee the following information:

- 1.** Total estimated dollar cost of the Article including:
 - a.** Start-up costs.
 - b.** Reoccurring annual costs, including any increase in personnel and/or equipment purchases.
 - c.** Source of estimate.
- 2.** Estimate of any possible revenues the project might generate.
- 3.** Proposed source and/or mechanism for funding.
- 4.** Reason(s) for the request, including but not limited to need.
- 5.** Population group most likely to benefit or be affected by the project.
- 6.** Possible alternatives to the requested proposal.
- 7.** Schedule or time frame for completion of the project.
- 8.** Any motions that would be introduced to support the Article as submitted.

B. This information shall be provided within two (2) days after the final fixed date for receiving Articles into the warrant for the Annual or any Special Town Meetings.

§ 59-6 Annual Town Meeting

The Board of Selectmen shall vote to set the date of the Annual Town Meeting in accordance with Chapter 39 §9 of Massachusetts General Laws. Chapter 39 also permits the Board of Selectmen to postpone by vote an Annual Town Meeting. Any such postponement shall be held on any weekday evening Monday through Thursday at 7:00 p.m. until all articles in the warrant have been acted upon.

§ 59-7 Votes to be Declared by the Moderator

The Moderator may take all votes requiring a two-thirds majority in the same manner in which he or she conducts the taking of a vote when a majority vote is required.

**2015
ANNUAL TOWN MEETING WARRANT
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Annual Town Meeting Warrant May 19, 2015

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

To either of the Constables of the Town of North Andover:

GREETINGS:

In the name of the Commonwealth of Massachusetts, and in compliance with Chapter 39 of the General Laws, as amended, and our North Andover Town Bylaws and requirements of the Town Charter, you are hereby directed to notify and warn the inhabitants of the Town of North Andover who are qualified to vote in Town affairs to meet at the North Andover High School, 430 Osgood Street, Tuesday, May 19, 2015, at 7:00 PM then and there to act upon the following articles:

Article 1: Reports of Special Committees. To see if the Town will vote to hear the reports of any appointed special committees,

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Vote Required: Majority Vote

CONSENT ARTICLES: Articles 2, 3, 4 and 5 may be considered by a single vote if there is no objection (requires unanimous consent)

Article 2: Reports of Receipts and Expenditures. To see if the Town will vote to accept the reports of receipts and expenditures as presented by the Selectmen in the 2014 Annual Town Report,

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Vote Required: Majority Vote

Article 3: Authorization of the Town Manager or Superintendent of Schools Regarding Contracts in Excess of Three Years. To see if the Town will vote in accordance with the provisions of Massachusetts General Laws Chapter 30B, §12(b), to authorize the Town Manager or the Superintendent of Schools to solicit and award contracts, except personnel contracts, for terms exceeding three years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by vote of at least four (4) members of the Board of Selectmen or the School Committee, as appropriate,

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

Article 4: Authorization to Accept Grants of Easements. To see if the Town will vote to authorize the Board of Selectmen and the School Committee to accept grants of easements for access, water, drainage, sewer, roadway and utility purposes or any public purpose on terms and conditions the Board and Committee deem in the best interest of the Town,

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Planning Board Recommendation: Favorable Action

Vote Required: Majority Vote

Article 5: Authorization to Grant Easements. To see if the Town will vote to authorize the Board of Selectmen and the School Committee to grant easements for access, water, drainage, sewer, roadway and utility purposes or any public purpose on terms and conditions the Board and Committee deem in the best interest of the Town,

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Planning Board Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

Article 6: Easements for Safe Routes to Schools Project. To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, and/or eminent domain, on such terms and conditions as the Board of Selectmen deem appropriate, permanent and/or temporary easements on the parcels of land referenced below for public way purposes, including, without limitation, the construction, alteration, maintenance, improvement, repair and/or replacement of rights of way, driveways, sidewalks, ramps, parking areas, utilities and/or traffic control devices, and related improvements, to be undertaken in connection with the Safe Routes to School Project, and for all uses and purposes incidental thereto, said easements to be in, on and under the parcels of land on or near Massachusetts Avenue, Greene Street, and Parker Street and shown on a plan entitled “Plan of North Andover Middle School Massachusetts Avenue - Greene Street - Parker Street in the Town of North Andover Essex County,” a copy of which is on file with the Town Clerk, as the same may be amended from time to time, and, further, to see if the Town will vote to raise and appropriate, transfer from available funds, accept gifts and/or borrow a sum of money for the foregoing purposes and any costs related thereto, and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to effectuate the purposes set forth herein, and, further, to dedicate to, and transfer to the Board of Selectmen for, public way purposes, including, without limitation, the purpose of constructing and maintaining sidewalks, ramps and other Project improvements, a portion of the property located at 495 Main Street and shown on the aforesaid plan,

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Planning Board Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

Article 7: Amend General Bylaws – Chapter 44 Public Meetings. To see if the Town will vote to amend the Town of North Andover General Bylaws, Chapter 44 – Public Meetings, as follows:

CHAPTER 44 – Public Meetings
44-1 Televising of Board Meetings

All meetings of the Planning Board, Zoning Board of Appeals, Board of Health, Conservation Commission, Board of Selectmen, ~~and~~ School Committee *and Finance Committee* shall be broadcast live over the local cable television network unless emergency or operational or technical conditions suspend the requirements hereof, as determined by the Town Manager or the Manager’s designee. All such meetings shall occur in the Town Hall second floor meeting room or other locations as determined by the Town Manager or the Town Manager’s designee. Notice of all such meetings shall be posted in accordance with the requirements of the Open Meeting Law, Massachusetts General Law, Chapter 30A, Sections 18-25 and shall contain the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting, including application names. If there is a scheduling conflict with the use of the meeting room, the Town Manager or the Manager’s designee, shall have the discretion to determine which Board shall have use of the room. Nothing contained in this bylaw shall be so construed as to conflict with the requirements of the Open Meeting Law, M.G.L. 30A, Sections 18-25. A violation of this bylaw or a failure to comply with this bylaw shall not be grounds for challenging or invalidating any actions taken at any meeting of the Planning Board, Zoning Board of Appeals, Board of Health, Conservation Commission, Board of Selectmen, ~~or~~ School Committee *or Finance Committee*.

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Vote Required: Majority Vote

Article 8: Amend General Bylaws – Chapter 88 Dogs. To see if the Town will vote to amend the Town of North Andover General Bylaws, Chapter 88 – Dogs, as follows:

Section 88-1 is hereby amended by deleting ‘175’ and inserting ‘174E’ in place thereof so that Section 88-1 shall read

88-1 Animal Control

Pursuant to the authority set forth in MGL Chapter 140, §§136A to 174E, the following bylaw is enacted for the regulation of dogs in the Town of North Andover.

Section 88-2.2 is hereby amended by deleting ‘175’ and inserting ‘174E’ in place thereof so that Section 88-2.2 shall read

88-2.2 Destruction

An order by the Hearing Authority that a vicious dog be destroyed in accordance with MGL Chapter 140, §§136A to 174E and Massachusetts Society for the Prevention of Cruelty to Animals guidelines.

Section 8-2.15 is hereby deleted and the following Section inserted in place thereof

88-2.15 Vicious Dog

The term “vicious dog” shall have the same meaning as the term “dangerous dog” as defined in MGL Chapter 140, §136A.

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Vote Required: Majority Vote

Article 9: Amend Zoning Bylaw – Section 18: Downtown Overlay District. To see if the Town will vote to amend the Town of North Andover Zoning Bylaw, Section 18 – Downtown Overlay District, by making the following amendments to Subsections 18.1 and 18.7 (by identifying text which is deleted as strikethrough and text added as underlined), and by adding a new sub-district under new Subsection 18.8 “Downtown Overlay District – Sub-district A: Historic Mill Area,” as follows:

Amend Zoning Bylaw Subsection 18.1 by deleting the phrases “...including the mill buildings,...” and “...through Annual Town Meeting 2008...” in the first paragraph, so that Subsection 18.1 reads as follows:

Section 18 Downtown Overlay District

18.1 Location and Applicability

The Downtown Overlay District shall consist of the area delineated on the Town’s zoning map, but shall include the area along Main Street from Sutton Street to Merrimac Street; Water Street from the intersection with Main Street to High Street, ~~including the mill buildings~~; portions of Waverley Road, First Street and Second Street; Ellis Court; School Street; Saunders Street; and Cleveland Street. Said area is described on the Town of North Andover Zoning Map as amended ~~through Annual Town Meeting 2008~~.

An application for the Downtown Overlay District shall be in accordance with the standards set forth in this section and shall be reviewed by the Planning Board, as Special Permit

Granting Authority, or otherwise. An application for the Downtown Overlay shall be deemed to satisfy the requirements for Site Plan Review as described in Section 8.3.

Amend Subsection 18.7 (“Waivers”) by deleting the text therein, and renumbering Subsection 18.8 as new Subsection 18.7, and by deleting the phrase “...., unless waived in accordance with Section 18.7.” so that new Subsection 18.7 reads as follows:

~~18.7 Waivers~~

~~Where it can be demonstrated to the Planning Board, as the Special Permit Granting Authority, that the following waivers are consistent with one or more of the purposes of this District, as defined in Section 18.0, would enhance or facilitate the planning, design, and/or layout of existing or new structures or uses permitted within the District, and would not interfere or negatively impact abutting properties, the Planning Board may grant those waivers:~~

- ~~a. Waivers of limited dimensional, design, or other criteria set forth in Sections 18.3 through 18.6 of the Downtown Overlay District;~~
- ~~b. Waivers of other limited dimensional, design, density, or other criteria under the Zoning Bylaw.~~
- ~~c. Notwithstanding anything to the contrary in the Zoning Bylaw, no waiver shall be granted for building height in excess of the building height existing on the parcel as of the date of the adoption of this amendment, or for floor area ratio in excess of 2.0.~~
- ~~d. The Planning Board’s authority to grant waivers as described herein shall expire two (2) years after the date of adoption of this Section 18.7.~~

18.87 Relationship to Underlying Zoning:

The Downtown Overlay District is an overlay district superimposed on all underlying zoning districts. Within the Downtown Overlay District, the regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the underlying zoning district(s) shall remain in full force, except for those sites undergoing development in accordance with Section 18. To the extent that there is a conflict between the provisions of the underlying zoning and the provisions of the Downtown Overlay District, the provisions of Section 18 shall govern,~~unless waived in accordance with Section 18.7.~~

Amend Section 18 by creating a new sub-district as a new Subsection 18.8 (“Downtown Overlay District—Sub-district A: Historic Mill Area”) described as follows:

Section 18.8 Downtown Overlay District—Sub-district A: Historic Mill Area

18.8.0 Purpose.

The purpose of Sub-district A is to:

- a) Encourage a diverse mix of residential, business, commercial, office, governmental, institutional, entertainment and other uses for workers, visitors, and residents;
- b) Not detract from the livability and aesthetic qualities of the environment.

