

BOARD OF SELECTMEN MINUTES – JANUARY 11, 2010

I. Call to Order/Roll Call

Chairman Alex Vispoli called the meeting of the Board of Selectmen to order at 7:15 P.M. **in the Selectmen's Conference Room at the Town Offices.** **Present** were: Selectman Mary Lyman – Y, Selectman Gerald Stabile – Y and Selectman Ted Teichert – Y. Selectman Major arrived at 7:55 P.M. Also present: Town Manager Buzz Stapczynski. 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 led by Alison and Valerie Teichert.

III. Communications/Announcements/Liaison Reports

The Town Manager reported the following:

- An H1N1 Flu Clinic will be held at West Middle School on January 12th from 4:00 P.M. to 7:00 P.M. with traditional and nasal mist shots available. Dates for future clinics will be listed on the Town's website.
- The Board of Selectmen have been invited to attend the Martin Luther King Services at the Andover Baptist Church on Monday January 18th as well as the Merrimack Valley Chamber of Commerce Breakfast for Managers and Mayors on January 15th at 7:30 A.M. at the Andover Country Club.
- An Executive Session with the School Committee will be held on Tuesday, January 26th at 6:00 P.M. to discuss collective bargaining issues.
- Polls for the United States Senate Special Election on Tuesday, January 19th will be open from 7:00 A.M. to 8:00 P.M.

Selectman Teichert reported that the School Building Committee will meet on Wednesday, January 13th at 6:00 P.M. in the School Administration Building and the Town Yard Task Force on Tuesday, January 12th **at 8:00 A.M. in the Board of Selectmen's Meeting Room.**

Selectman Lyman said the Council on Aging will meet in the School Administration Building on January 14th at 8:00 A.M. followed by the TRIAD Council at 9:30 A.M.

Chairman Vispoli reported that as a follow-up to the December 7th Tri-Board Meeting, the three Chairs have agreed to form a new Team 470 consisting of two members from each board (School Committee, Board of Selectmen, Finance Committee). The team will meet in January to map out opportunities identified in the first session.

Chairman Vispoli clarified that the article written in the December 31, 2009 *Boston Globe* North edition listing Andover as receiving \$66M in Federal Stimulus Funds was not for the Town of Andover but for the IRS which is located in Andover (for improvements to their building).

III. Communications/Announcements/Liaison Reports (Cont'd)

Chairman Vispoli reported that Ann Margolies, Chief Technology Officer for the State, will be the guest speaker at the IT Committee meeting on January 14th at 6:30 P.M. in the Training Room at the Public Safety Center.

IV. Citizens Petitions and Presentations

Chester Dowling, 9 Mayflower Drive, requested the Board rescind their vote to shut off streetlights based on several fundamental problems: cost (risk benefit analysis); opportunity for increased crime; comparative negligence due to inadequate lighting and because it is a public safety issue. Mary Carbone, 3 Cyr Circle, asked how many lights have been turned off (628) and also requested that the Board rescind their vote.

Chairman Vispoli explained there is a process to request specific lights be turned back on and Safety Officer Egerly will be reporting on the status of the lighting at the February 8th Board of Selectmen Meeting.

V. Water and Sewer Commissioners

Selectman Lyman motioned for the Board of Selectmen to adjourn from the Regular Meeting to act as Water and Sewer Commissioners. The motion was seconded by Selectman Teichert, voted 4-0 and approved. Roll Call Vote: A. Vispoli – Y, T. Teichert – Y, M. Lyman – Y and J. Stabile – Y.

A. Sale of Old Water Meters

The Town Manager said the value of the old water meters is over \$100.00, therefore, the DPW needs authorization from the Board to sell the meters on the open market.

On a motion by Selectman Lyman with a second by Selectman Teichert, it was voted 4-0 to authorize the Town Manager to sell the surplus/scrap meters at the best market price in accordance with the Town of Andover Bylaw, Article V, Contracts: Town Property, Real and Personal.

B. Cross Connection Program Policy and Fees – First Reading

The Town Manager said the DPW is responsible for the backflow and cross-connection control program to protect the distribution system and to prevent contamination of water. They are requesting to establish a fee of \$65.00 per cross-connection device test for this program. This fee is for industrial and commercial property only. Previously, the cost was borne by the Water operating budget. The \$65 charge is in line with comparable communities. The Selectmen will vote on this request at the next meeting on January 25, 2010.

