I. Executive Session

Chairman Teichert opened the Board of Selectmen meeting at 5:30 P.M. in the School Committee Conference Room in the School Administration Building. Present were: Chairman Teichert, Selectmen Mary Lyman, Gerald Stabile, Brian Major and Alex Vispoli. Town Manager Buzz Stapczynski was also present.

On a motion by Selectman Lyman and a second by Selectman Major, it was voted to go into an Executive Session to discuss collective bargaining strategy, pending litigation, and confidential consultation with Town Counsel and to return to Open Session. Roll call vote: Selectman Lyman – Y, Selectman Vispoli – Y, Chairman Teichert – Y, Selectman Stabile – Y and Selectman Major – Y.

On a motion duly made and seconded it was voted to adjourn the Executive Session at 6:00 P.M. and return to Open Session.

II. Call to Order/Roll Call

Chairman Teichert called the Open Session meeting of the Board of Selectmen to order at 6:08 P.M. in the School Committee Room in the School Administration Building. Present at the Regular Meeting: Chairman Teichert and Selectmen Alex Vispoli, Gerry Stabile, Mary Lyman and Brian Major. Town Manager Buzz Stapczynski and Town Clerk Randy Hanson were also present. The meeting was duly posted and cablecast live.

III. Opening Ceremonies

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

IV. Communications/Announcements/Liaison Reports

The Town Manager communicated the following:

- Thanked the Andover Fire Fighters Association for the wonderful holiday parade held on Sunday, November 30th.
- Announced that Omnipoint was denied a building permit for the 100' cell tower on Prospect Street by the Town Building Inspector Kaija Gilmore.
- Encouraged residents to attend an important meeting about the Shawsheen River and the proposed removal of three dams. The meeting will be held at the Memorial Hall Library at 7:00 P.M. on December 11th.
- Stated that National Grid will be involved in the Hazardous Tree Program with forty-eight trees listed to be removed this winter.
- Reminded everyone about the Holiday Happenings on Main Street this Friday, December 5th sponsored by the downtown merchants association.
- Thanked the Girl Scout Troop on their findings and evaluations on what people recycle. The results of their project showed that more plastic bottles are recycled than any other materials, and the best locations to situate a recycle bin is at CVS and in the Park at the corner of Bartlet Street.

Selectman Vispoli said members of the Tri-Town I/93 project met on November 20th and

developed a timeline laying out benchmarks for approvals and requirements for different items. The calendar will be posted on the website.

Selectman Lyman said the Senior Center held an informational meeting on the assisted living plan – living without walls – which was very well attended. Selectman Lyman would like to have a presentation at the next Selectman's Meeting.

V. Citizens Petitions and Presentations

John Pasquale, 47B Whittier Street, commented on the decision to charge the Andover Merchants for use of the Town House on Saturday, December 6th stating the merchants have been inconvenienced since the start of the Main Street Project and it would have been a nice gesture to not charge them. Mr. Pasquale also praised the Fire Department for checking the exit markings in CVS.

VI. Tax Classification for FY-2009

A. FY-2009 Tax Classification

The Board asked David Billard, Town Assessor, to explain what a 1.43 shift in the tax rate would look like for residents and businesses and discussed keeping the same percentage growth as last year.

Selectman Stabile motioned to set the Tax Classification Factor at 1.46 for FY2009. The motion was seconded Selectman Lyman, voted 4-1 and approved.

Selectman Major voted to set the discount factor for all land identified as open space at 0% for FY2009. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

Selectman Major motioned to set the residential exemption factor at zero percent for FY2009. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

Selectman Major motioned to set the commercial exemption factor at zero percent for FY2009. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

B. Town Manager's Evaluation

Chairman Teichert said the evaluation of the Town Manager has been completed and publicly read a summary statement of the results. Mr. Teichert said the Town Manager shows a clear sense of leadership in strategic matters, demonstrates strong work ethics and effectively oversaw the handling of the Town budget. Areas for improvement include asserting his authority more often.

Deb Silberstein, School Committee Chair, thanked Buzz for the outstanding job he has done in collaborating with the School Committee and the Superintendent on budget matters and other areas of concern. Deb feels the Town is lucky to have him as Town Manager.

IX. Approval of Consent Agenda Items

A. Appointments and Re-appointments

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

DEPARTMENT	POSITION	RATE	EFF. DATE

YOUTH SERVICES

Matthew J. Periman	Counselor – PT	C2C	10/31/08

(To be paid from Youth Services revolving account)

COMMUNITY SERVICES

Lisa M. Guerin	Office Assistant II (v. V. Loschi)	IE12	12/17/08

(To be paid from Community Services' revolving account)

HOUSING PARTNERSHIP/FAIR HOUSING COMMITTEE –
Terms to expire 6/30/11
Williams E. English
Jonathan Fuller
Lelani Loder

B. Annual License Renewals

Town Clerk Randy Hanson has one license listed that is not being exercised. Mr. & Mrs. Perkins came forward and explained they are almost ready to restart the construction process and they are committed to seeing the project completed. They will submit a timeline for completion to the Board by the first of January and will communicate with them on the progress. Even though they are not exercising their license at this time they plan to as soon as the construction is complete. They thanked the Board for their patience.

Selectman Vispoli motioned to approve the attached 2009 annual lists of license renewals for Alcoholic Beverage, Common Victualler, Automatic Amusement/Live Entertainment, Class I and II and Lodging presented by the Town Clerk. The applicants have filed all of the necessary paperwork and payments and have complied with all of the State and Town department conditions necessary for renewals. Selectman Stabile seconded the motion. The motion was voted 5-0 and approved.

C. Class II License

Selectman Lyman motioned to approve the request of Elias Nabbout, 2 Nollet Drive, Andover, for a Class II license to conduct a car dealer business at 2 Nollet Drive. The license will be effective from December 1, 2008 through December 31, 2009.The request has been reviewed and approved by the Town Clerk and is subject to the following conditions: the business use must be limited to office/administrative use only; no customers may be seen on the premises; none of the cars may be stored at the residence and all other requirements of the Town must be met prior to the issuance of the license. The motion was seconded by Selectman Stabile, voted 5-0 and approved.

D. One-Day Beer & Wine License

Selectman Stabile motioned to approve the request of Elaine Clements, Executive Director, Andover Historical Society, 97 Main Street, Andover, for a one-day beer & wine license for use on Tuesday, December 2, 2008 from 4:00 P.M. to 10:00 P.M. for a fundraiser at the Town House. This is a transfer of the Charitable Wine Pouring license approved by the Board at the November 17, 2008 meeting.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 Major, voted 5-0 and approved.

VIII. Adjournment

Selectman Stabile motioned to suspend the Regular Meeting of the Board of Selectmen of

December 1, 2008 at 7:30 P.M. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

Respectfully submitted,

Dee DeLorenzo, Recorder