

**BOARD OF SELECTMEN
MINUTES – JANUARY 5, 2009**

I. Call to Order/Roll Call

Chairman Teichert called the Open Session meeting of the Board of Selectmen to order at **7:05 P.M. in the Selectmen's Conference Room at the Town Offices. Present at the Regular Meeting:** Chairman Teichert – Y, Selectman Vispoli – Y, Selectman Stabile – Y, Selectman Major – Y and Selectman Lyman – Y. Also present: Town Manager Buzz Stapczynski and Town Clerk Randy Hanson. The meeting was duly posted and cable-cast live.

II. Executive Session

Vice Chairman Alex Vispoli called the meeting of the Board of Selectmen to order at 6:00 P.M. in the Selectmen's Conference Room in the Town Offices. Present were: Vice Chairman Alex Vispoli, Selectman Mary Lyman and Selectman Brian Major.

On a motion by Selectman Major and a second by Selectman Lyman, it was voted to go into an Executive Session to discuss land acquisition with Town Counsel and to return to Open Session. Vote: Vice Chairman Vispoli – Y Selectman Lyman – Y and Selectman Major – Y.

On a motion duly made and seconded, it was voted to adjourn the Executive Session at 6:35 P.M. and return to Open Session.

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 made the following announcements:

- Thank you to the Andover residents for their cooperation and patience in cleaning up debris from the recent ice storm. National Grid is trimming trees downtown and will head to Ballardvale next and the Town crew is picking up street debris.
- A meeting will be held on January 7th from 6:30 P.M. to 8:30 P.M. at Temple Emanuel to discuss the proposal to develop ball fields on the Blanchard Street property.
- The Warrant is scheduled to close on January 16th at 4:30 P.M. and the individual articles will be discussed at the upcoming meetings.
- The Chairs of the three Boards will meet with the Town Manager and Superintendent of Schools this week. A Tri-board meeting will be scheduled on a date after the Governor's Budget is out. There is concern for 9C and local aid cuts but a vote from the State Legislature is needed to cut local aid.
- A Public Hearing will be held on January 26th to review the Outdoor Dining Policy voted on at Town Meeting in April.

Selectman Stabile asked for an update on the status of the banner pole that is to hang across Main Street and asked where the funds are coming from to pay for that. Selectman Stabile was advised that the funds are from a private source and he should contact Mark Spencer for more information. Mr. Stabile will do that.

Selectman Major said the State determined the Elm Square re-construction area is a safety issue because gas trucks can only come north on Main Street and we will need to re-design that section, however, the re-design could be at our expense.

Selectman Vispoli said the I-93 Interchange Group will meet in Wilmington on Thursday, January 8th. The group is getting close to completing the Statement of Need and Purpose which all three towns must sign off on.

Selectman Lyman thanked the Department of Public Works personnel who worked at night and all weekend to clean the roads after the recent storms. She also heard that there might be a furlough for State workers where they would not work one day each month for no pay and would not be able to use sick or vacation time towards it. Selectman Lyman also asked if the DPW could communicate an up-to-date recycle schedule.

Selectman Lyman also said the Council on Aging and the TRIAD will meet on Thursday, January 8th in the School Administration Building. The Commission on Disability will meet on January 22nd at 7:30 P.M. at the Memorial Hall Library.

Town Clerk Randy Hanson said the Town Election is coming up in March and ten people have taken out nomination papers. The Andover/North Andover League of Women Voters will hold a "How to Run for Office" seminar in the Board of Selectmen's Conference Room on Wednesday, January 7th. A member from the State Campaign Finance Committee will be present along with Selectman Vispoli.

V. Citizens Petitions and Presentations

Arthur Friedman of 5 Stoneybrook Circle asked what measures the Town took to inform residents on what to do in case of an emergency (loss of power during the ice storm), how they alert neighborhoods and help residents in need. He also questioned what steps would be taken to help residents who were without power for 2-3 days. Town Manager Stapczynski said Andover participates in shelters located in Methuen and reviewed the steps and plans put together. Selectman Stabile said he would take the request as an action plan. Bob Willard, 76 Tewksbury Street, suggested future Town Census Forms include a question which would ask if there is a person at risk or with special needs in the household.

VI. Regular Business of the Board

A. 2009 Annual Town Meeting

The Board discussed moving the date of the 2009 Annual Town Meeting to May or June and the need to change the closing date for the Warrant. The Board discussed the conflicts and responsibilities that would arise if Town Meeting were delayed. Moderator Sheila Doherty suggested the Board move forward as scheduled and if a significant change appears, non-budget Town Meeting articles could be completed and budget item discussions postponed until June. One option would be to hold a Special Town Meeting if needed.