- c) Promote more efficient use of land while protecting natural resources, such as water resources, wetlands, floodplains, and wildlife.
- d) Permit the preservation of existing structures through conversion to new uses in a manner that maintains and enhances the visual character and architectural scale of existing development within the district;
- e) Permit an appropriate density of new development to support a vibrant, mixed-use area;
- f) Encourage first floor retail/restaurant space
- g) Encourage an active streetscape through mixed-uses and high quality design;
- h) Encourage a pedestrian and bicycle friendly environment;
- i) Minimize visual and functional conflicts between residential and nonresidential uses within and abutting the district.
- j) Encourage consolidation of curb cuts for vehicular access and promote more efficient and economical parking facilities.
- k) Allow for more compact development than may be permitted in other zoning districts to reduce the impacts of sprawl;

18.8.1 Establishment

Sub-district A - Historic Mill Area of the Downtown Overlay District is established as a separate and independent sub-district from the Downtown Overlay District provisions under Sections 18.0 through 18.7 of the Zoning Bylaw, and this Section 18.8 is superimposed over all underlying zoning districts established by the Zoning Bylaw now or hereafter applicable to the properties historically known as the former Davis & Furber Machine Company, and is shown as Downtown Overlay District: Sub-district A on the Zoning Map prepared by the North Andover Division of Community Development. This map is hereby made a part of the Zoning Bylaw and is on file in the Office of the Town.

18.8.2 Boundaries

Boundaries of the Downtown Overlay District – Sub-district A: Historic Mill Area are shown on the Zoning Map and shall include all of the real property as identified on the FY 2014 Town of North Andover Assessor’s Map: Map 54 Parcel 1, Map 53 Parcel 25, Map 68 Parcel 10, Map 68 Parcel 1, and Parcel 3, as described by deed in Book 10601, Page 340 for the former rail road right of way, as more particularly shown on the Zoning Map.

18.8.3 Applicability and Relationship to Underlying Zoning

An application for a proposed project located within Sub-district A–Historic Mill Area may either use the standards in the underlying zoning district in their entirety, or those standards contained within Section 18.8 in their entirety. For those sites for which an application is filed in accordance with Section 18.8, review shall be in accordance with the standards set forth in this Section 18.8 by the Planning Board, as Special Permit Granting Authority, or otherwise. If an applicant elects to file an application for a project in accordance with the requirements of this Section 18.8, then to the extent that there is any conflict between the provisions set forth in this Section 18.8 and any other provisions of the Zoning Bylaw, the terms of this Section 18.8 shall govern.

18.8.4 Permitted Uses

The following uses are permitted, as more specifically described below:

18.8.4.1 The following uses shall be permitted by right in the Sub-district A:

- a) Detached one- or two-family residential structures;
- b) Multifamily dwellings, up to 6 dwelling units;
- c) Townhouses;
- d) Mixed-use structures (for permitted uses);
- e) Retail sales establishments, excluding automobile service station, car wash, body shop, automobile repair shop, or sales of motor vehicles, of no more than 15,000 square feet of floor area;
- f) Restaurant, café, or other establishment serving food and/or beverages, establishments of no more than 15,000 square feet of floor area;
- g) Business Office ((a primary use consisting of office activities of any type, including business and financial office activities (including banks and financial institutions) and professional office activities, excluding automobile service station, car wash, body shop, or automobile repair shop));
- h) Professional Office (A primary use consisting of office activities by a doctor, dentist, architect, lawyer, engineer or other professional person or persons);
- i) Day care center;
- j) Hall, club, theater, or other place of assembly, establishments of no more than 15,000 square feet of floor area;
- k) Place of recreation;
- l) Veterinary hospital;
- m) Research and development facilities;
- n) Light manufacturing, including fabrication, processing, finishing, assembly, packing or treatment of articles or merchandise, craft brewing or food processing, provided such uses are conducted solely within a building;
- o) Printing and reproduction;
- p) Educational uses exempt from zoning prohibition by General Laws Chapter 40A, Section 3.
- q) Religious uses exempt from zoning prohibition by General Laws Chapter 40A, Section 3.
- r) Art gallery or museum;
- s) Public building or use and public service corporations;

18.8.4.2. The following uses shall be permitted by special permit by the Planning Board in the Sub-district A:

- a) Multifamily dwelling, seven or more units;
- b) Mixed-use structures for uses allowed by special permit.
- c) Independent elderly housing, congregate housing, assisted living, nursing care facilities;
- d) Retail sales, establishments excluding automobile service station, car wash, body shop, automobile repair shop, or sales of motor vehicles, of more than 15,000 square feet of floor area;

- e) Restaurant, café, or other establishment serving food and/or beverages, establishments of more than 15,000 square feet of floor area;
- f) Hall, club, theater, or other place of assembly, establishments of more than 15,000 square feet of floor area;
- g) Hotel or Motel;
- h) Hospital;
- i) Warehousing and wholesaling;
- j) Pet day care or boarding;
- k) Any drive-through facility accessory to an above use;
- l) Free-standing automated teller machine;
- m) Photovoltaic power generation systems;
- n) Public garage;
- o) Any accessory use customarily incident to any of the above permitted uses, provided that such use shall not be noxious or dangerous to the neighborhood

18.8.4.3 Other uses. All other uses are hereby expressly prohibited except uses which are substantially similar in character to the permitted uses enumerated above, as determined by the Planning Board, shall be treated as requiring a Special Permit to be issued by the Planning Board.

18.8.5 Design Guidelines

Redevelopment and new construction within the Overlay District shall be designed in a fashion to achieve one or more of the purposes of Sub-district A described in Section 18.8.0. The following guidelines are intended to aid the Planning Board in its review of projects during both the Master Plan and Definitive Plan review stages as described under Section 18.8.10, and are intended to be flexible guidelines and not rigid standards which the Planning Board may consider:

- a) Where appropriate, new buildings should be oriented to face the public way, set close to the sidewalk, with parking located to the side or behind the buildings rather than between the building and the street.
- b) Buildings shall be oriented to encourage convenient pedestrian and bicyclist access and public activity in visible areas.
- c) Large blank walls should be avoided. New buildings should be divided visually into sub-elements, where appropriate, to express the functional diversity within the building; similarly, commercial ground floors of new buildings should emphasize transparency similar to traditional store fronts or the existing mill buildings.
- d) New curb cuts on existing public ways shall be minimized.
- e) Where possible, it is preferable to have underground utilities for new and redeveloped buildings.
- f) Where possible historic features of historic buildings shall be preserved.
- g) Signage and lighting shall be sufficient and consistent with the proposed use.
- h) New development shall transition in height, density, scale, intensity, and use from the existing mill buildings to the surrounding neighborhoods abutting the Sub-district A.

18.8.6 Dimensional and Density Standards

18.8.6.1 Setbacks.

- (a) Existing Buildings and Structures. In keeping with the purpose of Sub-district A it is recognized that the existing buildings have been developed with distinct development patterns to match the traditional needs of the lots and buildings that have made the Historic Mill Area unique. Building setbacks within the Sub-district A for buildings and structures in existence as of the date of adoption of this Section 18.8 shall include a minimum front yard setback, side yard setback, and rear yard setback of zero.
- (b) New buildings and Structures, Additions to Existing Buildings and Structures. New buildings and structures, as well as additions to those buildings and structures existing as of the date of adoption of this Section 18.8, shall be subject to the following minimum dimensional requirements:
- (i) A 35-foot setback of a new building from the Sub-district A boundary is required when the Sub-district A lot line abuts a residential zoning district located outside Sub-district A, subject to Section 18.8.6.2 below. The first 15 feet of the setback abutting the residential zoning district shall remain open and green, be suitably landscaped, unbuilt upon, unpaved, and not parked upon.
- (ii) A 20 foot setback is required from any side or rear lot line for all newly constructed buildings, where not abutting a residential zoning district located outside Sub-district A, subject to Section 18.8.6.2 below.
- (iii) With regard to additions to those buildings and structures existing as of the date of adoption of this Section 18.8, only the new portions of such additions shall be subject to the setback requirements under Section 18.8.6.1(b).

18.8.6.2 Building Height

- (a) Existing Buildings and Structures. The building height of buildings and structures in existence as of the date of adoption of this Section 18.8 shall be deemed to be compliant with building height requirements under this Zoning Bylaw. Any increase in building height for existing buildings and structures in existence as of the date of adoption of this Section 18.8 shall require a Special Permit issued by the Planning Board.
- (b) New buildings and Structures; Additions to Existing Buildings and Structures. New buildings and structures, as well as additions to buildings and structures in existence on or before the date of adoption of this Section 18.8, shall be limited to 55 feet in building height by right where located within the underlying I-S district, or within 100 feet of the underlying I-S zoning district boundary by special permit; and where such buildings or structures are not located within the underlying I-S district or within 100 feet of the underlying I-S zoning district boundary, the height limit shall be 35 feet by right, and such building or structure having a Building Height in excess of 35 feet but not more than 55 feet, shall be permitted only by special permit.

Notwithstanding anything to the contrary in this Section 18.8, new buildings or structures, as well as additions to buildings and structures constructed after the date of the adoption of this Section 18.8, may be allowed between 55 feet and 70 feet in building height by special permit issued by the Planning Board, provided that a portion of such structure's occupiable space is located within 50 feet of a structure existing on or before the adoption of this Section 18.8, and that no part of such structure is located more than 200 feet from such an existing structure.

18.8.6.3 Floor Area Ratio

A maximum Floor Area Ratio of 1.0 shall be permitted by right. By special permit, the Planning Board may permit an FAR of up to 2.0, where it can be shown to be consistent with the purposes of Section 18.8.0. For the purposes of calculating FAR, the lot area shall be the sum of all parcels included as part of a Master Plan per Section 18.8.10 and located within the Overlay; parcels included may be separated by public rights of way or other privately held land, and are not required to be held in common ownership.

18.8.6.4 Extension, Alteration and Reconstruction of Existing Buildings and Structures

Notwithstanding any provisions of this Zoning Bylaw to the contrary, buildings and structures existing as of the date of adoption of Section 18.8 may be extended or altered or reconstructed, provided, that no such extension or alteration or reconstruction shall be permitted unless there is a finding by the Planning Board, as the special permit granting authority, that such change, extension or alteration or reconstruction shall not be substantially more detrimental than the existing structure to the neighborhood and shall be consistent with the purposes of Section 18.8.

18.8.7 Site Design Guidelines

To encourage good site design, the Planning Board shall encourage the use of the following site design and architectural features, where appropriate, in reviewing an Application.

