



Bulletin

January 2005

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P.O. Box 514
Andover, MA 01810

www.LWV-Andovers.org

President: Peggy Kruse Membership: Jennessa Durrani Editor: Michael Frishman

League of Women Voters of Andover/North Andover

President’s Message

Happy New Year! The LWV-A/NA is looking forward to a busy few months – Upcoming events include three educational discussions, two issues on which we will try to reach consensus, and our usual town election and Town Meeting events.

Our first discussion, on January 13, covers teen parties and parental liabilities. Diane Hender has lined up a star-studded cast to facilitate this discussion, including Essex County District Attorney Jon Blodgett, Andover Police Chief Brian Patullo, Det. Charles Haseltine, Andover High guidance counselor Mike Marcoux and Director of Andover Youth Services Bill Fahey. The many perspectives promise an informative discussion.

Our second discussion, on February 10, covers hot zoning issues, such as the Dover Amendment and

context-sensitive and performance zoning (the latter two issues may surface in articles at Andover’s Town Meeting). Our third discussion, on April 5, compares Andover’s spending behaviors to that of other Massa-

Voting Systems Study - See Page 4

chusetts communities.

The discussions will include Q&A and promise to be thought provoking. Please come—bring a friend!

January brings our first consensus meeting of the year – we will consider adopting a statewide position on

voting systems. As shown by the Electoral College and by the voting systems that will be the focus of this study, the way votes are cast and counted can make a difference in who wins an election. The LWV already has a position in favor of abolishing the Electoral College. In this consensus study we can decide what we would like to replace it with (*Background information appeared in the December Bulletin and is available in the members section of the LWVM website www.lwvma.org*).

Diana Walsh will lead the informational meetings and consensus meetings (two of each are

Teens, Parties and Parents

The League of Women Voters of Andover/North Andover, Andover CARES and Parent to Parent are sponsoring a forum on teen parties and parental liability. The forum, Thursday, January 13, 7:00 PM, at the Andover Library, is free and open to the public but will not be on cable or taped for later broadcast.

The discussion will cover:

- what motivates adolescents to participate in out-of-control parties;
- how the parties come to occur;
- how they may be facilitated by parents and other adults;
- the parents’ liability if they find themselves “hosting” a party where teens have access to alcohol;
- what to do if it happens to your child or in your home.

Speakers include Mike Marcoux, Andover High School guidance counselor, Bill Fahey, Director of Andover Youth Services; also invited are Essex County District Attorney Jon Blodgett, Chief Brian Pattullo and Detective Charles Hezeltine from the Andover Police Department. (*The will be no snow date. If Memorial Hall Library closes early due to snow, there will be a message on the library answering machine, 978-623-8400.*)

being offered to try to accommodate different schedules; attending one of each is sufficient). We encourage you to bring guests to these meetings; however, when it comes time to reach consensus, only members may participate.

The second topic on which we will try to reach consensus comes from Lolli Sumberg's Centers Study group which is looking into senior/youth/community centers. Look for more information in the February Bulletin.

Thanks go to Amy Janovsky for organizing a well-attended, delicious Holiday Dinner. Thanks to Stefani Goldshein and Carole Pelchat for leading a stimulating discussion about the state LWV program. We also heard brief reports from various League committees. Congratulations go to Margaret Pustell and the Community Paths group on their recent progress: an engineer has volunteered to design a footbridge over the Shawsheen River and the Andover Board of Selectmen has approved a new "Share the Road" sign that replaces a paragraph of small print with a more driver-friendly graphic – the graphic shows a bicyclist, driver and pedestrian. Thanks to Joan Ellis for the graphic design. Hopefully we'll see these signs soon!

Moving from local to state issues, the state League has a position against casino gambling. Senator Sue Tucker called recently to say that she expects a huge fight on the casino gambling issue this year and she would like to enlist the help of League members in fighting it. Tucker says that the outcome of a current state Supreme Court case concerning adequate resources for education could require substantial amounts of money. This financial pressure could provide a huge incentive for legislators to approve casino gambling. Tucker points out that casinos have not been a good deal for Connecticut; both Republican and Democratic legislators are fighting any expansion. She thinks that opponents of legalized casino gambling need to be prepared to fight it here in Massachusetts.

