

2377CV 378

Case Action

Emergency

Defendant's Answer from Clerk

Defendant requests emergency hearing to this Court to order the Defendant

sum. Meeting to be held on a date

day, requesting the court to set the

matter to be a court to set in the

morning under H. D. H.

currently it is scheduled at 7 p.m.

on May 1, '83, after date making

at all court for the purpose of

attending as well as the court

and/or to the court

in the state to hold an open

Town meeting

appear Day make under the

V.S. & Miss. Constitution and the

Right to Life Act 1 Man 1 rate

J. Taylor Wilcox
9785781362

**THE COMMONWEALTH OF MASSACHUSETTS
ESSEX, SS.**

To Either of the Constables of the Town of Andover

Greeting:

In the name of the Commonwealth you are hereby required to notify and warn the Inhabitants of said Town who are qualified to vote in Town Affairs to meet and assemble at the J. Everett Collins Center for the Performing Arts, Andover High School, 100 Shawsheen Road, in said Andover, on

MONDAY, THE FIRST DAY OF MAY, 2023

At seven o'clock P.M. to act upon the following articles:

ARTICLE 1	ANNUAL TOWN ELECTION
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Annual Town Election: Moderator for one year, one Select Board member for three years, one School Committee member for three years, and two Punchard Free School Trustees for three years, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 2	ELECTION NOT REQUIRED BY BALLOT
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To elect all other officers not required by law to be elected by ballot, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 3	SALARIES OF ELECTED OFFICIALS
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To establish the salaries of the elected officers for the ensuing year, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 4	FISCAL YEAR 2024 BUDGET
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To see if the Town will vote to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town,

including debt and interest, and to provide for a reserve fund for the Fiscal Year beginning July 1, 2023 and ending June 30, 2024, or take any other action related thereto.

On request of the Town Manager

ARTICLE 5	FISCAL YEAR 2024 CAPITAL PROJECTS FUND
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To see if the Town will vote to raise by taxation and appropriate the sum of money for the purpose of funding the Fiscal Year 2024 appropriation for the Capital Projects Fund, or take any other action related thereto.

On request of the Town Manager

ARTICLE 6	FINANCIAL HOUSEKEEPING ARTICLES (A THROUGH I)
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- A. **Budget Transfers** To see if the Town will vote to transfer from amounts previously appropriated at the May 2022 Annual Town Meeting as authorized by Massachusetts General Laws Chapter 44, Section 33B, or take any other action related thereto.

On request of the Chief Financial Officer

- B. **Supplemental Budget Appropriations** To see if the Town will vote to transfer from available funds a sum of money to supplement appropriations voted at the May 2022 Annual Town Meeting, or take any other action related thereto.

On request of the Town Manager

- C. **Stabilization Fund** To see if the Town will vote to appropriate and raise from taxation or available funds a sum of money to the Stabilization Fund in accordance with Massachusetts General Laws Chapter 40, Section 5B, as amended by Chapter 46, Sections 14 and 50 of the Acts of 2003 and Chapter 218 of the Acts of 2016, or take any other action related thereto.

On request of the Town Manager

- D. **Free Cash** To see what amount the Town will vote to permit the Assessors to use in Free Cash to reduce the Fiscal Year 2024 tax rate and to affect appropriations voted at the 2023 Annual Town Meeting, or take any other action related thereto.

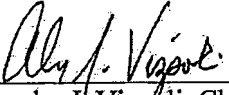
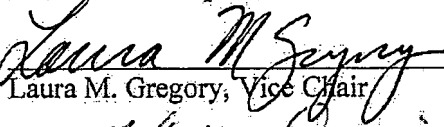
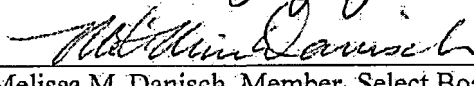
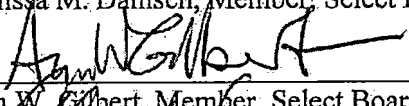
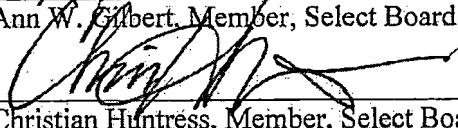
On request of the Chief Financial Officer

and boundaries of the property to be taken, and to appropriate a sum of money for the payment of damages for said taking, or take any other action related thereto.