18.8.7.1 Urban Design Features

- a. Alleys, parks or open spaces, patios, sidewalks and planting strips, outdoor seating areas for private commercial use
- b. Building type (for example townhouse, storefront retail)
- c. Signage

18.8.7.2 Architectural features for any work consisting of an increase in floor area through either the placement or construction of a new principal structure, a new accessory structure, an addition, alteration or rehabilitation to a principal or accessory structure, a conversion of one use type to another, or any new use or structure requiring a curb cut:

- a. Building facades (new and rehabilitation & repair)
- b. Exterior features

- c. Building height, setbacks and build-to-lines
- d. Exterior materials, doors and windows
- e. Exterior colors
- f. Signage, flags and banners
- g. Sign design standards as applicable and consistent with Section 6 of this Bylaw
- h. Exterior illumination

18.8.7.3 On-site and off-site improvements

- a. Fences and walls
- b. Patio, square, or plaza
- c. Landscaping with areas and plants noted
- d. Special pavement and sidewalk treatment
- e. Setbacks and sidewalk and utility easements
- f. Street and parking lot lighting
- g. Street furniture, trash containers, benches news racks, kiosks
- h. Parking standards including shared parking agreements
- i. Refuse storage and access
- j. Traffic circulation plan and street improvements as needed to relieve excessive congestion

18.8.8 Site and Design Standards.

The site and design criteria within this Section shall be applicable to all residential projects greater than six (6) units, mixed use and nonresidential property.

18.8.8.1 Site Access

- a. Curb cuts within two hundred (200) feet of intersections shall be minimized.
- b. Curb cuts greater than thirty (30) feet and driveway openings greater than twenty (20) feet shall be minimized. Full width curb cuts are prohibited.

18.8.8.2 Parking. Existing and proposed structures and uses within the Overlay shall provide adequate off street parking for activities within the development in accordance with the standards described in Section 8.1. The Planning Board may waive any requirements of Section 8.1, including, but not limited to, required ratios, design standards, or location where it can be shown to further the Purpose of this Section in accordance with the review procedures of Section 18.8.8. Street parking within 100 yards of a parcel shall be deemed included in the parking count for the property. In addition, leased or owned parking within 400 yards of the property line may be used to meet the parking requirement by special permit.

As part of its review of the Master Plan and subsequent Definitive Plan(s), the Planning Board shall review proposed parking ratios, locations, and design standards to ensure that adequate parking is provided and that the Purposes of Section 18.8.0 and the Guidelines of Section 18.8.5 are being satisfied. In making this determination, the Planning Board shall consider opportunities for shared parking for visitors to

multiple uses on site, uses operating at different times of the day or week, and the presence of public on-street parking.

18.8.8.3 Bicycle Accommodation. Bicycle parking shall be provided in safe locations, and conveniently accessible to entries and/or sidewalks. An appropriate number of spaces shall be determined as part of Master Plan and subsequent Definitive Plan review.

18.8.8.4 Pedestrian Accommodation. Parking, sidewalks, and landscaping areas shall provide for safe and convenient pedestrian circulation through the site, to buildings, parking areas, and public ways.

18.8.8.5 Landscaping and Appearance. Redeveloped or newly developed areas of the site shall be landscaped in an attractive way that enhances the character of the development as a downtown, mixed-use neighborhood.

- a) Any required setback from a residential property, per Section 18.8.6.1.a) shall be screened by a solid fence or tight landscaping having a height of no less than five (5) feet unless such screening would interfere with sight distance. A chain link fence shall not be permitted.
- b) New parking areas with more than 20 parking spaces shall devote at least 5% of the interior of parking area to landscaping. In addition a minimum of 1 shade tree shall be planted for every six parking spaces built. In the event planting trees would not be practical amid the parking area, planting of shade trees elsewhere on the property shall satisfy this requirement.
- c) A minimum of 1 shade tree shall be planted for every 40 feet of street frontage or fraction thereof in appropriate locations.
- d) Where appropriate, benches, planters, outdoor seating, and other amenities shall be installed to encourage pedestrian use.

18.8.8.6 Waiver. The preceding provisions under this Section 18.8.8 may be waived as a part of a Sub-district A special permit issued by the Planning Board where such waiver furthers one or more of the Purposes of Section 18.8.0

18.8.8.7 Noise. As a mixed-use center containing office, retail, and light industrial uses among others, it is acknowledged that tenants as well as mechanical systems may emit noise. All development shall comply with applicable state air pollution control regulations and policies in connection with sound levels.

18.8.8.8 Light. The site shall be adequately lit to provide for safety and visibility. Lighting instruments shall be oriented or shielded such that they do not have spillover of greater than one foot candle onto abutting properties or interfere with public ways.

18.8.9 Sign Master Plan

Notwithstanding anything to the contrary in this Bylaw, and as part of Definitive Plan review, the Planning Board may approve a comprehensive signage master plan for the project which, if approved by the Planning Board, may allow for signage which deviates from the specific sign requirements of the Zoning Bylaw, including Section 6.6, provided that such signage would, in the opinion of the Planning Board, be consistent with the general purpose and intent of Section 18.8.0. The signage master plan proposal should show proposed sizes, locations, and general design approach for signs, banners, awnings, etc. in such detail as the Planning Board may deem reasonably necessary to make a decision to approve such master plan. Following approval of a signage master plan as part of any Definitive Plan, signs may be installed, removed, and replaced with the approval of the Building Inspector, provided that such signage conforms to the signage plan approved in the Definitive Plan decision.

18.8.10 Plan Review and Approval Process

The review and approval process for an application for approval of a project under this Section 18.8 shall be governed by the following review procedures:

18.8.10.1 Uses which are permitted by right are allowed within buildings and structures in existence as of the date of adoption of this Section 18.8, subject to building code and other applicable Town bylaw and regulations.

18.8.10.2 Approval of a use requiring a special permit, and/or approval of a new structure or expansion of an existing structure, shall require a special permit, subject to the following procedure:

18.8.10.3 Pre-Application Conference. Prior to the submission of Preliminary Master Plan or Definitive Plan under Sub-district A, the applicant, at its option, may confer with the Planning Board and Town Planning Staff to obtain information and guidance before beginning the formal application process.

As a part of the Pre-Application Conference, the Planning Board may agree to waive the Preliminary Master Plan process described in Section 18.8.10.4 below and proceed directly with the filing of a Definitive Plan if it deems that the submission of a Master Plan is unnecessary, due to the minor nature of the proposal.

18.8.10.4 Submission and Approval of Preliminary Master Plan. The applicant shall file, if not waived by the Planning Board as provided above, a Preliminary Master Plan accompanied by an application for Preliminary Master Plan Review with the Planning Board, and the Board shall schedule a meeting at a regularly scheduled Board meeting which shall be noticed in accordance with Section 11 of M.G.L. c. 40A. A copy of the Preliminary Master Plan and the above form shall also be filed in the Office of the Town Clerk. The Planning Board shall review and determine whether the proposed project is consistent with the objectives articulated under Section 18.8.0 within 60 days of receipt of the plan by the Town Clerk. In approving

a Master Plan, the Planning Board may suggest modifications and changes in anticipation of the filing of the Definitive Plan(s).

A Preliminary Master Plan shall include the following components:

- a) A locus plan, showing the names of abutters, land uses, and location and width of all adjacent streets.
- b) An existing site plan, showing existing buildings or structures, parking and circulation areas, open space, landscaping and topography, easements, public areas within or next to the development, and lot boundaries and areas.
- c) A proposed conceptual site plan, showing, in a general manner, all proposed buildings or structures, parking and circulation areas, open space, landscaping and topography, easements, public areas within or next to the development, proposed lot boundaries and areas, and the proposed system of drainage, including adjacent existing natural waterways.
- d) A narrative including: a description of the overall concept for the Master Plan, including general building locations, site improvements, and land uses, and demonstrating how the Plan conforms to the Purpose of this Section; a description of the natural features of the site, including wetlands, floodplains, slopes over 12%, soil conditions, and other features requested by the Planning Board; and a description of the neighborhood in which the tract lies, including environment, traffic, utilities, and other public facilities and the general impact of the proposed Master Plan upon the Town.

18.8.10.5 Submission and Approval of Definitive Plan. Following approval of a Preliminary Master Plan, the expiration of the 60-day period above without Planning Board action on the Preliminary Master Plan, or waiver of the same as provided above, the applicant shall file a Definitive Plan accompanied by an application for Definitive Plan Review prior to an application for a building permit. Review of a Definitive Plan shall follow the procedures of Section 18.8.10.9 and Section 9 of M.G.L. c. 40A. An application for Definitive Plan approval shall include the following components unless waived by the Planning Board:

- a. A locus plan showing the names of abutters, land uses, and location and width of all adjacent streets.
- b. Landscape plans showing proposed plantings.
- c. Engineered drawings showing proposed utilities, storm water management, vehicular circulation, parking, and other requirements as appropriate.
- d. Proposed sign master plan, as described in Section 18.8.9.
- e. A narrative describing how the proposed building(s), anticipated land uses, site design, parking, circulation, landscaping and other features conform to the Master Plan Special Permit and the Purpose of this Section.
- f. It shall be drawn at a scale of one-inch equals forty feet unless another scale is requested and found suitable by the Planning Board.
- g. The Plan shall be prepared by a land surveyor, professional engineer, or architect.
- h. The scale, date, and north arrow shall be shown.

- i. The plan shall be certified by the land surveyor doing the boundary survey and the professional engineer or architect on the location of the buildings, setbacks, and all other required dimensions, elevations, and measurements and shall be signed under the penalties of perjury.
- j. The corner points of the lot and change of direction of lines shall be marked by stone monuments, cut in stone, stake and nail, iron pin, or other marker and shall be so marked.
- k. Lot number, dimensions of lot in feet, size of lot in square feet, and width of abutting streets and ways.
- l. Easements within the lot and abutting thereon.
- m. The location of existing or proposed buildings on the lot.
- n. The location of existing wetlands, water bodies, wells, 100 year floodplain elevation and other natural features requested by the Planning Board.
- o. The dimensions of the existing and proposed buildings in feet.
- p. The distance of existing and proposed buildings from the lot lines and the distance between buildings on the same lot.
- q. Percent of the lot coverage.
- r. Average finished grade of each proposed building.
- s. The elevation above average finished grade of the floor and ceiling of the lowest floor of each proposed building.
- t. Existing and proposed topographical lines at two (2) foot intervals.
- u. Height of all proposed buildings, above average finished grade of abutting streets.

18.8.10.6 Phasing. In the event of phased development of an approved Master Plan, the applicant may divide the proposed development described in the Master Plan into several phases which shall be reviewed either through a single combined Definitive Plan, or through a series of separate Definitive Plans that address the proposed area of work.

18.8.10.7 Consolidation of Review. An application for approval under this Section 18.8 is also intended to consolidate review and approval under other applicable provisions of this Zoning Bylaw as a single special permit review process with a single special permit issued by the Planning Board. To this end, if an application for approval under this Section 18.8 also triggers review under Section 8.1 (Parking), and/or 8.3 (Site Plan Approval) and/or Section 6.6 (signs), the Planning Board shall consolidate its review such that an application filed under Section 18.8 for a Sub-district A special permit shall be deemed to satisfy the requirements under Sections 8.1, 8.3, and 6.6, and the Applicant shall also use the standards under said Sections 8.1, 8.3 and 6.6 as guidance and without the need to file for separate zoning relief under said Sections, and the conditions and requirements under Sections 8.1 and/or 8.3 and/or 6.6 shall be incorporated into the Sub-district A special permit review and approval process.