If you would like to discuss ways to get involved in any of the above activities, please call me at 978-474-0176. – Peggy Kruse

Centers Study

By Lolli Sumberg

The Centers Study Committee has set dates for the members' Consensus meetings. The meetings will be Saturday, February 12 and Tuesday, February 15, 10:00 AM

Help Wanted

The League still needs observers for town boards in both Andover and North Andover. As we approach Town Meeting, we need informed League members to participate in the Warrant Forum. When you watch a meeting and write a brief report for the Bulletin, you learn more about town government and provide an invaluable service to your fellow League members. Contact Stefani Goldshein at stefraina@comcast.net for more information. Any and all help, one meeting or many, is welcome. It's a great way to contribute to the League during those frosty winter months!

– Noon; locations will be in your February Bulletin. These consensus units will decide whether or not LWV-A/NA should adopt a position on a Senior Center (we have no current positions on a Senior Center or any other specifically senior issues) and whether we would should update our current position on a Youth/Community Center.

It is important to remember that the units will focus on formulating a position and updating a current position. They are not designed to discuss any possible articles that may be on the Warrant at Andover's April Town Meeting. Those issues will be covered at the Warrant Units when we will discuss the merits of any articles and whether or not the League recommends or opposes their adoption.

These consensus units are very important because without a Senior Center position we can not take action for or against a proposal. Watch for the consensus questions and more details in the February bulletin. The committee hopes that you will attend these units and help make these important decisions.

Legislative Action

By Carole Pelchat

LWVM a co-sponsor of the following three recently filed bills:

Redistricting Reform This legislation would create an independent, nonpartisan Redistricting Commission, bound by strict rules of fairness. These rules should ensure that districts will be of equal population, be compact and contiguous, respect the integrity of cities, and not dilute minority voting rights.

Education Funding Formula Amendment This legislation is intended to amend Chapter 70 to equalize and simplify the distribution of education aid to cities and towns.

An Act Improving the Administration of the Judicial Branch This legislation asks the legislature to consider significant recommendations made by the Monan Committee to establish a clear chain of command and professional management for the courts.

LWVM President Mahdu Sridhar noted that action will undoubtedly be taken on other bills once a review of those placed on Senate and House dockets has been completed. She added that LWVM is setting up focus groups to discuss voting laws and procedures in preparation for advocating changes designed to remove obstacles to voting and to increase participation in the electoral process.

Also of note, a review of the bills filed in the Senate shows that Senator Andrea Nuciforo has resubmitted legislation to establish a MA Health Care Trust. As noted in the September 2004 Bulletin, legislation that would create a health care trust, appointed by the Governor, with representation from consumers, professionals, and government to guarantee every Massachusetts resident high-quality health care, effect savings by increasing efficiency in the provision of health services, and curb increases in health care costs was passed by both houses – and vetoed by the Governor.

Affordable Housing

By Jennessa Durrani

A group of North Andover residents have established the North Andover Housing Partnership Committee, focused on increasing affordable housing in their community. They have proposed a plan to the Community Preservation Committee that would allocate funds for three

programs: Buy-Down Program, Senior Housing Rehabilitation Program, and First Time Homebuyers Program. The next LWV-A/NA Affordable Housing Committee forum will be held in April in North Andover and will examine the Town’s current status, need for, and opportunities available to increase affordable housing. The forum is intended to help residents prepare for discussion about the issue at Town Meeting in May.

Sustainability/Natural Resources

By C. Joyce Ringleb

The next Sustainability Committee meeting January 10, 7:30 PM at The Savings Bank, 84 Main Street, Andover will present the “Other Stabilization Fund” and how it works. We hope to see you there.

