

BOARD OF SELECTMEN  
NOVEMBER 17, 2008 MINUTES

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**I. Call to Order/Roll Call**

Chairman Teichert called the Open Session meeting of the Board of Selectmen to order at **7:05 P.M. in the Selectmen's Conference Room at the Town Offices. Present at the Regular Meeting** were: Chairman Teichert and Selectman Vispoli – Y, Selectman Stabile – Y, Selectman Lyman – Y and Selectman Major – Y. Town Manager Buzz Stapczynski and Town Clerk Randy Hanson were also present. The meeting was duly posted and cable-cast live.

**II. Executive Session**

Chairman Teichert called the meeting of the Board of Selectmen to order at 6:10 P.M. in **the Board of Selectmen's Meeting Room in the Town Offices. Present were: Chairman Teichert, Selectman Mary Lyman, Selectman Brian Major, Selectman Alex Vispoli.** Selectman Stabile joined the meeting at 6:20 P.M.

On a motion by Selectman Lyman and a second by Selectman Major, it was voted to go into an Executive Session to discuss collective bargaining strategy, to conduct a strategy and contract negotiations with non-union personnel and to return to Open Session. Roll call vote: Selectman Lyman – Y, Selectman Vispoli – Y, Chairman Teichert – Y and Selectman Major – Y.

On a motion duly made and seconded it was voted to adjourn the Executive Session at 6:45 P.M. and return to Open Session.

**III. Opening Ceremonies**

Cub Scouts from Pack 73-Den 1 asked for a Moment of Silence after which the scouts led the meeting in the Pledge of Allegiance.

**IV. Special Recognition**

Selectman Vispoli welcomed special guests from Andover Cub Scout Pack 73 Den 1: John Crowley, Alexander Dalton, Conor Dawson, Sean Dawson, Matthew Dennett, Graham Focke, Alden Good, William Lionetta, Evan Lundgren, Jacob McConley and Connor Stack. Selectman Vispoli also welcomed Den Leaders John Lundgren and Brian Dawson. The scouts are working on their Citizen Badge and today they met with the Town Manager who gave them a working tour of Town Hall.

Candy Dann, Chair of the Recycling Committee, announced the Recycling **Committee's poster and essay contest winners. The theme of the contest was "What would you say to your Leaders?"** The students in Grades K-3 came forward to display their posters. Poster winners were: Katherine Song, Spencer Daniel, Greg Poelker-Mckee and Stine Ornes. Essay winners in Grades 4-5 were: Max McCarthy, Meghan Bodette, Madison Shimberg. Max McCarthy, Grade 5, read his essay at the meeting. John Pasquale, 47B Whittier Street, sang a song to the students that he wrote about recycling.

V. **Communications/Announcements/Liaison Reports**

The Town Manager congratulated Sean Noonan on achieving the rank of Eagle Scout and asked the Board to sign his Citation. He also said he enjoyed talking to the Cub Scouts in Pack 73 today about the working of Town government.

Mr. Stapczynski recognized Town Clerk Randy Hanson and members of her Department for the outstanding work they did in **managing this year's several elections**. The elections were organized and well run. **The Town Clerk's Office processed** over 2,000 absentee ballots and approximately 18,348 election ballots for the Presidential Election on November 4<sup>th</sup> not to mention the work involved with the March Primary Election that was moved to February, the Town Elections held in March and the State Primary in September. Town Clerk Randy Hanson thanked all members of her staff, Carolyn Lynch and the municipal employees who helped out. She also thanked the 36 students from Andover High School for their assistance at the Field House on November 4<sup>th</sup>.

**Mr. Stapczynski recognized Michael Burke, Veterans' Administrator for the outstanding job he did in organizing the Veterans' Day events on November 3<sup>rd</sup>, 7<sup>th</sup> and 11<sup>th</sup>.**

The Town Manager reported that the Main Street Project is 60% complete and construction will be wrapping up for the season soon. Underground work will be done over the winter in Elm Square.

On Wednesday, November 19<sup>th</sup>, the Mid-Year Review Meeting co-sponsored by the League of Women Voters will be held at the Memorial Hall Library at 7:00 P.M. The League will monitor the session and results of the citizen survey will be shared. Other projects to be discussed are the Town Yard, Main Street Improvement Project, I-93 Interchange and a variety of other initiatives.

The I-93 Tri-Town Task Force will meet on Wednesday, November 19<sup>th</sup> at 8:00 A.M. and provide a report on environmental studies.

The Annual Fire Fighters Holiday Parade will be held on Sunday, November 30<sup>th</sup> – those walking in the parade should meet by Doherty Middle School at 12:30 P.M. for a 1:00 P.M. step-off.

