

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

FEBRUARY 25, 2008

WORKSESSION MEETING – 6:30 P.M.

The work session meeting of the Andover Township Committee was called to order at 6:37 P.M. by Mayor Phoebus, followed by a salute to the flag.

ROLL CALL: Present: Mr. Grotyohann, Mr. Walsh,
Mr. Smith, Mayor Phoebus
Also present: Administrator Alfano, Attorney Semrau
Those absent: Mr. Gilsenan

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

Attorney Semrau explained that this is a Worksession meeting, stating that this is a separate meeting for the Township Committee to discuss various items. There is no action taken by the Committee.

WORKSESSION AGENDA

PROPOSED AMENDMENTS TO CHAPTER 20 “ANIMALS” Administrator Alfano stated that in speaking with Animal Control Officer Reed, she has recommended that the Township Committee consider revising the licensing fees along with other sections of this chapter. There was a short discussion regarding all the suggested changes to this section.

DRAFT ORDINANCE FOR ABANDONED PROPERTIES Administrator Alfano spoke with Construction Official Cuter regarding an ordinance to address the abandoned homes in the municipality. Following review of this ordinance there were certain comments, one of which Mr. Smith stated that the ordinance should not be written in the form that it targets one or two properties. If paragraphs one and two were eliminated that issue would be corrected. Attorney Semrau stated that this draft is rough in form and he will review it and make necessary amendments. This ordinance will be listed for the next work session agenda.

PEDOPHILE ORDINANCE Mr. Walsh had recommended that the Township Committee consider an ordinance of this type. There was discussion regarding the language and locations that could be mentioned in order to provide proper housing for sex offenders. Sample ordinances from surrounding municipalities will be reviewed and Attorney Semrau will draft a form for continued discussion at the next Worksession.

WORKSESSION AGENDA

ALL ORDINANCE DISCUSSIONS Mr. Smith referred to a spreadsheet he designed to target ordinances that have been discussed in the past and those the committee is interested in moving forward on. Administrator Alfano asked that everyone review this list which addresses the status of some of these ordinances. Attorney Semrau read the list to the public. He then reported that regarding the Driveway Ordinance it has been completed and has been reviewed by the Environmental Commission and the Land Use Board. Administrator Alfano stated that this Ordinance will be discussed during the next Worksession agenda along with the Animal Control Ordinance. He mentioned the Ethics Ordinance and asked if the Township Committee would like him to work on this matter. He referenced the Fair Share Ordinance stating this was something that was worked on and set aside due to the appellate division decision regarding affordable housing. He added that there is now a green light to bring this issue forward. He then mentioned the Carbonated Rock Ordinance and again he remarked that he has not been directed to work on this. The Tree Ordinance was set aside. Regarding the rezoning of Newton-Sparta Road, he stated this was previously discussed but there was no clear direction. The Well Testing Ordinance was drafted last year and discussed at Land Use Board meeting. Attorney Semrau stated that he feels we are ready to have Hydrogeologist Matt Mullhall come before the Township Committee to discuss this Ordinance for introduction.

Mr. Grotyohann asked about the Ethics Ordinance and Mr. Smith commented that this Ordinance relates to the Mayor's Committee. He stated that its intent is to protect the Township Committee from getting involved in what might be viewed as misappropriate contact with people who are builders, potential builders, those attempting to lobby, etc. Mr. Smith read the proposed Ordinance into the record. Mr. Grotyohann asked Attorney Semrau of his experience with such an Ordinance. He replied that there may be one municipality with something along these lines, but has never prepared one. Mr. Walsh stated that in his opinion this type of ordinance undoes the election process in where the people charge those they elect to handle these matters, adding not to give approvals but to certainly discuss prospects. There was some discussion regarding this proposed Ordinance. It was decided that this Ordinance will be discussed further at the March 10th Worksession meeting.

CONSTRAINTS ORDINANCE Attorney Semrau explained that a committee was established early last year to review what was recommended by reading some of the prior Master Plans of the Township, which was to adopt a constraint ordinance. The committee consisted of Land Use Chair Christodlous, Engineer Golden, Land Use Attorney Germinario, Planner McGroarty, Engineer Ferriero and himself and they now recommend this draft for discussion.

