

ANDOVER TOWNSHIP COMMITTEE MINUTES

**THOMAS D. WALSH, MAYOR
CHARLES GROTYOHANN, DEPUTY MAYOR
GAIL PHOEBUS
ALEX GILSENAN
BOB SMITH**

NOVEMBER 26, 2007

REGULAR MEETING BEGINS AT 7:30 P.M.

CALL TO ORDER The regular meeting of the Andover Township Committee was called to order at 6:40 P.M. by Mayor Walsh, followed by a salute to the flag.

ROLL CALL: Present: Mr. Grotyohann, Ms. Phoebus,
Mr. Smith, Mayor Walsh
Also present: Attorney Semrau, Acting Administrator Crane
Those absent: Mr. Gilsenan (excused)

OPEN PUBLIC MEETING STATEMENT Statement of compliance with Chapter 231, P. L. 1975 was made by Mayor Walsh.

EXECUTIVE SESSION: Mayor Walsh asked that the Executive Session be amended was amended by adding the following:

Attorney-Client Privilege

- 2. Land Acquisition – Block 153/Lots 26 & 27**

Possible Litigation

- 1. Ballantine Woods - Roadway**

On a motion by Ms. Phoebus, seconded by Mr. Grotyohann, the resolution to go into executive session to discuss

Personnel Matters

Contract Negotiations

- 1. 9-1-1 Interlocal Agreements**
- 2. Fraternal Order of Police Contract**
- 3. Police Dispatchers Contract**
- 4. Department of Public Works Contract**
- 5. Shared Services Contract – Town of Newton**

Attorney-Client Privilege

- 1. Possible Violation of the Law**
- 2. Land Acquisition – Block 153/Lots 26 & 27**

Possible Litigation

- 1. Ballantine Woods - Roadway**

Pending Litigation was carried unanimously.
(See Insert Attached to These Minutes)

The Committee went into executive session at 6:43 P.M. Ms. Phoebus moved to adjourn executive session at 7:58 P.M., seconded by Mr. Grotyohann and carried unanimously.

REGULAR MEETING

APPROVAL OF AGENDA Mayor Walsh asked that the agenda be amended as follows:

***UNDER CONSENT AGENDA**

***OTHER BUSINESS:**

- 4. **APPROVAL OF RAFFLE LICENSES – ST. JOSEPH’S HOME & SCHOOL ASSOCIATION TO BE HELD ON MARCH 1, 2008 AT PERONA FARMS**
 - A) **#R.L. 806 ON-PREMISE MERCHANDISE RAFFLE**
 - B) **#R.L. 807 OFF-PREMISE MERCHANDISE RAFFLE**

UNDER REGULAR AGENDA

UNDER ORDINANCES: INTRODUCTION

- 2. **#2007-18 AN ORDINANCE SUPPLEMENTING BOND ORDINANCE #2005-17D AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$150,000 EXPECTED TO BE RECEIVED AS A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT FOR PHASE III RECONSTRUCTION TO SKYTOP ROAD**
- 3. **#2007-19 AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A LEASE WITH THE TOWN OF NEWTON FOR THE LOCATION OF ONE REMOTE SATELLITE RECEIVER ANTENNA AT THE GOODALE ROAD TOWER SITE**

He then asked if Invoice #105672, #105696 and #105722 be pulled from the Bills’ List for further discussion. Ms. Phoebus moved to approve the agenda as amended, seconded by Mr. Grotyohann and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Ms. Phoebus moved the following consent items be approved, seconded by Mr. Grotyohann and carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT
(See Insert Attached to These Minutes)

ACCEPTANCE OF THE TAX COLLECTOR’S OCTOBER REPORT - \$1,082,149.65

***CONSENT AGENDA: (CONTINUED)**

***OTHER BUSINESS: (CONTINUED)**

**ACCEPTANCE OF TWO YEAR MAINTENANCE CASH BOND – WOODMONT HOMES
SOIL EROSION/SEDIMENT CONTROL - BLOCK 7/LOT 2.02 – 98B ANDOVER-SPARTA
ROAD - ESCROW #T-13-56-717-250 - \$3,000.00**

***RESOLUTIONS:**

**#R2007-155 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY
TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO
FIRST AMERICAN REAL ESTATE TAX SERVICE IN THE AMOUNT
OF \$5,680.87 FOR AN OVERPAYMENT IN THE FOURTH QUARTER
2007 TAXES FOR BLOCK 157/LOT 24.06**

