

**MINUTES OF BOARD OF SELECTMEN MEETING  
TUESDAY, APRIL 2, 2013**

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Chairman Delaney called the meeting to order at 7:00 p.m. in Room 14 at Town Hall in the presence of members Mr. Prisco, Mr. Foti, Mr. O'Leary, Mr. Mauceri and the Town Administrator Greg Balukonis.

**2. MINUTES:**

MR. CHAIRMAN, I MR. FOTI MOVE TO APPROVE THE FEBRUARY 25, 2013 REGULAR SESSION MINUTES AS AMENDED.

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

MR. CHAIRMAN, I MR. FOTI MOVE TO APPROVE THE FEBRUARY 25, 2013 EXECUTIVE SESSION MINUTES AS WRITTEN.

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

MR. CHAIRMAN, I MR. FOTI MOVE TO APPROVE THE MARCH 4, 2013 REGULAR SSESSION MINUTES AS WRITTEN.

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

MR. CHAIRMAN, I MR. FOTI MOVE TO APPROVE THE MARCH 4, 2013 EXECUTIVE SESSION MINUTES AS WRITTEN.

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

MR. CHAIRMAN, I MR. FOTI MOVE TO APPROVE THE MARCH 9, 2013 BUDGET HEARING MINUTES AS WRITTEN.

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

**3. LEGAL BILLS**

MR. CHAIRMAN, I MR. FOTI MOVE TO APPROVE LEGAL BILLS FOR FEBRUARY 2013 IN THE AMOUNT OF \$6,316.97 AS FOLLOWS

KOPLEMEN AND PAIGE, P.C. (GENERAL)	\$5,178.41
KOPELMAN AND PAIGE, P.C. (LABOR)\$	702.00
WEST	<u>\$ 436.56</u>
TOTAL	\$6,316.97

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

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**4. Public Comment:**

Mr. Yull of 427 Park Street asked the Board to make a change to the Town bylaw to mandate a special ballot vote for Special Town Meetings.

The Board of Selectmen thought the change to be unnecessary. If the people want to do a ballot vote at a Special Town meeting, they can request it at Town Meeting and follow the process.

**5. July Fourth Committee – Update:**

Mr. Veno, 11 Rock Street, gave a brief update on the Fourth of July festivities. The carnival will be scheduled for July 4 – 6.

Anne Valade, Treasurer of the July Fourth Committee, announced the details of a fundraiser to raise money for the July Fourth events. Upcoming events include a concert at the Hillview on April 5, 2013.

**6. SIGN WARRENTS FOR:**

**ANNUAL TOWN ELECTION: APRIL 30, 2013**

MR. CHAIRMAN, I MR. FOTI MOVE TO SIGN THE APRIL 30, 2013 ANNUAL TOWN ELECTION WARRANT.

SECONDED BY: MR. O’LEARY  
VOTED: UNANIMOUS (5-0)

**SPECIAL STATE PRIMARY: SENATOR IN CONGRESS - APRIL 30, 2013**

MR. CHAIRMAN, I MR. FOTI MOVE TO SIGN THE APRIL 30, 2013 SPECIAL STATE PRIMARY WARRANT.

SECONDED BY: MR. O’LEARY  
VOTED: UNANIMOUS (5-0)

The Board of Selectmen signed the Warrants.

**7. MEET WITH AUDITORS TO REVIEW FY2013 FINANCIALS**

Mr. Delaney introduced the Town Auditor Dick Hingston.

Mr. Hingston provided an overview of the audit conducted though June 3, 2013.

Topics of the overview

- Snow and Ice Expenditures
- School Building Project
- Health Insurance – Retiree
- Other Post Employment Benefits Liability Trust Fund

Recommendations:

- Review policies for Snow and Ice
- **School Building Project**, the Town rescind the School Feasibility Study loan authorization
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- **Retiree Health Insurance**, develop procedures to bill other municipalities for their portion of retiree health insurance benefits.
- **OPEB**, the Town adopts the newer language of MGL Chapter 32B Section 20. Also the Town should accept a legally binding OPED Trust document (utilizing the template provided by the Massachusetts Collectors and Treasurers Association as a starting point)

Mr. Prisco left the meeting at 8:00  
Mr. Prisco returned at 8:03

Mr. Hingston thinks the town is run well and is in a good position.

