

**BOARD OF SELECTMEN  
DECEMBER 15, 2008 MINUTES**

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

Chairman Teichert called the Regular meeting of the Board of Selectmen to order at 7:08 P.M. **in the Selectmen's Conference Room at the Town Offices.** **Present** were: Chairman Teichert – Y, Selectman Vispoli – Y, Selectman Stabile – Y and Selectman Lyman – Y. Also present were: Town Manager Buzz Stapczynski and Town Clerk Randy Hanson. 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 6:20 P.M. **in the Selectmen's Conference Room in the Town Offices.** **Present were: Chairman** Teichert, Selectman Mary Lyman, Selectman Alex Vispoli and Selectman Gerald Stabile.

On a motion by Selectman Lyman and a second by Selectman Vispoli, it was voted to go into Executive Session to discuss collective bargaining strategy, land acquisition and potential litigation and to return to Open Session. Vote: Chairman Teichert – Y, Selectman Lyman – Y, Selectman Vispoli – Y and Selectman Stabile – Y.

On a motion duly made and seconded it was voted to adjourn the Executive Session and return to Open Session at 7:00 P.M.

**III. Opening Ceremonies**

Chairman Teichert asked for a Moment of Silence followed by the Pledge of Allegiance.

**IV. Communications/Announcements/Liaison Reports**

Town Manager Stapczynski communicated the following information:

On Thursday, December 12<sup>th</sup> and Friday, December 13<sup>th</sup>, the Merrimack Valley area experienced the worst ice storm in almost 30 years. National Grid was challenged with over 105,000 customers without power when the storm ended. They did a tremendous job communicating with the Town and had 600 line crews and 200 tree crews in force to restore power as quickly as possible. The Town crews are removing tree limbs in concert with National Grid. No decision has been made yet to bring in outside contractors to assist with removing debris. Options for residents include bundling small debris to be picked up with their weekly trash, obtaining a \$25 burning permit from the Fire Department beginning January 15<sup>th</sup> or hiring a private contractor to remove the debris.

The Shawsheen River Restoration Meeting held on December 11<sup>th</sup> at the Memorial Hall Library offered options and information about the removal of the three dams along the Shawsheen River. Additional information can be found on the town website [www.andoverma.gov](http://www.andoverma.gov) or residents can contact the Town Manager's office or Paul Materazzo, Director of Planning.

With the recent signing of the last Union contract, all Town contracts were agreed and completed before January 1, 2009.

Selectman Stabile said he attended the AHS Football Awards Breakfast over the weekend and was impressed with the commitment of all involved especially the **Boosters' Club and**

the student athletes.

**Selectman Teichert stated that the Town Manager's** salary has been adjusted by 2% for 2008 and 1.95% for 2009 for a total of \$5,000.00.

Selectman Vispoli said members of the Information Technology Committee were in attendance tonight to report on their progress. Committee **Chairman Len D'Innocenzo** introduced the members of the Committee in attendance: Kristen Howard, George Cordina and Kurt Gutman. Christopher Imhof was not able to attend this evening. The Committee has met six times and accomplished the beginning process of what they were **charted to do which was to review the Town's IT structure, establish a vision and conduct** a survey of the IT Departments of the Town Offices including the Library and Public Safety Departments. **Mr. D'Innocenzo distributed a summary of their** accomplishments to the Board. A list of recommendations will be presented to the Board in January.

**V. Citizens Petitions and Presentations**

Mary Carbone, 3 Cyr Circle, noticed the Classification of the Tax Rates was raised by \$38 in North Andover and Methuen but in Andover it is \$200.00. She also questioned the stone retaining wall being built next to the Youth Services Office and Town Yard entrance on Pearson Street and asked who was financing the project.

John Pasquale, 47B Whittier Street, asked about the funds for the steps in front of the Doherty Middle School Auditorium. He also said the Town did an outstanding job clearing the roads during the recent storms.