**#R2007-156 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY
AUTHORIZING RELEASE OF THE LAKELAND BANK IRREVOCABLE
STANDBY LETTER OF CREDIT TWO YEAR MAINTENANCE BOND
NO. 630058366 IN THE AMOUNT OF \$4,872.95 FOR DEACON
HOMES/PINKNEYVILLE ROAD – BLOCK 107/LOT 3 FOR SOIL
EROSION AND SEDIMENT CONTROL AS APPROVED BY THE
TOWNSHIP ENGINEER**

**#R2007-157 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY
AWARDING THE BID FOR THE WIRELESS COMMUNICATIONS
MONOPOLE LEASE TO CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS**

**#R2007-158 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY
TO AUTHORIZE THE RENEWAL OF THE 9-1-1 INTERLOCAL
AGREEMENTS WITH THE BOROUGH OF ANDOVER, TOWNSHIP
OF GREEN AND BOROUGH OF HAMBURG FOR THE TERM
JANUARY 1, 2008 THROUGH DECEMBER 31, 2010**

**#R2007-159 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY
AUTHORIZING 2007 BUDGET APPROPRIATIONS TRANSFER -
\$28,500.00**

(See Inserts Attached to These Minutes)

***CONSENT AGENDA: (CONTINUED)**

***MINUTES:**

**OCTOBER 09, 2007 REGULAR MEETING
OCTOBER 09, 2007 EXECUTIVE SESSION**

APPROVAL OF MINUTES

SEPTEMBER 17, 2007 SPECIAL EXECUTIVE SESSION

Attorney Semrau asked if these minutes can be carried until the next meeting and list it for a brief discussion in Executive Session. All agreed.

MAYORAL APPOINTMENTS – LAND USE BOARD

**Move Gerald Huelbig from Class II Position to Class IV Position
Term to Expire 12/31/2009**

**Move Michael Crane from Class IV Position to Class II Position
Term to Expire 12/31/2007**

Attorney Semrau stated that Mr. Huelbig is the Deputy Emergency Management Coordinator and Mr. Crane is currently under contract, technically as a consultant. He added that he needs to speak with Planning Board Attorney Germinario before making a recommendation to this movement. This issue will be carried to the next meeting.

REPORT FROM THE FIRE CHIEF Fire Chief Danielson is not available at this time but will arrive later to present his report.

PRESENTATIONS

SPECIAL RECOGNITION TO POLICE OFFICER ROD MOSNER – DARE PROGRAM

Officer Mosner was not able to attend the meeting so Mayor Walsh explained that Officer Mosner along with other county DARE officers was recognized for their efforts and accomplishments. He added that the Township Committee wished to recognize Officer Mosner and all police officers who deal with the DARE program in one way or another. He stated that Officer Mosner has done quite well reaching the students in our school system in order to educate them in the dangers of online predators who sign on to My Space and Face book. Chief Coleman stated that the State is looking into other similar programs, covering computer safety, drug awareness and gang violence issues. Once again, Mayor Walsh thanked Officer Mosner for his dedication to the program.

REGULAR AGENDA

Mayor Walsh stated the rules for the public portion of the meeting, asking those who wish to speak to come forward and state their name and address, directing their comments to the Township Committee and the Committee will comment or respond when they conclude their comments. Each member of the public will be recognized and given the floor and once concluded, will not be recognized again during that public portion of the meeting. Anyone who is disruptive or speaks when they are not recognized will be considered to be disruptive to the meeting and will be asked to leave.

OPEN TO THE PUBLIC Stan Christodlous, 6 Wisteria Road stated that he is concerned that the switch in Land Use members was tabled earlier this evening and by not doing so will create a problem for the next Planning Board meeting. He added that Attorney Germinario made it clear at the last Planning Board meeting that the membership change had to be made this evening.

Attorney Semrau stated during a break later this evening he will speak with Attorney Germinario about this matter and report back to the Township Committee.