**8. FY2014 BUDGET HEARINGS**

**YOUTH SERVICES**  
**CONSERVATION COMMISSION**  
**CODE ENFORCEMENT/ZBA**

**YOUTH SERVICES**

Judy Hall, Kathy Dardeno, Tracy Helms were present for the Youth Services Budget Hearing. Rita Mullen presented a Level Funded Budget for Youth Services to the Board of Selectmen.

**CONSERVATION COMMISSION**

Mr. Martin Weiss presented a Level Funded Budget.  
Mr. Delaney asked Mr. Balukonis to review the budget.

**CODE ENFORCEMENT/ZBA**

Jim DeCola, Town Building Inspector, presented the Code Enforcement/ZBA Level Funded Budget. Activity has increased 15%.

**9. CAPITAL PLANNING COMMITTEE –Capital Improvement Program**

Don Kelleher, Finance Committee and Capital Improvement Committee member presented to the Board the FY 2014 Capital Recommendations.

He discussed the Capital Acquisition Requests for FY 14 and the recommendations of the CIP (Capital Improvement Committee).

He reviewed the process of ranking the items and discussed the several items on the priority list.

He described ways to fund a Capital Stabilization Fund and the CIP Charge.

Mr. Prisco left at 9:40 pm

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**10. BOARD OF REGISTRARS – DEMOCRATIC TOWN COMMITTEE**

MR. CHAIRMAN, I MR. FOTI MOVE TO PLACE IN NOMINATION THE FOLLOWING NAME FOR APPOINTMENT AS MEMBER OF THE BOARD OF REGISTRARS FOR A TERM TO EXPIRE APRIL 1, 2016 (1 OPENING)

- (1) KIELY GAMELIN, 89 PARK STREET

Mr. O’Leary read from a letter of recommendation from Mrs. Stats, the Town Clerk, explaining the former registrant resigned and that is the reason for the new appointment.

SECONDED BY: MR. O’LEARY  
VOTED: 4-0-1 (PRISCO)

**11. SEASONAL LICENSE**

**HILLVIEW SNACKS**

MR. CHAIRMAN, I MR. FOTI MOVE TO RENEW THE COMMON VICTUALLER LICENSE FOR GFMI/HILLVIEW SNACKS, 149 NORTH STREET TO EXPIRE DECEMBER 31, 2013 SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS.

SECONDED BY: MR. O’LEARY  
VOTED: 4-0-1 (PRISCO)

Mr. Prisco returned at 9:45 pm

**12. DISCUSS INTER-MUNICIPAL AGREEMENT FOR PINE FOREST PARK SUBDIVISION.**

Mr. Foti recused himself from this discussion. He left the meeting at 9:50. Mr. Balukonis presented the Intermunicipal Agreement among agreement for The Town of Andover, The Town of North Reading and Angelo Petrosino. For water service to the Pine Forest Subdivision.

The Selectmen highlighted areas of the document that were missing. He will bring it to Town Counsel to review.

Mr. Prisco asked what the timeline was to have this document signed by the Board of Selectmen. He has been in contact with the Andover Town Planner regarding this issue.

Mr. O’Leary questioned the billing method to the Subdivision.

The Board of Selectmen agreed they would like the wording to be the same in this document as the wording was in the agreement from Mr. Petrosino.