When the LWV-A/NA conducted the PAYT (pay as you throw) Study Unit last year, we learned about the 20-year contract between the Northeast Solid Waste Committee (NESWC) communities like Andover and the waste-to-energy incinerator. The contract ends in September 2005. The NESWC organization currently holds “Tip Fee Stabilization Funds” for each member town plus several smaller funds. The towns are drawing down their balances in these funds this year to help them reduce the cost of disposal. Any money remaining in these funds will revert to the towns at the end of the contract. Last year, at the time of the study Andover had a credit of over \$3 million dollars in the fund.

Other planned events to watch for include:

- A showing in February of the film “Thirst” about water conservation, followed by a discussion;
- A forum on the saving of Andover’s Fish Brook, a

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_____ \$75 Household (2 persons in same household) _____ \$35 Senior Citizen (65 and over)

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_____ Enclosed is a separate check, my tax-deductible contribution of \$ _____ to the Education Fund.

Send checks payable to: **LWV OF ANDOVER/NORTH ANDOVER:**

Membership, P.O. Box 514, Andover, MA 01810

Name _____ Phone _____

Address _____ Fax _____

E-mail _____ Areas of Interest _____

Thank you! Jennessa Durrani, Membership, 978-470-3290

significant source of Andover's drinking water threatened by a state run salt storage facility;

- Two more safe lawn and landscaping workshops on March 23 and April 2. The March 23 forum will be presented by Andover Park and Grounds Superintendent Randy Pickersgill. I will be working with Randy and anyone interested in helping with the preparation, especially with information about organic lawns, please contact me – 978-475-3490.

Voter Service

By Diana Walsh

Our annual Running for Office Workshop will be held January 12, 7:00 PM in the 3rd Floor conference room of the Andover Town Offices. If you, or someone you know, is contemplating running for local office, this workshop will give you a good idea of what's involved.

We will hold informational sessions (attend one) for the LWVMA Voting Systems Study on Tuesday, January 18, 7:00 PM and Saturday, January 22, 10:00 AM. The study is very interesting and deserves our attention. Consensus units will be held (attend one) on Tuesday, January 25, 7:00 PM and Saturday, January 29, 10 AM. The Consensus questions follow below (further explanation of the intent of the questions and reason for the advisory question will be included as part of the presentations). Please see the calendar for meeting locations.

Consensus Question 1

A) What criteria should the LWVM support for an energized, democratic voting system, at the state level?

- Conforms to majority rule
- Promotes minority representation
- Discourages gerrymandering
- Easy to administer, use, and understand
- Encourages high voter turnout
- Encourages sincere voting
- Results in geographical representation
- Encourages candidates to run
- Encourages real discussion on issues

Considering only elections to state offices, please rate each of the criteria as Very Important, Somewhat Important, Not Important or Undesirable. While we are giving no guideline on how many criteria you may rank as Very Important, please keep in mind that no system can satisfy all the criteria, and so it would be more useful to consensus if you could give a range of rankings according to how important they are relative to each other.

B) What criteria should the LWVM support for an ener-

gized, democratic voting system, at the local level?

This time, considering only elections to local offices, please rank the same criteria as Very Important, Somewhat Important, Not Important or Undesirable.

Consensus Question 2

When electing someone to a single executive office, such as mayor, governor, or attorney general, including primary and general elections, should the voting system require the winner to obtain a majority of the votes? For the purposes of this question we are NOT considering multi-member bodies such as town meeting, city council, state legislatures, etc.

A) At the state level (for example, governor)

Yes No No consensus No response/not asked;
if Yes, which voting system should be used?

Instant runoff voting: Acceptable Preferable

Two-round runoff: Acceptable Preferable

B) At the local level (for example, mayor)

Yes No No consensus No response/not asked;
if Yes, which voting system should be used?

Instant runoff voting: Acceptable Preferable

Two-round runoff: Acceptable Preferable

Advisory Question

Should the existing LWVM position on single-member districts for the legislature be changed to allow LWVM to support voting systems with proportional or semi-proportional representation?