Mr. Christodlous then remarked that at the last Planning Board meeting, Acting Administrator Crane mentioned that he had some meetings with the Life Care Mews property owners. He asked Mr. Crane to elaborate and provide an update on those meetings. Mayor Walsh stated that those meetings were canceled because at the last Township Committee meeting it was decided that there will be no discussions with those property owners until the Life Care Mews property is restored. Attorney Semrau stated he sent a letter, copied to the Township Engineer and the Environmental Commission, which read before there is any further discussions, they need to come forward with a plan of restoration to the satisfaction of the Committee and either go forward and take care of it or at least give assurance that it would occur. Upon receipt of the letter, Attorney Semrau did receive a call from their attorney and apparently, they have begun work on putting a plan together.

Mayor Walsh stated there was going to be a meeting with Life Care Mews officials along with Acting Administrator Crane, Diana Boyce and himself. He stated he contacted their attorney and cancelled the meeting in light of the decision made for a restoration plan. Administrator Crane remarked that there are other things happening but it is between Life Care Mews and Labcorp, with no municipal involvement. Mr. Christodlous replied that he received a report from the Land Use Secretary stating that a meeting did take place, but the meeting discussed was subsequent adding his concern that there not be a conflict.

Mr. Smith questioned Administrator Crane made a statement at the Land Use meeting that negotiations were proceeding, but he was not able to discuss it at that time. Mr. Smith asked why he was able to mention it this evening and not last week. Further discussion was held regarding this meeting confusion.

Mr. Christodlous requested that any meeting that takes places, either on this project or any other be sanctioned by a majority of the governing body so that no one has a meeting on their own without approval.

Lois de Vries, 85 Lawrence Road, stated her confusion over this matter because she received the attorney's letter and then shortly thereafter Mr. Crane attended a meeting with Life Care Mews, noting it was a week prior to Thanksgiving week. Mayor Walsh and Administrator Crane stated again that a meeting was scheduled but cancelled.

Phil Boyce, 19 Victoria Pines Lane, stated he wanted to ask Mr. Gilsenan questions this evening, but he is absent, asking he hopes that his questions are relayed to him when he returns. He stated that at the last Committee meeting, Mr. Gilsenan announced at the last meeting that he will file an ethics complaint against Mayor Walsh and threatened to file complaints against Ms. Phoebus and Mr. Grotyohann.

OPEN TO THE PUBLIC (CONTINUED) He added that he accused him of repeated violations of fiduciary responsibility to the taxpayers. Mr. Boyce stated that this disturbs him because Mayor Walsh works so hard to protect the taxpayers and honor his fiduciary responsibility. He added that Mayor Walsh did not have an opportunity to defend himself because Mr. Gilsenan did not reveal what it was that was done. In his announcing of an ethics complains, Mr. Boyce stated that in his opinion, Mr. Gilsenan committed an ethics violation because of revealing his intent publically. Mr. Boyce stated his concern with a further comment from Mr. Gilsenan stating he will not speak to the other members of the elected body, only going through the attorney. Mr. Boyce stated this action will only create a greater expense to the taxpayers.

Mr. Boyce asked that a message be sent to Mr. Gilsenan stating he should think about what he is doing because to threaten other members of the Township Committee that he will file an ethics complaint against them if they don't vote the way he thinks they should between that date, October 29th and the Reorganization meeting 2008.

Linda Golonski, 6 Valleyfield Road asked Chief Coleman to expand on the new drug and alcohol awareness program that will be available. Chief Coleman stated this new program will take certain aspects of the DARE program and incorporate them into this new service.

She then commented on the fine job done on the repaving of Skytop Road, the whole process was handled well, including traffic re-routing. She then remarked on the article regarding Thor-Labs and the possible relocation to Newton. She asked if anyone could do anything to try to keep them in Andover Township. Mayor Walsh stated that Mr. Grotyohann has been working with them diligently, including Mr. Crane to accomplish just that.

Hearing nothing further, Mayor Walsh closed the public portion of the meeting.

