

Board of Selectmen Minutes – June 8, 2009

I. Call to Order/Roll Call

Chairman Alex Vispoli called the Regular meeting of the Board of Selectmen to order at **7:00 P.M. in the Selectmen's Conference Room at the Town Offices. Present at the meeting:** Chairman Vispoli – Y; Selectman Teichert – Y, Selectman Stabile – Y, Selectman Major – Y and Selectman Lyman – Y. Also present: Town Manager Buzz Stapczynski and Town Clerk Randy Hanson. The meeting was duly posted and cable-cast live.

II. Opening Ceremonies

Chairman Vispoli asked for a Moment of Silence followed by the Pledge of Allegiance. Special remembrances were offered for Bill Coddore, Charlie Wesson and Jerry Silverman who are ill.

III. Communications/Announcements/Liaison Reports

The Town Manager reported the following:

- Welcomed Alex Vispoli as the new Chairman of the Board of Selectmen and recognized Selectman Teichert for his service as Chairman for the past year.
- Dates for a Special Town Meeting in the Fall are being investigated should a second meeting be called.
- Andover Youth Services Booklet for Summer 2009 is now available. Registration for events will be held from June 12-17th; walk-ins can register at the Pearson Street Youth Services Office until Monday, June 22nd.
- The Main Street Project is progressing and if the weather holds up, sidewalks and traffic light installations along Elm Square will be completed stressed the need to drive safely through the downtown area during the remaining construction period. The Andover Business Association is making plans for a reopening/rededication of Main Street in September.
- The DPW has contracted with Eastern Water Systems (private contractor) to install new water meters and will need access to the inside of homes for the new installations. Workers will have identification badges and residents should contact the DPW for questions or concerns.
- Congratulations to the AHS Boys Track Team and Coach Comeau on winning the State Track Championship this past weekend.

Town Clerk Randy Hanson said the Town is working in collaboration with the Andover / North Andover League of Women Voters to communicate to the public the importance of participating in the Town Census. It is essential to the Town financially as well as for representation in Congress that Andover residents participate.

Selectman Teichert said the School Building Committee will meet on Wednesday, June 10th at **8:00 A.M. in the Selectmen's Conference Room. He also noted that on Saturday June 20th** an Andover Community Relay will be held at Lovely Field at AHS with

proceeds to benefit AHS Athletics, AHS Clubs and the Andover Youth Foundation.

Selectman Major inquired about the status of the request for funding to alleviate the safety problem on Main Street by the Mobil Station and if the plans to finalize the sidewalk include the area in question. Mr. Major also asked what process would be used to ensure spending would not go above revenue expectations. He suggested a letter be drafted by the Town Manager and sent to all departments about the unbalanced budget approved at Town Meeting and to make no decisions that would extend beyond revenues voted.

Selectman Lyman motioned to direct the Town Manager to draft a letter to the School Committee and Town Departments (with a copy to the Finance Committee) with potential dates for a Special Town Meeting, if needed, and to advise the Departments of the unbalanced budget recommending no financial commitments be made that extend beyond these dates. The motion was seconded by Selectman Major, voted 5-0 and approved.

Selectman Lyman said the Disabilities Commission will meet on Thursday, June 11th at the Senior Center at 8:00 A.M. and the TRIAD Council will meet on Friday, June 12th at 9:00 A.M. at the Senior Center. Selectman Lyman requested the policy for the use of facilities for DCS, the Merrimack Theatre Group and similar groups be placed on a future agenda for discussion.

Selectman Vispoli congratulated the 2009 Andover High School, Phillips Academy, and Greater Lawrence Regional Vocational School graduates with special congratulations **extended to Selectman Lyman's son**, Andy and Town Manager **Stapczynski's son**, Niko.

Chairman Vispoli also reported that the street light at Rte. 125 and Salem Street is in full operation although a few timing problems need to be addressed by the State. He would like to establish pilot dates to staff Old Town Hall for Saturday morning coffee gatherings on Saturdays from 9:00 –11:00 A.M.

IV. Citizens Petitions and Presentations

Mary Carbone, 3 Cyr Circle, asked how the irrigation meters will be handled. Jack Petkus, DPW Director, said there would be no charge if you already have a meter installed, only for new meters. In addition, Mrs. Carbone inquired about the Town and School Budgets and how the problem of the unbalanced budget will be addressed.