(Background information about the Voting System Study appeared in the December Bulletin and is available in the members section of the LWVM website www.lwvma.org).

State Program Review

By Stefani Traina Goldshein

On December 1, approximately 30 members of our League reviewed and voted whether to retain, drop, or update the LWVM public policy positions. Recommendations were made for four new studies to be conducted at the state level, as well.

The members recommended that the following positions be updated:

- County government and regional planning: As county government is nearly defunct, the phrase, "either through a revised county structure" was recommended for deletion.
- Fiscal policy: Some areas of the position may need updating; there are some discrepancies in language around "state and local" issues; in light of the Hancock decision, income distribution language may warrant re-examination.

- Public personnel: Eliminate the vague wording, “enlightened practices.”
- Corrections: Update language to include involving both mental health and social services.
- Daycare: Change the name to reflect current usage; update the position in light of the new state agency that has been formed.
- Education: Update the position to include early childhood education.
- Handgun control: Insert the word “mandatory” before training.
- Legalized casino gambling: Eliminate the word “legalized.” Change wording to “oppose establishment of casino gambling” or something similar.
- Transportation: Update in light of “smart growth” and sustainability issues.

The following were recommended for “take action:” Legislature, Health Care, Transportation, Legalized casino gambling

The new study suggestions were:

- Investigate the rights of senior citizens to have affordable, dignified, secure care in assisted living facilities, nursing homes and home care.
- Study and develop a position with regard to housing, transportation, education in conjunction with the commonwealth’s smart growth program.
- A study to evaluate the prevention of animal abuse and neglect.
- A study on the medical use of marijuana and possible reform of existing laws.

If you did not attend the meeting and would like to comment or make another suggestion, please contact Stefani at 978-470-3140 or stefraina@comcast.net. The final report is due to the LWVM by February 13, 2005.

What is League program? Program is the keystone of the League organization, the basis for both education and action efforts. League program consists of those governmental issues that League members choose for concerted study and actions. It includes adopted positions, upon which action is taken, and issues for study that will lead to a position and action (from *In League*, LWVUS).

Why is program planning necessary? Every two years at the state and national levels of the League and every year at the local level, members review the current program and recommend changes, deletions, proposed new studies and priorities for action. By doing this the League can focus its efforts on those issues that are most current

and relevant.

How is program planning accomplished? This is the sequence of events that make up the state program planning process:

The LWVM Program & Action Committee sends the Program Planning Guide and the Report Form to local Leagues six months prior to the state convention.

Local Leagues hold meetings or use other methods to include their members in coming to agreement on state program suggestions for the upcoming biennium.

Local Leagues send their responses to LWVM.

Based on this information, the LWVM board makes recommendations for the upcoming biennium program. These recommendations are sent to local Leagues six weeks before the LWVM convention (this year April 1).

Local Leagues can submit recommendations for changes to the LWVM board-recommended program (by April 22).

At convention (May 13-14), delegates vote to adopt the LWVM program for the next two years. Board-recommended items require a majority vote for adoption; items suggested by local Leagues during the program planning process but not recommended by the LWVM board require a two-thirds vote.

Membership

Welcome a new member and update your handbook:

Cynthia Good

13 Summer Street, Andover, MA 01810

978-475-7041, alysce@comcast.net

Don’t miss out on the benefits of Membership! Please note your membership status on your address label to assure that you are up to date on your membership. To maintain your membership and continue the benefits of receiving the local *Bulletin*, *National Voter* and the *Massachusetts Voter* we need to receive your membership renewal very soon (official reporting to the state is required by January 24) to avoid being dropped from our roster, so don’t delay!! – *Jennessa Durrani*

Observer Corps

Andover Townwide PTO

By Diane Hender

December 10 Supplemental Funding: Moderator Christy Pappas repeated her previously emailed request that each PTO and PAC submit a summary of their fundraising activities and the expenditures from this income

Lunch & Conversation
Join us at Panera
Friday, January 14 at 11:30 AM

made on behalf of their schools (i.e., library books, office equipment, instructional resources, etc.). The purpose is to document how much parents contribute, beyond taxes and in addition to fees for busing, athletics, and other activities, to support public education in Andover.