ORDINANCES: INTRODUCTION

#2007-17 CHAPTER 66 "HOTEL/MOTEL OCCUPANCY TAX

"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES WITH THE CREATION OF CHAPTER 66, "HOTEL AND MOTEL OCCUPANCY TAX"

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2007-17, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on December 10, 2007 at 7:30 P.M. local prevailing time, or as soon thereafter as the matter can be reached in the Municipal Building, 134 Newton-Sparta Road, Roll call vote:

Mr. Gilsenan – absent
Ms. Phoebus – yes
Mayor Walsh – yes

Mr. Grotyohann - yes
Mr. Smith – yes

ORDINANCES: INTRODUCTION (CONTINUED)

#2007-18 SUPPLEMENTING BOND ORDINANCE #2005-17D

“AN ORDINANCE SUPPLEMENTING BOND ORDINANCE #2005-17D AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$150,000 EXPECTED TO BE RECEIVED AS A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT FOR PHASE III RECONSTRUCTION TO SKYTOP ROAD”

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2007-17, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on December 10, 2007 at 7:30 P.M. local prevailing time, or as soon thereafter as the matter can be reached in the Municipal Building, 134 Newton-Sparta Road, Roll call vote:

Mr. Gilsenan – absent	Mr. Grotyohann - yes
Ms. Phoebus – yes	Mr. Smith – yes
Mayor Walsh – yes	

#2007-19 LEASE WITH THE TOWN OF NEWTON

“AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A LEASE WITH THE TOWN OF NEWTON FOR THE LOCATION OF ONE REMOTE SATELLITE RECEIVER ANTENNA AT THE GOODALE ROAD TOWER SITE”

Attorney Semrau stated that the Ordinance requires some revision that in exchange for proving Newton with this location for their satellite received; we will ask the Town of Newton to continue to allow access to a server and mobile data terminals to the police department. This will be a one year agreement.

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2007-19, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on December 10, 2007 at 7:30 P.M. local prevailing time, or as soon thereafter as the matter can be reached in the Municipal Building, 134 Newton-Sparta Road, Roll call vote:

Mr. Gilsenan – absent	Mr. Grotyohann - yes
Ms. Phoebus – yes	Mr. Smith – yes
Mayor Walsh – yes	

NEW BUSINESS

**DISCUSSION REGARDING THE OFFICE OF EMERGENCY MANAGEMENT
REQUEST FOR OFFICE SPACE AND EQUIPMENT**

Mayor Walsh stated that Emergency Management Coordinator Reidmiller was not present this evening for this discussion. Administrator Crane stated he met with Mr. Reidmiller and they will meet again this Wednesday. Mr. Crane stated that he has a requisition for \$2100. for a laptop computer which the department already has which is three years old.

RESOLUTIONS

None

NEW BUSINESS (CONTINUED)

**DISCUSSION REGARDING THE OFFICE OF EMERGENCY MANAGEMENT
REQUEST FOR OFFICE SPACE AND EQUIPMENT**

It is used for scanning information from the manuals so there is an electronic copy. He is also looking for a telephone line at a cost of \$59.99 for remote internet access. He also asked for a special telephone line for fax purposes. There was discussion regarding Mr. Reidmiller's request for possible office space as well as office equipment in the old police headquarters.

Following discussion it was decided that Mr. Reidmiller will provide documentation to justify what he needs and why.

OTHER BUSINESS

DISCUSSION REGARDING THE CONSTRAINTS ORDINANCE DRAFT

Attorney Semrau stated that the draft is a collimation of much hard work from various members of the engineering unit, planning board attorney, the planners as well as members of the planning board that participated. Following a number of meetings and revisions, this draft is in form for discussion by the Township Committee. He suggested that this matter be listed for workshop agenda so that someone can present it and a time for public input for proper dialogue.

It was decided that the workshop will be held at the December 10th meeting beginning at 6:30.

APPROVAL OF VOUCHERS PULLED FROM THE CONSENT AGENDA - #105672, #105696 and #105722.

Mayor Walsh pulled these items from the bills' list because there is no contract with MSI in order to properly pay them. A resolution should be considered before the bills can be paid.

On a motion by Mr. Grotyohann, seconded by Ms. Phoebus, these bills will be tabled until the next meeting for consideration. Roll call vote:

Mr. Gilsenan – absent
Ms. Phoebus – yes
Mayor Walsh – yes

Mr. Grotyohann - yes
Mr. Smith – no

COMMITTEE REPORTS

MR. SMITH. He reported on the website, stating we had a record number of visits, with an 18.5% increase over the previous month. The overhead projector did arrive and will be demonstrated at the next meeting. The requisition system is up with several key users, expecting the roll up at the end of the year.

He reported that the Seniors' annual Thanksgiving Dinner was held at Farmstead on Monday, November 12th and they were extremely happy vowing to return. The Seniors' sponsored holiday luncheon was held at the Lafayette House on December 3rd. The town sponsored Senior Luncheon and Sing-Along is scheduled for December 16th. The club is actively seeking members, 55 and older.

