BOARD OF SELECTMEN – OCTOBER 4, 2010

I. Call to Order/Roll Call

Chairman Alex Vispoli reconvened the meeting from Executive Session to the Regular Meeting of the Board of Selectmen at 7:02 P.M. in the Selectmen's Conference Room at the Town Offices. Present at the Regular Meeting: Chairman Vispoli, Selectman Teichert, Selectman Major, Selectman Lyman, and Selectman Hess. Also present: Town Manager Buzz Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cable-cast live.

II. Executive Session

Chairman Alex Vispoli opened the Board of Selectmen's meeting at 6:05 P.M. in the Selectman's Conference Room. Present were Chairman Vispoli and Selectmen Teichert, Major and Hess. Selectman Lyman arrived at 6:35 P.M.

On a motion by Selectman Teichert with a second by Selectman Major, it was voted to go into Executive Session to discuss pending litigation strategy with Town Counsel and negotiation strategy for non-union personnel and to return to Open Session. Roll call: Selectman Major – Y, Selectman Teichert – Y, Chairman Vispoli – Y and Selectman Hess – Y.

A motion was duly made, seconded and voted to return to Open Session at 6:50 P.M.

III. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

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

IV. Communications/Announcements/Liaison Reports

The Town Manager made the following announcements:

~ Residents are encouraged to turn off their irrigation systems.

~ A forum on "Being Green Made Easy" will be held at the Town House on October 8th at 6:00 P.M. to showcase living green in Andover. The event also ties into the Global Green Event on October 10th.

~ With two Special Town Meetings held last year to balance the Budget, the Town closed the books for 2010 in the black with Free Cash certified at $1.6M. Congratulations to the Department Heads for accomplishing the task of meeting budget reductions.

~ In response to the question on road paving, crews are out but work is dependent upon the weather. A list of streets under construction is available on the Town website.

~ The Special Town Meeting will be held on December 6th. There are three warrant articles on the agenda: Bancroft School; acquisition of land at Fosters Pond from the Conservation Commission who is applying for a grant and needs a vote at Town Meeting to authorize the grant application and a private article for acquisition of land at 3 Blanchard Street for ball fields.

~ The Annual Fire & Rescue Open House will be held on Saturday, October 16h from 10:00 A.M. until 1:00 P.M. in conjunction with the Public Health Department and the Police Department.

~ The Towns of Andover and Tewksbury have been approved as Economic Target Areas by the State which is part of the business retention plan providing businesses the opportunity to pursue tax credits with the State. The economic development areas

qualify the whole Town for this benefit.

Selectman Lyman said the Senior Center will hold a Pancake Breakfast on Saturday, October 16th from 8:00 A.M. to 11:00 A.M. The cost is $4 per person.

Selectman Major:

~ Announced the next Town Yard Task Force meeting will be held on Thursday, October 7th in the Selectmen's Meeting Room. The TYTF has two new members and will be appointing a third tonight. He reported they will not be prepared to present a warrant article at the December Special Town Meeting but are moving forward with an analysis of various scenarios. Chairman Vispoli suggested the TYTF provide an update for the Mid-Year Review.

~ Congratulated the Wyndam Hotel on the opening tonight of their outdoor courtyard patio bar.

Chairman Vispoli:

~ Reported on the Monday meetings with the Chairs of the Board of Selectmen, School Committee and Finance Committee. A Tri-board Meeting/Public Information Session will be held on Tuesday, October 12th at 7:00 P.M. at Memorial Hall Library for a comprehensive, high-level overview of the Bancroft School Project. He encouraged residents to attend.

~ The plan for the Information Technology Chief Information Officer is still being refined by the Town Manager and School Superintendent and they will provide a joint presentation in a few weeks.

~ Reported on the Regional Massachusetts Municipal Association meeting held in Tewksbury last week. Updates on legislation information, ramifications of Ballot Question #3, and issues with the new Open Meeting Law were discussed.

Town Clerk Larry Murphy reported on the upcoming November Election and announced that October 13th is the deadline to register to vote in the November 2nd Election. The Town Clerk's Office will be open on October 13th until 8:00 P.M. to accommodate residents who wish to register. Information on the three ballot questions is available on the Town website as is the information on precincts and where to vote. Candidates have been sent a memo that political signs will be removed if placed on public property.

