

BOARD OF SELECTMEN
August 6, 2007 Regular Meeting Minutes

I. Call to Order/Roll Call

Vice Chairman Ted E. Teichert 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 were: Vice Chairman Teichert and Selectmen Mary K. Lyman, Alex J. Vispoli and Gerald Stabile, Jr. Also present were Town Manager Reginald S. Stapczynski and Town Clerk Randy Hanson. The meeting was duly posted and cablecast live.

II. Opening Ceremonies

Vice Chairman Teichert asked for a Moment of Silence followed by the Pledge of Allegiance. Selectman Vispoli asked those in attendance to remember Andover resident John Fox who passed away recently.

III. Communications and Announcements

Town Manager Stapczynski

- Noted that the dedication ceremonies for the Lovely Field improvements will be held on August 14th at 6:00 P.M.
- Reviewed the remaining schedule for the DCS band concerts that are held Wednesday evenings from 6:00 P.M. to 8:00 P.M. in The Park.
- Announced that a ceremony will be held on Friday, August 17th at 9:00 A.M. to re-dedicate the flagpole in front of the Town Offices to the Harris family. He noted that Colonel Harris was a long-time resident who had served as a Selectman and his son, George, who passed away recently, was involved in the community and was a long-time election official.
- Provided the Board with an update on Jenkins Way, a private street, and reported that Arthur Gonsalves, a resident on the street, had leveled the street in an effort to make it passable for motor vehicles, deliveries and trash/recycling pickup. He commended Mr. Gonsalves and his son for the work they did.
- Reported that Town Counsel Thomas Urbelis has made arrangements for two seminars in the Fall. The first will be conducted by the Office of Campaign & Political Finance on September 20th at 7:00 P.M. in the Selectmen's conference room to discuss election laws with emphasis on the upcoming CPA vote and the second will be a State Ethics Forum on October 24th at 7:00 P.M. in Memorial Hall at the Memorial Hall Library. Selectman Lyman suggested that committee & board chairs be notified to attend.
- Indicated that the Department Heads have begun to work on the upcoming CIP.

Town Clerk Randy Hanson

- Announced that the Congressional Primary will be held on Tuesday, September 4th from 7:00 A.M. to 8:00 P.M. at the Andover High School Field House. There will be five Democratic candidates and two Republican candidates on the ballots. The last day to register to vote for the Primary will be August 15th and the last day to apply for an absentee ballot will be August 31st at 5:00 P.M. The Congressional Election will be held on Tuesday, October 16th at the High School Field House.

III. Communications and Announcements (Cont.)

Selectman Jerry Stabile

- Reported that the first meeting of the Town Yard Task Force will be held in the coming weeks.
- Commended the Police Department for arresting the person responsible for several

housebreaks in Town over the last several months.

- Commended the Fire Department for their efforts in fighting a fire at a manufacturing building on River Street recently. Their quick response and knowing how to handle the blaze had saved the building and the company a considerable amount of money.

Selectman Mary Lyman

- Noted that a Woodhaven Drive resident had informed her recently that Highway Superintendent Chris Cronin and his crew had done a commendable job on their street.
- Reported that she was working on a vehicle policy for the upcoming year.
- Reported that she and Selectman Teichert were working on the Town Accountant's annual review.

Selectman Alex Vispoli

- Reported on the recent Tri-Town I-93/Lowell Junction Interchange Task Force meeting held at the Memorial Hall Library.
- Said he and Selectman Stabile had met with Assistant Town Manager Steve Bucuzzo to discuss the Town-wide survey options and framework for the survey. Further details will be discussed later in the agenda.

Selectman Ted Teichert

- Announced that the annual Summer tour of the schools will be held on August 20th and 30th.

IV. Citizens Petitions and Presentations

None this evening.

V. Public Hearings

A. Bay State Gas Company

Vice Chairman Teichert said Bay State Gas Company is requesting permission to excavate for the purpose of extending and/or maintaining gas mains and to make the necessary house connections along extensions of a public way as follows:

- Lovejoy Road – approximately 5,800 feet to install 8” PE main to replace the existing bare steel main as shown on Plan No. 07172007-D (pgs. 1 of 3, 2 of 3 and 3 of 3), dated 7/17/07.