He reported that the PARIS Grant- Phase I portion is completed and we have opted to join with the County to proceed. The next step is to compile a wish list of resources and supply.

The payroll change is scheduled for January 1st, allowing us to go from 26 to 24 pays. The press conference with Back Thru the Future was held on November 8th, announcing that we are the first municipality in the county to recycle computer equipment.

For the month of November the building department issued 32 building permits at a rate of \$4,166 and it will probably decline through the winter months. Animal Control reports that dog licensing renewal forms will be mailed by the third week in December. Owners have until January 31st to license their dogs without additional fees.

Regarding the decision made with the new network server during his absence, Mr. Smith proceeded to list several issues with this contractor that he is uncomfortable with. He also cited statutory requirements that he feels have yet to be met.

He added that most of this work must be done after hours adding that our current vendor clearly understands the requirements. He added that the greatest difference in the two bids is in labor, adding that perhaps the selected vendor grossly underestimated, which can result in project overruns. By removing the labor costs, there is a \$1,000 difference between the bids, adding in his opinion that is not enough to put the town in such risk. He added that the current vendor guarantees its quote, with no such guarantee with the selected vendor. Mr. Smith then commented that the vendor has agreed to provide another quote to address security options. He asked the Township Committee to reconsider their decision and cancel this contract. He added that he will do everything he can to support the decision but under no circumstances will be take any responsibility for any failure of a contract he had no input in.

Given what he reported, Mr. Smith made a motion to cancel this contract. The motion was seconded by Mayor Walsh. There was discussion regarding the status of this contract. It was signed by the Township but has not been returned. There was also discussion regarding the possible rescinding of this contract. Attorney Semrau stated that short of legal deficiencies in the contract, he does not believe that this can be done. He then stated that further discussion should take place in Executive Session.

Mayor Walsh asked for a roll call on the motion to cancel the contract. Roll call vote:

Mr. Gilseman – absent

Mr. Grotyohann – no, not without more
information

Ms. Phoebus – no, not without
more information

Mr. Smith – yes

Mayor Walsh – no

COMMITTEE REPORTS (CONTINUED)

MR. GROTYOHANN. He reported on the Tax Office stating that the Tax Collector attending an Edmonds Training Session, comprised of three classes. She also attended the annual Tax Collectors and Treasurers Association. The new slate of officers were sworn in.

The annual tax sale was held on October 2nd and there were eight bidders. All six items were sold to outside lien holders and the premiums were collected for all. No lien reverted back to the town as a municipal held tax certificate and all taxes delinquent from 2006, with the exception of one, were collected. The total premiums were \$54,100.

He then reported that the budget process has begun where the requests have been made to the department heads and due back by November 21st. Once all have been received, they will be reviewed by the Finance Committee and a draft budget will be prepared. The Township's overall budget for 2007 is \$7,283,629.00. The expenditures total \$4,622,047.00 which represents 63.5%, through October 3rd.

MS. PHOEBUS. She reported that the Recreation Department will hold the New York City bus trip this Saturday, room still available. Sunday is the children's holiday party at Hillside Park Hall. Andover Township's holiday party for all employees, board members, volunteers and their spouses will be held on December 7th. Response to the Clerk's office is necessary. The Senior Luncheon is scheduled for the 16th of December.

She stated she attended many COAH sessions while at the League of Municipalities Conference. She remarked we will be highly affected by Round Three as will other municipalities. New regulations will be out by December 15th. She added that there has been some speculation as to what the new numbers will be. She urges that we should be working very hard to assure that Rounds One and Two are met.

She also reported that they may be changing the rules and regulations on the wastewater treatment plants and septic systems.

She asked that a special session be held in order to interview for the permanent position of Township Administrator. Administrator Crane stated he requested Municipal Clerk Thompson to re-run the ad removing the word "Interim" and instead of running it for three days, we ran it for seven days, as well as the League Website. Following a short discussion, Ms. Phoebus and Mr. Smith will review the resumes and narrow them down. It was decided that these interviews be held on December 10th and postpone the constraints ordinance workshop until after the new year. There was a short discussion regarding the Tax Assessor's position, which that advertisement is also running.

MAYOR WALSH. He had nothing to report at this time.