C. Large Meter Testing Certification Program Policy – First Reading

The DPW is requesting the Board approve a policy regarding a Large Meter Testing/Certification Program. The policy will require the company rather than the Town to absorb the cost of the physical test. DPW Director Jack Petkus said the test is good standard operating procedure because it certifies that commercial/industrial water meters are working properly and there is no loss of revenue for the Town. Selectman Stabile is concerned with the cost to the business owner and inquired if a rebate for the cost of the test could be included in their overall bill. The Board will vote on the fee request at the next meeting on January 25, 2010.

An update on the Meter Replacement Program noted that of the 11,000 residential water meters in Town about 3,300 of them have been replaced. The DPW anticipates having all retrofits and replacements installed by September 2010, however, the DPW has experienced problems getting some residents to respond to their requests to schedule an appointment to change the meters. They will be asking the Board as Water Commissioners to consider adopting a policy to address this problem.

On a motion by Selectman Stabile with a second by Selectman Major it was voted 5-0 to adjourn as Water and Sewer Commissioners and return to Regular Session.

VI. Regular Business of the Board

A. Town Manager’s Re-Appointment

Chairman Vispoli explained that the Board has been participating in the process of contemplating the five-year re-appointment of the Town Manager as required by the Town Charter. As part of that process, the Town Manager gave a presentation on his accomplishments over the past five years, a review of current projects in process, and his vision for Andover for the next five years.

Mr. **Stapczynski’s vision** for the next five years is to continue to advance and promote the Mission and Values of the Town which include ensuring the safety, education and well-being of the community; leading the Town in the delivery of efficient and effective quality services; promoting the continuous improvement of staff skill and performance; encouraging an environment of trust and honesty; respecting culture and economic diversity and preserving the historic character of the community.

The Town Manager provided a list of 40 major accomplishments realized from 2005-2010. The challenges, opportunities and his vision for the next five years were highlighted under the sub-headings of: Expanding Public Involvement and Communications, Vigilant Financial Management and Budgeting, Strategic Personnel Management, Aggressive Planning and Economic Development, Innovative Environmental Practices, Facilitation of Several Large Projects and Creative Partnerships. He is requesting re-appointment as Town Manager for another five years.

Chairman Vispoli thanked the Town Manager for his presentation and explained the next steps in the process which will be to hold a Work Session on Saturday, January 16th and to vote on the re-appointment of the Town Manager in February.

B. Letter to Legislative Delegation

The Board signed a follow-up letter to the **Town’s** Legislative Delegation regarding issues discussed at the December 7, 2009 Tri-Board meeting.

C. Future Meeting Dates

The Board agreed to hold Regular Meetings on February 8th and 22nd.

VII. Appointments and Re-Appointments

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

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>COMMUNITY SERVICES</u>			
Sarah Mahan	Sports Assistant – PT C2A		11/02/09
Jennifer B. Prudden	Counselor – PT	***	12/18/09
*** varies with course			

MUNICIPAL LIAISON – STATE ETHICS COMMISSION

Steven B. Bucuzzo, Assistant Town Manager

VIII. Approval of Minutes from Previous Meetings

Selectman Lyman motioned to approve the minutes of the Regular Meeting of December 21, 2009. Motion was seconded by Selectman Major and voted 5-0 to approve.

IX. Adjournment

On a motion by Selectman Lyman with a second by Selectman Teichert, it was unanimously voted to adjourn the Regular Session Meeting of the Board of Selectmen at 8:52 P.M. and to enter into Executive Session for the purposes of discussing potential litigation strategy, real estate evaluation and leasing because an Open Meeting may have **a detrimental effect on the Commission's negotiating and litigating positions and to discuss confidential legal advice with Town Counsel and not to return to Open Session.** Roll Call Vote: A. Vispoli – Y, M. Lyman – Y, T. Teichert – Y, J. Stabile – Y and B. Major – Y. The Executive Session adjourned at 9:39 P.M.

Respectfully submitted,

Dee DeLorenzo

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Recorder