

BOARD OF SELECTMEN MINUTES – DECEMBER 7, 2009

I. Call to Order/Roll Call

Chairman Alex Vispoli called the Board of Selectmen meeting to order at 6:06 P.M. in the **Selectmen's** conference room at the Town Offices. Present were: Chairman Vispoli – Y, Selectman Lyman – Y, Selectman Major – Y, Selectman-Stabile-Y, and Selectman Teichert-Y. Also present: Town Manager Buzz Stapczynski. The meeting was duly posted and cable-cast live.

II. Executive Session

The Board of Selectmen met on Monday, December 7, 2009 in the 3rd floor conference room. Selectman Lyman called the meeting to order at 5:30 P.M. Present were: Selectmen Mary Lyman, Brian Major, Ted Teichert and Jerry Stabile. Chairman Alex Vispoli arrived at 5:38 P.M.

On a motion by Selectman Lyman and a second by Selectman Major, it was voted to go into an Executive Session for the purpose of discussing pending litigation and to return to Open Session. Roll call vote: M. Lyman –Y, T. Teichert – Y, B. Major – Y, J. Stabile – Y and A. Vispoli – Y.

On a motion duly made and seconded, it was voted to adjourn the Executive Session and return to Open Session at 6:00 P.M. Roll call vote: M. Lyman –Y, T. Teichert – Y, B. Major – Y, J. Stabile – Y and A. Vispoli – Y.

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 made the following announcements:

- ~ Tuesday, December 8th is the Special Election for the Senatorial Primary. The polls will be open from 7:00 A.M. to 8:00 P.M. Precincts 1-7-8 will vote at the Senior Center with all other precincts voting at the Collins Field House.
- ~ Andover Youth Services is selling Christmas trees and holiday items until December 21st at the **“Tree Lot” located behind West Middle School at the Skatepark.**
- ~ A public meeting is scheduled for Tuesday, December 15th at 7:00 P.M. at the Temple Emanuel to discuss the design plan for the Blanchard Street ballfields.

Selectman Stabile reported the Town Yard Task Force will hold a public session on the redevelopment of the Town Yard on December 14th at 6:30 P.M. in the Town House.

Selectman Stabile requested an update on the situation with the Duffton Road residents. The Town Manager reported the Court has continued the hearing until 11:00 A.M. on December 22nd with specifications for removal of vehicles and accumulated junk by that date.

Selectman Lyman reported that the Commission on Disability will meet on Wednesday, December 9th at 7:00 P.M. at Memorial Hall Library, the Council on Aging at 8:00 A.M.

on Thursday, December 10th and the TRIAD Council at 9:30 A.M. Selectman Lyman also reported that the sub-committee for the use of school facilities met with Joe Piantedosi and Dr. Bach today.

Selectman Teichert said the Board of Health will meet on Monday, December 14th at 6:00 P.M. and the School Building Committee on Wednesday, December 16th at 8:00 A.M. in **the Selectmen's** conference room.

V. Citizens Petitions and Presentations

Bob Willard, 76 Tewksbury Street, reminded everyone that today is the 68th anniversary of the Japanese attack on Pearl Harbor.

VI. Continued Public Hearing, Deliberation and Vote

A. FY-2010 Tax Classification

Chairman Vispoli said tonight's continued Public Hearing for the FY-2010 Tax Classification is to receive comments before setting the tax rate for this fiscal year.

Joe Bevilacqua, President of the Merrimack Valley Chamber of Commerce, expressed his concern for businesses that cannot afford another increase especially the smaller businesses. He requests the Board retain or reduce the current tax rate.

Mary Carbone, 3 Cyr Circle, requested the Board set the tax rate at either the 1.46 or 1.47 factor.

Bob Willard, 76 Tewksbury Street, is concerned that an increase in property taxes would drive senior citizens out of Andover and encouraged the Board to set a rate that is friendly to the old, young and for businesses.

Chairman Vispoli closed the public hearing. On a motion by Selectman Major with a second by Selectman Lyman, it was unanimously voted to close the public hearing for the FY-2010 Tax Classification.

Selectman Teichert motioned to set the tax factor at 1.44 for residents and businesses due to the difficult economic times. The motion was seconded by Selectman Lyman and voted 4-1 to approve.

On a motion by Selectman Major with a second by Selectman Lyman, it was voted 5-0 to set the discount factor for all land identified as open space at zero percent for FY-2010.

On a motion by Selectman Major with a second by Selectman Lyman it was voted 5-0 to set the residential exemption factor at zero percent for FY-2010.

On a motion by Selectman Major with a second by Selectman Lyman it was voted 5-0 to set the commercial exemption factor at zero percent for FY-2010.

VII. Regular Business of the Board

A. Board to accept bids for Short-Term Borrowing

Selectman Teichert motioned that the bids on \$6,000,000 for short-term Revenue Anticipation Notes due February 11, 2010 be awarded to the low bidder, First Southwest, at an interest rate of .5352%. The motion was seconded by Selectman Major and voted 5-0 to approve.

VIII. Consent Agenda

A. Request for Extended Hours

Selectman Lyman motioned to approve the requests from Indian Ridge Country Club and Glory Restaurant to extend their closing hours on Thursday, December 31, 2009. 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 Friday, January 1, 2010; and
- ~ All patrons are to be off of the premises by 2:00 A.M. on Friday, January 1, 2010.

The motion was seconded by Selectman Major, voted 5-0 and approved.

B. Annual License Renewals

Selectman Major motioned to approve the attached 2010 annual lists of license renewals for Alcoholic Beverage, Common Victualler, Automatic Amusement/Live Entertaining, Class I and II Dealers and Lodging being presented by the Town Clerk. The applicants have filed all of the required paperwork and payments and have complied with all of the State and Town department conditions necessary for renewal. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

C. Appointments/Re-Appointments

Selectman Stabile motioned that the following appointments recommended by the Town Manager be approved. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>COMMUNITY SERVICES</u>			
Courtney E. McDonald	Sports Assistant – PT C2A		12/12/09
Akira Sembommatsu	Sports Assistant – PT C2A		12/12/09
Andrew W. Pallotta	Sports Assistant – PT C2A		12/12/09
<u>TOWN CLERK</u>			
John R. Petty	Pollworker – PT	\$8.00/hr.	11/24/09
<u>INFORMATION TECHNOLOGY COMMITTEE</u>			
Neil Magenheim – Term expires 6/30/12 (v. K. Howard)			

IX. Adjournment

On a motion by Selectman Major with a second by Selectman Teichert, it was voted 5-0 to suspend the Regular Meeting of the Board of Selectmen at 7:15 P.M. and to re-adjourn at the Triboard Meeting.

Respectfully submitted,

Dee DeLorenzo

Dee DeLorenzo
Recorder