18.8.10.8 Peer Review. The applicant shall be required to pay for reasonable consulting fees to provide peer review of the Definitive Plan Approval application.

Such fees shall be held by the Town in a separate account and used only for expenses associated with the review of the application by outside consultants, including, but not limited to, attorneys, town counsel, engineers, urban designers, housing consultants, planners, and others. Any surplus remaining after the completion of such review, including any interest accrued shall be returned to the applicant.

18.8.10.9 Procedures

- a. The Sub-district A Master Plan approved by the Planning Board under Section 18.8 becomes the official development plan for a site for which an application for Sub-district A Master Plan Special Permit is filed. Town permits shall be issued or withheld based upon compliance with the approved Master Plan. The approved Master Plan is legally binding and can only be changed or adjusted in compliance with the provisions contained in Section 18.8.10.10 (Revisions to Approved Master Plans).
- b. A Master Plan approval is by Special Permit issued by the Planning Board, as special permit granting authority, and shall be noticed in accordance with Sections 9 and 11 of M.G.L. c.40A.
- c. An applicant for a Sub-district A Master Plan Special Permit shall file with the Planning Department an application form, fee, the Master Plan, and any additional information as may be required as described herein or as provided in regulations and/or instructions of the Planning Board. Once the application is deemed complete, the Planning Department will forward one copy of the application to the Town Clerk. An application will not be deemed complete until all required information and fees are submitted. The time periods set forth in this Zoning Bylaw and M.G.L. c.40A will not start until the application has been deemed complete and submitted to the Town Clerk. The application shall also be subject to the procedures and requirements for special permits under Sections 10.3 and 10.31 of the Zoning Bylaw.
- d. The Planning Board shall have the authority to require that the applicant pay for necessary professional services required to adequately review and analyze the contents of any Master Plan or technical review requested by the Board.

18.8.10.10 Revisions to Approved Definitive Master Plan

- (a) Any revisions to a development that has secured Sub-district A Master Plan approval shall be submitted to the Town Planner for review. No revisions shall be approved until the Town Planner receives three (3) copies of the revised plan and the revisions placed on the plan fall into the following categories:
 - (i) A change of location and layout of any parking area(s), signs, storage or accessory buildings, provided that no Town Bylaws are violated by the change;
 - (ii) The change in the proposed landscaping plan which does not violate any Town Bylaw;
 - (iii) A change of egress and ingress provided the same is in compliance with Town Bylaws and the requirements of the Commonwealth; or,
 - (iv) Such other adjustments deemed minor by the Town Planner with consent by the Planning Board.

(b) The revisions cited above may be completed without further approval by the Planning Board, upon approval by the Town Planner. The Town Planner may determine that the revisions as shown do not fall into the categories outlined in this subsection, and that the proposed revisions are in fact substantial and call for a materially different site plan than approved by the Planning Board in that changes are called for in the type, location and manner of the facilities and site improvements to be constructed and shown in the approved Master Plan.

(c) If the revisions are determined to be substantial and materially different by the Town Planner, the Town Planner shall direct the applicant to resubmit the site plan to the Planning Board for approval in accordance with the provisions of this section.

18.8.10.11 Standards for Approval – Special Permit.

In addition to satisfying the specific criteria for the grant of a special permit contained in Section 10.31 of this bylaw, and under Section 9 of M.G.L. c. 40A, the Planning Board shall issue a special permit only after consideration of the following factors:

- a) Compliance with the criteria established under this Section 18.8 unless otherwise waived;
- b) Impact on the neighborhood visual character, including architectural design, views and vistas; and,
- c) The project meets one or more of the purposes established under Section 18.8.0.

or to take any other action relative thereto.

Planning Board

Board of Selectmen Recommendation: To be made at Town Meeting

Planning Board Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: This Article proposes to amend the Downtown Overlay District by converting and extending a portion of the existing Downtown Overlay District, which includes the land on which the former Davis & Furber Machine Company mill buildings are located, to a new Sub-district A: Historic Mill Area of the Downtown Overlay District, designed to establish a clear review process and standards within new Sub-district A.

Article 10: Amend Zoning Map – Downtown Overlay District. To see if the Town will vote to amend the Zoning Map for the Town of North Andover by rezoning certain parcels of land to be included within the Downtown Overlay District – Sub-district A: Historic Mill Area, identified on the 2014 Town of North Andover Assessor’s Maps as: Map 53 Parcel 25; Map 54 Parcel 1; Map 68 Parcel 10; Map 69 Parcel 1; as well as a certain parcel of land depicted as a former railroad right of way and described as Parcel 3 in a deed recorded with the Essex North

District Registry of Deeds in Book 10601, Page 340, as more particularly shown as the shaded area depicted on the map entitled “Proposed DOT – Sub-district A: Historic Mill Area”, dated March 22, 2015, which map is on file with the Town Clerk,

or to take any other action relative thereto.

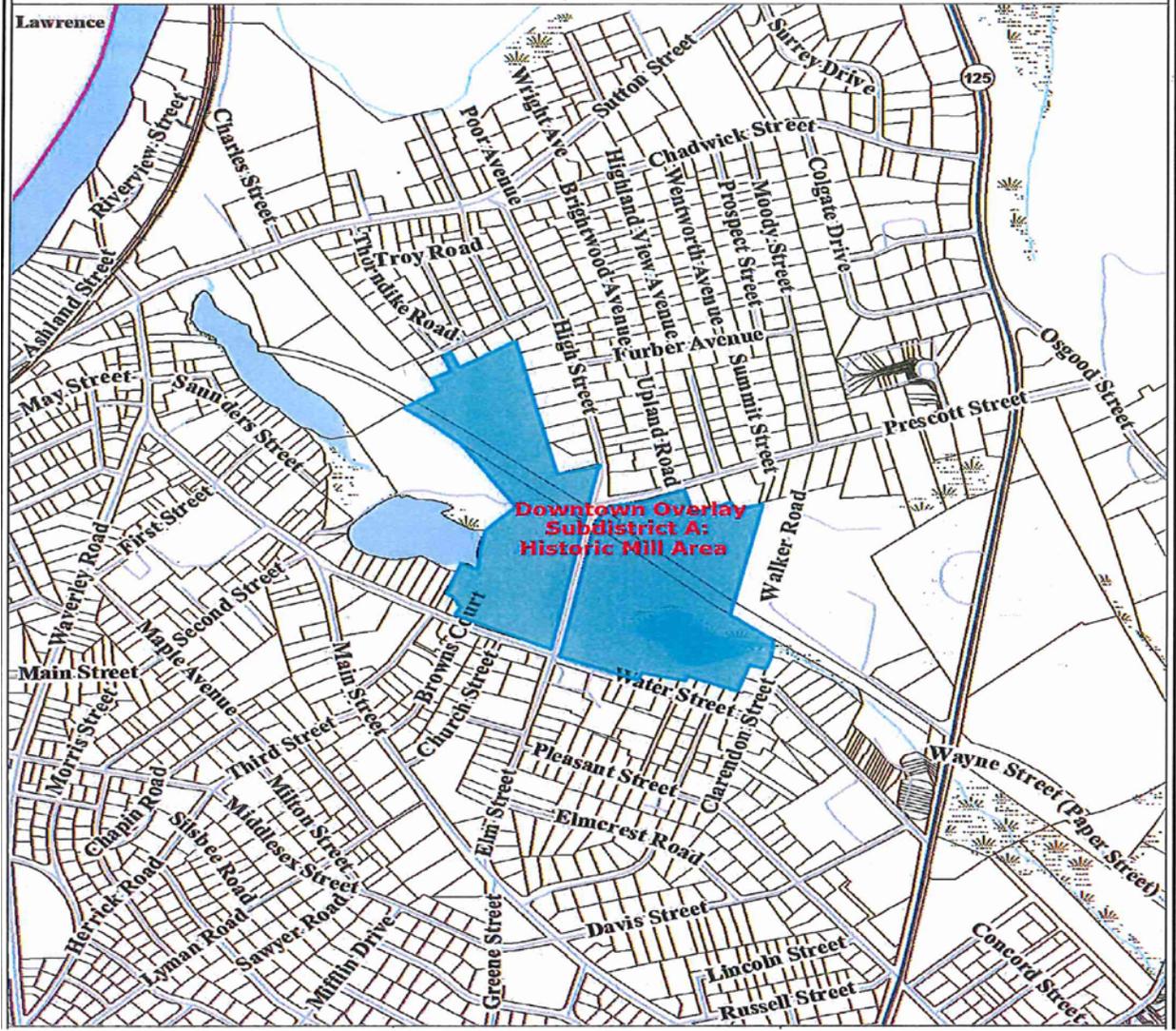
Planning Board

Board of Selectmen Recommendation: To be made at Town Meeting

Planning Board Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: This Article proposes to amend the Zoning Map by creating a new Sub-district A: Historic Mill Area of the Downtown Overlay District to coincide with amendments to the Zoning Bylaw text as presented in Article 9. The parcels included within the new Sub-district A include those parcels of land formerly owned by the Davis & Furber Machine Company. (See following Map.)



