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**Board of Selectmen - Regular Meeting**  
**Minutes of September 28, 2015**

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**I. Call to Order**

Chair Mary O'Donoghue called the Board of Selectmen to order at 7:05 P.M. in the Board of Selectmen's Meeting Room located in the Town Offices. Present from the Board of Selectmen: Alex Vispoli-Y, Paul Salafia-Y, Dan Kowalski-Y, Robert Landry-Y, and Mary O'Donoghue-Y. The meeting was duly posted and cablecast live.

**II. Executive Session**

At 6:30 P.M. Chair Mary O'Donoghue called the Board of Selectmen to order in the Board of Selectmen's Meeting Room. On a motion by Alex Vispoli and seconded by Bob Landry, the Board voted to go into Executive Session for consultation with Town Counsel for confidential legal advice; and to discuss potential litigation strategy; and the Chair declare that an open meeting would be detrimental to the Town's potential litigation strategy and to return to open session. Roll call: A. Vispoli-Y, P. Salafia-Y, R. Landry-Y, and M. O'Donoghue-Y.

At 7:00 P.M. on a motion duly made and seconded, the Board of Selectman moved to adjourn from Executive Session and return to Open Session. Roll call: A. Vispoli-Y, P. Salafia-Y, D. Kowalski-Y, R. Landry-Y, and M. O'Donoghue-Y.

**III. Opening Ceremonies**

The meeting began with a Moment of Silence and Pledge of Allegiance.

**IV. Communications/Announcements/Liaison Reports**

Paul Salafia reported that the Rotary Club Festival will be held on October 17<sup>th</sup>. He also reported that he met with the Andover Companies to discuss access to the boat house located on the Merrimack River.

Bob Landry asked that they include an agenda item to consider an alternative approach in place of hiring two positions for the opiate crisis be placed on the next agenda.

Alex Vispoli said Rich Smith, Andover Recycles, informed him of a free app for iPhone for recycling. Selectman Vispoli also said The Council on Aging will be conducting a workshop on independent living on October 6<sup>th</sup> at 7:30 PM at Memorial Hal Library to discuss housing opportunities.

Mary O'Donoghue said the fall conference for Selectmen will be held on October 3<sup>rd</sup> from 10:00 A.M. to 2:00 P.M. in Wrentham. She also reported that a discussion on opiate addiction will be held on Tuesday, September 29<sup>th</sup> at Memorial Hall Library and that on October 15<sup>th</sup> the new Town Manager, Andrew Flanagan will be sworn in at 5:30 P.M. followed by a reception to welcome the new Town Manager.

Kerry Costello, President of the Andover Teacher's Association, informed the Board that the AEA will be vacating the office located at the Old Town Hall and providing a thirty day notice.

V. **Citizens Petitions and Presentations**

A. **Andover Senior Community Friends**

Peter Caruso presented details of the Gala Dinner Dance to be held at the Andover Country Club to honor the Seniors of Andover on Friday, October 2, 2015. They will be honoring the former Town Manager Buzz Stapczynski for his great work and will also honor the oldest Andover Citizen, Amelia Messiti, age 104, by presenting her with the Boston Cane, with the approval of the Board of Selectmen.

Paul Salafia moved to release the Boston Cane for presentation to Amelia Messiti. The motion was seconded by Dan Kowalski and voted 5-0 to approve.

Mike Roli, 2 College Circle, is disheartened about an article published in the *Andover Townsman*, submitted by the AEA about Selectman Landry and their position that his profession in the health care industry conflicts with his position on the Board of Selectmen with regard to health insurance for employees. The State Ethics Committee has stated that there is no conflict on Mr. Landry's part and Mr. Roli is outraged on the attacks against this elected official.

Jonathan Longley spoke about the improvements to Old Town Hall that has created more use by the public. The renovations and repairs were completed with a reasonable amount of funds; the building has historical value being built prior to the Civil War. Pictures of the Old Town Hall have been used for marketing purposes of the Town and the building is priceless.

VI. **Public Hearing**

On a motion by Selectman Vispoli and seconded by Selectman Landry, the Board voted 5-0 to open the public hearing at 7:28 P.M.

A. National Grid is requesting permission for the purpose of locating poles, wires and fixtures, including necessary sustaining and protecting fixtures along and across Shaw Drive. Location: Shaw Drive Plan-20010497 8/25/15

The request has been reviewed and approved by the Engineering Division of the Municipal Services Department subject to the condition that the petitioner obtaining a street opening permit prior to the commencement of any construction.