V. Public Hearings

A. Alcoholic Beverage Policy Changes

Town Clerk Randy Hanson explained the proposed Alcoholic Beverage License Policy amendments relative to transportation of alcohol on golf courses and on patios and outdoor areas per Massachusetts General Laws, Chapter 138, as amended.

Selectman Major motioned to adopt the changes to the Alcoholic Beverage License Policy for transporting alcohol on golf courses as submitted by Town Clerk Randy Hanson per Massachusetts General Laws, Chapter 138, as amended. The motion was seconded by Selectman Teichert, and voted 5-0 to approve.

Town Clerk Randy Hanson said the ABC provided a list of criteria to look at and explained the policy presented to establish our own policy to allow alcohol on patios and outdoor areas. Several proprietors from establishments in Town were present and

expressed their concerns about the policy changes. Selectman Stabile wants to be sensitive to the concerns of the businesses in Town and would like to further investigate the matter.

Selectman Major motioned to continue the Public Hearing to June 22nd at 7:00 P.M. The **motion to continue the hearing to the next Board of Selectmen's meeting was seconded** by Selectman Teichert and voted 5-0 to continue.

B. Innholders All-Alcoholic Beverage License

Selectman Stabile motioned to retire an Innholders all Alcoholic Beverage License to an Innholders Wine and Beer License and to approve the application for an Innholders Wine and Beer Beverage License for BOSSCORP, LLC, dba Comfort Suites, 4 Riverside Dive, Andover. Selectman Lyman seconded the motion.

Selectman Lyman requested the motion be amended to be contingent upon a certificate of Tips Training being presented.

Selectman Stable motioned to amend his motion to be contingent upon demonstrated proof of Tips Training of the staff by BOSSCORP, LLC, dba Comfort Suites, Comfort Suites, 4 Riverside Drive, Andover, Mass prior to granting of an Innholders Wine and Beer Beverage. The amended motion was seconded by Selectman Lyman and voted 5-0 to approve.

Selectman Stabile motioned the Board find that the approval of this licenses is not detrimental to the educational and activities of the Greater Lawrence Regional Vocational Technical High School, 57 River Road, Andover, MA. The motion was seconded by Selectman Lyman, and voted 5-0 to approve.

VI. Regular Business of the Board

A. Information Technology Committee

Len D'Inncenzo, Chairman of the Information Technology Committee, provided an **update on the Committee's progress to the Board. The role of the IT Committee is to** advise the Board on all matters of technology and to lead in information and technology **strategy for the Town and School Departments. The IT Committee's primary** function is **act in an advisory capacity to the Town. Mr. D'Inncenzo is requesting the Board approve the Information Technology Committee's Charter.**

Selectman Major motioned to accept the Information Technology Committee's Charter as presented and to approve the role of the IT Committee to advise the Board of Selectmen, School Committee, Town Manager, and Superintendent of Schools in all matters of Information Technology and to lead the Town in developing and complementing an Information Technology Strategy. The motion was seconded by Selectman Stabile, voted 5-0 and approved.

The IT Committee is ready to issue a Request for Proposals for consultant services to investigate items put forth at Town Meeting for consideration that would benefit the Town and School Department. They anticipate it will be a five-week process upon **issuing the RFP's** and the IT Committee is requesting proposals be returned by July 31st

with the goal of issuing a contract by the end of August. Assistant Town Manager Steve Bucuzzo and School Committee member David Birnbach will act as liaisons to the IT Committee.

Selectman Major motioned to endorse the Request for Proposal process as noted in the **document presented by the Information Technology Committee Chair, Len D’Inncenzo**. The motion was seconded by Selectman Lyman and voted 5-0 to endorse.

B. Compensation Fund Transfer

Selectman Lyman motioned to approve the Compensation Fund Transfer #2 as recommended by the Finance Director requesting the sum of \$616,000 be transferred from the FY2009 Compensation Fund to the following Personal Services appropriations for FY2009 contract and wage agreements as follows: General Government \$84,000; Community Services/Youth Services \$19,000; Elder Services \$4,000; Public Safety \$487,000, and Public Works \$22,000. The motion was seconded by Selectman Major, voted 3-0 and approved.

C. Fraud Policy

Town Accountant Rod Smith explained the Fraud Policy to the Board. The Policy will be distributed to all employees to acknowledge receipt by signing and returning the form to Human Resources. The policy will provide a reporting mechanism requested by CPA firms for internal controls. Selectman Stabile asked if there were any union implications. The Town Managers hopes the unions would endorse the policy as well.

