

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 19, 2019**

Chairwoman Manupelli called the meeting to order at 7:49 p.m. in Room 14 at the Town Hall in the presence of members Mr. Schultz, Mr. Wallner, Mrs. Gonzalez, Mr. O'Leary, and Town Administrator, Michael Gilleberto.

CALL TO ORDER OPEN SESSION

Chairwoman Manupelli called to order the open session at 7:49 p.m.

The Chair States: "In accordance with the Open Meeting Law, the Board states for the record that this meeting is being recorded by NORCAM and may be recorded by other local media."

The members recited the Pledge of Allegiance.

7:50 - PUBLIC HEARING: TERESA'S/GRILLE 19, 20 ELM STREET – POOL TABLE LICENSE

Mrs. Manupelli reads the Public Hearing Notice. Mr. Yebba addresses the Board and informs them of the rules for use and hours of operation for the pool tables. Elizabeth Stolz, 2 Gillis Drive stated no one in her neighborhood received notification of the Hearing. Mr. Schultz responded that people should get proper notice and the hearing should be continued. Mr. Gilleberto informed the audience of hearing notification directions given to Nick Yebba Jr. by his office. He recommended that based on a conversation with Town Counsel, the Board postpone the hearing until the next meeting until confirmation that proper notification took place. Allen Helferich, 8 Lynn Street stated he did not receive notification. Jeff Stolz, 2 Gillis Drive stated everyone should be given the opportunity to be heard. Sandy Woodmansee, 34 Elm Street stated he is in favor of the Pool Table license. Ms. Stolz stated her opposition to the license. Henrike Huntress, 3 Putter Court stated she did not receive the hearing notification and would like to have a copy of the license application.

Mr. Yebba stated notices were sent according to the directions given to him by the Town Administrators office. Mr. Gilleberto again outlined what the directions were, and stated that the applicant does not have with him proof of mailing.

8:20 – Hearing closes.

MADAM CHAIR, I MOVE TO POSTPONE THE POOL TABLE LICENSE HEARING FOR TERESA'S / GRILLE 19 AT 20 ELM UNTIL SEPTEMBER 9, 2019 AT 7:45.

MOTION BY: MRS. GONZALEZ
SECONDED BY: MR. SCHULTZ
VOTED: 5-0 (UNANIMOUS)

TERESA'S/GRILLE 19, 20 ELM STREET – AUTOMATIC AMUSEMENT DEVICE LICENSE

Ms. Stolz stated there is loud activity in the parking lot and by bringing more games into the restaurant there will be more activity in the parking lot. Mr. Yebba responded he would call police if there are issues in the parking lot. Mr. Yebba stated that there has been not one call for the Police to come to the property.

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MADAM CHAIR, I MOVE TO APPROVE THE AUTOMATIC AMUSEMENT DEVICE LICENSE FOR TERESA'S / GRILLE 19 AT 20 ELM STREET TO EXPIRE DECEMBER 31, 2019 SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS

MOTION BY: MRS. GONZALEZ
SECONDED BY: MR. SCHULTZ
VOTED: 5-0 (UNANIMOUS)

**8:38 - PUBLIC HEARING: PULTE HOMES, MARTIN'S LANDING (104 LOWELL ROAD)
FLAMMABLE STORAGE LICENSE**

Mrs. Manupelli reads the Public Hearing Notice. Pulte Homes representative, Reid Blute provides the Board with proof of certified mailing to the abutters. He reads a letter he sent to the Board and addresses questions from the Board.

8:46 – Hearing closes.

MADAM CHAIR, I MOVE TO APPROVE THE FLAMMABLE STORAGE LICENSE FOR PULTE HOLMES, MARTIN'S LANDING AT 104 LOWELL ROAD SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS.

MOTION BY: MRS. GONZALEZ
SECONDED BY: MR. SCHULTZ
VOTED: 5-0 (UNANIMOUS)

PUBLIC COMMENT

Sean Delaney, 7 Dix Road commented on the Wall of Healing and stated it was great.

**8:48 - JOINT MEETING WITH ECONOMIC DEVELOPMENT COMMITTEE – DISCUSS
70 CONCORD STREET**

Mr. Gilleberto informed the audience that Jeff Blake from Town Counsel Kopelman and Page, Jim Coppola, the Town's Tax Title Attorney, and Paul McKinlay from Weston and Sampson were in attendance. Town Planner, Danielle McKnight gave a presentation. Paul McKinlay gave the history of the contamination in the soil and groundwater and stated DEP was operating a system to see if the contamination was being cleaned up and found the system was ineffective.

- Mr. McKinley stated: There is a long way to go to get it fixed. He further stated it is more stringent since the property is in an aquifer protection district and could be a liability to the purchaser. If the Town bought the property, they would have to assume the responsibility to clean it up. DEP has incentive to clean up the site and the Town has the incentive to get it back on the tax rolls.
- Mr. O'Leary stated that Town has always been advised not to take back possession of the property because of back taxes and it cannot be sold for less than what is owned on it. Mr. Delaney suggested discussing this subject in Executive Session.
- Attorney Coppola suggested assigning the lien to someone interested in purchasing the property, or foreclose on the property then the Town will own it.
- 21 E gives protection as long as the property is being actively marketed. It could be sold by RFP or Public Auction for less than taxes and interest.

