

Minutes of March 5, 2007

I. Executive Session

Selectman Mary Lyman called the meeting of the Board of Selectmen to order at 6:08 P.M. in the third floor conference room at the Town Offices. Present were: Selectman Mary Lyman, Selectman Ted Teichert, and Selectman Brian Major. Selectman John Hess arrived at 6:15 PM and Selectman Alex Vispoli arrived at 7:00 PM. On a motion by Selectman Lyman, and seconded by Selectman Teichert, it was voted to go into Executive Session to discuss collective bargaining strategy and land acquisition and to return to Open Session. Roll Call Vote: Selectman Lyman – Yes and Selectman Major – Yes.

There being no further business to bring before the Executive Session, it was voted to adjourn and return to Open Session. Roll Call Vote: Selectman Lyman -Yes, Selectman Major - Yes, Selectman Vispoli –Yes and Selectman Hess -Yes.

II. Call to Order/Roll Call

Chairman Alex J. Vispoli Opened the Regular Meeting of the Board of Selectmen at 7:15 P.M. on March 5, 2007 in the Selectmen's Conference Room at the Town Offices. Present from the Board of Selectmen: members Mary K. Lyman, John P. Hess, Brian Major and Ted Teichert. Also present: Town Manager Reginald S. Stapczynski. The meeting was duly posted and cablecast live.

III. Opening Ceremonies

Chairman Vispoli led the members in a Moment of Silence followed by the Pledge of Allegiance.

IV. Communications/Announcements/Liaison Reports

Town Manager Buzz Stapczynski said the Governor's Budget has been released and Andover will be receiving \$50 per student for Chapter 70 funds instead of the anticipated \$100 per student and Lottery funds were \$67,000 less than anticipated. Assessments are on target, Teachers' Health Insurance was up as expected and the Merrimack Valley Transit increased by \$40,000. The Town Manager will keep the Committee updated on the progress of the budget process.

The Town Manager made the following announcements:

- A Joint Meeting of the Selectmen and Finance Committee will be held Wednesday, March 7th in the School Committee Room at 7:00 P.M.
- The Selectmen have been invited to march in the St. Patrick's Day Parade in Lawrence – please let him know if you will participate.
- Nominations for the Virginia Cole Community Service Award should be submitted to the Town Manager's Office by March 23, 2007.
- The Massachusetts Common Cause deemed Andover's Town Website as meeting their standards for being a Star (all of the key governance information is printed on the web site) – a reception will be held at the State House on Thursday.

- The Lazarus House sent a thank you to the Town for their generous donation of scarves, hats, and mittens.
- A Candidates Forum for the Housing Authority candidates will be held at the Senior Center on Friday, March 9th.
- Budget Forums are scheduled for Thursday, March 23 and Friday, March 23, 2007.

Town Clerk Randy Hanson said the Town Clerk's Office will be open until 8:00 P.M. on March 7th – the last day residents can register to vote for the Town Election. New handicap voting machines will be available for the vision and hearing impaired. Letters have been sent to all candidates outlining the procedures for Election Day and the Swearing-in Ceremony will be held on Wednesday, March 28th at 5:00 P.M.

Selectman Major said there will be two public forums for discussion of the proposed Youth Center. The first on March 29th at 7:00 P.M. at the Senior Center and the second one on March 30th at 9:00 A.M. in the Board of Selectmen's Room. Selectman Major said he would also like to look at other opportunities available for the Town Yard site.

Selectman Hess said there is some confusion on the status of the proposal from Merrimack College regarding the Haverhill Street property. The Town Manager will get the additional information out to the Board as soon as possible.

Chairman Vispoli said the tri-towns of Wilmington, Tewksbury and Andover will meet at 8:00 AM on Thursday, March 8th to discuss the next steps for the I-93 Interchange project.

V. Special Presentation

Police Chief Brian J. Pattullo and Coordinator Mary Wesson gave a presentation of the Youth Horizon Program, the after school homework and computer assistance program for elementary and middle school students who live at Memorial Circle. Mrs. Wesson narrated the presentation showing a series of photos of the students engaging in activities with the assistance of community volunteers from the High School, Senior Center, Police Department and Community; a collaborative effort of several organizations within the community. The first year the program was 75 % funded through a grant, the second year it was 50% funded, and the last two years the program has been fully funded through the Police Department budget.

VI. Citizens Petitions and Presentations

None

VII. Regular Business of the Board

A. 2007 Annual Town Meeting Warrant Articles

#62 – Fireworks (P)

Jerry Silverman is requesting \$11,000 this year to fund the fireworks display for July 4th. There will be a concert prior to the fireworks display again this year. Last year contributions received allowed for monies to be given to the Police and Fire Departments towards overtime costs. Mr. Silverman expects the Fireworks display to be held at Andover High but will look at the Vocational School as an alternative. Selectman Major recommended approval of Warrant Article #62 as presented, seconded by Selectman Hess, voted and approved 5-0.

