

Andover School Committee
Minutes of Regular Meeting ~ November 9, 2010

Members in Attendance: Chair Dennis Forgue, Annie Gilbert, Richard Collins, and David Birnbach

Others in Attendance: Dr. Marinel McGrath, Superintendent

I. Regular Meeting

A. Call to Order

Chair Dennis Forgue opened the meeting at 7:07 P.M.

B. Opening Ceremonies

Mr. Collins asked for a moment of silence followed by the Pledge of Allegiance.

C. Citizen Input - None

D. Education

1. Bancroft School Warrant Article Vote

Annie Gilbert said the School Building Committee (SBC) submitted the Schematic Design to MSBA who will vote on November 17th to approve the proposal; after which Andover has a period of 120 days to secure a funding agreement. A Special Town Meeting will be held on December 6th requiring a 2/3 vote; should that pass, a debt exclusion vote requiring a simple majority to raise taxes over the length of the bond will be held on January 25, 2011. Tonight the School Committee is charged with voting to recommend approval or not on Warrant Article #3-Bancroft School Project. The State requires that the total cost of the project, before reimbursement from the State, be included in the Warrant Article. The total cost of the project is \$44,695,837 of which the Town has already paid \$825,000 toward the Feasibility Study. The actual funding will be approximately \$27M after the 44% reimbursement from MSBA.

On the request of the School Building Committee, Annie Gilbert moved that the Andover School Committee vote to approve the Bancroft Elementary School Warrant Article and to see if the Town will vote to appropriate, borrow, or transfer from available funds, a sum of \$44,695,837 to be expended under the direction of the School Building Committee for the construction of a new K to 5, 680 student, Bancroft Elementary School, (approximately 99,949 sq. ft) located at 15 & 21 Bancroft Road, Andover, MA and as shown on Andover Assessor's map 59, Lots 29 and 29A, including offsite improvements that are part of the project and which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (MSBA). The MSBA's Grant Program is a non-entitlement, discretionary Program based on need, as determined by the MSBA, and any project costs the Town incurs as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive

from the MSBA for the project, shall not exceed the lesser of: (1) 44 percent of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L., Chapter 59, Section 21C (Proposition 2 ½) and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the project funding agreement that may be executed between the Town and the MSBA, or take any other action related thereto. The motion was seconded by David Birnbach and voted 4-0 to recommend approval.

Chairman Forgue recognized the members of the School Building Committee on the remarkable job, time, and energy they have put into this project. Annie Gilbert said there has been an extraordinary amount of engagement from residents and stakeholders in the Town, and the SBC held over sixty meetings which were all well attended. It has been a difficult challenge for some, but the project was made better by the level of input received. Chairman Forgue thanked the Board of Selectman who voted unanimously to support the Warrant Article for Bancroft School, the Finance Committee will vote on the Warrant Article at their meeting this week.

Superintendent McGrath reported receipt of an email from MSBA today stating that they have reviewed our application for the repairs for the WMS roof and will recommend approval when they meet on November 17th. She recognized and thanked Interim Plant and Facilities Director Joe Piantedosi and his team, as well as WMS Principal Steve Murray, and Head Custodian Jack Dalton for their efforts in this endeavor.

E. Old Business

1. Deer Management Forum

Chairman Forgue said the Board of Selectmen and Conservation Commission have approved the pilot program for bow hunting on three of the four parcels of land in Town. The proposed bow hunt on the Fish Brook North Conversation Commission property adjacent to Wood Hill and High Plain Schools is the fourth parcel, which the School Committee is hearing information for the first time tonight. Chairman Forgue attended the meeting of the Board of Selectmen when the Deer Management Program was presented. Dr. McGrath met with the WHMS Principal Patrick Bucco and High Plain Elementary Principal Pamela Lathrop about the preliminary concerns relative to safety issues. The decision to allow hunting on Conservation land rests solely with the Board of Selectmen and the Conservation Commission, the School Committee can only offer an advisory opinion.

