

**MINUTES OF BOARD OF SELECTMEN MEETING  
MONDAY SEPTEMBER 30, 2014**

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Chairman Mauceri called the meeting to order at 6:00 p.m. in Room 14 at the Town Hall in the presence of members Mr. Prisco, Mr. Yull, Mr. Foti, Mr. O'Leary, and Town Administrator Michael Gilleberto.

**CALL TO ORDER IN OPEN SESSION**

Chairman Mauceri called to order open session at 8:07 p.m.

**MINUTES:**

MR. CHAIRMAN, I MOVE TO APPROVE THE **SEPTEMBER 8, 2014** REGULAR SESSION MINUTES AS WRITTEN.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 4-0 (MR. O'LEARY ABSTAINED)

MR. CHAIRMAN, I MOVE TO APPROVE THE **SEPTEMBER 8, 2014** EXECUTIVE SESSION MINUTES AS WRITTEN.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 4-0 (MR. O'LEARY ABSTAINED)

MR. CHAIRMAN, I MOVE TO APPROVE THE **SEPTEMBER 15, 2014** REGULAR SESSION MINUTES AS WRITTEN.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 5-0

MR. CHAIRMAN, I MOVE TO APPROVE THE **SEPTEMBER 15, 2014** EXECUTIVE SESSION MINUTES AS WRITTEN.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 5-0

**APPROVE CHANGE OF HOURS FOR PACKAGE STORE LICENSES**

MR. CHAIRMAN, IN ACCORDANCE WITH THE ABCC ADVISORY ISSUED SEPTEMBER 8, 2014, I MOVE TO APPROVE THE CHANGE OF HOURS FOR ONE STOP LIQUORS, INC. BY CHANGING THE SUNDAY OPENING TIME TO 10:00 A.M. TO BE EFFECTIVE OCTOBER 23, 2014.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 4-1 (MR. PRISCO OPPOSED)

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MR. CHAIRMAN, IN ACCORDANCE WITH THE ABCC ADVISORY ISSUED SEPTEMBER 8, 2014, I MOVE TO APPROVE THE CHANGE OF HOURS FOR RSS CONVENIENCE, INC., DBA CONVENIENCE PLUS BY CHANGING THE SUNDAY OPENING TIME TO 10:00 A.M. TO BE EFFECTIVE OCTOBER 23, 2014.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 4-1 (MR. PRISCO OPPOSED)

MR. CHAIRMAN, IN ACCORDANCE WITH THE ABCC ADVISORY ISSUED SEPTEMBER 8, 2014, I MOVE TO APPROVE THE CHANGE OF HOURS FOR SHIVA ENTERPRISES, INC., DBA CHRISTOPHER'S MARKET BY CHANGING THE SUNDAY OPENING TIME TO 10:00 A.M. TO BE EFFECTIVE OCTOBER 23, 2014.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 4-1 (MR. PRISCO OPPOSED)

MR. CHAIRMAN, IN ACCORDANCE WITH THE ABCC ADVISORY ISSUED SEPTEMBER 8, 2014, I MOVE TO APPROVE THE CHANGE OF HOURS FOR 211 LOWELL STREET COPR., DBA EASTGATE LIQUORS BY CHANGING THE SUNDAY OPENING TIME TO 10:00 A.M. TO BE EFFECTIVE OCTOBER 23, 2014.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 4-1 (MR. PRISCO OPPOSED)

**APPOINTMENTS – YOUTH SERVICES COMMITTEE**

MR. CHAIRMAN, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAME FOR APPOINTMENT TO THE YOUTH SERVICES COMMITTEE FOR A TERM TO EXPIRE DECEMBER 31, 2016.

KAREN BUSCEMI – 3 LIBERTY LANE

MOTION BY:	MR. O'LEARY	
SECONDED BY:	MR. YULL	AYE
VOTED BY:	MR. PRISCO	AYE
	MR. O'LEARY	AYE
	MR. FOTI	AYE
	MR. MAUCERI	AYE
	VOTE: 5-0 (UNANIMOUS)	

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**BOARD OF SELECTMEN MEETING SCHEDULE**

**October 6<sup>th</sup>** – 6:00 – @ High School - Administration Conference Room

**October 21<sup>st</sup>** – 6:00 or 7:00 p.m.

**October 29<sup>th</sup>** – 6:00 - Strategic Planning – Hillview

**November 12<sup>th</sup>** – (Originally scheduled for November 10<sup>th</sup>), rescheduled due to Mr. Mauceri's availability.

**November 24<sup>th</sup>**

**December 8<sup>th</sup>** – Mr. O'Leary will be unable to attend

**December 22<sup>nd</sup>**

**TOWN MEETING WARRANT ARTICLES**

**ARTICLE 2 – PRIOR YEAR BILLS**

Was previously voted to Recommend at Town Meeting.

**ARTICLE 4 – APPROPRIATE MONEY TO STABILIZATION FUND**

MR. CHAIRMAN, I MOVE TO PASS OVER ARTICLE 4 – APPROPRIATE MONEY TO STABILIZATION FUND.

MOTION BY: MR. O'LEARY

SECONDED BY: MR. FOTI

VOTED: 5-0

**ARTICLE 5 – TRANSFER FUNDS TO OTHER POST EMPLOYMENT BENEFITS  
LIABILITY TRUST FUND**

MR. CHAIRMAN, I MOVE TO PASS OVER ARTICLE 5 – TRANSFER FUNDS TO OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUND.