Selectman Lyman motioned to approve the Anti-Fraud Policy as presented. The motion was seconded by Selectman Stabile, voted 5-0 and approved.

D. Continued Discussion on Fees

Plant and Facilities Director Joe Piantedosi presented the information for a fee increase at the Bald Hill Compost Site and distributed information relative to the permit fee, hours of operation and personnel costs to man the site. The total cost is \$5,960 plus an additional 400 hours of tax voucher time. Mr. Piantedosi explained the difficulty coordinating people to work on Saturdays during the summer months. Selectman Lyman suggested opening the Site on Sundays from 12-4 P.M. The Board discussed effective dates of operation for summer and fall to consider.

Selectman Stabile motioned to approve the current fee proposal with reduced hours of operation for Sundays from 12:00 – 4:00 P.M. for the Fall session and to approve a fiscal year permit effective September through June 30th, 2010. Selectman Lyman seconded the motion.

An amendment to the motion to change the permit to an annual 12-month permit was brought forward.

Selectman Stabile motioned to amend his motion to approve the current fee proposal with reduced hours of operation for Sundays from 12:00 – 4:00 P.M. for the fall session and the permit for this year to be effective September 1 through June 30, 2010 and thereafter to be a fiscal year permit. The amended motion was seconded by Selectman Lyman, and voted 5-0 to approve.

Selectman Lyman requested Safety Officer Edgerly be asked to look at signage for the area for traffic safety.

E. Solid Waste/Recycling Policy

DPW Director Jack Petkus distributed FY2006-2010 actuals and cost projections for collection and disposal of household trash and recycling to the Board of Selectmen. Mr. Petkus said the tipping fee has consistently increased and total tonnage disposed of is steadily falling. Mr. Petkus reviewed the proposed new trash policy and explained the four available options. The DPW is recommending Option #4 - four barrels / mandatory recycling(un-enforced) with residents assisting in recycling setup and extra trash allowed for special events for the upcoming fiscal year. Option#3 allows for three barrels with mandatory recycling.

The pros and cons of the proposal were discussed by the Selectmen. Selectman Stabile does not see much change to the current policy if Option 4 is selected and feels Option #3 with mandatory recycling is a better way to proceed. Chairman Vispoli believes the community has increased their recycling efforts and is being penalized for meeting the goal. Selectmen Major said recycling is at 87%, and trash tonnage at 28%, and 25% in waste now being put out for recycling. Chairman Vispoli requested the decision on the proposal be moved to the June 22nd Board Meeting as this is the first time they have seen the proposal.

F. Inter-municipal Food Service Management Agreement

Selectman Stabile motioned to approve the Inter-municipal Food Service Management Agreement between the Town of Andover and Greater Lawrence Technical High School. The motion was seconded by Selectman Major, and voted 5-0 to approve.

G. Street Acceptance Deeds – Black Horse Lane and Barron Court

Selectman Teichert motioned to approve to sign the deeds for Black Horse Lane and Barron Court as accepted at the 2009 Annual Town Meeting. The motion was seconded by Selectman Major, voted 4-0 and approved.

VII. Approval of Consent Agenda Items

A. Appointments and Re-Appointments

Selectman Lyman motioned to approve the following appointments recommended by the Town Manager. The motion was seconded by Selectman Major, voted 5-0 and approved.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>COMMUNITY SERVICES</u>			
Kelly Margeson	Enrichment Instructor – PT	***	1/29/09
Linda DeAngelo	Enrichment Instructor – PT	***	4/7/09
Lincoln P. Stevens	Enrichment Instructor – PT	***	4/7/09
John A. Baroni	Counselor – PT	C2A	5/27/09
Kevin A. Schroeder	Counselor – PT	C2A	5/27/09
Christine M. Vispoli	Counselor – PT	C2A	5/27/09
Gregory M. Hanafin	Counselor – PT	C2A	5/27/09
Jeffrey P. Birenbaum	Sports Instructor – PT	C2A	5/27/09
Shane S. Huggins	Sports Instructor – PT	C2A	5/27/09
Philip R. Giguere	Sports Instructor – PT	C2A	5/27/09

*** Varies with course

B. Bazaar Days

Selectman Teichert motioned to approve the request of Sharon Breighner, President of the Andover Business Center Association, for permission to conduct Bazaar Days in the downtown on Friday, June 12, 2009 and Saturday, June 13, 2009. She is requesting permission to close Main Street from Elm Square to Punchard Avenue, Park Street from Main Street to the end of the Town House and Barnard Street from Main Street to the end of the Town House on Friday, June 12th from 7:00 A.M. to 9:00 P.M. and Saturday, June 13th from 9:00 A.M. to 5:00 P.M. Arrangements have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Lyman, voted 4-0 and approved.