V. Public Hearings (Cont.)

A. Bay State Gas Company (Cont.)

He noted that the request has been reviewed and approved by the Department of Public Works subject to the condition that a street opening permit must be obtained from the DPW prior to the commencement of any construction.

Joseph Fiorante, Bay State Gas Construction Superintendent, appeared before the Board to explain the project and said they will be replacing the existing mains due to old age which has resulted in a number of leaks on the street. The timing of the project in relation to the opening of school was discussed and whether the project could be postponed until next Summer

when school is not in session. Mr. Fiorante explained the work needs to be done this year as it is a public health issue at this time. He expects the work to take approximately three months and said safety details and police coverage have been worked out with the Police Department in an effort to avert neighborhood concerns and to provide a safe route for Sanborn School students.

Safety Officer Robert Cronin addressed the Board and said he felt comfortable with the measures that have been taken – two officers will be on site at all times, the walkway will be coned off between 7:30 A.M. and 3:30 P.M. and there will be three and possibly four crossing guards on duty before and after school. He said he and Mr. Fiorante have had three meetings with the new Sanborn School principal and the School Department’s Transportation Coordinator to work out all of the logistics – a letter will be sent to all of the school’s parents informing them of the project and safety measures to be taken, an assembly will be held on the first day of school to inform the students of the project and to discuss safety and the Police Department’s message boards will be placed in the area to alert motorists and pedestrians of the work.

Mr. Fiorante said they will begin the project in the middle (in front of the school) and work outward in an effort to provide the least inconvenience to the school and its students. He indicated that the work is not expected to impede traffic on the street, a temporary sidewalk will be installed in the work area and continue to move as the project moves outward, the work area will be secured at the end of each day and a binder coat will be done when the project is completed which will be better than what is there presently.

Mr. Fiorante answered several questions from neighborhood residents and members of the Board and assured them that it would be a safe project.

A motion was made by Selectman Lyman, seconded by Selectman Vispoli, to approve the project as presented with the assurances of public safety as outlined by Mr. Fiorante and Safety Officer Cronin. The motion was voted 4 – 0.

B. National Grid/Verizon New England, Inc.

Vice Chairman Teichert said National Grid and Verizon New England, Inc. are requesting permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

V. Public Hearings (Cont.)

B. National Grid/Verizon New England, Inc. (Cont.)

- Bellevue Road at Osgood Street – approximate location shown on Plan No. 2671150, dated 6/15/07.

He noted that the request has been reviewed and approved by the Department of Public Works subject to the conditions that a test pit be excavated to locate the 24-inch water main to assure that the proposed pole will be a minimum of 4 feet from the water line and that a street opening permit must be obtained from the DPW prior to the commencement of any construction.

David Boucher of National Grid addressed the Board and gave an overview of the request. Joseph Marrow, One Preston Circle, asked that care be given to the underground sprinkler system on his property. Mr. Boucher assured him that every attempt would be made and repairs done if necessary. Selectman Lyman reminded Mr. Marrow and those listening to the meeting that in most cases sprinkler systems are located in the Town’s right-of-way and any

damage to these systems was not the responsibility of the utility company or the Town.

A motion was made by Selectman Lyman, seconded by Selectman Vispoli, to approve the request as presented. The vote was 4 – 0.

C. National Grid – Continued Hearings from July 9, 2007 Meeting

Vice Chairman Teichert said National Grid is requesting permission to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the following public ways:

- Elm Street at Elm Square and High Street – approximate location shown on Plan #2011575-B-Revised, dated 5/8/07.
- Main Street at #10, #23, North Main Street and Memorial Hall Library – approximate location shown on Plan #2011575-B-Revised, dated 5/8/07.

He noted that the requests have been reviewed and approved by the Department of Public Works subject to the condition that a Street Opening Permit be obtained from the DPW prior to the commencement of any construction.