**VI. Regular Business of the Board**

**A. "The Andovers Village at Home"**

Council on Aging and Senior Center staff presented information on The Andovers Village at Home Program which offers a new approach to allow the older population to remain vibrant and active members of the community. There is a significant percentage of the population whose needs are not being met and the Virtual Retirement Communities allow elders to stay in their own home and access services. The idea is to replicate the Beacon Hill Retirement Village which operates through an annual membership and covers basic services, provides referrals for personal consultations, transportation, exercise, education and cultural classes, as well as connections to other members in the village. Fee-based services are organized through vetted providers. There will be strategic alliances with hospitals and universities as well as a full range of concierge services providing a conduit to take advantage of existing services. Resources will expand service options and be a significant source of assistance to families of seniors. The group is in the process of filing an application with the Federal Government and Articles of Incorporation with the Commonwealth of Massachusetts. They will begin launching memberships in March.

**B. Heffron Right-of-Way**

The Conservation Commission presented a conceptual plan for the Heffron Right-of-Way which would provide access to the 10-acre conservation parcel located behind the Greater Lawrence Regional Vocation School along the Merrimack River. A draft plan and area photo showing the land and access area was distributed to the Board. The Conservation Commission is requesting approval from the Board to go forward with the drafting of the agreement for the Heffron Right-of-Way and inclusion of a warrant article for the 2009 Town

Meeting.

Selectman Vispoli motioned the Board of Selectmen vote to agree with the strategy, process and next steps going forward for the Heffron-Right-of-Way. The motion was seconded by Selectman Lyman, voted 4-0 and approved.

**C. Town Accountant's Quarterly Report**

Town Accountant Rodney Smith presented his quarterly report, a copy of which was provided to the Board in their packet. Mr. Smith said they are still waiting on the Municipal Relief Package from the State. He pointed out that the payroll portion of the expenditure section of the quarterly report will be more reflective of the new employee contract rates when the end of January report is completed. The revenues in total estimated receipts through October 31<sup>st</sup> compared to four months prior, shows a minor decrease of about 4%; however, the six months numbers will be more telling. Investment income is down but, fortunately, \$2.7 million in advance payment for sewer betterments for the South Main Street project have been received. Water rates are on target and property taxes and ambulance revenue collections are strong. Mr. Smith distributed information from the Retirement Board which indicates the fund is down by 29% due to the economic climate.

**D. 2009 Annual Town Meeting**

The Town Manager said he spoke with Town Moderator Sheila Doherty about moving the date of the 2009 Annual Town Meeting to May or June and she would like to attend the January 5<sup>th</sup> meeting to participate in the **Board's** discussion. Town Clerk Randy Hanson has checked the dates of the Collins Center and the Field House and there is no availability until June 19<sup>th</sup>. The only date in May that is available is May 29<sup>th</sup>. The Town Manager said we should know by January what the State numbers will be and suggests going with the usual date for Town Meeting. The Board discussed other alternatives and the option to move the Town Meeting to another location (even out of Town) if needed.

**E. Hiring Freeze**

Selectman Lyman said a hiring freeze for the Town has been discussed several times but at this point the future is bleaker and the economic indicators show it is time to take a firm stand and discontinue filling positions and propose a complete hiring freeze. The Town Manager pointed out that non-public service vacancies are not being filled; positions that are filled are paid for through revolving accounts. Selectman Lyman will draft a policy to be considered at the next meeting of the Board.

**VII. Approval of Consent Agenda Items**

**A. Appointments and Re-appointments**

Selectman Vispoli motioned to approve the following appointments as recommended by the Town Manager. The motion was seconded by Selectman Lyman, voted 3-0 and approved.

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DEPARTMENT	POSITION	RATE	EFF. DATE
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MEMORIAL HALL LIBRARY

Ksenia Kuchugurny	Library Page – PT (v. A. Noonan)	L2/1	12/9/08
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COMMUNITY SERVICES

Kevin S. McCarthy	Counselor – PT	C2A	11/19/08
Thomas C. Dempsey	Basketball Program – PT	C2A	12/8/08
Edward M. Deane	Basketball Program – PT	C2A	12/6/08
William D. Ossoff	Basketball Program – PT	C2A	12/6/08
Benjamin P. Cook	Basketball Program – PT	C2A	12/6/08
Mary F. Catanzaro	Program Instructor – PT	***	10/24/08
	*** Varies with course		

PLANT & FACILITIES DEPARTMENT – Forestry Division

Alan L. Wilson	Compost Monitor	\$10.00/hour	11/18/08
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**B. Traffic Rules and Regulations**

Safety Officer Edgerly explained his recommendation for the following changes to the Traffic Rules and Regulations:

Schedule 7, Article VII, Section 8(i) – DO NOT ENTER.