On request of the Town Manager

Hereof fail not, and make return of this Warrant with your doings thereon, at the time and place of said meeting.

Given our hands this 27th day of March 2023.


 _____)
 Alexander J. Vispoli, Chair)

 _____)
 Laura M. Gregory, Vice Chair)

 _____)
 Melissa M. Danisch, Member, Select Board)

 _____)
 Ann W. Gilbert, Member, Select Board)

 _____)
 Christian Huntress, Member, Select Board)

SELECT BOARD
OF
ANDOVER

A true copy

ATTEST

Ronald Bertheim, Constable

Andover, Massachusetts, _____, 2023

Pursuant to the foregoing Warrant, I, the subscriber, one of the Constables of the Town of Andover, have notified the Inhabitants of said Town to meet at the time and place and for the purposes stated in said Warrant, by posting a true and attested copy of the same on the Town Hall, on each school house, and in no less than five other public places where bills and notices are usually posted and by publication in the *Eagle Tribune*. Said warrants have been posted and published fourteen days.

Ronald Bertheim, Constable

Street Estates, Andover, Mass.” dated April, 1973, prepared by Charles E. Cyr, and recorded with Essex North District Registry of Deeds as Plan No. 7035 and on file in the Office of the Town Clerk, and as constructed, and to award no damages or compensation for said takings or payment for said acquisitions, and to appropriate and borrow or transfer from available funds or any combination thereof a sum of \$120,000 for required engineering services, legal services, repairs and improvements to Hacienda Way and expenses incidental thereto, or take any other action related thereto.

On petition of Courtney Famiglietti and others

ARTICLE 40	SALT STORAGE AT COMMERCIAL AND INDUSTRIAL PROPERTIES
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To see if the Town will vote to add the following to Article XII Miscellaneous Bylaws of the General Bylaws:

§52. “Regulations governing salt storage at commercial and industrial properties.

- (1) Salt includes solids such as sodium chloride (NaCl), potassium chloride (KCl), calcium chloride (CaCl₂), and magnesium chloride (MgCl₂). It also includes mixtures of the same substances with abrasives such as sand, cinder, slag, etc.
- (2) Salt shall be stored on an impermeable surface.
- (3) Salt shall be covered at all times to prevent dispersion by runoff and to control wind dispersal.
- (4) When not using a permanent roof, a waterproof impermeable, flexible cover must be placed over all storage piles to protect against precipitation and surface water runoff. The cover must prevent runoff and leachate from being generated by the outdoor storage piles. The cover must be secured to prevent removal by wind or other storm events.
- (5) Any roof leaks, tears or damage should be temporarily repaired during winter to reduce the entrance of precipitation. Permanent repairs shall be completed prior to the next winter season.
- (6) Storage areas shall be graded to direct surface drainage away from the storage area. In no case shall the surface drainage be allowed to flow through the base of the storage piles.”

and further, that non-substantive changes to the numbering of this article be permitted in order that it be in compliance with the numbering format of the Andover Code of Bylaws, or take any other action related thereto.

On request of the Director of Public Works

ARTICLE 41	TAKING BY EMINENT DOMAIN OF DISCONTINUED PORTION OF LEWIS STREET
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To see if the Town will vote to authorize the Select Board to take by eminent domain the property shown as “Portion of Lewis Street to be Discontinued 4,000 S.F. +/-” on Plan of Land entitled “Discontinuance Plan, Portion of Lewis Street, Andover, Mass, Prepared for Town of Andover, Date: January 18, 2022, Scale: 1” = 40’, “ prepared by Andover Consultants, Inc, which Plan is on file with the Office of the Town Clerk and which is recorded with the Essex North District Registry of Deeds as Plan No. 18312 for the purpose of resolving any matters regarding the title Town of Andover, Massachusetts May 1, 2023 Annual Town Meeting Warrant Page 31.