Selectman Lyman asked how difficult it would be to implement budget items at a later

date, what is the required notification date for layoffs and what the effects of both might be. Selectman Vispoli suggested creating timelines. Selectman Major asked about scheduling of the CIP work if the budget were delayed. Finance Chair Joanne Marden said the Finance Committee discussed at length the pros and cons of changing Town Meeting dates and agree with the Moderator that Town Meeting could begin as scheduled covering all articles excluding the budget at the beginning of the meeting and establish another date for budget items if necessary. Still a concern is the notification dates for layoffs. The Board will continue the discussion on January 26th and if needed re-open the Warrant.

Selectman Major motioned the Board of Selectmen vote to keep Town Meeting with the current dates as scheduled and budget decisions with a second Town Meeting. The motion was seconded by Selectman Stabile, voted 4-1 and approved.

Selectman Major motioned the Board of Selectman ratify the earlier decision to close the Warrant on January 16, 2009 at 4:30 P.M. The motion was seconded by Selectman Lyman, voted 4-1 and approved.

B. Hiring Freeze

Selectman Mary Lyman distributed the draft of hiring freeze policy to the members of the Board. There are eight recommended guidelines in the policy and in light of the economic climate, it is important they are followed. Selectman Vispoli thanked Selectman Lyman for preparing the components of the guidelines. Selectman Major said it is a valuable tool for the Town Manager to use as he makes decisions with the Department Heads, however, he does not see the need for a policy. Town Clerk Randy Hanson said the policy conflicts with the Town Charter. The Town Manager said the Board has the right to vote on a new hire at the end of the process, this is a directive for him to be aware of the guidelines to follow.

The position of a general foreman in the DPW and how it will be funded was discussed. Changes to the guidelines for hiring will be sent to Selectman Lyman and the Town Manager will send comments from his staff to Selectman Lyman.

C. FY-2009 Goals & Objectives

The Town Manager distributed the updated FY-09 Goals & Objectives outlining the objectives, tasks and action steps for each Goal. He reviewed the Major Topics listed which include the FY10 Budget Process, Negotiations, Communications, Staff Development and Projects and explained the current status of each item. Selectman Lyman asked how the funding for all the projects would be handled. She also asked if a preliminary meeting could be held prior to the Tri-board meeting to discuss anticipated goal dates and preparation of a project timeline.

Selectman Major motioned the Board of Selectman officially accept the FY2009 Goals and Objectives as presented. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

VII. Approval of Consent Agenda Items

A. Appointments and Re-Appointments

Selectman Lyman motioned to approve the following appointments recommended

by the Town Manager. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>COMMUNITY SERVICES</u>			
Abigail A. Cook	Basketball Program – PT	C2A	12/13/08
Connor W. Sullivan	Basketball Program – PT	C2A	12/6/08
Nicholas F. Burdeau	Basketball Program – PT	C2A	12/6/08
Matthew J. Twomey	Basketball Program – PT	C2A	12/6/08
Brianne T. Deyermond	Basketball Program – PT	C2A	12/6/08
<u>MEMORIAL HALL LIBRARY</u>			
Meghan Burke	Page/Children’s Room – PT L1/1 (v. S. Bowman)		1/6/09

COUNCIL ON AGING

Emily Kearns – Term expires 6/30/11 (v. C. Sintros)

CONSTABLE

Pamela Bertheim – Civil Process Only
Term expires 2/6/12

B. Annual License Renewal

Selectman Vispoli motioned to approve the request for the following 2009 Common Victualler license renewal presented by the Town Clerk.

- **Dana’s Café & Catering, 600 Federal Street**
Manager: Dana DeGennaro

The license will be effective from January 5, 2009 through December 31, 2009. The applicant has filed all of the necessary paperwork and payments and has complied with all of the State and Town department conditions necessary for renewal. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

C. Crafts-in-the-Park

Selectman Major motioned to approve the request of Vahe Apelian, President, Andover Chapter of the American Field Service (AFS), for permission to use The Park on Saturday, May 9, 2009 (rain date – Sunday, May 10, 2009) for their Annual Crafts-in-the-Park event. They are also requesting permission to have a band in the gazebo during the event. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

D. DCS Yard Sale

Selectman Stabile motioned to approve the request of Mary Donohue, Community Services Director, for permission to use The Park on Saturday, May 2, 2009 (rain date – Sunday, May 3, 2009) from 8:00 A.M. to 2:00 P.M. for their annual Spring Yard Sale. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Major, voted 5-0 and approved.

VIII. Approval of Minutes from Previous Meetings

Selectman Major motioned to approve the December 15, 2008 as presented. The motion was seconded by Selectman Vispoli, voted 5-0 and approved.

Selectman Major motioned to approve the December 1, 2008 Minutes of the Tri-Board Meeting as presented. The motion was seconded by Selectman Lyman , voted 5-0 and approved.

IX. Adjournment

Selectman Major motioned to adjourn the Regular Meeting of January 5, 2009. The motion was seconded by Selectman Lyman, voted 5-0 and approved.

The meeting adjourned at 9:35 P.M.

Respectfully submitted,

Dee DeLorenzo, Recorder