Selectman Vispoli motioned to approve the request of National Grid for permission to locate poles, wire and fixtures along Shaw Drive as presented. The motion was seconded by Selectman Landry and voted 5-0 to approve.

At 7:35 P.M on a motion by Selectman Vispoli and seconded by Selectman Landry, the Board voted 5-0 to close the Public Hearing.

**VII. Regular Business of the Board**

**A. OPEB Advisory Committee**

Tom Hartwell from the OPEB Advisory Committee said the Committee has been meeting since late June and have talked with many people in Town Government as well as several outside consultants for their opinions and have a few more individuals to speak with before finalizing their fact-finding mission. If changes are not made to alter OPEB our quality of life will change as we know it. This is a massive problem across the State of Massachusetts that we will not be able to fix through tax increases. He hopes to provide a set of recommendations to be used as guideline to reducing this liability.

Selectman Vispoli asked that they provide a list of all variables in the report and a matrix outlining the requirements.

There is an open position on the OPEB Advisory Board and the Advisory Board would like to leave the position open at this time because to bring someone up to speed would be too time consuming. The current Board members are confident they can continue with their task with the current members.

Selectman Landry motioned to appoint Christopher Cooke for the open position on the OPEB Advisory Board. The motion was seconded by Selectman Vispoli.

Discussion:

Mr. Cooke is no longer an Andover resident although he is uniquely qualified to participate as a member of the Advisory Board having participated in their meetings and would add value to the discussion.

Alex Vispoli: The position would be for a short-term and Mr. Cooke would be available to attend the meetings. There are members on the EDC who are not residents.

Dan Kowalski: Open the position up to the public to allow for any other interested persons and identify someone within the community for the position.

Bob Landry – This is a very important topic

Attorney Michael Morris, Chairman of the Advisory Board is comfortable with the current four members. They have a momentum going and to bring a new person in now would set them back. The learning curve is steep and he requests that the Board of Selectmen allow them to proceed with the current four members.

This is an appointment of the Board of Selectmen and the Board suggests opening up the opportunity to other Andover residents. Bob Landry wants a legal opinion on if it is customary to have residency status or a requirement. Chair O'Donoghue will speak with Larry Murphy and include the item on the next agenda of the Board. In the meantime, interested residents should submit a Talent Bank Form. Selectman Landry withdrew his motion.

**B. Ledge Road Landfill**

The Town is required by the Department of Environmental Protection to cap the Ledge Road Landfill. CDM Smith submitted proposals in June outlining options for post-closure use include housing some of the DPW operations at the site, or a solar array. The concept of locating additional playing fields has also been suggested. Workshops have been held to address concerns and ideas of neighbors. Notification to the DEP on the post-closure decision is targeted for early October in order to begin the design process and acquire the needed permits for the capping process which would go out to bid in June of 2016 and completed by June of 2017. The Town has set aside \$3M for this project borrowing \$9.7M for a total of \$11M which has been included in the debt model.

Detailed data received shows that it would cost less to replicate playing fields elsewhere in Town and noted that Deyermond Field on Blanchard Road was constructed to replicate the fields on Chandler Road which were to be taken off line. The information shows that capping the site with a solar array is the best alternative. Solar brings long-term benefits that over a period of years could net the Town a profit of \$2-3M, and if credits are not needed there is also the potential to sell the credits for rental income. The post-closure discussion also included the idea of bringing in fill but it wouldn't be enough to net out the cost of the closure. The Board spent a good amount of time going over the pros and cons, costs, and offsets of the options: cap with solar, cap with fields, or cap only with/without fill, and relocating the DPW material handling operations to the site.

Chair O'Donoghue will work with Mark Fournier, Town Highway Supervisor, and CDM Smith for more information on available options for the October 6<sup>th</sup> Board of Selectmen's meeting

**C. FY2017 Tax Policy First Reading**

As a continuation of last year's conversation to end Town Meeting preserving \$1.1M off of the tax rate and using the pre-tax rate as the metric to view the Town's budget, the First Reading for the FY2017 Tax Policy proposes to maintain the level of taxation by starting the budget process where it ended at Town Meeting and to continue to use the property tax increase as the metric for building the budget. Selectman Vispoli suggested a 2.5% proposal that allows taxation to a certain percentage. Mr. Vispoli distributed a model document showing a recap of the FY-16 budget with estimated projections for FY-17 based on the budget number ended with for the past fiscal year.