#23 – Land Transfer – Youth Center (1) (P)

Article Withdrawn.

#24 – Land Transfer – Youth Center (2) (P)

Jerry Silverman said the transfer of land behind DMS from the School Committee to the Town, will most likely be reviewed by the School Committee after the first week in April. Two public hearings are to be held.

#25 – Zoning Bylaw Amendment – Exempt Municipal Senior Centers and Municipal Youth Centers from Dimensional Requirements (P)

Mr. Silverman explained that guidelines for dimensional requirements will be similar to those put forth for the previous Senior Center Building Article. He pointed out that Youth Services will be adding more parking spaces than what currently shows. The plan will be finalized after the article is approved. He will meet with Doherty Middle School Principal, Bruce Maki and Faculty on March 19, 2007.

#26 – Youth Center Easements (P)

Mr. Silverman will follow up with any easements not covered in this article. An informational meeting is scheduled with the Planning Committee.

B. Increase of the Community Services Revolving Account

Buzz Stapczynski said the Finance Committee voted to recommend approval of the Community Services Revolving account and he requests the Board of Selectmen approval. Selectman Major moved that the Board of Selectmen recommend approval to increase the Community Services Revolving Account to \$350,000. Selectmen Hess seconded the motion. The motion voted and approved 5-0.

C. Options for a Special Town Meeting within the Annual Town Meeting

Town Clerk Randy Hanson and the Board of Selectmen discussed available options and the process to follow should the above-mentioned Youth Services warrant articles be approved, allowing the opportunity /possibility of a Special Town Meeting being held within the Town Meeting to vote on a fourth article to be presented based upon approval of the Youth Services articles. Selectman Lyman moved to request the Town Clerk research the availability of the Field House for the purposes of a Town Meeting vote on the Youth Center. Selectman Teichert seconded the motion. The motion was voted and approved 5-0.

D. Signing of the 2007 Annual Town Meeting Warrant

Selectman Major made a motion that the Board of Selectmen sign the 2007 Annual Town Meeting Warrant as presented. Selectman Hess seconded the motion. The motion was voted and approved 5-0.

VIII. Approval of Consent Agenda Item

Selectman Hess made a motion, seconded by Selectman Major, to approve the following appointments. The Board voted 5-0 in favor of the motion.

DEPARTMENT	POSITION	RATE	EFF. DATE
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POLICE DEPARTMENT

Harry Collins	Lieutenant (v. P. Froburg)	R99-514-1-4	4/1/07
Mark Higginbottom	Sergeant (v. H. Collins)	Q99-515-1-1	3/11/07

MEMORIAL HALL LIBRARY

John Baron	Library Aide – PT	\$9.50/hr.	2/1/07
Jennifer MacMillan	Staff Librarian – PT (v. C. Curran-Ball)	IE 20/1	3/6/07

COMMUNITY SERVICES

Leila D. Smith	Sports Counselor – PT	C2A	2/1/07
Vincent R. Patsios	Sports Counselor – PT	C2A	2/1/07

ELDER SERVICES

Kathleen L. Morin	Adult Social Day Care Asst. – PT (v. N. Leslie)	IE-6-1	3/12/07
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And that the following appointment by the Board of Selectmen be approved:

TOWN CLERK

Ellen T. Marcus	Pollworker – PT	\$8.00/hr.	3/6/07
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And that the following re-appointment by the Board of Selectmen be approved:

BOARD OF REGISTRARS

William T. Downs – Term to expire March 31, 2010

B. Preservation Restriction – 88 Lowell Street

Attorney Mark Johnson spoke on behalf of Michael Ristuccia's request for a special permit for historical preservation of the property at 88 Lowell Street. Selectmen Hess asked if this would allow the lot to be sub-divided. Attorney Johnson said that was correct. The property will be sub-divided into two lots and Mr. Ristuccia will build another house on the new

lot. The Andover Preservation Commission and the Massachusetts Historical Commission have signed the request. Selectman Hess made a motion, seconded by Selectman Major, to approve the Preservation Restriction request. The motion was voted and approved 5-0.

C. Grant of Sewer Easement – 36 Lowell Street

Selectman Hess motioned to approve the Sewer Easement request for property located at 36 Lowell Street. Selectman Major seconded the motion. The motion was voted and approved 5-0.