The Town Manager informed the Board that he had reviewed the requests with Mr. Boucher and DPW Director Jack Petkus and recommended approval as they will not affect the Main Street Improvement Project.

A motion was made by Selectman Vispoli, seconded by Selectman Lyman, to approve the request as presented. The vote was 4 – 0.

V. Public Hearings (Cont.)

Vice Chairman Ted Teichert recused himself from the meeting at this time.

D. Dylan’s Bar & Grill – Violation Hearing

Selectmen Secretary Alex Vispoli opened the hearing at 7:45 P.M. and informed the Board that as per Chapter 138 of the Massachusetts General Laws, Sections 12, 23 and 64, a hearing would be conducted to determine whether Park Street Holdings, LLC, d/b/a Dylan’s Bar & Grill, 18-22 Park Street, Andover, holder of an All-Alcoholic Restaurant License, is in violation for allowing the consumption of alcohol outside the limits of their licensed premises. He outlined the process to be used during the hearing, reviewed the exhibits and said comments or questions would not be accepted from the audience.

Police Officer David Carriere was sworn in by Town Clerk Randy Hanson and explained the circumstances on the evening of June 28, 2007 when he observed two patrons drinking outside of Dylan’s while sitting at tables and chairs in their patio area. He contacted Detective Wallace who told him to watch the situation and he then notified the restaurant manager, Sam Petrovich, of the violation.

Dylan’s Bar & Grill Manager Sam Petrovich was sworn in by Town Clerk Randy Hanson. He said he has been the holder of an All-Alcoholic Restaurant License for three years. He confirmed that he had been notified by Officer Carriere of the two patrons drinking outside the restaurant and that by the time he was made aware of the situation the two patrons had moved back inside the restaurant. He said it was his understanding there were two people outside, however, only one person was drinking – the other was smoking.

The Board engaged in a lengthy discussion regarding the circumstances surrounding the incident and asked several questions of Mr. Petrovich. Selectman Lyman inquired whether there was signage outside of the restaurant at the time of the incident to indicate that drinking was not allowed in the area of question. Mr. Petrovich responded there was not, however, it has since been installed. He indicated that his staff was well aware that neither eating nor drinking was allowed outside. Mr. Petrovich was asked why tables were outside if eating and drinking was not allowed in the area. He responded the tables had been left by the previous owner whose license did include outside dining and drinking. Mr. Petrovich was then asked why he hadn't submitted an application to revise his license to include outside dining and drinking when he had been advised by the Town Clerk on several occasions that it had been part of the previous owner's license. He responded that he works at the restaurant seven days a week and simply hadn't had the time to address the issue.

Selectman Vispoli then asked Mr. Petrovich if he stipulated to the facts as they were presented during the hearing and he responded that he did. A motion was made by Selectman Lyman, seconded by Selectman Stabile, to close the hearing. The vote was 3 – 0. The hearing was closed at 7:55 P.M.

A motion was made by Selectman Lyman, seconded by Selectman Stabile, that there had been a violation at Dylan's Bar & Grill on June 28, 2007 when alcoholic beverages were consumed outside the limits of their licensed premises. The vote was 3 – 0.

V. Public Hearings (Cont.)

D. Dylan's Bar & Grill – Violation Hearing (Cont.)

The Board then engaged in a discussion concerning how to address the license violation. Selectman Stabile suggested that Mr. Petrovich receive a letter of reprimand from the Board for the violation that occurred on June 28, 2007 to include that signage must be visible both inside and outside of the establishment indicating that dining and drinking is not allowed outside, that management needs to be at the door to assure that no alcohol is taken outside of the establishment, policing needs to be done outside of the establishment on a regular basis, it needs to be communicated to patrons that smoking only is allowed outdoors and that further violations will be dealt with more severely. Selectman Vispoli said he felt proactive staff training concerning these issues also needed to be included in the letter of reprimand. Town Clerk Randy Hanson informed the Board that the license holder has the right to appeal the letter of reprimand to the ABCC.