Attorney Semrau explained how the ordinance would work by stating if there was a five acre residential zone and there are 100 acres of land, the constraints ordinance says that out of the 100 acres, if half is wetlands, lakes or steep slopes that should not count toward the total number. This land is factored out of the formula. Land Use Board Chair provided his thoughts on this Ordinance answering questions from the governing body. Ms. de Vries was available to answer questions also. This matter will be listed for the March 10th agenda for further discussion.

PUBLIC COMMENTS Mr. Walsh moved to open the public portion, seconded by Mr. Smith and carried unanimously. Mayor Phoebus read the rules for the public portion into the record, advising that this session is for the Worksession and another will be held during the regular meeting.

PUBLIC COMMENTS (CONTINUED)**RULES FOR THE PUBLIC PORTION OF THE MEETING**

1. Please come forward when recognized and state your name and address.
2. Please direct your comments to the Township Committee.
3. The committee will comment or respond when you conclude your comments.
4. Each member of the public will be recognized and given the floor. When you have concluded, you will not be recognized again during that public portion of the meeting.
5. Anyone that is disruptive and speaks when they are not recognized will be considered to be disruptive to the meeting and maybe asked to leave.

Anthony Massaro of Current Drive suggested that following each item discussed, the Township Committee should then open discussion to the public. He questioned the animal census that it should not be done by the Chief of Police. He then stated that he feels he should have the right to approach any member of the Township Committee and advise them of a particular problem without having to come to a meeting. He then voiced his opinion regarding the Mayor's Committee and how he feels this could be a liability.

He then stated that at the last meeting a question was asked by one committee member to another in which there was no answer, except the comment that he deferred to the Township Attorney. He then stated his concerns regarding this issue. He also remarked about past Land Use Board meetings where evidence was presented by a member of the Environmental Commission. He explained that following six months, the project was approved by the board.

Mayor Phoebus asked Chief Coleman about the dog census procedure and he responded that this is state law that someone be appointed to handle this responsibility. He added that not every home is visited by the census taker.

Lois de Vries referred to page 9 of the Constraints Ordinance, line 4, eight certified copies the application should be corrected to 18.

Stan Christodlous, 8 Wisteria Road stated that the Ethics Ordinance is a good Ordinance and it does not prevent any committee member from talking to a resident about a problem they may have. It does prevent any member from making a commitment on behalf of the Township Committee.

Diane Gillespie, 115 Andover-Mohawk Road, asked why the fees are being increased in the Animal Ordinance, adding where this extra money will go. Administrator Alfano stated she will ask the animal control officer and provide an answer to her as soon as possible. She commented on the Conservation Easement requesting it needs to be reviewed and updated. She then asked if the Hours of Construction could be reviewed, stating that the noise is a great problem especially during the summer months.

She then reported that she and Lois de Vries attended a Land Ethics Symposium past Thursday in Langhorne, Pennsylvania. She met someone from Lower Makefield Township and then past a Native Plant Ordinance which she read on their website and forwarded to the Township Committee. She stated there were over 300 people who attended the symposium and the majority was municipal officials, town planners, landscape architects, and engineers. The way the development was designed, you would not know there were homes in the area.

Jeffery Wolk commented on the Animals Ordinance stating that the township canvass which could be as simple as sending a letter to dog owners. Then a random census of certain dog owners can be conducted. On the sex offenders ordinance, he asked what was unconstitutional about the ordinance that was challenged.

PUBLIC COMMENTS (CONTINUED) Attorney Semrau stated he would send him the opinion, adding that many of the ordinances can take someone out of their home, if they live within the zone, the ordinance is adopted and now they have to move, triggering arguments. He added that New Jersey has led the way as far as registered offenders which makes these individuals stand out, making it difficult to compare to other jurisdictions.

Mr. Wolk proposed that the Land Use Board consider a Cul-De-Sac Ordinance. He stated that it appears that someone could build a cul-de-sac from a cul-de-sac and then it becomes a safety issue. He further stated that we are not putting home buyers into danger.

Hearing nothing further, Mr. Walsh moved to close the public portion of the meeting, seconded by Mr. Smith and carried unanimously.

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Walsh moved the meeting be adjourned at 8:09 P.M., seconded by Mr. Smith and carried unanimously.

Respectfully submitted,

Gail Phoebus, Mayor

**Vita Thompson, R.M.C.
Municipal Clerk**

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

FEBRUARY 25, 2008

REGULAR MEETING – 6:30 P.M.

