

## **BOARD OF SELECTMEN MINUTES – OCTOBER 19, 2009**

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### **I. Call to Order/Roll Call**

Chairman Vispoli 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:** Selectman Teichert-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. Opening Ceremonies**

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

### **III. Communications/Announcements/Liaison Reports**

The Town Manager reported the following:

- Andover Day turned out to be a wonderful day and he recognized Selectman Teichert who was responsible for many of the **day's** arrangements.
- The Massachusetts Department of Revenue has certified our Free Cash in the amount of \$1,602,874.00 as of June 30, 2009.
- Thank you to the Board for their support and **time in finalizing this year's** budget and for their work in preparing for the two Special Town Meetings.
- He had a conversation with Senator Sue Tucker and Representative Barbara **L'Italien** about Local Aid and potential 9C cuts. A legislative update will be **provided at this Friday's MMA breakfast at the Stevens Estate** in North Andover at 7:00 A.M.
- The School Building Committee is holding a meeting this evening in the School Committee Room. A public meeting will be held on Saturday, November 14<sup>th</sup> with the design firm to gather information on specifications for the Bancroft School.
- The I-93 Project will hold a public meeting October 22<sup>nd</sup> at the Tewksbury Town Hall to discuss the types of business and infrastructure the community would like to see developed.
- There will be a Green Andover presentation at the Memorial Hall Library on Saturday, October 24<sup>th</sup> from 11:00 A.M. to 2:00 P.M. with exhibits and programs to promote everything green.
- Hooks Johnston, Jr., Chairman of the Town Yard Task Force, will make a presentation on their status this evening.
- The State Finance Association is conducting a workshop on Saturday, October 24<sup>th</sup> and both Joanne Marden, Chair of the Finance Committee, and Tony Torrisi, Finance Director, will make presentations at the meeting.
- He met with the Greater Lawrence Regional Technical School Superintendent and other local representatives at GLRTS on October 16<sup>th</sup> and is pleased to announce they will be offering a night school with many varied course offerings.
- Andover has received a State green community grant. They have assigned a consultant who will assist us in the process of becoming a Green Community.

### **III. Communications/Announcements/Liaison Reports (Cont'd)**

- The last day to register to vote in the Special State Primary and Election is Wednesday, November 18<sup>th</sup>. **The Town Clerk's Office** will remain open until 8:00 P.M. that day to accommodate residents. Postcards will be sent out to alert residents that there will be two polling places available for voting and which one they should report to.
- Congratulations to James Latorre who has made the distinction of obtaining

Eagle Scout status.

- The Department of Revenue has offered their consulting services at no charge to investigate the consolidation of the Town and School Business functions. They are available to begin in a few months and the process would take approximately three months to complete. The Town Manager is looking for a vote of endorsement from the Board to proceed with this study.

Discussion: Chairman Vispoli said he is concerned about the timeline and what the budget implications will be before Town Meeting in April. He suggested the Town Manager and School Superintendent develop a proposal to present to the Board and School Committee taking advantage of the current situation. Selectmen Teichert said we should find out if the School Business Administrator position is going to be filled. Selectman Lyman said the Division of Local Services could be an asset and very helpful. Selectman Major stated a scope of the process and expected outcome should be established to determine if this will be beneficial for our process going into the FY-2011 budget.

Motion: Selectman Major motioned for the Town Manager to speak with the School Superintendent to develop an internal process now, to contact the State for a timeline and to deliver a joint presentation of the results at the December 7<sup>th</sup> Tri-board meeting. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

Selectman Teichert requested that items from the list of goals and objectives developed at the Team 470 meetings be addressed at future Selectmen meetings. He also thanked Senior Planner Lisa Schwarz, Andover Business Association members, Main Street Committee members and all those who participated in making Andover Day such a success. An estimated 5,000-6,000 people attended.

Selectman Stabile requested the Board write a letter of support, which the Massachusetts Municipal Association could bring to the Governor, to encourage him to take action on several issues (health insurance for part-time employees, ethic laws, bid process) before further 9C cuts are considered. Selectman Lyman suggested that the School Committee draft a letter as well.

Selectman Lyman requested that the Building Division post a set of project guidelines and a check list for residents to access on-line. She also requested that a discussion to recap issues raised from the previous Town Meetings be placed on a future Board meeting agenda.