Add: “Do Not Enter” sign at the West Middle School at the Skate Park heading northerly, toward Shawsheen Road from 1:55 P.M. to 2:25 P.M. School Days, except for School Buses.

Selectman Lyman motioned to approve the request for the change to the Traffic Rules and Regulation for Schedule 7, Article VII, Section 8(1) – Do Not Enter as recommended. The motion was seconded by Selectman Vispoli, voted 3-0 and approved.

**C. Annual License Renewals**

Selectman Lyman motioned to approve the following 2009 annual lists of license renewals for Alcoholic Beverage, Common Victualler and Automatic Amusement/Live Entertainment presented by the Town Clerk:

- 1) **Park Street Holdings, LLC, d/b/a Dylan’s Bar and Grill**  
 18-22 Park Street  
 Manager: Samuel Petrovich  
 All Alcoholic Restaurant, Common Victualler & Live Entertainment and Juke Box – Weekdays Only
  
- 2) **Filk International Corporation, d/b/a Flik International at Putnam Investments**  
 7 Shattuck Road  
 Manager: Richard Filadoro  
 Common Victualler
  
- 3) **Peking Garden of Andover, Inc., d/b/a Peking Garden**  
 36-36A Park Street  
 Manager: Sandy Kiu  
 Common Victualler

- 4) Whole Foods Market, Inc., d/b/a Whole Foods Market  
40 Railroad Street  
Manager: Dave Phillipone  
Common Victualler

The licenses will be effective from January 1, 2009 through December 31, 2009. The applicants have filed all of the necessary paperwork and payments and have complied with all of the State and Town department conditions necessary for renewals. The motion was seconded by Selectman Vispoli, voted 3-0 and approved.

**D. Request for Extended Hours**

Selectman Vispoli motioned to approve the request of Indian Ridge Country Club and Serene Restaurant for permission to extend their closing hours on Wednesday, December 31, 2008. The requests have been reviewed and approved by the Police Department with the following conditions:

- Alcoholic beverages may be sold until 1:30 A.M. on Thursday, January 1, 2009; and
- All patrons are to be off of the premises by 2:00 A.M. on Thursday, January 1, 2009.

The motion was seconded by Selectman Lyman, voted 3-0 and approved.

**E. Walk-a-thon**

Selectman Lyman motioned to approve the request of Stacy A. Murphy, Christ Church Children's Center Fundraiser Co-Chair, 25 Central Street, Andover, for permission to conduct a walk through the streets of Andover on Saturday, May 2, 2009 beginning and ending at the Doherty Middle School. The request and proposed route have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Vispoli, voted 3-0 and approved.

**F. Road Race**

Selectman Vispoli motioned to approve the request of Pamela Kearins Sheehy, 4 Dove Lane, Andover, for requesting permission to conduct a 5K Road Race in her daughter's name, Kristin Kearins, on Sunday, June 7, 2009 at 9:00 A.M. beginning and ending at Andover High School. The request and proposed route have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Lyman, voted 3-0 and approved.

**VIII. Approval of Minutes from Previous Meetings**

Selectman Lyman motioned to approve the Regular Session Minutes of December 1, 2008 as presented. The motion was seconded by Selectman Vispoli, voted 3-0 and approved.

**Sub-Committee**

Selectman Vispoli motioned to request approval to form a short-term Sub-Committee to meet with the Town Manager to discuss the Department of Public Works. The motion was seconded by Selectman Lyman, voted 3-0 and approved.

**IX. Adjournment**

Selectman Vispoli motioned to adjourn the meeting of December 15, 2008. The motion was seconded by Selectman Lyman, voted 3-0 and approved. The meeting adjourned at 9:40 P.M.

Respectfully submitted,

Dee DeLorenzo, Recorder