V. Citizens Petitions and Presentations

Mary Carbone, 3 Cyr Circle, referred to a recent editorial in the *Eagle Tribune* about street lights being shut off. She has issues with taxpayer money being spent on legal fees, the amount of Free Cash and funds received from the State for Green initiatives and feels some of that money could be used to turn the street lights back on. She feels it is a safety issue and wants the Board to re-visit their decision on turning off street lights. Chairman Vispoli reported that the reserves for Free Cash are at a low level compared to where it needs to be and the Board is committed to building up the Reserve Fund. Street lights will not be revisited.

VI. Public Hearing

Chairman Vispoli opened the Public Hearing at 7:30 P.M.

A. Bay State Gas Company

Joe Fiorente, representative of Bay State Gas, explained the request to replace the gas mains and to install high-density poly pipe to replace the current pipes that are in poor condition and a safety hazard.

~ Excavate on Riverina Road to replace 1,350 feet of 8-inch high pressure bare steel gas main with an 8-inch HDPE and to excavate on Kenilworth Road to replace 550 feet of 8-inch high pressure bare steel gas main with an 8-inch HDPE and to tie into the existing mains. This is being done as a system improvement due to the poor condition of the existing main. Approximate location is shown on Plan #09142010-D.

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 the work. The motion was seconded by Selectman Lyman, and voted 5-0 to approve.

Sean Duffy of 24 Riverina Road said he supports the project. He inquired if the Gas Company would be repaving the entire street or only the excavation areas and whether residents would incur a cost for moving the meters. Chairman Vispoli said Bay State Gas is required to pave the areas that are disturbed and residents will not incur any expense for moving meters. Selectman Hess said a smooth and safe surface is all that is required, they can't dictate the coloring.

Selectman Major motioned to approve the request of Bay State Gas Company for permission to excavate for the purpose of replacing and/or extending its gas mains to make the necessary house connections under public ways as follows:

VII. Regular Business of the Board

A. Traffic Rules and Regulations

Safety Officer Edgerly explained the following changes to the Traffic Rules and Regulations being recommended due to the Main Street Project:

Schedule 1, Article VII – TURNS:

Right Turn Only
Add: Vehicles exiting Post Office Avenue must turn right onto Main Street
Left Lane Must Turn Left
Main Street
Add: Southbound vehicles in the left lane must turn left onto Barnard Street
Southbound vehicles in the left lane must turn left onto Chestnut St.
Northbound vehicles in the left lane must turn left onto Chestnut St.
Central Street
Add: Eastbound vehicles in the left lane must turn left onto North Main St.
Elm Street
Add: Westbound vehicles in the left lane must turn left onto Main Street

Right Lane Must Turn Right
Central Street
Add: Eastbound vehicles in the right lane must turn right onto Main Street
Elm Street
Add: Westbound vehicles in the right lane must turn right onto No. Main St.

Schedule 2, Article VI, Section 1 – ONE-WAY STREETS

Post Office Avenue
Delete: North from Main Street to Elm Street
Add: South from Elm Street to Main Street

Schedule 4, Article VII, Section 18 – RIGHT TURN ON RED PROHIBITED

Delete: Central Street – Eastbound onto Main Street
Central Street – Southbound onto Main Street

Add: Railroad Street – Northbound onto North Main Street
166 North Main Street – Eastbound onto North Main Street
North Main Street – Southbound onto Railroad Street

Schedule 4, Article VII, Section 18 – PROHIBITED TURNS

Add: No "U-Turn"/reversing direction on Main Street from Elm Square to Punchard Avenue (both directions)

Schedule 7, Article VII, Section 8(i) – TRAFFIC LIGHTS

North Main Street and Railroad Street – Town-controlled
Rte. 125 and Salem Street/Stinson Road – State-controlled

Schedule 7, Article VII, Section 8(i) – DO NOT ENTER

Delete: Post Office Avenue at Elm Street heading southerly
Add: Post Office Avenue at Main Street heading easterly

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

Add: Central Street to Main Street
Elm Street to North Main Street

Schedule 1, Article V, Section 2 – PARKING

Add: West side of Main Street – one space in front of 97 Main Street (Andover Historical Society) – Handicapped parking
East side of Main Street from Barnard Street to Park Street – No Parking
West side of Main Street adjacent to the municipal lot – Bus Stop/No Parking
East side of Main Street in front of 84 Main Street – Bus Stop/No Parking

On a motion by Selectman Lyman with a second by Selectman Teichert, it was unanimously voted to adopt the Traffic Rules and Regulations as printed.

