

BOARD OF SELECTMEN
August 17, 2009

I. Call to Order/Roll Call

Chairman Alex Vispoli called the Regular meeting of the Board of Selectmen to order at **6:58 P.M. in the Selectmen's Conference Room at the Town Offices. Present at the meeting were:** Chairman Vispoli – Y, Selectman Teichert – Y, Selectman Stabile – Y, Selectman Lyman – Y and Selectman Major – Y. Also present: Town Manager Reginald Stapczynski and Town Clerk Randy Hanson. The meeting was duly posted and cable-cast live.

II. Executive Session

Chairman Vispoli called the Regular Meeting of the Board of Selectmen to order at 6:50 **P.M. in the Selectmen's Conference Room in the Town Offices. Present were Chairman** Vispoli, Selectman Major, Selectman Lyman, and Selectman Teichert. Selectman Stabile arrived at 6:52 P.M.

On a motion by Selectman Lyman and a second by Selectman Major it was voted to go into Executive Session to discuss potential litigation and to return to Open Session. Roll call vote: Selectmen Lyman-Y, Major-Y, Teichert-Y, Stabile-Y, and Vispoli-Y. The Executive Session ended at 6:55 P.M.

III. Opening Ceremonies

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

IV. Communications/Announcements/Liaison Reports

The Town Manager said the last date to register to vote in the August 31st Special Town Meeting is Friday, August 21st. **The Town Clerk's Office will be open until 8:00 P.M. on that day.** Residents may also register to vote at Memorial Hall Library.

The Main Street Project is on schedule with paving of Main Street to be completed over the next three to five days. Free parking will be available in certain lots during the paving.

Tickets for the August 27th Andover/North Andover ballgame at the Manchester Fisher Cats Baseball Stadium can be purchased online at nhfishercats.com with three dollars from every ticket sold going to the Department of Community Services for family sports programs.

Selectman Stabile said the Town Yard Task Force would meet on Wednesday, August 19th **at 7:30 A.M. in the Selectmen's Conference Room. The RFP is complete and they hope to have the bids out soon.**

Selectman Lyman asked that Lisa Schwarz look into disability access concerns at the intersection of Harding and Main Street.

V. Citizens Petitions and Presentations

Bob Douglas, Director of Conservation, and Dante Smith, Conservation Summer Intern, informed the Board that the U.S. Geological Service is planning to remove the stream gauge located on the bridge at Balmoral Street on July 1, 2010. The gauge measures the height and flow of the river and provides information for research being collected at the dam, provides real time information to recreational organizations and acts as an early warning system for flooding in the area. They are requesting a letter of support from the

Board to keep the gauge intact.

Selectman Teichert motioned for the Board to draft a letter in support of keeping the gauge intact and functioning with the assistance of the Conservation Division. The motion was seconded by Selectman Lyman, vote 5-0 and approved.

Dorothy Winn, Washington Park Flood Chairperson, supports keeping the gauge and requested notification of Emergency Plan Meetings so they can attend.

VI. Regular Business of the Board

A. Town Manager's FY-09 Evaluation

Chairman Vispoli explained the model rating system and the compilation of number values used for rating the Town Manager. The Board will hold another session to finalize **the narrative section of Mr. Stapczynski's evaluation and release the report** upon completion.

B. Street Light Shut Off

The Town Manager said suggestions and requests from residents to reconsider turn-off of specific lights were forwarded to Safety Office Charles Edgerly and Director of Public Works Jack Petkus for review. Mr. Petkus said the cost to turn a light back on once it has been shut off is about \$100 with pre-abandonment charges costing \$40-\$50. Selectman Teichert said lights at AHS and in the parking lot would remain on until 11:00 P.M. The Town Manager said the dark school program (lights are on timers) has been in effect for several years and has worked well.

Pat Malone, Lupine Road, feels the decision to turn off lights is a done deal and asked if decisions could be reversed and if other savings options were considered. Chairman Vispoli said a light would be turned back on if needed. Mary Carbone, 3 Cyr Circle, inquired about the assessed values and taxes derived from utility companies that use the poles. Chairman Vispoli said the savings in the wattage has nothing to do with the revenue from the utility poles.

John Pasquale, 47B Whittier Street, presented his own proposal suggesting streets with five or more lights to be shut off first and streets with five or fewer lights remain on. Tony Sofia, 29 Gray Road, requested one light on his street be reviewed to remain on. Safety Officer Edgerly will investigate the request. Mr. Camden, 96 Osgood Street, pointed out the human factor has yet to be considered, being that lights provide comfort and security in neighborhoods, and stated **the true effect of the turnoffs won't be realized** until late Fall and Winter when children are walking to bus stops. He also requested each pole that is to be shut off be visible marked.

Selectman Major motioned to take Mr. Pasquale's **proposal under consideration to shut off lights on designated streets listed that have five or more lights, and to report back to the Board on how the shut offs are working.** The motion was seconded by Selectman Lyman, voted 3-2 and approved.

C. Special Town Meeting – August 31, 2009

The Board discussed the two local option excise tax warrant articles – meals and room occupancy to be presented at the August 31, 2009 Special Town Meeting.

Selectman Teichert motioned to not support Warrant Article 1 - local option excise tax for meals. The motion was seconded by Selectman Stabile, and voted 5-0 to not support.

Selectman Lyman motioned to support Warrant Article 2 – local option excise tax for hotel/motel room occupancy. The motion was seconded by Selectman Teichert and voted 3-2 to support. Selectman Major and Vispoli voted to not support Warrant Article 2.

VII. Consent Agenda

Selectman Stabile motioned to approve the request of Jennifer Pulsifer, Co-Chair of the **Andona Society's 2009** Fall Event, Post Office Box 256, Andover, for a waiver from the requirement of Chapter 1010, Section 12A, "Special license relating to transient sales for charitable purposes" that event participants obtain a transient vendor license. Their event will be held on Friday, November 6, 2009 from 7:00 P.M. to 11:30 P.M. at the Andover Wyndham Hotel. The request has been reviewed and approved by the Town Clerk as they qualify for the waiver request. The motion was seconded by Selectman Lyman, and voted 5-0 to approve.

Selectman Lyman motioned to approve the request of Chris Huntress, 17 Tewksbury Street, on behalf of the residents of Ballardvale, for permission to use the Ballardvale Playground on Sunday, September 13, 2009 from Noon to 4:00 P.M. for the 8th Annual Ballardvale Block Party. Arrangements have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Major, and voted 4-0-1 approved. Selectman Teichert abstained.

VIII. Approval of Minutes from Previous Meetings

A motion was made by Selectman Major and seconded by Selectman Lyman to approve the Regular Minutes of July 20, 2009, and August 3, 2009. The motion was voted 5-0 and approved.

IX. Adjournment

The Board adjourned the meeting at 7:56 P.M. to reconvene for the Tri-board Meeting with the School Committee and Finance Committee.

Respectfully submitted,

Dee DeLorenzo, Recorder