Mr. Foti returned at 10:05 pm

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**13. REVIEW JUNE TOWN MEETING WARRANT ARTICLES.**

Mr. Balukonis discussed the time table of events in preparation for the upcoming Town Meeting. He provided a calendar to the Board which lists key dates associated with the warrant. May 6, 2013 is the signing of the Warrant. He recommended April 29, 2013 for holding a special meeting for the purposes of a budget hearing. He received an opinion back from the Department of Internal Revenue stating there is no legal basis for scheduling a Special Town meeting as part of the Annual Town meeting, however the IRS did request that all FY2013 business be labeled as Articles one through 6 (1-6) in the annual Town Meeting and that there be clear wording in the Warrant Article description indicating that has to do with FY2013. He reviewed the Articles for the June 3, 2013 Annual Town Meeting Warrant. Discussed Articles 1-5 which are standard Articles that have been part of the Warrant in the past. Article 6 has to do with appropriating funds for Overlay Deficit.

**Mr. O’Leary** asked the Board if they would consider adding an article to the Warrant accepting a Mass General Law to allow for Business establishments to serve alcohol earlier the 12:00 pm. The consensus from the Board is to add the article

**Mr. Delaney** would like to add two other articles:

- (1) Remove/Rescind the 1 million dollar School Feasibility study
- (2) Adopt new language for MGL Chapter 32 section 20

The consensus from the Board is to add the Articles

**Mr. Prisco** would like to add an Article to this Warrant or for the one for October Town Meeting.

- (1) For the Town to sell some land at Swan Pond.

The Board’s consensus is to research this topic for October Town Meeting.

**14. TOWN ADMINISTRATOR’S REPORT**

Mr. Balukonis presented his recommendation for the Curbside Solid Waste and Recycling Contract. He recommended JRM for a 5 year contract.

11:25 pm Mr. Delaney left the meeting

11:27 pm Mr. Delaney returned to the meeting

11:28 pm Mr. Prisco left the meeting

11:30 pm Mr. Prisco returned to the meeting

He addressed the FY2014 updated Revenue and Expense plan that was presented at the Financial Planning Team meeting. The Proposed budget adjustments are:

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- Use 100% or \$145, 128 in Veterans Benefits Revenue as a direct offset against the municipal budget
- Use 100% or \$265,000 in Ambulance Revenue as a direct offset against the municipal budget
- Fund \$33,897 for payment of the Cops Fast Grant reimbursement from Non-Recurring Revenue (Free Cash). FY 2014 is the final year of the repayment to the USDOJ
- Use \$59,325 from the Solid Waste Stabilization fund against the DPW budget
- Use 100% of the increase in Water Indirect Costs against the municipal budget
- Estimate a 3% increase in Health Insurance Costs and base the increase off of ACTUAL (versus Budgeted) costs for FY 2013

**13. OLD AND NEW BUSINESS**

**Mr. O’Leary**

- Thank you for participating in the Special Town Meeting
- Gordon Millis former Call Fire Fighter died this week sends his condolences’
- Congratulated Mr. Mauceri and Mr. Prisco for taking out papers for re-election.

**Mr. Prisco**

- Bittersweet accomplishment for the School Building Project. It is in the best interest for the Town.
- Asked about the Development Team.

**Mr. Delaney**

- Thanked the public for participation in the Special Town Meeting for funding the School project. Thank you for your support.
- Special thank you to Barbara Stats for her professional
- UPDATES-minor spill at the site. Less than a 5 gallon spill for water proofing substance. It was contained and rectified.
- Bids for all items are due this Thursday.
- Construction related to the access of the building will begin this week. There will be limited access to the front of the High School.

**Mr. Foti**

- Thanked the public for participating in the Special Town Meeting for funding of the School project.

**Mr. Mauceri**

- Thanked the public for participating in the Special Town Meeting for funding of the School project. Special thanks to Jeff Simons

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**8. ADJOURNMENT**

MR. CHAIRMAN, I MR. FOTI MOVE TO ADJOURN.

SECONDED BY:	MR. O'LEARY	
VOTED:	MR. O'LEARY	AYE
	MR. FOTI	AYE
	MR. DELANEY	AYE
	MR. PRISCO	AYE
	MR. MAUCERI	AYE

UNANIMOUS (5-0)  
ADJOURN 11:55 p.m.

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DATE

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JOSEPH FOTI, CLERK