Bob Douglas, Director of Conservation provided a presentation of the proposal and the land in the Fish Brook area where the hunting would be limited to. Bob Dalton, proponent of the proposal, said it has been a two year process in researching and covering all options and concerns. They have doubled the State requirements for boundary lines of 500' from

the school complex to 1,000 feet. It will be a controlled environment with hunting hours limited to early morning and late in the day, and tree stands used that will be 15-20 high providing a site line over the area. Only Andover residents will be allowed to hunt, they will have to pass proficiency tests, and will be properly identified. Hunting will be allowed all day on week-days, on Saturdays from 10:00 A.M. to 2:00 P.M. and **NO** hunting allowed on Sundays. The Fish Brook will be a natural boundary and the area well posted. Access to the hunting area will be from Chandler Road area only. The School Department can notify Bob Douglas if the woods in that area are going to be used during the day.

Lt. McKenzie reported he been assisting with the qualifications of hunters, and his job will be to enforce safety and handle any complaints. Placards will also be visible in hunters vehicles to designate there is a hunter in the area. He feels the program is well managed.

Annie Gilbert asked if the school principals have any input to add. Dr. McGrath said our request to have the boundary line moved to 1,000 feet, no access to the hunting area and removal of deer through school property allowed have been agreed to.

Chairman Forgue took comments from the audience.

Lois Karfunkel, Eileen Haley, and Carol Van Doreen, distributed their statements relative to their concerns for safety of the children and residents, and provided other options the Town should be considering relative to reducing deer ticks than thinning the deer herd by hunting. Lois Karfunkel feels deer hunting is ill-conceived and inhumane and the increased use of town services is in contrast to the benefits. She stated that it is a violation of the Endangered Species Act and questioned if the Conservation Commission has the authority to take this action and if the plan complies with restrictions of deeds, and if they are in compliance with wetlands acts.

Chairman Forgue reiterated his earlier statement that the School Committee has no authority whether deer hunting occurs on conservation land. The School Committee's concern rests solely with the boundary lines and safety concerns near the school complex.

Bob Douglas said hunters will be in violation of the rules if they cross school grounds and their permits taken away.

Dr. McGrath requested the rules agreed to by the Conservation Commission and Board of Selectmen be provided to the School Committee so they can post the information at both schools. She also explained that the School Department's jurisdiction is relative to the school day; and does not extend to the afternoon programs run by the Town.

Jane Anthony, Andover resident and teacher at Wood Hill Middle School, surveyed the school teachers on questions they have about the program. Teachers want to make sure that if shot, there would be no deer running onto playing fields and deer would not be removed through school property. Mr. Dalton explained that most die within site or go

for quick cover, and removal through school property not allowed. Several hunters in the audience spoke in support of the program, safety requirements and the qualifications hunters possess.

On a motion by Annie Gilbert with a second by David Birnbach, the School Committee voted 4-0 to close the public comment period.

Chairman Forgue asked for an advisory opinion of the School Committee relative to setbacks, access or regress, and that deer are not to be removed through school property.

Mr. Collins concern is that bow hunting is not a threat to any children in the school area.

Chairman Forgue said the boundary has been moved to 1,000 feet away from the school area and the School Administrators and Superintendent are comfortable with the boundary line and that hunters will not access or leave the area through school property.

David Birnbach said three sites have been approved for deer hunting and although there has been a thoughtful approach to the process, he is in a no risk mode, and feels if the risk cannot be totally eliminated he cannot support the request.

Annie Gilbert said hunting happens in Andover and we have the opportunity to regulate it thoughtfully. Her personal experience living adjacent to conservation land where hunting is allowed, is that there has been an improvement in safety, and regulations are well-crafted.

Chairman Forgue said all points from the members are good points but almost every activity has a proponent of risk and we do our best to diminish the risk. He is comfortable with the agreement on the boundary and not allowing access to the area from the school area.

Annie Gilbert motioned for the Andover School Committee to convey to the Board of Selectmen and the Conservation Commission its support for a bow hunt on the Fish Brook North Conservation Property adjacent to Wood Hill Middle and High Plain Elementary School complex given the safety parameters established which include: the boundary line for hunting extended to one-quarter mile from the School property with the Fish Brook as the natural boundary line and the area well posted, no access or regress to and from the area by hunters, nor any removal of deer through or from the Wood Hill and High Plain Elementary School complex. The motion was seconded by Richard Collins and voted 3-1 to approve. David Birnbach was opposed.

F. Adjournment

On a motion by Annie Gilbert with a second by Richard Collins, the School Committee voted 4-0 to adjourn at 8:35 P.M.

Respectfully submitted,
Dee DeLorenzo

Recording Secretary