A motion was made by Selectman Stabile, seconded by Selectman Lyman, to send a letter of reprimand to Sam Petrovich, Manager of Dylan's Bar & Grill, 18-22 Park Street, Andover, holder of an All-Alcoholic Beverage License, informing him that a violation occurred on June 28, 2007 when alcoholic beverages were consumed outside the limits of his licensed premises and that the letter include the stipulations as outlined by Selectman Stabile and Selectman Vispoli. The vote was 3 – 0.

E. Dylan's Bar & Grill – Alteration of Premises

Selectmen Secretary Vispoli opened the hearing and said Park Street Holdings, LLC, d/b/a Dylan's Bar & Grill, 18-22 Park Street, holder of an All-Alcoholic Restaurant License, has applied for an alteration to their premises at 18-22 Park Street. He noted that the request 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 license.

Sam Petrovich, Dylan's Bar & Grill Manager, appeared before the Board and

explained that he would like to alter the premises on his All-Alcoholic Restaurant License to include serving food and alcoholic beverages in the patio area outside of the entrance to the restaurant. He explained he would like to add approximately 5 – 7 tables on the patio, the area would not be enclosed and no alterations would be needed to make the change. He said he is a full-service restaurant, other restaurants in Town offer outdoor dining and feels this would be a good addition to his premises which was provided by the previous owner.

The Board engaged in a discussion with Mr. Petrovich to address the additional responsibility this change will add to his license, they stressed the importance of training for his staff should alcoholic beverages be consumed outdoors and that he needed to rectify all of the problems addressed in the previous violation hearing before making the alterations. The Town Manager indicated that the area needs to be policed each evening at closing to be sure that bottles were not littering the surrounding area as he has seen them on several occasions. Mr. Petrovich said he does that now and there are other establishments in the area and events that take place at the Town House that could contribute to the litter as well.

V. Public Hearings (Cont.)

E. Dylan's Bar & Grill – Alteration of Premises (Cont.)

Police Lt. Commander James Hashem addressed the Board and informed them that a second violation occurred at Dylan's following the June 28th violation. He suggested that the Board deny or delay the request until the second hearing has been held to discuss the most recent violation. He did indicate that the Department has not had prior issues with the restaurant concerning outside drinking. Attorney Kevin Peters, on behalf of Mr. Petrovich, also addressed the Board regarding this matter and felt the second violation should not be weighed in when the Board makes its decision on the alteration request as Mr. Petrovich has not been notified of the hearing.

A motion was made by Selectman Stabile, seconded by Selectman Lyman, to approve the alterations of the premises at Dylan's Bar & Grill, 18-22 Park Street, as presented. The vote was 3 – 0.

Vice Chairman Ted Teichert returned to the meeting.

VI. Regular Business of the Board

A. Order of Taking & Confirmatory Deed for 18 Pearson Street

Town Counsel Thomas J. Urbelis appeared before the Board to discuss the acquisition of the 18 Pearson Street property approved at the Special Town Meeting on April 24, 2007. He said the necessary paperwork was in order and recommended that the Board sign the Order of Taking and Confirmatory Deed. He introduced Attorney Dominic Terranova who represents the owner of the property. Mr. Terranova said he was authorized to accept the offer of \$360,000 from the Town on behalf of his client Mary Kane and signed by Janet Moreau who has power of attorney for Ms. Kane. Mr. Urbelis informed the Board that neither the owner nor Ms. Moreau have been able to locate the original power of attorney, however, a copy is on file with their bank which should be sufficient for the closing.

A motion was made by Selectman Vispoli, seconded by Selectman Stabile, that the Town acquire the land with the buildings thereon known as 18 Pearson Street from Mary Lonergan Kane for the acquisition price of Three Hundred Sixty Thousand (\$360,000) Dollars, to adopt an Order of Taking for said property for municipal purposes, and to accept a Confirmatory Deed from Mary Lonergan Kane to the Town of Andover for said property, all as

authorized by vote upon Article #4 of the Special Town Meeting held on April 24, 2007. The vote was 4 – 0.