**IV. Citizens Petitions and Presentations – None**

**V. Regular Business of the Board**

A. Town Yard Task Force

Town Yard Task Force Chairman Hooks Johnston, Jr. gave a status report on the Town Yard project and stated that community conversation meetings have been scheduled for October 28, November 17 and December 9, 2009 and include Town board meetings (Conservation Commission, Preservation Commission, Board of Selectmen, etc.) prior to submitting a warrant article by January 29<sup>th</sup> for the 2010 Annual Town Meeting with a final MGL Chapter 40R Zone Change Plan submitted by February 10, 2010. Master preliminary plans will be available in January 2010. Four proposals have been received for consideration for the new Town Yard facility. They are: 167 Greenwood Road, 5 Campanelli Drive, 146 Dascomb Road, and 69 North Street. A review of the properties will be held on Thursday, October 22<sup>nd</sup> beginning at 2:00 P.M.

B. Veterans Services

Veterans Services Director Mike Burke updated the Board on the activities planned for the month of November **which include the annual Veterans' Breakfast to be held on November 2<sup>nd</sup> at the Town House, Veterans' Day Services on November 11<sup>th</sup>** with traditional ceremonies scheduled at West Parish Cemetery, Spring Grove Cemetery, and **Ballardvale Green. The theme of this year's Veterans' Day observance is "Heroes Among Us". A program book of the same title honoring twenty-nine Andover veterans who were recipients of various military medals will be given to each of the twenty-nine veterans' families highlighted in the book. Copies are available at the Veterans' Office** in the Town Offices and Memorial Hall **Library. Following the Veterans' Day ceremonies a luncheon** will be held at Doherty Middle School. On December 3<sup>rd</sup>, the Holiday Concert featuring the U.S. Liberty Band will be held at the Collins Center. Free tickets are available at the Veterans Office.

Mr. Burke recognized and thanked Calvin Deyermond, Chairman of the Patriotic Holiday Committee. The Holiday Committee worked with Senior Planner Lisa Schwarz to retrofit the flag posts along Main Street. American flags will now be displayed from Shawsheen Square to Phillips Academy. Donated family flags will also be placed on the bandstand in The Park on Memorial Day and the Fourth of July. Mr. Burke is requesting approval from the Board of Selectmen to affix the donated family flags to the bandstand in The Park.

Selectman Major motioned to approve the request to temporarily affix the donated American Flags to the bandstand in The Park for Memorial Day and the Fourth of July. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

Mr. Burke reported on the benefits paid to Veterans in need and said they have been experiencing a higher demand for assistance due to the troubled economy. The Veterans Office receives 75% reimbursement of monies from the State but the

V. **Regular Business of the Board (Cont'd)**

B. Veterans Services (Cont'd)

timeline for reimbursement varies and can take up to twelve months or more for the funds to **go directly to the Town's General Fund.**

A plan to begin improvements to the Elm Green was explained. The trees in the area have overgrown to a point where they block the view of the flag and the tree roots are disrupting the bricked area. He is working with the Conservation Commission and Plant & Facilities Director Joseph Piantedosi on plans to update the area and will present their findings to the Board in January or February 2010.

C. Capital Improvement Program

The Town Manager gave an overview of the FY-2011 – FY-2016 Capital Improvement Program and stated adjustments to the document are still being made. Requests for the Bancroft School Replacement Project, Town Yard Land Acquisition and the Ballardvale Fire Station are still being determined. The Board discussed whether it is appropriate to list these projects on this year's CIP **if they won't be ready for FY-2011.** The Board suggested creating three sub-**committees to look at the funding impact of future CIP's** for large projects coming forward, offsetting factors such as reimbursement and other financial implications. Each project will have extenuating financial issues. The Board discussed line items in the CIP for sidewalk maintenance, Firefighter protective clothing

and the status of the Animal Control Van.

D. Annual Town Meeting & Election Calendar – Revised

Selectman Stabile motioned to approve the revised dates for the closing of the Warrant from January 22, 2010 to January 29, 2010 and the Annual Town Meeting from April 26 and 27, 2010 to April 28 and 29, 2010. The motion was seconded by Selectman Major and voted 3-0 to approve.