AEA Flyer: The flyer distributed by AEA members to households throughout Andover on Thursday, December 9, appears to have caused more frustration and anger within the community than support for the teachers' position. According to School Committee chair Tony James, the union contends that the proposal to have high school teachers instruct an additional class for one semester each year, thus increasing their classroom time from two to three periods for that semester and from five to six in total for the year, would cost 30 jobs. (The fourth "fact" on the flyer indicates that the teachers' workload would increase from five to six classes daily; this is incorrect – there are only four blocks per day.) This additional teaching period would replace the current duty period for lunchroom and parking lot monitoring, etc. Directed study halls would still require a teacher but, with more classes available, there should be less need for study halls. James explained that the plan would be phased in over two or more years to take advantage of normal turnover, about 50 positions system-wide each year, and that attrition would cover the cost of the additional teaching hours. It is interesting to note that the AEA leadership is willing to accept layoffs and/or the elimination of athletics to gain salary increases. (Approximately 87 percent of the school department budget is for salaries.) To ensure that the high school remains in compliance with the Department of Education, some of the layoffs would have to be at the middle and elementary schools and could threaten their compliance with time on learning, as well as significantly impact class sizes. Superintendent Claudia Bach emphasized that it is important to differentiate the AEA posture from that of individual teachers. The AEA negotiating team has representatives from high school (4), middle schools (2), and elementary schools (3).

In response to a question regarding restoration of programs lost over the last few years, Bach said that FY06

will be a "lean year"; the approach, given available funds, will be to maintain existing programs, restore eliminated programs, and introduce new initiatives that offer better ways to integrate core curricula. Bach said that No Child Left Behind emphasizes English, Math and Science, with little attention given to Social Studies and none to Health and Physical Education, or the Arts. James indicated that, should the Town Manager recommend a level percentage increase for FY06, the budget would allow only for the current level of services and step and track salary increases. In FY05, it took \$700,000+ to maintain services, plus an additional \$300,000+ for compliance at the high school and for Special Education.

Andover Planning Board

By Alix Driscoll

December 14 Merrimack Estates/Franciscan land at 459 River Road by the Tewksbury line: The hearing was open but closed immediately and the proposal dropped without prejudice. The developer, Ed Doherty of Tewksbury, has not received permissions for sewer connection from Tewksbury. He needs to go to the Tewksbury Town Meeting for approval. After saying at the Andover Town Meeting in April 2004 that he would put in his own sewer line from Tewksbury. Mr. Doherty sought to connect to the sewer line which has been approved only for the use of the nuns at the new St. Clare convent and the proposed Avalon Bay development across River Road.

Context Sensitive Development (CSD): The Planning Board discussed this idea of fitting the development to the neighborhood and physical surroundings. They cited McKensie Circle off Porter Road, (where Yvon Cormier was granted permission for a shorter road than he would have had to build as a tradeoff for one fewer house) and Cider Mill, off Sunset Rock Road, as successful examples of CSD.

Steve Colyer, the head planner, said there is nothing



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Jennessa Durrani
978.470.3290
jennessa@fourcreations.com

written down and there is a need to formalize the CSD process. The Board discussed whether there should be rules and regulations, or a zoning bylaw, but no decision was made. Colyer put forth a proposal that CSD could work on parcels of less than ten acres. He suggested making CSD available for parcels of five acres with keeping the lot size as required by zoning, but lessening some of the building restrictions in exchange for some neighborhood benefits. The Board discussed this but no decision was reached.

Lincoln Woods (off Shawsheen Road): This is a new multi-family attached cluster of 22 units: 16 units in 4 buildings on the western edge of the land and 6 units in two buildings near the corner of Lincoln Street. This may be the fifth proposal that Cormier has brought to the Planning Board. An esker runs through the land and may not be disturbed because zoning protects significant geographical features. There are two ponds and wetlands. The zoning bylaw says about half the land must stay as open space; it is not determined to whom it will be conveyed as yet.