Article 11: Amend Zoning Map – Downtown Overlay District (Corrections). To see if the Town will vote to amend the Zoning Map for the Town of North Andover to rezone certain parcels of land to properly describe the Downtown Overlay District originally included within the Downtown Overlay District by Article 41 of the 2009 Annual Town Meeting, identified on the 2014 Town of North Andover Assessor’s Maps as: Map 18, Parcel 39; Map 18 Parcel 40; Map 18 Parcel 43; Map 18, Parcel 63; Map 29 Parcel 56; Map 29 Parcel 47; Map 18 Parcel 74; Map 18 Parcel 44; Map 18 Parcel 70; Map 41 Parcel 34; Map 41 Parcel 05; Map 41 Parcel 06; Map 41 Parcel 07; Map 30 Parcel 09; Map 30 Parcel 10; Map 30 Parcel 34; and Map 30 Parcel 12, as more particularly shown as a portion of the shaded area depicted on the map entitled “DOT Map Corrections”, dated March 22, 2015, which map is on file with the Town Clerk,

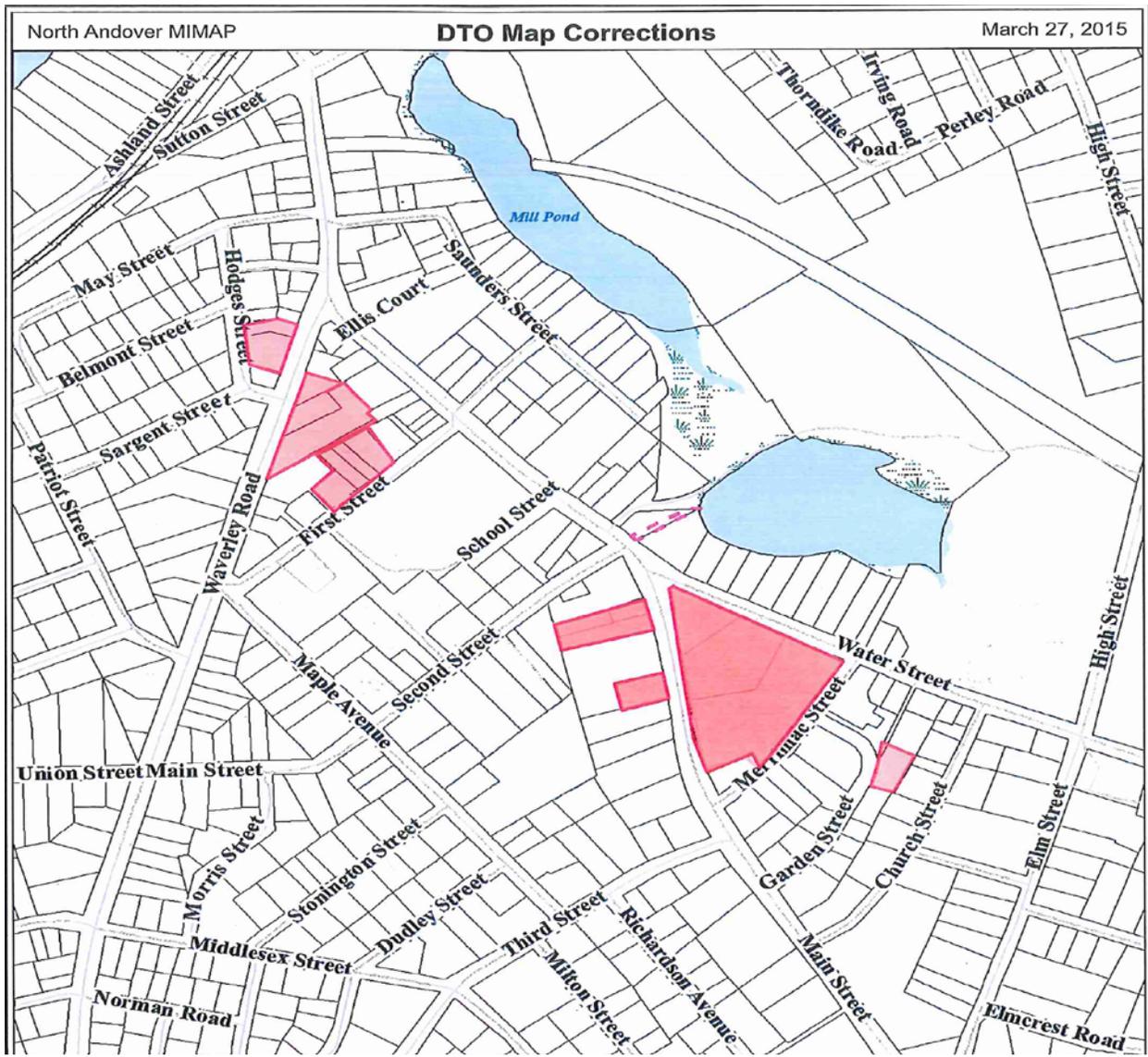
or to take any other action relative thereto.

Planning Board

Board of Selectmen Recommendation: To be made at Town Meeting
Planning Board Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: This Article amends the Zoning Map to re-insert parcels which were originally included within the Downtown Overlay District adopted pursuant to Article 41 of the 2009 Annual Town Meeting but which were inadvertently deleted when the Zoning Map was re-codified by adoption of Article 34 of the 2013 Annual Town Meeting. (See following Map.)



Article 12: Amend Zoning Map – Machine Shop Village Neighborhood Conservation District. To see if the Town will vote to amend the Zoning Map for the Town of North Andover to rezone certain parcels of land to properly describe the Machine Shop Village Neighborhood Conservation District originally included within the historic district by Article 34 of the 2008 Annual Town Meeting, shown as a portion of the shaded area depicted on the map entitled “Machine Shop Village Neighborhood Conservation District”, which is on file with the Town Clerk,

or to take any other action relative thereto.

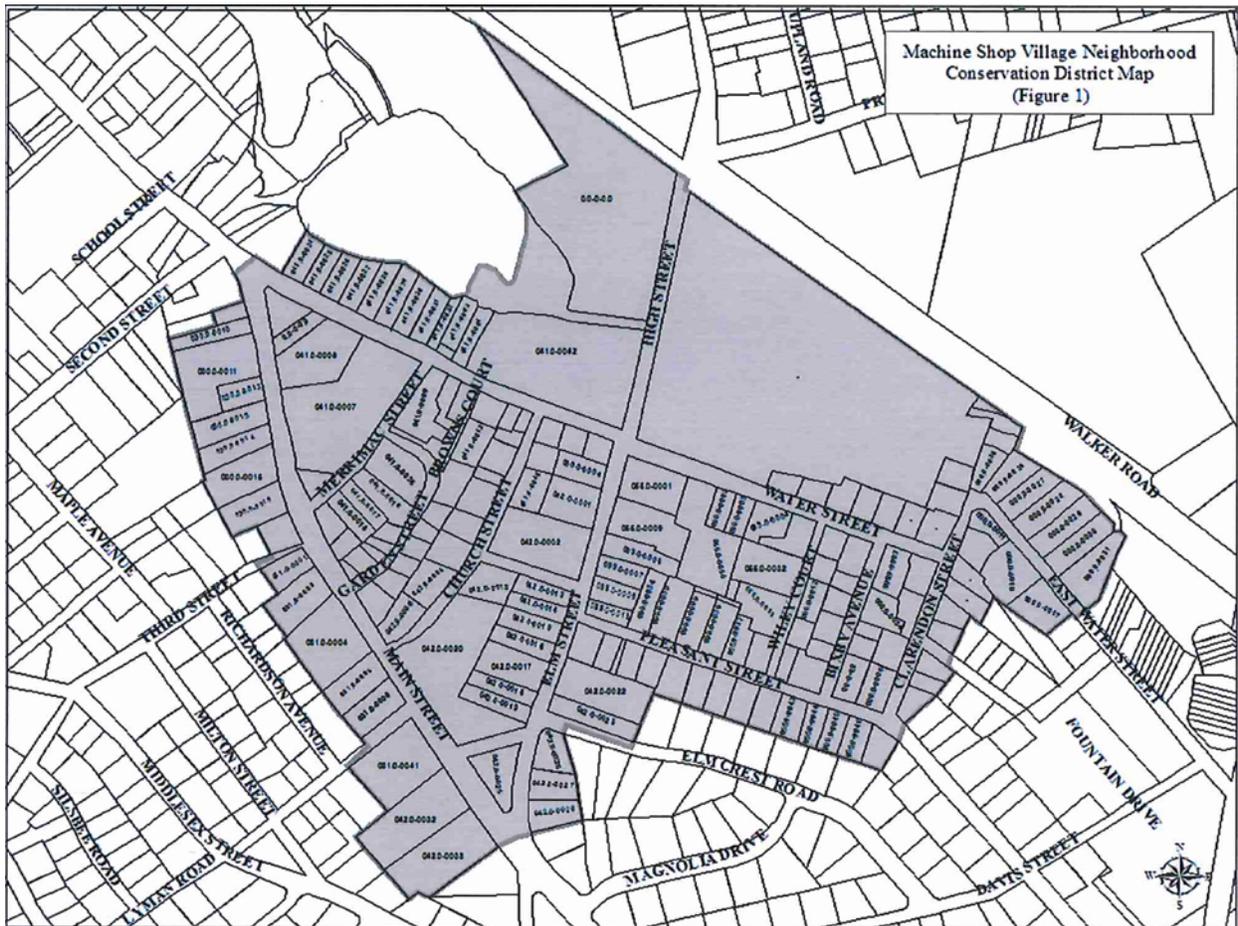
Planning Board

Board of Selectmen Recommendation: To be made at Town Meeting
Planning Board Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: This Article amends the Zoning Map to re-insert parcels which were originally included within the Machine Shop Village Neighborhood Conservation District adopted pursuant to Article 34 of the 2008 Annual Town Meeting but which were inadvertently deleted when the Zoning Map was re-codified by adoption of Article 34 of the 2013 Annual Town Meeting. (See following Map.)

Machine Shop Village Neighborhood Conservation District Map



Article 13: Set Salaries and Compensation of Elected Officials. To see if the Town will vote to fix the salary and compensation of the elected officers of the Town, as provided by Massachusetts General Laws Chapter 41, §108 as follows,

Board of Selectmen/Licensing Commissioners, per person, per annum	\$5,000
Chairman of Board of Selectmen, per annum, in addition	\$500
School Committee, per person, per annum	\$5,000
Chairman, School Committee, per annum, in addition	\$500
Moderator, For Annual Town Meeting	\$500
For each Special Town Meeting	\$250

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

Article 14: Continue and Approve Revolving Funds. To see if the town will vote to authorize the following revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, §53E ½ for the Fiscal Year beginning July 1, 2015,

Revolving Fund Accounts						
	Account Number	Revolving Fund	Authorized to Spend	Use of Funds	Revenue Source	FY 2016 Limit
1	2031204	Wheelabrator Planning	Director - Community Development	Air quality monitoring	Wheelabrator Host Community Agreement	\$ 35,000
2	2031205	Wheelabrator Public Safety	Director - Community Development	To enforce Trash Truck regulations	Wheelabrator Host Community Agreement	\$ 20,000
3	2031207	Health Dept - Food Inspections	Director - Community Development	Food Consultant fees and expenses related to program	Inspection Fees	\$ 30,000
4	2031208	Health Dept - Septic Inspections	Director - Community Development	Septic Consultant fees and expenses related to program	Inspection Fees	\$ 20,000
5	2031210	Field Maintenance	Director - Division of Public Works	Field maintenance, upgrade and related expenses	Field rental fees, Grants, Donations, and related Fundraising proceeds	\$ 5,000
6	2031211	Health Dept Revolving	Director - Community Development	clinic supplies and other related materials	Clinic participant fees, Grants, Donations, and related Fundraising proceeds	\$ 30,000
7	2031213	Youth and Recreation Services Revolving	Director - Division of Public Works	All programs and activities, expense, part time help	Participants' fees, Grants, Donations, and related Fundraising proceeds	\$ 300,000
8	2031217	Elder Services - COA Revol	Director of Human Services	Senior programs, classes and activities	Participants' fees, Grants, Donations, and related Fundraising proceeds	\$ 20,000
9		Stormwater Bylaw	Director - Community Development	Review, test and inspect Stormwater reports	Review Fees	\$ 50,000
					Total:	\$ 510,000

