

BOARD OF SELECTMEN MINUTES
AUGUST 25, 2008

I. Call to Order/Roll Call

Chairman Teichert called the 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 Regular Meeting** (by roll call) Chairman Teichert – Y, Selectman Stabile – Y, Selectman Lyman – Y and Selectman Major – Y. Assistant Town Manager Steven Bucuzzo and Town Clerk Randy Hanson were also present. The meeting was duly posted and cable-cast live.

III. Opening Ceremonies

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

III. Communications/Announcements/Liaison Reports

Assistant Town Manager Steven Bucuzzo said there are approximately twenty-two vacancies on a variety of Town Boards and Committees to be filled. Application forms are available at the Town Manager's **Office or downloaded from the Town's website.**

Selectman Stabile read a statement of facts that he and Chairman Teichert are required to disclose relative to information that they both have family members employed in the Public Safety Department which will be submitted to the State Ethics Commission to confirm their eligibility to participate in upcoming decisions relative to collective bargaining.

Selectman Lyman said the Town Accountant's proposal will be on the agenda for the next meeting.

Town Clerk Randy Hanson said September 16th is the last day to register to vote in the **State Primary. The Town Clerk's Office will be open until 8:00 P.M. that day.**

Chairman Teichert read a letter from Doreen Powers, Binney Street, thanking the volunteers from the Youth Services Department for their assistance in helping to clear out their basements during the flood last month.

IV. Citizens Petitions and Presentations

Many residents from the Snowberry Lane area were present and spoke passionately about the ongoing water problem they have been experiencing without interruption over the past several weeks. The Town has been responsive but the water is still flowing and the situation not resolved. Mary Flaherty, 3 Snowberry Road, said she has been running two pumps since August 12th. She wonders if something could have been disturbed during the blasting for the sewer pipe installations. John Capomaccio, 6 Clover Circle, questioned if the digging could have changed the direction of the spring. John Pasquale, 47B Whittier Court, suggested a point person be selected from the neighborhood and a consultant brought in. Mrs. Flaherty agreed to be the point person to contact. Jack Petkus, DPW Director, said they have sampled the water, tested all pipes in the area and checked the gates and none of the tests point to a water or sewer main problem. Dug Pond is unsafe to swim in at this time. The Selectman recommended that CDM be

contacted to come in and look at the situation, a dye test be conducted and Steve Boynton be contacted and, if available, asked to check the area.

John Pasquale, 47B Whittier Court, said the new traffic lines on Bartlet Street have been painted and the curbs are in at the parking lot beside Old Town Hall. New rugs have been installed in Old Town Hall and inquired as to when new rugs will be installed in Town Offices.

V. Public Hearing

A. Transfer of Wine and Malt Retail Package Store License

Per Massachusetts General Laws Chapter 138, as amended, Selectman Major motioned to approve the request of Sunday General Corporation, d/b/a Sunday General Store, 2060 Turnpike Street, North Andover, MA 01845 who has applied for the transfer of an Annual Wine and Malt Retail Package Store License at 195 Andover Street, Andover, MA 01810 from **B. K. Land Corporation, d/b/a Sunday's General Store, 24** Lancaster Crossing Road, Salem, NH 03079. Joo Hyong Lee, 2060 Turnpike Street, North Andover, MA 01845 is the designated manager. 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 motion was seconded by Selectman Stabile, voted 4-0 and approved.

VI. Regular Business of the Board

A. FY-08 Energy Report

Plant & Facilities Director Joseph Piantedosi presented the FY-08 Energy Report. The report showed a beginning Energy Budget of \$4,136,000 with a total year end deficit of \$166,606. Price increases of 79.3% in diesel fuel, 46.1% in unleaded fuel and 110% increase in #2 fuel oil, 25% in electricity and 20% in natural gas contributed to the year end deficit although many cost saving programs were instituted including a three-year gas contract at an 8% lower rate and a two-year electricity contract at a 17.7% lower rate. Energy conservation efforts consisted of conversions of school fuel boilers to natural gas, new roof installations at several schools, installation of energy efficient lighting, CO2 controls, installation of thermal pane windows, security system lighting interface, vehicle fuel, and a waste oil heating system. The department has a very aggressive plan in place for the upcoming year. The Selectmen thanked Mr. Piantedosi for his efforts to control energy costs and considering the increase in energy prices this past year it is **commendable and to his credit that the deficit wasn't higher.**

B. Household Hazardous Waste & CRT Collection

Selectman Lyman motioned to accept the proposal to increase fees for CRT collections to \$10.00 with the fee increase to be revisited after the first collection. The motion was seconded by Selectman Major, voted 4-0 and approved.

C. Citizen Survey

Assistant Town Manager Steven Bucuzzo said the Town is about to launch the 2008 Citizen Survey with the assistance of Merrimack College who will analyze the data.

Approximately 1,200 Andover households will be randomly selected to receive the survey. Surveys will be returned by mid-October and preliminary findings will be presented at the November 19th meeting at Memorial Hall Library.