Selectman Vispoli moved for the Board of Selectmen to maintain the level of taxation as last year and starting this year's budget where we ended. The motion was seconded by Selectman Salafia and voted 5-0 to approve.

Selectman Vispoli moved for the Board of Selectmen to approve the continuation of using the Property Tax Method as a baseline for the budget model. The motion was seconded by Selectman Salafia and voted 5-0 to approve.

**D. Town House**

The Board discussed possible future use of the space for the Town House – 20 Main Street which has approximately 1,165 sq. ft. in total on the first floor in addition to the second floor with annual revenue of approximately \$13,000. The Town House is in a prime location and the icon of the Town. The discussion included renovating the first floor area into a more useable space, creating a visitors center and welcome area, and providing additional space for the Saturday morning coffees. Upgrading the space would make the first floor a more productive site.

Selectman Landry motioned for the Board of Selectmen to approve reconfiguring the first floor of the Old Town Hall as discussed. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

**E. Rotary Club Concert**

Selectman Salafia, on behalf of the Rotary Club, provided information on the final plans for the October 17<sup>th</sup> Festival and Concert in The Park for Heroin Awareness from 3: 00 p.m. – 8:00 p.m. The Rotary Club is hosting the event in support of the plan endorsed by the Board of Selectmen to advocate for education, prevention, and assisting various groups to combat opiate abuse. In support of the Town’s initiative, Selectman Salafia is requesting that the \$5,617.00 in permit fees be waived. The request will be placed on the agenda for the Board’s October 6<sup>th</sup> meeting.

On a motion by Selectman Vispoli and seconded by Selectman Landry the Board voted 4-0-1 to approve the request of the Rotary Club to host a fundraiser Concert in The Park for Heroin Awareness on Saturday, October 17, 2015 from 3:00 P.M. to 8:00 P.M. to combat Opioid Addiction. Selectman Salafia recused himself from voting.

**F. Trick or Treat**

Selectman Vispoli moved to approve Trick or Treating on October 31, 2015 from 5: 00 P.M. to 7:00 P.M. The motion was seconded by Selectman Landry and voted 5-0 to approve.

**VIII. Consent Agenda**

**A. APPOINTMENTS**

On a motion by Selectman Kowalski and seconded by Selectman Vispoli, the Board of Selectmen voted 5-0 to approve the Consent Agenda as presented.

COMMITTEES/BOARDS - Term until June 30, 2018

Judith Farzan	Cultural Council
Mike Sewall	Economic Development Council (v. T. Vaill)

ELDER SERVICES

Emily Kearns	Social Day Coordinator	IE-20-1\$29,941	9/29/15
	(v. M. Costello)		

MUNICIPAL SERVICES DIVISION

Leonard Foote	Laborer II – Cemetery (v. M. White)	W2-4 \$50,260	9-15-15
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POLICE DEPARTMENT

Charles Edgerly	Sergeant (v. C. Blais)	Q543-1\$81,077	9-15-15
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DEPARTMENT OF YOUTH SERVICES

Jamie Mackenzie	Instructor-PT	\$500.00/stipend	8-4-15
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LIBRARY SERVICES

Jacob Murphy	Library Page (v. R. Schwaeble)	L1/1 \$9.00/hr.	9-15-15
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Rebecca Meehan	Teen/Reference Librarian (C. Ball)	IE20-3\$58,312	10/13/15
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COMMUNITY DEVELOPMENT AND PLANNING

Giulia Day	Office Assistant I (v. C. St. Jean)	IE-10-1\$19.59	9/29/15
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**IX. Approval of Minutes from Previous Board of Selectmen Meetings**

Selectman Salafia moved to approve the Board of Selectmen Meeting Minutes of July 29, 2015 (Special Meeting), July 30, 2015 (Special Meeting), September 9, 2015 (Special Meeting) and August 10, 2015 (Regular Meeting), as presented. The motion was seconded by Selectman Vispoli and voted 4-0-1 to approve. Selectman Kowalski abstained.

**X. Adjournment**

At 9:20 P.M. on a motion by Selectman Vispoli and seconded by Selectman Landry, the Board unanimously voted to adjourn. Roll call: A. Vispoli-Y, P. Salafia-Y, D. Kowalski-Y, R. Landry-Y, and M. O'Donoghue-Y.

Respectfully submitted,

Dee DeLorenzo  
Recording Secretary

Documents: Post-Closure Options and Site Overview for Ledge Road Landfill