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- Mr. McKinley stated there is still an ongoing source of contamination that impacts the ground water and soil.
- Attorney Coppola explains how to prevent liability by holding onto the property if it can't be sold.
- Mr. Delaney states 2 parties inquired about the property.
- Mike Prisco, 12 Bishops Way recommends the Town explore the 21E option with DEP in the room.
- Jeff Blake stated Town Meeting approval is required to get the property to the Select Board for the purpose of sale.
- Mr. Schultz wants to market the property before it gets foreclosed on.
- Mrs. Gonzalez does not want to leave the contamination there and not do anything.
- Mr. Delaney stated it is worth pursuing with DEP since there are two potential buyers out there.
- Mr. Prisco stated the EDC will assist the Select Board in any way.
- Attorney Coppola will continue with the foreclosure case and ask the court to enter final judgement to get closer to get a final judgement and put it on hold and keep it there.
- It is the consensus of the Board for Mr. Delaney to continue ongoing efforts with the EDC, Town Planner and Town Administrator to give the Board the opportunity to move forward with the transfer from tax title custodian to the Board.

9:40 – Joint meeting closes.

WATER/WASTEWATER UPDATE

Rob Williamson of Wright Pearce gave a presentation and updated the audience on the status of ongoing water projects. He stated the site for a chlorination plant needs to be secured because a preliminary design needs to be submitted with the FEIR. Mr. Williamson is hopeful the FEIR will be submitted by the end of the year. He showed a timeline for water main upgrades along Main Street. Mrs. Manupelli inquired how often Mr. Williamson meets with Andover, he responded biweekly. He further stated the Town continues to wait for additional information from Andover before they can file the FEIR.

Mike Stein of Wright Pearce updated the Board on Wastewater. He presented the proposed locations for collection systems and showed preliminary planning costs and schedule.

10:09 – Mrs. Gonzalez leaves the room.

Mr. Stein stated from start design to completion could take between 6 – 8 years, if there are no problems.

10:10 – Mrs. Gonzalez returns.

Maureen Doherty, Transcript Editor addressed the Board stating getting Martins Pond on sewer is environmentally critical. Mr. O'Leary responded Martins Pond is not in the first phase because economically it is not feasible.

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TOWN OWNED LAND – GENERAL DISCUSSION

Ty Cornwall, 11 Edgewood Terrace informed the Board he is interested in purchasing 13 Edgewood Terrace because part of his driveway is on it. The Board discussed the possibility of consolidating properties and the possibility of interested parties purchasing more than one parcel. Selling parcels through the RFP process and legal costs for selling parcels was discussed. The Board was agreeable to the general recommendations for each parcel as presented in the packet.

REVIEW WARRANT ARTICLES FOR OCTOBER TOWN MEETING

Mr. Gilleberto presented the list of Warrant Articles to the Board. Language will be prepared for the 70 Concord Street article.

RECYCLING COMMITTEE: ALTER COMMITTEE COMPOSITION

Mrs. Manupelli informs the Board that Joe Veno, Chairman of the Recycling Committee has requested to reduce the amount of members on the committee to help with quorum issues.

MADAM CHAIR, I MOVE TO REDUCE THE MEMBERSHIP OF THE RECYCLING COMMITTEE FROM ELEVEN MEMBERS TO SEVEN MEMBERS.

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

DISCUSS UPCOMING MEETING SCHEDULE

September 9th and 30th

October 7th (Town Meeting). Strategic Planning will be October 16th at 6:00 at the Police Department Training Room.

Monday, October 28th

Mondays, November 4th and 18th

Mondays, December 2nd and 16th

MINUTES

Mrs. Manupelli made a request to table the minutes until next meeting.

TOWN ADMINISTRATOR'S REPORT

(See attached) Topics Discussed:

Non civil service entrance exam offered by the Police Department,

Resignation of Police Officer Adam Johnson,

Promotion of David Lee to Fire Captain,

DPW discolored water advisory,

Letters to excessive water users,

Lease agreements for cellular service providers, and

EEE virus carrying mosquitos in Andover.

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OLD NEW BUSINESS

Mr. O'Leary:

- Acknowledged the passing of Shep Spear who was a great public servant, and
- Acknowledged Sue Magner for doing such a great job with the Wall of Healing and members of the Board who spoke at the ceremonies.

Mr. Wallner:

- Stated the AARP program has to be provided with resources to make things happen.
- Mr. Gilleberto responded that they should be invited to a Select Board meeting to let the Board know what they are looking for and a further amendment to the Elder Services budgeted may be suggested.
- Has been attending CPC, EDC and Facilities Master Plan meetings.
- Stated the CAC is working on an RFP.

Mr. Schultz:

- Stated The Wall That Heals was an amazing event, and
- The next ZBA meeting is August 22nd at 6:45, same location.

Ms. Gonzalez:

- Stated the CIT hosted National Night Out at IRP on August 6th and it was a great community event and that the CIT did a great job.

Mrs. Manupelli:

- Stated Jim Demetri did a great job chairing the ZBA meeting,
- Stated The Wall That Heals was amazing, and
- Wished her son Anthony a Happy Birthday

MADAM CHAIR, I MR. O'LEARY MOVE TO ADJOURN.

SECONDED:	MR. SCHULTZ	
VOTED:	MR. O'LEARY	AYE
	MR. SCHULTZ	AYE
	MRS. GONZALEZ	AYE
	MR. WALLNER	AYE
	MRS. MANUPELLI	AYE

VOTE: 5-0 (UNANAMOUS)

ADJOURN: 11:20 p.m.

DATE

LIANE R. GONZALEZ, CLERK