The work session meeting of the Andover Township Committee was called to order at 8:22 P.M. by Mayor Phoebus, followed by a salute to the flag.

ROLL CALL: Present: Mr. Grotyohann, Mr. Walsh,
Mr. Smith, Mayor Phoebus
Also present: Administrator Alfano, Attorney Semrau
Those absent: Mr. Gilsenan

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

APPROVAL OF AGENDA Mr. Walsh moved to approve the agenda as presented, seconded by Mr. Smith and carried unanimously.

APPROVAL OF CONSENT AGENDA Mr. Walsh moved the following consent items be approved, seconded by Mr. Smith and carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

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

ACCEPTANCE OF THE 2007 ENVIRONMENTAL COMMISSION ANNUAL REPORT

***APPROVAL OF ON PREMISE 50/50 RAFFLE LICENSE – R.L. #815 SUSSEX COUNTY
INTERFAITH HOSPITALITY NETWORK TO BE HELD ON MARCH 29, 2008 AT PERONA
FARMS FROM 6:00 TO 10:00 P.M.***

***RESOLUTIONS:**

**#R2008-47 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY
AUTHORIZING THE PROMOTION OF STEVEN BENZIGER TO THE
POSITION OF ASSISTANT SUPERVISOR OF PUBLIC WORKS IN
THE PROVISIONAL STATUS EFFECTIVE IMMEDIATELY**

***CONSENT AGENDA: (CONTINUED)**

***RESOLUTIONS:**

#R2008-48 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING ANDOVER TOWNSHIP TO PARTICIPATE IN THE PARIS GRANT RECORDS PURGING PROJECT TO BE SPONSORED BY THE COUNTY OF SUSSEX

#R2008-49 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY ISSUE A TAX REFUND TO FISCHER & SON SAWMILL, LLC IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE #07-00006 SOLD FOR DELINQUENT TAXES FOR BLOCK 161/LOT 6 IN THE AMOUNT OF \$15,693.13

#R2008-50 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 WASHINGTON MUTUAL IN THE AMOUNT OF \$2,203.85 DUE TO AN OVERPAYMENT IN THE 1ST QUARTER OF 2008

#R2008-51 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE LATERAL APPOINTMENT OF DARREN DICKINSON FROM THE POSITION OF SUPERVISING LABORER TO SUPERVISOR, PUBLIC WORKS

#R2008-52 2007 BUDGET APPROPRIATIONS RESERVE TRANSFER - \$6,800.00
(See Inserts Attached to These Minutes)

***APPROVAL OF MINUTES**

JANUARY 17, 2008 REGULAR MEETING
JANUARY 17, 2008 EXECUTIVE SESSION

REGULAR AGENDA

REPORT FROM THE RESCUE SQUAD CHIEF Chief Mel Dennison was present and reported that the squad ran 86 calls for the month of January. Nine calls were for Andover Borough, 36 for Andover Township, 24 in Byram, seven in Newton and a few in the surrounding municipalities. The paramedics were called 37 times, including three by helicopter. There were 235 hours expended for a total of 1,355 miles. They also responded to six calls to the Andover Nursing Home.

He stated that the department purchased uniforms and they will be delivered shortly. He mentioned that it costs approximately \$1,000.00 to equip a new member. He also stated that like other volunteer department, Lakeland Emergency does lack daytime support. Duties crews are scheduled every evening. He stated that he spoke with Administrator Alfano and they will meet early next week.

He then reported that the equipment the squad is using is in need of replacement and a new stretcher can cost about \$7,000.00. Last month there were repairs made to the vehicles costing about \$6,000.00. One ambulance is 15 years old and the other is 5 years. He asked assistance and guidance in obtaining any available state and federal funding to replace this failing equipment. Some of the members are out on disability due to injuries caused on squad calls because of this equipment.

Mr. Smith stated that the Senior Citizens Club has expressed interest in receiving training in basic first aid. Chief Dennison stated he will talk to member Ann Foster about the available CPR training. He added if the trainers are able to volunteer their time, there is no cost.