Revolving Fund Account Receipts and Expenditures								
Account Number	Revolving Fund	Balance 7/1/13	FY14 Receipts	FY14 Expenditures	Balance 06/30/14	Receipts thru 12/31/14	Expenditures thru 12/31/14	Balance
1	2031204 Wheelabrator Planning	\$ 89,455	\$ 25,000	\$ (13,780)	\$ 100,675	\$ 25,000	\$ (8,803)	\$ 116,872
2	2031205 Wheelabrator Public Safety	\$ 59,594	\$ 12,700	\$ (2,410)	\$ 69,884	\$ 4,450	\$ (2,099)	\$ 72,235
3	2031207 Health Dept - Food Inspections	\$ 83,612	\$ 27,800	\$ (29,743)	\$ 81,669	\$ 21,005	\$ (23,007)	\$ 79,667
4	2031208 Health Dept - Septic Inspections	\$ 18,117	\$ 20,130	\$ (18,841)	\$ 19,406	\$ 15,030	\$ (13,777)	\$ 20,659
5	2031210 Field Maintenance	\$ 2,684	\$ 1,800	\$ -	\$ 4,484	\$ 450	\$ -	\$ 4,934
6	2031211 Health Dept Revolving	\$ 25,144	\$ 27,166	\$ (19,166)	\$ 33,144	\$ 382	\$ (14,319)	\$ 19,206
7	2031213 Youth and Recreation Services Revolving	\$ 196,399	\$ 336,890	\$ (309,917)	\$ 223,371	\$ 105,443	\$ (189,812)	\$ 139,002
8	2031217 Elder Services - COA Revol	\$ 13,660	\$ 30,761	\$ (27,108)	\$ 17,313	\$ 11,042	\$ (13,471)	\$ 14,885

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: This article authorizes the revolving funds shown above for certain Town departments under Massachusetts General Laws, Chapter 44, §53E½ for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016.

Article 15: Approve Payment of Prior Years Unpaid Bills. To see if the Town will vote to authorize payment of the following unpaid bills from prior year(s), by the respective department, using appropriations of the current fiscal year,

**Prior Year Invoices
FY14**

Vendor	Amount	Department
Ricoh	290.87	Accounting
Ricoh	327.27	Town Mgr
Ricoh	347.88	Health
Ricoh	370.46	Town Clerk
Andover Markers	608.89	Veterans
TransCanada	266.37	School
Riso	364.02	School
1600 Osgood	1.96	School
Deb Gilmartin Reimb	132.18	School
CH Neurology Foundation	1,193.46	School
Mass Commission for the Deaf	162.50	School
Icon Architecture	2,750.00	School
Crest	5,706.00	School
	12,521.86	

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Finance Committee Recommendation: Favorable Action

Vote Required: Four-fifths (4/5) Vote

EXPLANATION: Any prior fiscal year unpaid bills must be approved by Town Meeting in order to be processed for payment. All listed bills will be paid from the current year's budget; no additional appropriation is needed. This type of Article has a special voting requirement of 4/5th at an Annual Town Meeting.

Article 16: Appropriation – General Fund for Fiscal Year 2016. To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the purpose of funding the General Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016,

FY16 GENERAL FUND BUDGET

	Fiscal Year 2015 RECAP	Fiscal Year 2016 Department Request	Fiscal Year 2016 Board of Selectmen & Finance Committee & Town Manager Recommend
Revenues & Other Financing Sources			
Operating Revenues			
Property Taxes	65,031,997	67,697,726	67,697,726
Local Receipts	8,995,995	9,068,334	9,068,334
State Aid	10,007,643	9,595,512	9,595,512
Operating Transfers	1,576,647	1,551,391	1,551,391
Total Operating Revenues	85,612,282	87,912,962	87,912,962
Other Fin. Sources			
Free Cash	838,000	0	1,435,760
Overlay Surplus	0	0	0
Others one time revenues	0	0	0
Total Other Fin Sources	838,000	0	1,435,760
Total Opr. Rev. & Fin Sources	86,450,282	87,912,962	89,348,722
Operating Expenses			
<u>GENERAL GOVERNMENT</u>			
Town Moderator	825	825	825
Selectmen/ Town Manager	360,925	337,194	337,194
Asst. Town Manager	0	0	0
Human Resource	83,958	163,262	163,262
Town Accountant	230,739	212,961	212,961
Finance Committee	795	795	795
Treasurer/Collector	310,685	320,034	320,034
Assessing	313,108	318,115	318,115
Legal	165,000	152,000	152,000
Town Clerk	353,767	306,339	306,339
Community Development	223,064	277,506	277,506
Planning	118,773	105,075	105,075
Conservation	115,744	118,672	118,672
Board of Appeals	39,062	22,680	22,680
Salary Reserve	20,000	20,000	20,000
	2,336,445	2,355,457	2,355,457

	Fiscal Year 2015 RECAP	Fiscal Year 2016 Department Request	Fiscal Year 2016 Board of Selectmen & Finance Committee & Town Manager Recommend
<u>PUBLIC SAFETY</u>			
Police Department	4,736,860	4,853,751	4,853,751
Fire Department	4,873,909	4,975,524	4,975,524
Public Safety Salary Reserve	67,804	293,840	293,840
Inspectional Services	262,548	267,924	267,924
Emergency Management	41,475	41,475	41,475
	9,982,596	10,432,514	10,432,514
<u>EDUCATION</u>			
N A Public School	41,457,661	43,612,479	43,612,479
Full Day Kindergarten	680,000	0	0
Special Education	175,000	0	0
	42,312,661	43,612,479	43,612,479
<u>PUBLIC WORKS</u>			
Administration	419,751	433,431	433,431
Street & Sidewalks	839,582	885,008	885,008
Solid Waste/Recycling	1,241,537	1,288,952	1,288,952
Fleet Maintenance	390,509	408,497	408,497
Structures & Grounds	538,357	582,529	582,529
Salary Reserve	14,900	9,541	9,541
Snow & Ice Removal	875,000	875,000	875,000
	4,319,636	4,482,958	4,482,958
<u>HEALTH & HUMAN SERVICES</u>			
Health Department	204,240	207,966	207,966
Elder Services	255,162	259,233	259,233
Youth Service	351,901	317,770	317,770
Veterans Service	399,582	420,757	420,757
Salary Reserve	10,250	14,807	14,807
	1,221,135	1,220,533	1,220,533
<u>CULTURE & RECREATION</u>			
Stevens Library	940,346	974,850	974,850
Salary Reserve	2,300	0	0
	942,646	974,850	974,850
<u>SUPPORT SERVICES</u>			
Outside Auditing	59,000	55,000	55,000
Purchasing	49,783	50,264	50,264
Information Technology	1,295,291	1,142,900	1,142,900
Structures and Grounds	292,483	303,019	303,019
Salary Reserve	7,800	13,178	13,178
	1,704,357	1,564,360	1,564,360

	Fiscal Year 2015 RECAP	Fiscal Year 2016 Department Request	Fiscal Year 2016 Board of Selectmen & Finance Committee & Town Manager Recommend
<u>DEBT SERVICE</u>			
Excluded - Principal - Long Term	1,485,000	1,700,000	1,700,000
Excluded - Interest - Long Term	289,775	236,388	236,388
Excluded - Interest - Short Term	0	0	0
Included - Principal - Long Term	3,248,155	3,086,240	3,086,240
Included - Interest - Long Term	853,682	832,920	832,920
Included - Interest - Short Term	0	2,970	2,970
	5,876,612	5,858,518	5,858,518
<u>EMPLOYEE BENEFITS</u>			
Retirement Assessment	3,759,115	4,071,413	4,071,413
Workers Comp	313,820	351,478	351,478
Unemployment Compensation	150,000	100,000	100,000
Group Insurance	9,846,537	9,800,000	10,202,420
Payroll Taxes	635,000	650,000	650,000
Police & Fire Accident & Sickness Inc.	115,000	123,500	123,500
	14,819,472	15,096,391	15,498,811
<u>LIABILITY INSURANCE</u>			
	422,925	444,071	444,071
<u>MISC. NON DEPARTMENTAL COST</u>			
Regional Schools - Greater Lawrence Tech	293,066	367,798	367,798
Regional Schools - Essex Agricultural School	0	90,000	90,000
School Building Committee	0	0	0
	293,066	457,798	457,798
<u>Total Non - Departmental Cost</u>	21,412,075	21,856,778	22,259,198
Annual Town Meeting Vote	84,231,551	86,499,930	86,902,350
<u>CAPITAL & RESERVES</u>			
Finance Committee Reserve	0	0	0
Transfer to Stabilization Fund	625,000	0	64,412
Transfer to Capital Stabilization Fund	213,000	0	213,000
Transfer to OPEB Reserve Fund	0	0	0
Transfer to Capital Projects	223,500	0	0
Transfer to Special Education Stabilization	0	0	750,000
Deficits (Snow and Ice)	165,000	0	0
Deficits (overlay)	1,608	303	303
Payroll Reserve (27th Payroll)	0	408,348	408,348
Overlay	530,315	550,000	550,000
	1,758,423	958,651	1,986,063

	Fiscal Year 2015 RECAP	Fiscal Year 2016 Department Request	Fiscal Year 2016 Board of Selectmen & Finance Committee & Town Manager Recommend
<u>STATE ASSESSMENTS</u>			
Spec Ed	12,004	12,004	12,004
Mosquito Control	91,677	91,677	91,677
Retired Teachers Health Insurance	0	0	0
Air Pollution Districts	9,195	9,195	9,195
Regional Transit	185,331	185,331	185,331
RMV Non Renewal Surc	18,580	18,580	18,580
School Choice	5,000	5,000	5,000
Charter School Assessment	138,522	138,522	138,522
Essex County Agricultural Assessment	80,073	0	0
	540,382	460,309	460,309
General Fund Budget	86,530,356	87,918,891	89,348,722

AND TO FURTHER TRANSFER TO THE GENERAL FUND

FROM SPECIAL REVENUE - GLSD	\$ 144,892
FROM FREE CASH	\$ -
	<u>\$ 144,892</u>

or to take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: This Article is the fiscal year 2016 appropriation of funds for the Town of North Andover. This annual budget is a declaration of our Town's priorities – a statement on how we choose to allocate the limited collective resources that exist. The operating budget enables the day-to-day operation functioning of the town by paying for recurring expenditures for programs and services, employee salaries, rents, utilities, supplies, insurance and debt service. The Library, Schools, Police Department, Fire

Department, Elder Services and dozens of other town departments rely on this funding to provide services to you on a daily basis. The level of funding, and the choice of how we allocate that funding at Town Meeting determines the level of services that visitors, residents and businesses receive in the coming year.

The operating budget consists of local aid received from the Commonwealth, our local taxes (property, excise and business) and other fees collected by the Town. All town activities, not specifically directed to other accounts such as Water or Sewer Enterprise Funds, are funded through this budget. As a result, most of the Town's operating expenditures are paid through this appropriation.