C. Block Parties

Selectman Major motioned to approve the request of Kate McHugh, 11 Wolcott Avenue for permission to block off her street on Saturday, June 13, 2009 from 4:00 P.M. to 8:00 P.M. for the 31st annual neighborhood block party to approve the request of Peter Broderick, 4 Surrey Lane, who is requesting permission to block off his street on Saturday, June 27, 2009 (rain date – Sunday, June 28th) from 1:00 P.M. to 9:00 P.M. for a neighborhood block party. The motion was seconded by Selectman Lyman, voted 4-0 and approved. Both requests have been reviewed and approved with conditions by the Police Department.

D. Feaster Five Road Race

Selectman Lyman motioned to approve the request of Dave McGillivray, DMSE, Inc., for permission to hold the 22nd Annual Feaster Five Road Race on Thanksgiving Day, November 26, 2009, beginning at Brickstone Square. The route and times are the same as the 2008 race. He is also requesting the use of the park on Balmoral Street for the kids event. Arrangements have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Major, voted 4-0 and approved.

E. One-Day Beer & Wine Licenses

Selectman Teichert motioned to approve the request of Thomas Deso, 81 High Street, Andover, who is applying for a one-day beer & wine license on behalf of the Friends of the Andover Senior Center, Post Office Box 73, Andover, for use on Friday, June 19, 2009 from 6:00 P.M. to 8:00 P.M. for a fundraiser at the Andover Historical Society, 97 Main Street, Andover. The motion was seconded by Selectman Lyman voted 4-0 and approved.

Selectman Teichert motioned to approve the request of Elizabeth Smith, 44 Orkney Road, Brighton, MA, who is applying for a one-day beer & wine license for use on Saturday, June 20, 2009 from 6:00 P.M. to Midnight for a retirement party at the Town House. The motion was seconded by Selectman Lyman, voted 4-0 and approved.

Selectman Teichert motioned to approve the request of Elaine Clements, Director, Andover Historical Society, 97 Main Street, Andover, is applying for a one-day beer & wine license for use on Thursday, June 11, 2009 from 6:00 P.M. to 8:00 P.M. for a fundraiser at Temple Emanuel, Haggetts Pond Road, Andover. The motion was seconded by Selectman Lyman, voted 4-0 and approved.

Selectman Teichert motioned to approve the request of Andrea Zaines, 8 William Street, Andover, who is applying for a one-day beer & wine license on behalf of the Andover High School PAC, 81 Shawsheen Road, Andover, for use on Thursday, June 11, 2009 from 4:00 P.M. to 8:00 P.M. for a retirement party at the Sts. Constantine & Helen Greek Orthodox Church, 71 Chandler Road, Andover. The motion was seconded by Selectman Lyman, voted 4-0 and approved.

All of the above requests have 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 licenses.

F. Change of Address – Vehicle for Hire License

Selectman Major motioned to approve the request of Jose J. Javier, Post Office Box 872, Andover, d/b/a Andover Mega Airport Transportation Taxi and Private Car Livery Services, LLC, and applying to change the address on his license from One Dundee Park, Suite 7, Andover, to 300 Brickstone Square, Suite 201, Andover.

The application 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 revised license. The motion was seconded by Selectman Lyman, voted 4-0 and approved.

VIII. Approval of Minutes from Previous Meetings

Selectman Lyman motioned to approve the Minutes of the Regular Meetings of April 27, 2009, May 4, 2009, May 18, 2009, and the Minutes of the May 20, 2009 – Solid Waste/Recycling Informational Meeting as presented. The motion was seconded by Selectman Teichert, voted 4-0 and approved.

IX. Adjournment

Selectman Lyman motioned to adjourn the Regular Meeting of the Board of Selectmen. The motion was seconded by Selectman Teichert, voted 4-0 and approved.

The meeting adjourned at 9:54 P.M.

Respectfully submitted,

*Dee DeLorenzo
Recorder*