REPORT FROM THE FIRE CHIEF He reported from October to November 25th there were 11 fire alarms, 1 brush fire, 2 carbon monoxide alarms, 2 fundraising drills, 1 hazardous materials incident, 1 propane incident, 1 landing zone, 4 mutual aids, out of town, 7 motor vehicle accidents, 2 motor vehicle accidents with entrapment, 2 parades, 1 public assist, 1 pump detail, 5 work drills, 1 smoke condition, 1 structural fire and 1 vehicle fire. There were 48 reported calls, 894 man-hours and year to date 5,164, 285 calls to date. He asked everyone to look for Operation Santa program in the newsletter. President Melfi stated that the project request has been submitted to CFO Day,

REPORT FROM THE CHIEF OF POLICE He reported calls to date, 14,595 total. There were 8,820 for Andover Township, 294 for Andover Borough, 4,986 for Hamburg and 495 for Green Township. He reiterated what Mayor Walsh stated about Officer Mosner, adding that the program has really taken off with him as the driving force. He received a note of thanks from the Pope John robotics club who toured the facility because of their interest in the geo-thermal system.

REPORT FROM THE TOWNSHIP ADMINISTRATOR He reported that he received a report of mold at the lower level at Hillside Park Barn, which was quickly remedied. He also had the duct work cleaned in all our municipal facilities. The total cost was \$5500.00. He then reported on the substation and the pending litigation with JCP&L. It was decided that the petition will not be withdrawn until we are satisfactory with the service. Chief Coleman gave his opinion of this matter. Administrator Crane stated that JCP&L has received their permits to begin construction on the substation. Attorney Semrau stated that he has corresponded with Attorney Rafanello who initiated the petition and he will ask him for a copy of the complaint and the conditions that were to be embossed. All agreed.

He then reported on Ballantine Woods stating that he was asked by a resident about the location of the mailboxes after the road is completed. He stated that they will be moved towards the new intersection. He then stated that the road is ready for paving to the new intersection to the beginning of the controversial wall is located. The contractor is willing to grade from that point to Deacon's last home to be built on the left. The road in its current condition has many drainage issues. Engineer Golden had proposed some remedies to alleviate some of these problems. All residents of this road agreed to the proposed changes in the roadway except for one. There was discussion regarding issues with the time of the year that this work can be done.

Attorney Semrau stated that weighing these issues does the Township Committee wish to continue given that four of the five residents that are affected do want to proceed. It was decided that all the residents be contacted which needs to be done immediately. Ms. Phoebus felt that each resident should sign a statement that they want this done. Mr. Smith agreed but to make certain that this is truly the fact, that the wall is a factor. Following this discussion, if the majority wishes to go forward, there is a consensus of the governing body to move forward.

REPORT FROM THE MUNICIPAL ATTORNEY With regard to the Class II movement on the Planning Board, Attorney Semrau stated that given this late hour, he suggests if the Township Committee will give the Mayor the authority to make this adjustment by way of letter and if for any reason this move not be made, then no letter will be sent to the Planning Board. Ms. Phoebus moved to have this appointment made if the attorneys so agree, seconded by Mr. Smith and carried unanimously.

He then reported that the Meda litigation has been resolve, filed and dismissed. The Township as well as all employers are required to give all employees training in sexual harassment and hostile work environments. This afternoon a seminar was held to a number of supervisors and it will be held again for other employees and members of the Township Committee.

REPORT FROM THE MUNICIPAL ATTORNEY (CONTINUED) He then stated that there was discussion in Executive Session regarding the Smith property which is a tract of 28 acres along Route 206. Nothing definite was discussed but there is an affordable housing developer meet with some representatives, Mr. Crane, Ms. Phoebus and himself. Further conversations have been scheduled. It is understood that some members of the Planning Board may have toured the property in order to identify some of the environmental issues. He stressed that at this time it is only dialogue.

NEXT SCHEDULED MEETINGS:

**Monday, December 10, 2007 6:00 p.m.
Regular Meeting 7:30 p.m.**

Thursday, December 27, 2007 10:00 a.m.

ADJOURNMENT No further business appearing before the Committee at this time, Ms. Phoebus moved the meeting be adjourned at 9:55 P.M., seconded by Mr. Grotyohann and carried unanimously.

Respectfully submitted,

Tom Walsh, Mayor

Vita Thompson, R.M.C.
Municipal Clerk