Rather than being asked to vote on each line item, Town Meeting is asked to vote on the various sub-totals listed below reflecting the overall budget for each category. By approving the sub-totals, rather than individual line items, the Town Manager will have spending flexibility within those programs so long as the Town Manager does not exceed the sub-total amount for the category. A majority of the Town Meeting has the right to vote on individual line items (or in fact, further subdivide them) if so inclined (although this would limit the Town Manager's budget flexibility).

General Government	\$ 2,355,457
Public Safety	\$ 10,432,514
Education	\$ 43,612,479
Snow and Ice Removal	\$ 875,000
All Other Public Works	\$ 3,607,958
Health & Human Services	\$ 1,220,533
Culture & Recreation	\$ 974,850
Support Services	\$ 1,564,360
Debt Service	\$ 5,858,518
Employee Benefits	\$ 15,498,811
Liability Insurance	\$ 444,071
Regional Schools	\$ 457,798

Article 17: Appropriation – Water Enterprise Fund for Fiscal Year 2016. To see if the Town will vote to appropriate the amount of \$5,322,268 in aggregate, for the purpose listed under column "FY16 Recommendation: Town Manager, Board of Selectmen, Finance Committee" for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016; without regards to individual line items, and to operate the Water Enterprise Fund, that \$5,322,268 be raised from Water receipts and from these receipts \$923,227 be transferred to the General Fund for indirect cost and \$635,000 to Capital Projects,

or to take any other action relative thereto.

WATER ENTERPRISE			
	FY15	FY16	FY16
	Budget	Department	Recommendation
		Request	Town Manager
			Board of Selectmen
			Finance Committee
Personnel	896,678	940,600	940,600
Expense	1,488,819	1,541,165	1,541,165
Debt Service	1,706,394	1,282,276	1,282,276
Sub-Total Direct Expenditures	4,091,890	3,764,041	3,764,041
Transfer to Capital Projects	600,000	635,000	635,000
Admin/Indirect	900,710	923,227	923,227
Total Water Enterprise	5,592,600	5,322,268	5,322,268

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: The purpose of this article is to fund the Water Enterprise Fund. The fund is supported by water usage charges. The water rate is set by the Board of Selectmen and is established based on the total expenses of the department, including debt service, direct and indirect expenses and the consumption of water by the users. Indirect costs are associated with the Division of Public Works supervision, General Government costs and fringe benefits that are related to the operation of the Water Department and are expensed through the General Fund, or operating budget. In addition a transfer from retained earnings in the amount of \$635,000 is recommended to cover pay-as-you-go Capital Projects. An affirmative or yes vote will ensure the operation of the water department according to projected needs.

Article 18: Appropriation – Sewer Enterprise Fund for Fiscal Year 2016. To see if the Town will vote to appropriate the amount of \$4,514,936 in aggregate, for the purpose listed under the column “FY16 Recommendation: Town Manager, Board of Selectmen, Finance Committee” for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016; without regards to individual line items, and to operate the Sewer Enterprise Fund, that \$4,514,936 be raised from sewer receipts and from these receipts \$434,460 be transferred to the General Fund for indirect expenses and \$80,000 to Capital Projects,

or to take any other action relative thereto.

SEWER ENTERPRISE			
	FY15	FY16	FY16
	Budget	Department	Recommendation
		Request	Town Manager
			Board of Selectmen
			Finance Committee
Personnel	356,950	406,459	406,459
Expense	325,700	402,970	322,970
GLSD Assessment	1,655,000	1,721,200	1,721,200
Debt Service	1,956,938	1,549,848	1,549,848
Sub-Total Direct Expenditures	4,294,588	4,080,477	4,000,477
Transfer to Capital Project	0	80,000	80,000
Admin/Indirect	423,863	434,460	434,460
Total Sewer Enterprise	4,718,451	4,594,936	4,514,936

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: The purpose of this article is to fund the Sewer Enterprise Fund. The Fund is supported by sewer usage charges. The sewer rate is set by the Board of Selectmen and is established based on the total expenses of the department, including debt service, direct and indirect expenses and the use of sewer services by residents and businesses. Indirect costs are associated with the Division of Public Works supervision, General Government costs and fringe benefits that are related to the operation of the Water Department and are expensed through the General Fund, or operating budget. In addition a transfer in the amount of \$80,000 from retained earnings is recommended to cover pay-as-you-go Capital Projects. An affirmative or yes vote will ensure the operation of the department according to projected needs.

Article 19: Appropriation – Stevens Estate Enterprise Fund for Fiscal Year 2016. To see if the Town will vote to appropriate the amount of \$322,682 in aggregate, for the purpose listed under the column "FY16 Recommendation: Town Manager, Board of Selectmen, Finance Committee" for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016; without regards to individual line items, and to operate the Stevens Estate at Osgood Hill Enterprise Fund that \$322,682 be raised from Stevens Estate at Osgood Hill Fund and from these receipts \$48,812 be transferred to the General Fund for indirect expenses,

or to take any other action relative thereto.

STEVENS ESTATE AT OSGOOD HILL ENTERPRISE		FY16 Recommendation	
	FY15 Budget	FY16 Department Request	Town Manager Board of Selectmen Finance Committee
Personnel	108,932	127,801	127,801
Expense	136,166	146,069	146,069
Debt Service	0	0	0
Sub-Total Direct Expenditures	245,098	273,870	273,870
Admin/Indirect	47,622	48,812	48,812
Total Stevens Estate Enterprise	292,719	322,682	322,682

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: The purpose of this article is to appropriate funds to operate the Stevens Estate at Osgood Hill. Fees charged to individuals and groups using the facility and grounds for private events support the Estate.

Article 20: Appropriation – Capital Improvement Plan for Fiscal Year 2016. To see if the Town will vote to fund the Capital Improvement Program as listed under the heading “Board of Selectmen/Finance Committee/Town Manager Recommendations” and with the language included,

FY16 CIP Recommendations							
<u>Line #</u>	<u>Project Description</u>	<u>Board of Selectmen</u>	<u>Other Funding Sources</u>		<u>Retained Earnings</u>	<u>Excess bond Proceeds</u>	<u>Authorized to</u>
		<u>Finance Committee</u>	<u>(Grants, Chapter 90, CPA & Spec Rev)</u>	<u>Raise & Appropriated</u>			<u>Borrow under Chapter 44</u>
		<u>Town Manager Recommendations</u>					
1	Roadway Improvements	\$ 1,230,000	\$ (820,000)			\$ -	\$ 410,000
2	Sidewalks Reconstruction	\$ 75,000	\$ (5,000)				\$ 70,000
3	Municipal IT	\$ 50,000		\$ -			\$ 50,000
4	Building Maintenance	\$ 150,000					\$ 150,000
5	Facilities Master Plan Implementation	\$ 4,699,483					\$ 4,699,483
6	High School Track Resurfacing	\$ 200,000					\$ 200,000
7	School IT	\$ 104,881					\$ 104,881
General Fund Total		\$ 6,509,364	\$ (825,000)	\$ -	\$ -	\$ -	\$ 5,684,364
8	Ozone System, Clearwell Baffles & Detention Tank Upgrade	\$ 70,000	\$ -	\$ -	\$ (70,000)	\$ -	\$ -
9	Demolition of Pumping Station	\$ 250,000			\$ (250,000)		\$ -
10	Corrosion Study & Repairs of Water Pipes	\$ 95,000			\$ (95,000)		\$ -
11	Chemical Storage Tank & Feed System Improv.	\$ 70,000			\$ (70,000)		\$ -
12	Process Control Computer - update	\$ 150,000			\$ (150,000)		\$ -
Water Enterprise Fund Total		\$ 635,000	\$ -	\$ -	\$ (635,000)	\$ -	\$ -
13	Improvements to various Pump Stations	\$ 750,000	\$ -	\$ -	\$ (80,000)	\$ -	\$ 670,000
14	Commonwealth Ave Sewer Replacement	\$ 125,000	\$ -	\$ -	\$ -	\$ -	\$ 125,000
Sewer Enterprise Fund Total		\$ 875,000	\$ -	\$ -	\$ (80,000)	\$ -	\$ 795,000
Total All Funds		\$ 8,019,364	\$ (825,000)	\$ -	\$ (715,000)	\$ -	\$ 6,479,364

that to meet this appropriation:

(1) The Treasurer with the approval of the Board of Selectmen is authorized to borrow \$6,479,364 under chapter 44 of the Massachusetts General Law or any other enabling authority;

(2) The appropriations for items 8, 9, 10, 11 & 12 above shall be funded with Water Enterprise fund retained earnings in the amount of \$635,000;

(3) The appropriation for item 13 above shall be partially funded with Sewer Enterprise fund retained earnings in the amount of \$80,000;

or to take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: A Capital Improvement Plan (CIP) consists of projects that are major, non-routine expenditures for new construction, major equipment purchase, or improvement to existing buildings, facilities, land or infrastructure with an estimated useful life of five years or more, and a cost of \$25,000 or more. Items in this plan are funded by debt; the Town will issue bonds of 10, 15 or 20 years (depending upon the project) and pay principal and interest payments over that term. The bonds may be general obligation (funded by the general tax levy) or special obligation (funded by water or sewer rates).

Article 21: Transfer to Stabilization. To see if the Town will vote to transfer \$64,412 from available funds or free cash into the Stabilization Fund,

or to take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: This article seeks to move funds into the Town's savings account, called a Stabilization Fund. This is a fund designed to accumulate amounts for future spending purposes, although it may be appropriated for any lawful purpose (MGL c40, §5B). Communities may establish one or more stabilization funds for different purposes and may appropriate into them in any year an amount not to exceed ten percent of the prior year's tax levy. Any interest shall be added to and become a part of the funds. A two-thirds vote of town meeting is required to establish, amend the purpose of, or appropriate money from the stabilization fund.

Article 22: Transfer to Capital Stabilization. To see if the Town will vote to transfer \$213,000 from available funds or free cash into the Capital Stabilization Fund,

or take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: This article seeks to move funds into the Town’s capital savings account, called the Capital Stabilization Fund. This is a fund designed to accumulate amounts for future capital spending purposes. Communities may establish one or more stabilization funds for different purposes and may appropriate into them in any year an amount not to exceed ten percent of the prior year’s tax levy. Any interest shall be added to and become a part of the funds. A two-thirds vote of town meeting is required to establish, amend the purpose of, or appropriate money from the stabilization fund.

Article 23: Transfer of funds from Health Insurance Trust Fund to Other Post-Employment Benefits (OPEB) Liability Trust Fund. To see if the Town will vote to transfer a sum of \$500,000 from the Health Insurance Trust Fund into the Other Post-Employment Benefits (OPEB) Liability Trust Fund,

or take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: The Other Post-Employment Benefits (OPEB) Liabilities Trust Fund was established by vote of Annual Town Meeting of 2010 to reserve funds to offset the liability resulting from providing health insurance benefits to employees after they retire. The Health Insurance Trust Fund has a sufficient surplus to allow a transfer to this Fund.