B. Order of Taking and Confirmatory Deed for 15 Blanchard Street

Town Counsel Thomas J. Urbelis addressed the Board and informed them that all of the necessary paperwork was in order for the acquisition of the property at 15 Blanchard Street and recommended that they sign the Order of Taking and Confirmatory Deed as authorized by vote taken on Warrant Article #51 at the 2007 Annual Town Meeting.

VI. Regular Business of the Board (Cont.)

B. Order of Taking and Confirmatory Deed for 15 Blanchard Street (Cont.)

A motion was made by Selectman Vispoli, seconded by Selectman Lyman, that the Town acquire the land with the buildings thereon known as 15 Blanchard Street from Armand H. Garabedian and B. Sandra Garabedian for the acquisition price of Two Million (\$2,000,000) Dollars, to adopt an Order of Taking for said property for municipal purposes, and to accept a Confirmatory Deed from Armand H. Garabedian and B. Sandra Garabedian to the Town of Andover for said property, all as authorized by vote upon Article #51 of the Annual Town Meeting held on April 30, 2007. The vote was 4 – 0.

C. Non-Profit Public Access Corporation

Finance Director Anthony Torrasi and Attorney Bill August, the Town's Special Cable Advisory Counsel, appeared before the Board to discuss the transition in creating a Non-Profit Public Access Corporation for the Town.

Mr. Torrasi said the Town's studio for public access channels 8, 10 and 22 is presently operated by Comcast. The request before the Board would transfer operations from Comcast to the proposed non-profit corporation. He explained that funding of the operation would be done through the cable company's licensing fees paid to the Town and that the services will be provided through the non-profit corporation.

Attorney August explained that as a corporate policy, Comcast is getting out of the business of running these studios which, as a result, requires their operations be transferred to a non-profit public access corporation with Articles of Organization filed with the Secretary of State. He recommended that the Board, as the Town's cable licensing authority, approve the formation of the non-profit public access corporation and that they authorize the Articles of Organization as presented subject to the approval of the Cable Advisory Committee.

The Board engaged in a brief discussion regarding the transition. Attorney August concluded the discussion by commending Mr. Torrasi for his tireless efforts in addressing all of the Town's cable issues.

A motion was made by Selectman Vispoli, seconded by Selectman Stabile, that the Board of Selectmen, as the cable television licensing issuing authority for the Town of Andover, approve the formation of a non-profit, charitable public access corporation, to continue operation of the local public access community television studio and related services, as contemplated by the cable television renewal license between the Board of Selectmen and Comcast, and ratify the formation of said non-profit public access corporation as designated in the Articles of Organization to be filed with the Secretary of the Commonwealth as shown on Exhibit 1 and incorporated herein. In furtherance of the foregoing, we hereby authorize the Directors and Incorporators of said non-profit access corporation to adopt such initial bylaws as they deem necessary to carry out the purposes of the corporation, subject to approval of such

initial bylaws by the Andover Cable Advisory Committee. The vote was 4 – 0.

VI. Regular Business of the Board (Cont.)

D. Continued Discussion on the National Citizens Survey Program

Selectman Vispoli reported that he and Selectman Stabile had met with Assistant Town Manager Steve Bucuzzo to discuss the framework and options for the survey, how it will be relevant to the Board and it’s short and long-term goals. He said they were recommending that a proposal be presented to Merrimack College and the UMass Lowell to create a database and capture trends from the results of the survey. Selectman Stabile said he felt it was important that the survey results be particular to Andover and then integrated as part of the yearly review process.

Town Manager Stapczynski read comments from Chairman Major who indicated he would prefer that the survey be conducted by the ICMA National Citizen Survey. He felt they would be unbiased and their results would be compared to the 2004 survey they conducted for Andover as well as other comparable communities they work with. He said he was concerned that the colleges may not be able to respond as timely as the National Citizen Survey. He suggested the Board utilize the services of the National Citizen Survey this year and then build a relationship with the schools for future use.

Selectman Vispoli said Mr. Bucuzzo was going to prepare a Scope of Services indicated there was no way of knowing what the schools can provide without having a dialogue with them. Selectman Stabile said he felt there could be more flexibility with the schools and it was important to open a dialogue with them.