**The Greater Lawrence Technical School link is now located on the Town of Andover's website.**

Selectman Vispoli said the Technology Committee was sworn in last week and held their first meeting today. A preliminary report will be presented to the Board of Selectmen on December 15<sup>th</sup>.

**Selectman Lyman said Sanborn School's 30<sup>th</sup> annual Holiday Celebration will be held on Tuesday, November 25<sup>th</sup> from 10:00 A.M. to 11:15 A.M.** The Andover Senior Center Chorus will be performing. Selectman Lyman also said the formal report with recommendations for Wood Park will be presented in the new year.

Chairman Teichert announced the Andover Business Association Holiday Happenings would be held on Friday, December 5<sup>th</sup>. The tree at TD Bank North will be lit and Main Street will be closed for the event that evening from 5:30 P.M. to 9:00 P.M.

VI. **Citizens Petitions and Presentations**

John Pasquale, 47B Whittier Street, reported on the debris in the downtown parking lot

and suggested the formation of a Committee called the Downtown Pride Patrol. A walking path through town would be established to pick up litter and trash containers to be emptied would be identified. The Committee would report to Joe Piantedosi. Mr. Pasquale is asking for a commitment of \$10,000 to launch the program by April 22<sup>nd</sup> (Earth Day).

## **VII. Public Hearings**

### **A. FY-2009 Tax Classification**

Town Assessor David Billard presented an updated rendition of tax classification information. The Board is required to vote on the residential factor, open space discount, residential exemption and the commercial exemption. A 2009 Classification Support Information packet and memo providing information on the various tax classifications to be voted on was distributed to the Board. Mr. Billard talked about the ramifications of the residential factor and split. He said the FY2008 Tax Comparison on average was \$6,799 residential, \$41,636 commercial, and \$75,401 industrial. The 2009 shift of 143 showed the percentage of increases for shift factors from 143 to a maximum of 150 for residential, commercial, and industrial. Bob Willard, 76 Tewksbury Street asked for clarification on the tax shift. Mr. Billard provided information on the classification of property (open space, residential, industrial and commercial) and comparisons of tax rates over the years and with other communities. Merrimack Valley Chamber of Commerce Executive Director Joe Bevilacqua said economic projections are having a devastating impact on businesses; businesses represent jobs and many that employ Andover residents. It is critical to not overburden the businesses at this time. He urges the Board to maintain or lower the tax rate for business property. Mary Carbone, 3 Cyr Circle, said residents support the business community and suggests the Board initiate a factor of 150 for residential property. Bob Willard, 76 Tewksbury Street, said it is the classic annual debate between the populist and business community, this is a tough year for everyone and in the interest of stability he suggests the tax rate remain at 1.46. Mark Spencer of 13 Sunset Rock Road said he is closing his business at the end of the season and that most of the downtown businesses are barely making ends meet now. He urged the Board to do the right thing.

Chairman Teichert thanked everyone for coming to the meeting tonight. Selectman Major motioned to close the public hearing for tax classification. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

### **B. FY-2010 – FY-2014 Capital Improvement Program**

The Town Manager submitted his recommendations and funding summary for the FY 2010 Capital Improvement Program. The amount of the CIP requested by the Department Heads totaled \$17.5 million. Based on the availability of funds, the total of the CIP being submitted is \$7,826,632 and will be funded as follows: \$1,780,000 from General Fund Revenue, \$3,000,000 from General Fund Borrowing, \$1,196,632 Special Dedicated Funds, \$250,000 from Sewer Enterprise Reserves and \$50,000 from Water Enterprise Reserves and finally \$1,550,000 from Water Enterprise Borrowing. The Town Manager reviewed the list of items that would be funded from each funding source.

Mary Carbone, 3 Cyr Circle, asked about the Youth Service vans and the protective clothing allowance for firemen. John Pasquale, 47B Whittier Street, said more money should be appropriated for sidewalks as they are a major issue with the citizens of the town. Robert Willard, 76 Tewksbury Street, asked if the Police Department is shifting to smaller cars when making vehicle replacements as other communities are doing and if we should hold off on the study for replacement items under General Fund Borrowing. The Town Manager said a Fire Rescue ambulance is replaced every 2-3 years and we are on schedule with that.

Mr. Stapczynski said recession is the time to plan so you are ready to act when the economy opens up. Mr. Pasquale feels we should put off replacement of the school roofs and feels the Veterans Memorial Renovations accounts for a lot of money. Selectman Lyman would like to see a timeline for the major projects.