Article 24: Special Education Stabilization Fund. To see if the Town will vote to establish a Special Education Stabilization Fund for the purpose of reserving funds to pay expenses related to special education, as authorized by Chapter 40, §5B of the General Laws,

or take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: Communities may establish one or more stabilization funds for different purposes and may appropriate into them in any year an amount not to exceed ten percent of the prior year's tax levy. The purpose of establishing this fund is to provide stability in the delivery of public education that could otherwise be adversely impacted by costs associated with special education which were unforeseen at the time the annual fiscal appropriation for the school department was adopted by an Annual Town Meeting. Unforeseen costs are those for which neither experience nor reasonable judgment nor planning could have anticipated. Use of these funds will be governed by a financial reserve policy recommended by the Town Manager and adopted by the Finance Committee and Board of Selectmen.

Article 25: Transfer of Funds to Special Education Stabilization Fund. To see if the Town will vote to transfer a sum of \$750,000 from Free Cash to the Special Education Stabilization Fund,

or take any other action relative thereto.

Town Manager

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: This article seeks to transfer funds into the Special Education Stabilization Fund established in the previous article from Free Cash.

Article 26: Report of the Community Preservation Committee – Appropriation From Community Preservation Committee Fund. To receive the report of the Community Preservation Committee and to see if the Town will vote to raise, borrow, transfer and/or appropriate from the Community Preservation Fund, in accordance with the provisions of Massachusetts General Laws Chapter 44B, a sum of money to be spent under the direction of the Community Preservation Committee,

or to take any other action relative thereto.

List of Approved Projects – Community Preservation Fund

<u>Description</u>	<u>Amount</u>	<u>Category</u>
Affordable Housing Trust	\$ 100,000	Affordable Housing
Bradstreet School Memorial	\$ 24,500	Historical Preservation
Feasibility Study – NAMS Athletic Complex	\$ 50,000	Recreation
Playground Renovation – Franklin School	\$ 100,000	Recreation
Renovation of Former Fire Station	\$ 575,000	Historic Preservation
Ridgewood Cemetery Enhancements	\$ 594,400	Historic Preservation
Stevens Estate – Bathroom Restoration	\$ 50,000	Historic Preservation
Stevens Estate – Carriage House	\$ 25,000	Historic Preservation
Reserve for Affordable Housing	\$ 87,800	Affordable Housing
Administrative Costs	\$ 30,000	Administrative and Operating Expenses
Total for Requested Projects	\$1,636,700	

Community Preservation Committee

Board of Selectmen Recommendation: Favorable Action

Finance Committee Recommendation: Favorable Action

Vote Required: Two-thirds (2/3) Vote

EXPLANATION: The Community Preservation Act (CPA) addresses community issues such as acquisition and preservation of open space, creation and support of affordable housing, acquisition and preservation of historic buildings and landscapes, and creation and support of recreational opportunities. The CPA, adopted at a Special Town Meeting in January 2001, and by the voters at the Town Election in March 2001, levies a 3% surcharge on property taxes with two exemptions: \$100,000 of the value of every residential property is exempted, and a complete exemption on property owned and occupied by people who qualify for low-income housing or low- or moderate-income senior housing.

The Community Preservation Committee (CPC) annually recommends how funds should be spent or set aside for future spending among the allowable categories of a) open space; b) historic preservation; c) affordable housing; and d) land for recreational use, with a minimum of 10% required in each of the first three categories. In addition, a maximum of 5% may be spent on administrative expenses by the CPC. Town Meeting may either

approve or reduce the recommended expenditures, but cannot add to them. North Andover received matching funds equal to \$498,619 or 35.4% in FY15 from the Commonwealth.

Article 27: Authorization for a PILOT for a Solar Photovoltaic Installation (1600 Osgood Street). To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, or any other enabling authority, to authorize the Town Manager and Board of Selectmen to enter into an agreement for payments in lieu of real and/or personal property taxes with the owner of, and for, a solar photovoltaic energy generating facility proposed at the property located at 1600 Osgood Street, North Andover, shown on Assessor’s Map 34, Parcel 17, upon such terms and conditions as the Town Manager and Board of Selectmen shall deem to be in the best interest of the Town, and to take such other actions as may be necessary to implement and administer such agreement,

or take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: The selected developer of the Solar PV Installation will be required to pay property taxes for the leased land and assets which are installed on the site. The Massachusetts Department of Revenue allows Towns to enter into Payment in Lieu of Taxes (PILOT) agreements which enable the Town and the solar developer to establish a fixed PILOT that meets the Town Tax Assessor’s valuation for the term of the agreement. This PILOT would provide the Town with a known annual taxable income stream and would reduce tax uncertainty for the developer. The warrant article is needed to authorize the Board of Selectmen and the Town Manager, in consultation with the Town’s Assessor, to negotiate and enter into this agreement.

Article 28: Authorization for a PILOT for a Solar Photovoltaic Installation (Brooks School). To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, or any other enabling authority, to authorize the Town Manager and Board of Selectmen to enter into an agreement for payments in lieu of real and/or personal property taxes with the owner of, and for, a solar photovoltaic energy generating facility proposed at the property located at 0 Great Pond Road, North Andover, shown on Assessor’s Map 103, Parcel 1, upon such terms and conditions as the Town Manager and Board of Selectmen shall deem to be in the best interest of the Town, and to take such other actions as may be necessary to implement and administer such agreement,

or take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: The selected developer of the Solar PV Installation will be required to pay property taxes for the leased land and assets which are installed on the site. The Massachusetts Department of Revenue allows Towns to enter into Payment in Lieu of Taxes (PILOT) agreements which enable the Town and the solar developer to establish a fixed PILOT that meets the Town Tax Assessor’s valuation for the term of the agreement. This PILOT would provide the Town with a known annual taxable income stream and would reduce tax uncertainty for the developer. The warrant article is needed to authorize the Board of Selectmen and the Town Manager, in consultation with the Town’s Assessor, to negotiate and enter into this agreement.

Article 29: Authorization for a Net Metering Power Purchase Agreement (1600 Osgood Street). To see if the Town will vote to authorize the Town Manager and Board of Selectmen to enter into an agreement for the purchase of net metering credits generated by a renewable energy facility for a term of up to 25 years upon such terms and conditions as the Town Manager and Board of Selectmen deem in the best interests of the Town, and to authorize the Town Manager and Board of Selectmen to take such other actions as may be necessary to implement and administer such agreement;

or take any other action relative thereto.

Board of Selectmen

Board of Selectmen Recommendation: Favorable Action
Finance Committee Recommendation: Favorable Action

Vote Required: Majority Vote

EXPLANATION: The Massachusetts Green Communities Act of 2008 created a net metering mechanism that enables municipalities to acquire electricity credits from renewably energy projects that can be used to offset their own electricity costs. The purpose of this article is to authorize the Town Manager and Board of Selectmen to enter into an agreement to acquire these metered electricity credits from a proposed solar photovoltaic energy generating facility to be developed at the property located at 1600 Osgood Street, North Andover, shown on Assessor's Map 34, Parcel 17. These credits would be used to offset a portion of the Town's electricity usage in its publicly owned properties.

Article 30: Citizen's Petition – Petition the General Court – Change Voting Age to Sixteen for Town Elections. To see if the Town will vote to file a Home Rule Petition to allow citizens of North Andover who are 16 years old and older to register and vote in municipal elections within the Town,

or to take any other action relative thereto.

Petition of Celia DiSalvo, et al

Board of Selectmen Recommendation: Unfavorable Action

Vote Required: Majority Vote

Article 31: Citizen's Petition – Petition the General Court – Special Act – Change in Liquor Quota – All Alcoholic Beverages for The Cork Stop, Inc. 1593 Osgood Street. To see if the Town will vote to Petition the Legislature to allow the North Andover Licensing Authority to override the provisions of Massachusetts General Law Chapter 138 Section 17 (Number of licenses quotas; licenses for wine and malt beverages per population unit; additional licenses; estimates of increased population; decrease in quota due to loss in population determination of population city or town) for the increase in the number of All Alcohol Beverages Licenses for Package Stores by one (1) for The Cork Stop, Inc., Sophia Stamos, Manager, 1593 Osgood Street, North Andover, Massachusetts 01845,

or to take any other action relative thereto.

Petition of Sophia Stamos, et al

Board of Selectmen Recommendation: Favorable Action

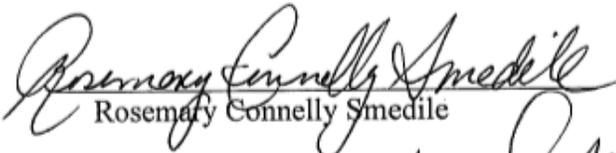
Vote Required: Majority Vote

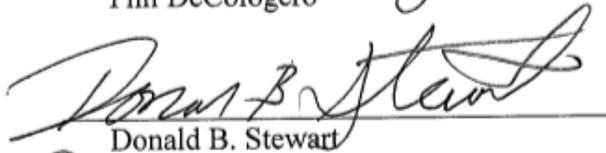
Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

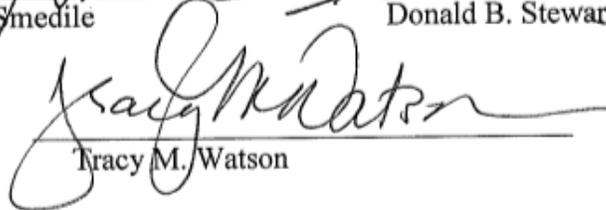
Given under our hands this 14th day of April in the Year Two Thousand Fifteen.


Richard M. Vaillancourt, Chairman


Phil DeCologero


Rosemary Connelly Smedile


Donald B. Stewart


Tracy M. Watson

SELECTMEN OF NORTH ANDOVER

And you are now directed to serve this Warrant by posting true and attested copies thereof in the Town Office Building and one public place in each voting precinct in the Town, said copies to be posted not less than seven (7) days before the time of said meeting.

Constable

Date

A True Copy Attest – Joyce A. Bradshaw, Town Clerk

OFFICER'S RETURN

Pursuant to the foregoing warrant, I have warned and notified the inhabitants of the Town of North Andover who are qualified to vote in Town affairs to be at the time and place for the purpose mentioned within by posting true and attested copies thereof at the Town Office Building and one public place in each voting precinct in the Town at least seven (7) days before the date of said meeting.

Constable

Date

NOTES:

**PLEASE BRING THIS BOOKLET WITH YOU TO
TOWN MEETING!!**



Details on logistics and updated information will be posted on the Town's website at www.townofnorthandover.com, on the North Andover Cable Channel, and in our local newspapers.

If you need any special accommodations for the meeting please call the Town Clerk's office at 978-688-9502.

Please participate in this very important meeting!