E. Town Manager Re-appointment

The Board discussed the re-appointment process and timeline for the Town-**Manager's** position. Mr. **Stapczynski's** term runs through June 4, 2010 and per his contract, the Board is required to provide him with a 90-day written notice which would be March 4, 2010. Chairman Vispoli recommended establishing a process to receive input from residents and internal feedback from Town employees. Chairman Vispoli will prepare a proposal for the next Board meeting to establish a timeline, feedback mechanisms and contract specifications.

F. Town House Rental

Plant & Facilities Director Joseph Piantedosi presented a proposal to the Board requesting permission to lease office space in the Town House to The Andover Villages at Home (TAVAH), a non-profit organization offering assistance by providing resources for elderly people wishing to stay in their homes. Mr. Piantedosi showed a schematic of the area to be leased (411 sq. ft) and said the fee for the first year would be \$2,500 which would cover expenses.

V. **Regular Business of the Board (Cont'd)**

F. Town House Rental (Cont'd)

Selectman Teichert recommended approval of the request as presented. The motion was seconded by Selectman Lyman and voted 3-1-1. Selectman Major was opposed and Chairman Vispoli abstained.

Discussion: Selectman Major asked if a plan has been established highlighting the different types of businesses the Town wants to attract for the Town House. Mr. Piantedosi responded that a plan will be developed if additional space is planned to be leased. Currently, the back area of the Town House is reserved to accommodate non-profit organizations and the tenants are on a year-to-year lease (at will). The area of the Town House facing Main Street is considered prime space. Mr. Major would like to see a proposal put forth for the future to see what other non-profit organizations and 30B projects would be interested in space at the Town House. Mr. Piantedosi will present a policy to the Board for their review which would go into effect as of June 30, 2010.

Selectman Major motioned to request the Plant & Facilities Director to develop a policy **and procedure outlining the requirements for RFP's and the criteria on which they would** be evaluated, along with a timeline and related costs to be returned to the Board by mid-December 2009. The motion was seconded by Selectman Stabile and voted 3-0-1.

VI. **Consent Agenda**

A. Appointments/Re-Appointments

Selectman Stabile motioned to approve the following appointments as recommended by the Town Manager. Selectman Major seconded the motion which was voted 4-0 and approved.

DEPARTMENT	POSITION	RATE	EFF. DATE
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COMMUNITY SERVICES

Natalie Gomez Sports Assistant – PT C2A 10/19/09

Desiree N. Croteau Enrichment Instructor – PT \*\*\* 10/1/09

\*\*\* varies w/program/course

BALLARDVALE HISTORIC DISTRICT COMMITTEE

Leo M. Greene – Regular Member – Term expires 6/30/12  
(v. L. Smiledge)

TRIAD COUNCIL

Sandra C. Karp – Term expires 6/30/12  
(v. T. Deso)

**VI. Consent Agenda (Cont'd)**

A. Appointments/Re-Appointments (Cont'd)

POLICE DEPARTMENT

Detective David Milne – **Board's Liquor Licensing Agent**  
(v. W. Wallace)

HOUSING TRUST BOARD OF TRUSTEES

Charles W. Wolf, Jr. – Term expires 6/30/12  
(v. K. Sousa)

Selectman Stabile motioned to approve the following appointments as recommended by the Town Manager. Selectman Major seconded the motion which was voted 4-0 and approved.

B. Common Victualler Licenses

Selectman Teichert motioned to approve the request of Michael Cammarata, d/b/a **LaRosa's, 7 Barnard Street, Andover, for a Common Victualler license for use at 7 Barnard Street**; and to approve the request of Danielle A. Carbone, 24 Green Street, Lynnfield, MA, on behalf of CSB Restaurant Group, Inc., d/b/a Yella, 16 Post Office Avenue, Andover, and who is applying for a Common Victualler license for use at 16 Post Office Avenue. A motion to second both requests was made by Selectman Major and voted 4-0 to approve.

**VII. Approval of Minutes from Previous Meetings**

Selectman Teichert motioned to approve the Minutes of the Regular Meeting of September 21, 2009. The motion was seconded by Selectman Major and voted 4-0 to approve.

**VIII. Adjournment**

Selectman Major motioned to adjourn the Regular Meeting of October 19, 2009 with a second by Selectman Stabile and unanimously approved. The meeting adjourned at 10:02 P.M.

*Respectfully submitted,*

Dee DeLorenzo  
Recorder