Selectman Major motioned that the Board of Selectmen accept the Town Manager's report. Selectman Stabile seconded the motion. The motion was voted 5-0 and approved. Selectman Major motioned to close the public hearing of the 2010-2014 Capital Improvement Program. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

**VIII. Regular Business of the Board**

**A. Recycling Committee Update**

Candy Dann, Chair of the Recycling Committee, gave an update on the Town's recycling program. She said the Town's trash tonnage has continued to drop, the CRT and HRW collection dates were very successful and PTOs have been invited to name environmental liaisons that the Recycling Committee can reach out to. They have received many requests for recycling from residents in apartments and condominiums that do not have recycling service. Ms. Dann talked about the opportunities to implement for savings such as a pay by bag leaf collection program and an appliance program to remove bulky items.

**B. Home of America, Inc.**

Selectman Stabile motioned that the Board of Selectmen approve the acceptance of \$50,000 and in accordance with General Laws 44, Section 53A and authorize the expenditure of the interest on such funds by the Town Manager, without further approval of this Board, for the purpose of, and under the conditions designated, in the *Home of America, Inc* letter dated October 28, 2008. the motion was seconded by Selectman Vispoli voted 5-0 and approved.

**C. Special Municipal Employees**

Selectman Vispoli motioned to designate members of the Information Technology Committee and Ballardvale Fire Station Building Committee as Special Municipal Employees. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

**D. Selectman Vispoli Report**

Selectman Vispoli reported on the meeting with representatives of the Executive Office of Administration and Finance and representatives of six towns (Andover, North Andover, Tewksbury, Wilmington, Reading and North Reading) to discuss regional approaches to community challenges. Potential ideas and programs such as health costs, purchasing, GIC changes, information technology, energy initiatives, bidding laws, and best practices for cities and towns were discussed.

**IX. Approval of Consent Agenda Items**

**A. Appointments and Re-appointments**

Selectman Lyman motioned to approve the following appointments recommended by the Town Manager with the exception of the Youth Services position until additional information is received. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>FIRE RESCUE DEPARTMENT</u>			
Brian Flanagan	Firefighter	F710-1-0	12/1/08

	(v. W. Loehr)		
<u>POLICE DEPARTMENT</u>			
Justin B. Murray	Patrolman (v. D. Pattullo)	P-500-1-0	12/8/08
<u>MEMORIAL HALL LIBRARY</u>			
Sarah Nourse	Library Aide – PT (v. J. Wilson)	L2-1	11/19/08

FOREST WARDEN

Fire Chief Michael B. Mansfield – Term expires 6/30/09

BALLARDVALE FIRE STATION BUILDING COMMITTEE – Terms expire 6/30/11

George P. Thomson, Jr.  
James T. Curtis  
Daniel S. Casper  
James R. Ash  
John J. Kiely

**B. Pledge of Restaurant All-Alcoholic Beverage License**

Selectman Vispoli motioned to approve the request of Andover Ventures, Inc., d/b/a Tokyo Steak House, 560 South Main Street, Andover, to pledge their Restaurant All-Alcoholic Beverage license to Leader Bank, 180 Massachusetts Avenue, Arlington, MA. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the amended license. The motion was seconded by Selectman Stabile, voted 5-0 and approved.

**C. One-Day Beer & Wine License**

Selectman Major motioned to approve the request of Elaine Clements, Executive Director, Andover Historical Society, 97 Main Street, Andover, for a one-day beer & wine license for use on Saturday, December 13, 2008 from 6:30 P.M. to 9:30 P.M. for a fundraiser at the Historical Society. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Stabile, voted 5-0 and approved.

**D. Charitable Wine Pouring License**

Selectman Stabile motioned to approve the request of Elaine Clements, Executive Director, Andover Historical Society, 97 Main Street, for a Charitable Wine Pouring license for use on Tuesday, December 2, 2008 from 5:30 P.M. to 8:30 P.M. for a charitable wine pouring fundraiser at the Town House. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Vispoli voted 5-0 and approved.

**E. Charitable Wine Auction License**

Selectman Lyman motioned to approve the request of John R. Roberts, President, Service Club of Andover, Inc., 4 Punchard Avenue, Andover, for a Charitable Wine Auction license for use on Wednesday, December 3, 2008 from 6:00 P.M. to Midnight for their annual Holiday Dinner and Raffle at the Lanam Club. The request has been reviewed and approved by the Town Clerk subject to the conditions that the Town Clerk receives an updated Attorney General certificate for solicitation and that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Major, voted 4-0 and approved. Selectman Vispoli abstained.

**X. Approval of Minutes of Previous Meetings**

Selectman Vispoli motioned to approve the Minutes of the Regular Meeting of November 3, 2008 as presented. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

**XI. Adjournment**

Selectman Stabile motioned to adjourn the Regular Meeting of November 17, 2008. The motion was seconded by Selectman Major, voted 5-0 and approved. The meeting adjourned at 10:27 P.M.

Respectfully submitted,

Dee DeLorenzo, Recorder