Sewers: Cormier wants to use sewer capacity in another development – Swan Crossing on Andover Country Club land – to serve these 22 units at Lincoln Woods and is seeking permission to swap this capacity. The Planning Board was concerned and wants more information. Further meetings on this application are Jan. 11 for safety and environmental issues and Jan. 25 for engineering, open space and other concerns. The meeting was packed with

concerned neighbors. Several said they purchased homes in a single-family neighborhood and now densely packed condos were to be built.

Swan Crossing (off Beacon Street): This development by Mr. Cormier proposes to build 19 attached cluster condos on the north boundary of Andover Country Club. Zoning requires a substantial parcel of land, 13 acres here, to be set aside as open space. The developer's lawyer said this open space would go to the Cormier Greenbelt, a private non profit legal entity. The only way to access this land is as a member of Andover Country Club. It would not be accessible to either homeowners or townspeople. The developer wants to use sewer capacity for Andover Country Club/Swan's Crossing for Lincoln Woods, as mentioned above. This led to a detailed discussion of needed sewer upgrades. Cormier currently has permission to build about 100 homes on the country club land. The developer proposes to "forfeit" building some number of homes to swap sewer capacity for Lincoln Woods. But the Planning Board did not tackle that issue at this meeting and discussed instead the requirement for Cormier to upgrade the "bottle-necked" sewer in Shawsheen Square from inadequate 6, 8 and 10 inches to the required 18 inches. This has been a requirement for several years. The upgraded line could run along Lowell Street or across Country Club land. The Board asked for information about the both the Town master sewer plan and Cormier's master sewer plan, to be discussed at a subsequent meeting.

FEBRUARY Calendar

- Wed 2 Board Meeting – 7:15 PM, Joan Duff, 12 Greybirch Road, Andover
- Thu 10 Zoning Discussion – 7:00 PM, Andover Library
- Sat 12 Centers Consensus Unit – 10:00 AM – Noon, TBA
- Mon 14 Lunch and Conversation – 11:30 AM Panera's (Rte 133 & 125)
- Tue 15 Centers Consensus Unit – 10:00 AM – Noon, TBA
- Wed 16 February Bulletin Deadline (email frishma@comcast.net)
- Thu 17 Candidate Night, North Andover

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League of Women Voters Andover/North Andover Calendar

JANUARY

- Wed 5 Board Meeting – 9:15 AM, Amy Janovsky, 6 Snowberry Road, Andover
 Mon 10 Sustainability/Natural Resources – 7:30 PM, The Savings Bank, 84 Main St., Andover
 Thu 11 Centers Study – 4:00 PM, Lolli Sumberg, 4 Woburn Street, Andover
 Wed 12 Running for Office Workshop – 7:00 PM, Andover Town Offices, 3rd Floor, Bartlet St.
 Thu 13 **Discussion: Teens, Parties and Parents' Liabilities** – 7:00 PM, Andover Library
 Fri 14 Lunch and Conversation – 11:30 AM Panera's (Rte 133 & 125)
 Wed 19 Affordable Housing, – 7:30 PM, Joyce & Willard Robinson, 191 Summer Street, Andover
 Wed 19 February Bulletin Deadline (email frishma@comcast.net)

Voting Systems Study

- Information Units** Tue 18 – 7:00 PM, Joanne Marden, 10 Orchard Street, Andover
 Sat 22 – 10:00 AM, Marty Larsen, 440 Osgood St, North Andover
Consensus Tue 25 – 7:00 PM, Alix Driscoll, 11 Forbes Lane, Andover
 Sat 29 – 10:00 AM, Peggy Keck, 52 Harold Parker Rd, Andover

(See Page 7 for February Calendar)

League of Women Voters Andover/North Andover

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M—F 6:30a–7:00p	North Andover, MA
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