A motion was made by Selectman Vispoli, seconded by Selectman Stabile, to authorize the Assistant Town Manager to go forward with drafting a high level Scope of Services with UMass Lowell and Merrimack College to conduct a citizens survey and to make a report back to the Board by September 30, 2007. The vote was 4 – 0.

VII. Approval of Consent Agenda Items

A. Appointments and Re-appointments

A motion was made by Selectman Vispoli, seconded by Selectman Lyman, to approve the following appointments as presented by the Town Manager:

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>FIRE-RESCUE DEPARTMENT</u>			
Marcie R. Jacobson	Executive Secretary (v. E. Kochakian)	IE-16-8	7/16/07
<u>PLANT & FACILITIES DEPARTMENT – Parks & Grounds Division</u>			
Jeffrey Ring	Working Foreman – Temp. (v. W. Douty III)	W9-1-17/11/07	

VII. Approval of Consent Agenda Items (Cont.)

A. Appointments and Re-appointments (Cont.)

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>POLICE DEPARTMENT</u>			
Cheryl L. Stankiewicz	Matron – PT on call	\$18.00/hr.	7/29/07
<u>YOUTH SERVICES</u>			
Chloe R. Sempere	Assistant – PT	C3B	7/13/07
Jeremy Rummel	Assistant – PT	C5A	7/13/07
Peter H. Rundquist	Assistant – PT	C2C	7/13/07
Nicholas Platt	Assistant – PT	C3B	7/13/07
<u>COMMUNITY SERVICES</u>			
Jennifer A. Geary	Lifeguard – PT	C3A	7/10/07
Nichole Saia	Studio for Arts – PT	***	7/16/07
Kerry S. McCarthy	Counselor – PT	C2A	6/28/07
John G. McIver	Counselor – PT	C2A	6/25/07
Jeremy D. Hogan	Lifeguard – PT	C3A	6/25/07
Paul J. D'Ambrosio	Waterfront Coordinator – PT	C7B	6/25/07

*** Varies with course/program

TOWN YARD TASK FORCE – Terms to expire 6/30/08

David O. Nelson
Norman J. Viehmann
James M. Delaney

The vote was 4 – 0.

B. Andover Days 2007

Don Robb, Coordinator of Andover Days 2007, appeared before the Board to request permission to conduct the Andover Days festivities in the downtown business district on Saturday, September 15, 2007. He requested to close the following streets from 9:00 A.M. to 3:00 P.M. as part of the event: 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.

It was noted that the request has been reviewed and disapproved by the Police Department as it sets a bad precedent to allow a private organization to close a major public way (Route 28). Should the request be approved, it is recommended that permission be given with the conditions outlined in the July 30, 2007 letter from the Department's Lt. Commander.

VII. Approval of Consent Agenda Items (Cont.)

B. Andover Days 2007 (Cont.)

The Board engaged in a brief discussion regarding the closing of Main Street, the Police Department's concerns and the importance of supporting the downtown businesses. A motion was made by Selectman Stabile, seconded by Selectman Vispoli, to grant permission to Andover Days 2007 to conduct their event in the downtown on Saturday, September 15, 2007 and to close Main Street as presented in Lt. James Hashem's memo dated July 30, 2007. The vote was 4 – 0.

C. Amendments to the Traffic Rules and Regulations

Safety Officer Robert Cronin appeared before the Board to recommend that the following amendments be made to the Town's Traffic Rules and Regulations:

Schedule 3, Article VII, Section 9 – ISOLATED STOP SIGNS

- Add "Stop" sign on Fiske Street at River Road

Schedule 7, Article VII, Section 8(i) – YIELD SIGNS

- Add "Yield" sign on Fiske Street at River Road

A motion was made by Selectman Lyman, seconded by Selectman Vispoli, to approve the amendments to the Traffic Rules and Regulations as recommended by the Safety Officer. The vote was 4 – 0.

D. Change of Manager

Henry Broekhoff appeared before the Board and gave a brief history of his 30+ years of experience as a manager in Andover. He said he had recently retired from the business and then received a call from the Lanam Club asking if he would fill in as their Manager until the beginning of December which he agreed to do. The Selectmen said they were pleased to welcome him back to Andover.