MOTION BY: MR. O'LEARY

SECONDED BY: MR. PRISCO

VOTED: 5-0

**ARTICLE 6 – AMEND FY 2015 OPERATING BUDGET**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 6 - FY 2015 BUDGET AMENDMENT.

MOTION BY: MR. O'LEARY

SECONDED BY: MR. PRISCO

VOTED: 5-0

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**ARTICLE 8 – FUND RENOVATION TO ROOM 14 – TOWN HALL**

MR. CHAIRMAN, I MOVE TO PASS OVER ARTICLE 8 – FUND RENOVATION TO ROOM 14 - TOWN HALL.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 5-0

**ARTICLE 10 – ACQUISITION, APPROPRIATION AND SPECIAL ACT: MAP 14, PARCEL 148 AND MAP 7, PARCEL 2 – J.T. BERRY PROPERTY**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 10 – ACQUISITION, APPROPRIATION AND SPECIAL ACT; MAP 14, PARCEL 148 AND MAP 7, PARCEL 2 – J.T. BERRY PROPERTY

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 5-0

**ARTICLE 12 – APPROPRIATE FUNDS FOR REAL ESTATE MARKETING CONSULTANT FOR J.T. BERRY PROPERTY**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 12 – APPROPRIATE FUNDS FOR REAL ESTATE MARKETING CONSULTANT FOR J.T. BERRY PROPERTY.

MOTION BY: MR. O'LEARY  
SECONDED BY: MR. YULL  
VOTED: 5-0

**ARTICLE 16 – APPROPRIATE FUNDS FOR INTERPRETIVE DISPLAY OF NATIVE AMERICAN ARTIFACTS RECOVERED FROM THE J.T. BERRY PROPERTY**

MR. CHAIRMAN, I MOVE TO PASS OVER ARTICLE 16 – APPROPRIATE FUNDS FOR INTERPRETIVE DISPLAY OF NATIVE AMERICAN ARTIFACTS RECOVERED FROM THE J.T. BERRY PROPERTY.

MOTION BY: MR. FOTI  
SECONDED BY: MR. YULL  
VOTED: 5-0

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**ARTICLE 18 – AMEND CODE – ADD GENERAL BY-LAW – SEX OFFENDER RESIDENCY**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 18 – AMEND CODE – ADD GENERAL BY-LAW – SEX OFFENDER RESIDENCY.

MOTION BY: MR. O’LEARY  
SECONDED BY: MR. FOTI  
VOTED: 5-0

**ARTICLE 19 – AMEND CODE – ZONING BY-LAWS – PERSONAL WIRELESS SERVICE FACILITY**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 19 – AMEND CODE – ZONING BY-LAWS – PERSONAL WIRELESS SERVICE FACILITY

MOTION BY: MR. O’LEARY  
SECONDED BY: MR. YULL  
VOTED: 5-0

**ARTICLE 20 – FILE SPECIAL LEGISLATION – SWAN POND ROAD RIGHT-OF-WAY**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 20 – FILE SPECIAL LEGISLATION – SWAN POND ROAD RIGHT-OF-WAY.

MOTION BY: MR. O’LEARY  
SECONDED BY: MR. YULL  
VOTED: 5-0

**ARTICLE 22 – CITIZENS’ PETITION – AUTHORIZE NAMING OF NEW MIDDLE SCHOOL**

MR. CHAIRMAN, I MOVE TO PASS OVER ARTICLE 22 – CITIZENS’ PETITION – AUTHORIZE NAMING OF NEW MIDDLE SCHOOL.

MOTION BY: MR. O’LEARY  
SECONDED BY: MR. YULL  
VOTED: 5-0

**INTERMUNICIPAL WATER AGREEMENT**

Mr. Gilliberto will meet with Andover Town Manager to find a mutually agreeable compromise. It is the consensus of the Board to sign a 5 year contract and pay the residential rate.

**J.T. BERRY CENTER PROPERTY**

Mr. Prisco received the Term Sheet from DCAMM and will hopefully come to a decision to vote at Town Meeting. Mr. Prisco appreciates the efforts of DCAMM.

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**TOWN ADMINISTRATORS REPORT**

(See attached)

**OLD AND NEW BUSINESS**

**Mr. O'Leary:** Was very pleased and proud of the great turn out for the High School Ribbon Cutting Ceremony. The speakers did a great job. He asked the residents to fill up the seats at Town Meeting on October 6<sup>th</sup>.

**Mr. Yull:** Reiterated Mr. O'Leary's sentiments about the High School Ribbon Cutting Ceremony and Town Meeting. He is still soliciting funds for the Interpretive Display of Native American Artifacts through his road races and ½ marathon.

**Mr. Prisco:** No Comment.

**Mr. Foti:** Went to the last Farmers Market and was very impressed with the LUC – it was very successful. Mentioned the LUC Golf Tournament at Hillview and talked about the Youth Services Mentoring program starting October 1<sup>st</sup>.

**Mr. Mauceri:** Commented on the well run, well attended Apple Festival and talked about what a great day the High School Ribbon Cutting Ceremony was.

**Mr. Prisco added:** There is an open position for the Community Planning Commission and would like to recognize Neal Rooney for his term on the Commission.

**ADJOURNMENT**

MR. CHAIRMAN, I MR.O'LEARY MOVE TO ADJOURN.

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

VOTE: 5-0 (UNANIMOUS)

ADJOURN 10:45 p.m.

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DATE

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STEPHEN O'LEARY, CLERK