VII. Approval of Consent Agenda Items

A. Appointments and Re-appointments

Selectman Stabile motioned to approve the following appointments recommended by the Town Manager. The motion was seconded by Selectman Lyman, voted 4-0 and approved.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>PLANT & FACILITIES DEPARTMENT – Administration Division</u>			
Rebecca DeRosso	Executive Secretary (v. J. Kempton)	IE16-3	8/26/08
<u>COMMUNITY SERVICES</u>			
Thomas F. Fuerst	Counselor – PT	C2A	8/4/08
Grace G. deKoekkoek	Enrichment Instructor – PT	***	10/1/08
***	Varies with course/program		
<u>MEMORIAL HALL LIBRARY</u>			
Colleen Stewart	Library Page – PT (v. S. Noonan)	L1-1	9/10/08
Christian Napolitano	Library Page – PT (v. H. Gravius)	L1-1	9/2/08
<u>PATRIOTIC HOLIDAY COMMITTEE</u>			
Scott R. Parrish, Jr. – Term expires 6/30/09 (v. J. Deyermond)			

And that the Board of Selectmen approved the following appointment:

BOARD OF REGISTRARS

Gregory Rigby – Term expires 3/31/11
(v. C. Simko)

B. “Fill the Boot” Campaign

Selectman Major motioned to approve the request of Firefighter Brian Wright, on behalf of the Andover Fire Rescue Department, for permission to conduct the Muscular Dystrophy Association “Fill the Boot” campaign in the downtown area on Friday, September 12, 2008 and Saturday, September 13, 2008. They wish to solicit donations on Main Street sidewalks and approach vehicles in Elm Square when the traffic lights turn red. The three collection locations are: the area near the Rte. 133 Mobil Station, Shawsheen Plaza and Main Street (near Starbucks). The request has been reviewed by the Police Department as follows:

- ~ Approve the request to solicit donations on downtown Main Street sidewalks.

- ~ Disapprove the request to approach vehicles in Elm Square as they feel this is an unsafe practice. It is very dangerous to have a person(s) stepping out into traffic whether stopped or moving to approach a vehicle requesting a donation. While the firefighters have received training in traffic direction and control, this does not prepare them or passing motorists for the activity required to collect a donation.
- ~ Suggest that an alternate safer method and location be used by the firefighters such as private shopping areas.

The motion was seconded by Selectman Stabile and voted 3-0-1 and approved. Selectman Lyman abstained.

C. Block Party

Selectman Lyman motioned to approve the request of Janet and Ed Wright, 10 West Parish Drive, on behalf of the residents on West Parish Drive, Birch Road and Thresher Road, for permission to block off Thresher Road for their annual neighborhood block party on Saturday, September 6, 2008 (rain date – Sunday, September 7, 2008) from 11:00 A.M. to 8:00 P.M. Arrangements have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Stabile, voted 4-0 and approved.

D. Change of Manager

1. The Chateau Restaurant of Andover, Inc.

Selectman Lyman motioned to approve the request of Steven Vallarelli, of The Chateau Restaurant of Andover, Inc., 131 River Road, Andover, for a Change of Manager on their All-Alcoholic Beverage License from Timothy Soule to Steven Vallarelli. The motion was seconded by Selectman Stabile, voted 4-0, and approved.

2. Bertucci's Restaurant Corporation

Selectman Lyman motioned to approve the request of Sandra Woodin of **Bertucci's Restaurant Corporation, 155 Otis Street, Northborough, MA, d/b/a Bertucci's, 90 Main Street**, Andover, for a Change of Manager on their Wine & Malt Restaurant License from Mark Olson to Robert Gautieri. The motion was seconded by Selectman Major, voted 4-0, and approved.

The requests have 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 licenses.

E. Extended Hours

Selectman Lyman motioned to approve the request of Steven Vallarelli, of The Chateau Restaurant of Andover, Inc., 131 River Road, Andover, for extended Sunday hours on their All-Alcoholic Restaurant License to open at 11:00 A.M. instead of Noon. 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 motion was

seconded by Selectman Stabile, voted 4-0, and approved.

F. Common Victualler

Selectman Stabile motioned to approve the request of Shayna Campiola, Corporate Chefs, 22 Parkridge Road, Haverhill, MA, for a Common Victualler license for use at New England Business Center, 10 New England Business Center Drive. 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 motion was seconded by Selectman Lyman, voted 4-0, and approved.

G. Request for a Waiver

Selectman Major motioned to approve the request of Colleen Goddard, Co-Chair of the Andona Society 2008 Fall Event, for a waiver from the requirement that event participants obtain a transient vendor license under Chapter 1010, Section 12A, "Special license relating to transient sales for charitable purposes". Their event will be held on Friday, November 7, 2008 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 Stabile, voted 4-0, and approved.

H. One Day Beer & Wine License

Selectman Lyman motioned to approve the request of David J. Reilly, on behalf of the Andover Federal Credit Union, 19C Lupine Road, Andover, for a one-day beer & wine license for Thursday, September 18, 2008 from 4:00 P.M. to 7:30 P.M. for the Credit Union's Annual Meeting at 19C Lupine Road, Andover. 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 motion was seconded by Selectman Stabile, voted 4-0 and approved.

I. Block Party

Selectman Major motioned to approve the request of Chris Huntress, on behalf of the residents of Ballardvale, who is requesting permission to use the Ballardvale Playground on Saturday, September 6, 2008, for the 7th Annual Ballardvale Block Party. Arrangements have been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Lyman, voted 4-0 and approved.

VIII. Approval of Minutes of Previous Meeting

Selectman Lyman motioned to approve the Minutes of the Regular Meeting of August 11, 2008 as presented. The motion was seconded by Selectman Stabile, voted 4-0 and approved.

IX. Adjournment

Selectman Stabile motioned to adjourn the Regular Meeting of the Board of Selectman. The motion was seconded by Selectman Lyman, voted 4-0 and approved. The meeting adjourned at 9:02 P.M.

Respectfully submitted,
Dee DeLorenzo, Recorder