A motion was made by Selectman Lyman, seconded by Selectman Vispoli, to approve the request from the Lanam Club, 260 North Main Street, Andover, for a Change of Manager on their All-Alcoholic Club License from Bryant Lemire to Henry Broekhoff. It was noted that the request 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 license. The vote was 4 – 0.

E. Use of The Park

A motion was made by Selectman Stabile, seconded by Selectman Lyman, to approve the request of Kathy Shannon, Director of Children's Ministries, Free Christian Church, Elm Street, to use The Park on Sunday, September 9, 2007 for their church picnic.

VII. Approval of Consent Agenda Items (Cont.)

E. Use of The Park (Cont.)

It was noted that this is the raindate approved by the Board on May 29, 2007 for the Baptist Church's 175th Anniversary celebration. In the event of rain on September 8th, the two churches will conduct their events together on September 9th. It was noted that arrangements for the event have been reviewed and approved with conditions by the Police Department. The vote was 4 – 0.

F. Block Parties

1. A motion was made by Selectman Lyman, seconded by Selectman Vispoli, to approve the request of Nadyne Brady, 101 Cross Street, to block off her street between River Road and Forest Hill Drive on Saturday, September 8, 2007 (raindate – Sunday, September 9, 2007) from 11:00 A.M. to 6:00 P.M. for a neighborhood block party. The vote was 4 – 0.

2. A motion was made by Selectman Lyman, seconded by Selectman Stabile,

to approve the request of Patrick J. Scanlon, 34 Washington Avenue, to block off his street on Saturday, September 8, 2007 (raindate – Sunday, September 9, 2007) from 10:00 A.M. to 10:00 P.M. for a neighborhood block party. The vote was 4 – 0.

3. A motion was made by Selectman Lyman, seconded by Selectman Stabile, to approve the request Karen Davey, 31 Linwood Street, to block off her street on Saturday, September 15, 2007 (raindate – Sunday, September 16, 2007) from noon to 5:00 P.M. for a neighborhood block party. The vote was 4 – 0.

It was noted that arrangements for all three requests have been reviewed and approved with conditions by the Police Department.

G. DCS Town-wide Yard Sale

A motion was made by Selectman Vispoli, seconded by Selectman Lyman, to approve the request of Mary Donohue, Community Services Director, to use The Park on Saturday, September 29, 2007 (raindate – Sunday, September 30, 2007) from 8:00 A.M. to 3:00 P.M. for their annual Town-wide Fall Yard Sale. It was noted that arrangements have been reviewed and approved with conditions by the Police Department. The vote was 4 – 0.

H. ADA Walk-a-thon

A motion was made by Selectman Stabile, seconded by Selectman Lyman, to approve the request of Nisse Bjornsen, American Diabetes Association Walk-a-thon Manager, to conduct their “Step Out to Fight Diabetes” Walk through the streets of Andover on Sunday, October 21, 2007 starting at 10:00 A.M. with the walk beginning and ending at Merrimack College. It was noted that arrangements have been reviewed and approved with conditions by the Police Department. The vote was 4 – 0.

VIII. Approval of Minutes of Previous Meetings

A motion was made by Selectman Vispoli, seconded by Selectman Lyman, to approve the minutes of the July 23, 2007 meeting as written. The vote was 4 – 0.

IX. Adjournment

Selectman Vispoli asked the Town Manager about the signage and height of the new barrier at the entrance of Post Office Avenue. Mr. Stapczynski that the street is a private way. Selectman Vispoli inquired whether they were required to appear before the Design Review Board or if there was a more appropriate way to promote the new signage. Selectman Vispoli suggested that the Town approach the owner with possible suggestions.

There being no further business to come before the Board, a motion was made by Selectman Vispoli, seconded by Selectman Lyman, to adjourn the meeting. The vote was 4 – 0. The meeting adjourned at 9:44 P.M.

Respectfully submitted,

Sandra A. Cassano

Sandra A. Cassano, Recording Secretary