Town Manager Buzz Stapczynski thanked Officer Edgerly for preparing the information on the traffic changes. Selectman Hess asked if better signage could be investigated for the metered lots. Officer Edgerly will review the request.

B. Deer Management Program

An initial presentation on the Deer Management Program was given by Andover resident Robert Dalton and State Wildlife Biologist Sonya Christenson for land in the care and custody of the Andover Conservation Commission. Bob Douglas, Director of Conservation, said they have studied the proposal to allow deer hunting (by bow only) in a limited area on conservation land. Bob Dalton of Old County Road spoke about the damage from the abundance of deer and the health issues related to the high instance of Lyme disease from deer ticks. The hunting of deer would be limited to Andover residents only.

Sonya Christenson provided an overview of deer management, the dynamics of the deer population and how to manage it, regulations on hunting, the ecological impact of deer density, and deer ticks. She also highlighted the Town's role in managing the deer

population. They can decide to decrease the population, or not; education of the public, and procedures for public hunting. Bob Douglas explained the request for the approval of the Board of Selectmen and the Conservation Commission to allow for hunting for the first year on two parcels of conservation land identified. Hunters would be identified and have plackets placed in their motor vehicles. There would be no discharge of fire arms, bow hunting only. Chris Ward said Ward Reservation opened the property to limited archery hunting two years ago and there have been no issues to date. Areas for hunting have posted bulletin boards, hunting areas are divided into zones and identified, and information is printed in the Friends of Ward Reservation Newsletter. Using tree stands for a better site-line and shots are generally clear traveling about 25 yards.

Chairman Vispoli requested a timeline be developed, a joint meeting with public input scheduled, and language for the proposal drafted. Bob Westaway said deer season opens on October 18th and although he doesn't mind a late opening should the request be approved, he would like to not lose the whole season.
Conservation Commission member Gail Ralston said the Commission and the Board need to meet to decide on their own modifications to the proposal. The Conservation Commission is meeting October 5th at 7:45 P.M. and will share the feedback of the meeting with the Town Manager and Chairman Vispoli. The Board agreed that the Conservation Commission will present the proposal at the Board meeting on Monday, October 18th with a public input session.

C. Trick-or-Treat

On a motion by Selectman Major with a second by Selectman Lyman, it was unanimously voted to set Sunday, October 31, 2010 from 5:00 P.M. to 7:00 P.M. for Trick-or-Treat in Andover as recommended by the Andover Police Department.

VIII. Consent Agenda

A. One Day Beer & Wine License

On a motion by Selectman Hess with a second by Selectman Lyman, it was voted 5-0 to approve the request of Judy Trerotola, on behalf of The Andover's Village at Home, 20 Main Street, Andover, for a one-day beer & wine license for use on Sunday, October 10, 2010 for a Dance at the Town House. The request has been reviewed and approved by the Town Clerk's Office subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

B. Appointments and Re-appointments

On a motion by Selectman Teichert with a second by Selectman Lyman, it was voted 5-0 to approve the following appointment recommended by the Town Manager and as printed in the agenda:

TOWN YARD TASK FORCE – Term expires 6/30/11
Paul J. Salafia (v. J. Delaney)

IX. Approval of Minutes from Previous Meetings

On a motion by Selectman Lyman with a second by Selectman Major, it was voted 5-0 to approve the Regular Meeting Minutes of September 27, 2010 as presented.

X. Adjournment

At 8:50 P.M. on a motion by Selectman Major it was unanimously voted to adjourn the Regular Meeting and to move into Executive Session to discuss negotiations for non-contract employees and not to return to Open Session. Roll call vote: Chairman Vispoli

– Y, Selectman Teichert – Y, Selectman Lyman – Y, Selectman Hess – Y and Selectman Major – Y. At 9:30 P.M., a motion was duly made and seconded to adjourn the Executive Session and not return to Open Session. The vote was unanimous. Roll call vote: Chairman Vispoli – Y, Selectman Teichert – Y, Selectman Lyman – Y, Selectman Hess – Y and Selectman Major – Y.

Respectfully submitted,

Dee DeLorenzo, Recorder