D. License Agreement for 300 High Street

The Town Manager explained that the side porch located on 300 High Street encroaches onto Town Property by 2.6 feet and Attorney Broadhurst is requesting approval of a License Agreement for the property. Selectman Major motioned to approve the License Agreement request for property located at 300 High Street. Selectman Hess seconded the motion. The motion was voted and approved 5-0.

E. Proclamation

Chairman Vispoli read the Proclamation designating April as “National Child Abuse Prevention Month” in the Town of Andover. Selectmen Hess moved to approve the Proclamation, Selectmen Major seconded the motion. The motion was voted and approved 5-0.

F. Amateur Boxing Night

Selectmen Teichert motioned to approve the request from Mark Michaud, Co-Chairman of the Exchange of Lawrence Amateur Boxing Night Committee for a license waiver to conduct a night of amateur boxing at the Wyndham Hotel, Old River Road, Andover, on Friday, March 30, 2007 from 7:00 P.M. to 11:00 P.M. Selectmen Lyman seconded the motion. The motion was voted and approved 5-0.

IX. Approval of Minutes from Previous Meetings

February 5, 2007 – Joint Meeting with Finance Committee
February 7, 2007 – Joint Meeting with Finance Committee
February 8, 2007 – Joint Meeting with Finance Committee
February 12, 2007 – Joint Meeting with Finance Committee

Selectman Lyman made a motion to approve the Minutes of the Joint Meetings of February 5, 2007 (with revisions), February 7, February 8, and February 12, 2007. The motion was seconded by Selectmen Teichert. The motion was voted and approved 5-0.

X. Sewer Commissioners

Selectmen Teichert voted to adjourn the Regular Meeting of the Board of Selectmen and reconvene as Sewer Commissioners. The motion was seconded by Selectman Lyman. Roll call vote: M. Lyman-Yes, T. Teichert-Yes, A. Vispoli-Yes, J. Hess-Yes, B. Major-Yes. The motion was voted approved 5-0.

Selectmen Hess voted to approve the request for connection to the new sanitary system

as presented. Selectmen Lyman seconded the motion. The motion was voted and approved 5-0 for the following:

141 Chestnut Street, Rear – TM 22, TL 92-A	207 Holt Road – TM 60, TL 30
11 Ivy Lane – TM 44, TL 18	11 Nutmeg Lane – TM 78, TL 42
9 Pinecrest Road – TM 62, TL 18	2 Sandalwood Lane – TM 190, TL 47
383 South Main Street – TM 81, TL 32-A	14 Sunset Rock Road – TM 79, TL 11-B
74 Sunset Rock Road – TM 80, TL 6-A	

Selectmen Hess voted to approve the request for connection to the existing sewer system as presented. Selectmen Lyman seconded the motion. The motion was voted and approved 5-0 for the following:

17 Ballardvale Road – TM 80, TL 12	69 Ballardvale Road – TM 98, TL 5-B
4 Bancroft Road – TM 58, TL 23-B	60 Canterbury Street – TM 87, TL 4
9 Crenshaw Lane – TM 88, TL 97	88 Lowell Street – TM 71, TL 2
4 Mulberry Circle – TM 190, TL 22	10 Shandel Circle – TM 81, TL 10-E
26 Strawberry Hill Road – TM 112, TL 16	16 Swan Lane – TM 87, TL 91
22 Upland Road – TM 22, TL 81	

Selectmen Hess voted to adjourn the Sewer Commission and reconvene to the Regular Board of Selectmen Meeting. The motion was seconded by Selectman Lyman. Roll call vote: M. Lyman-Yes, T. Teichert-Yes, A. Vispoli-Yes, J. Hess-Yes, B. Major-Yes. The motion was voted approved 5-0.

XI. Other Business of the Board

Chair Vispoli has received requests from residents about serving on a sidewalk sub-committee to review the priority list for maintaining, replacing, and patching sidewalks. Selectmen Lyman said the Department of Public Works has already studied this. Selectmen Tiechert said the sidewalks closest to the schools are given priority. Selectmen Hess requested this be put on the agenda for future discussion.

The Board discussed the possibility of opening the Warrant for possibly four articles; how to go about it, when should they open it, how long should they open it for, what the Planning Board procedures are, etc. It was decided that Randy Hanson, Town Clerk would investigate and report back to the Board of Selectmen and the Town Manager as soon as possible.

XII. Adjournment

Selectman Major made a motion to adjourn the Regular Meeting of the Board of Selectmen to go into Executive Session to discuss possible land acquisition and not to return to Open Session. Selectman Lyman seconded the motion. Roll call vote: M. Lyman – yes, T. Teichert – yes, A. Vispoli – yes, J. Hess – yes, B. Major – yes. The motion was approved 5-0. The meeting adjourned at 8:50 P.M.

Respectfully submitted,

Dee DeLorenzo
Recorder