OPEN TO THE PUBLIC

RULES FOR THE PUBLIC PORTION OF THE MEETING

1. Please come forward when recognized and state your name and address.
2. Please direct your comments to the Township Committee.
3. The committee will comment or respond when you conclude your comments.
4. Each member of the public will be recognized and given the floor. When you have concluded, you will not be recognized again during that public portion of the meeting.
5. Anyone that is disruptive and speaks when they are not recognized will be considered to be disruptive to the meeting and maybe asked to leave.

Mr. Smith moved to open the public portion, seconded by Mr. Walsh and carried unanimously.

Stan Christodlous was present to discuss the Mayor's Committee explaining that the committee was formed to prevent zealous township officials from conducting their own negotiations with township developers without authorization from the committee. Mr. Christodlous stated that at the previous meeting, Mr. Walsh remarked that Thor Labs was prepared to provide Andover Township with 47 COAH units but that they did not want to spend the money that would be required to have a meeting with the Mayor's Committee that was formed just for this purpose. Mr. Christodlous further stated that it is his opinion that in order to avoid a builders' remedy, we have to see Andover Township meet its COAH obligations. He then asked Mr. Walsh who from Thor Labs contacted him so either the Planner or Attorney could contact them to ask how they could help us meet our obligations. Mr. Walsh stated that it was not Thor Labs, adding that he may have misspoke, it was Sussex and Warren. Mr. Walsh added that Attorney Semrau has been referred to handle this matter further, asking them for the status of the remediation plan.

OPEN TO THE PUBLIC (CONTINUED) Mr. Christodlous asked what the role of a committee liaison is. Mr. Walsh explained that all staff should report to the Township Administrator and if there is an issue with the administrator, that employee should contact the Mayor and entire committee in order to address their situation. Mr. Walsh stated that daily departmental responsibilities should go through the administrator for guidance and if she is not available, they should go to their liaisons.

Attorney Semrau explained that the establishment of the administrator's position became an extension of the governing body. In this form of government, and if the administrator is not available to all departments, and there is an issue that needs to make its way to the township committee, it should first go to the department liaison.

Bill Howell, 60 Ballantine Road asked if the township was contracting with Andover Borough for shared services. The answer was no. He continued to state that the Governor will be addressing the issue of State Police coverage and whether or not the State will be charging those municipalities that use this service. With this in mind, Mr. Howell thought now the Borough may be interested in coverage from our police department. Administrator Alfano replied that there is a fee proposal list of road services that will be extended to the Borough in the event they want to contract with us on an as need basis.

Dan Freed, Open Space Chair reported that the Committee is hosting an open meeting tomorrow night to address any comments on the Open Space Plan before they move forward with the finalization.

Mr. Freed then remarked regarding a statement made at the last meeting regarding Mayor Phoebus and the tax appeal with the township. He stated he found it confusing but wanted to clarify a few points. Attorney Semrau interjected by saying that anything involving a personal matter with the mayor that is outside the capacity of what she is at liberty to answer as mayor. Mr. Freed then stated that the comments made he found totally offensive and felt an apology was due to Mayor Phoebus. He added that it is his understanding that we have a business owner and part of that responsibility is to make a profit in controlling expenses, part of which is the property tax. There is a mechanism for appealing taxes when felt it is not appropriate. He further stated that in assuming all the processes were followed, Mayor Phoebus was pointed out as somehow owing an answer to the public, which is does not owe. Adding, somebody owes her an apology.

Lois de Vries, 85 Lawrence Road, stated that she heard both Mr. Grotyohann and Mr. Walsh say at the last meeting that they had met with Thor Labs and that they were interested in building on the Sussex/Warren property known as Life Care Mews. Mr. Walsh stated she was correct, adding he did misspeak. She continued to say as she understands it, they did not speak to them. Mr. Walsh stated that they did meet prior to that, adding that the last meeting was not with Thor Labs. He explained that he brought up an issue about Thor Labs and that property and misspoke and those individuals, as far as he knows, are not interested in that property any longer.

Ms. de Vries stated that she recalled Mayor Phoebus made a plea at the reorganization meeting for people to all work together and she finds it astonishing that there's another member of the committee who knows the owner of Thor Labs very well that was never asked to participate in any of these discussions. Mr. Walsh stated he was asked. She continued that regarding the matter of communicating with developers who either have or will propose applications before the Land Use Board or any other decision making body, and she then asked Mr. Grotyohann who authorized him to talk with developers privately. Mr. Grotyohann stated he was elected by the community to do a job and if someone wants to speak to him and he wants to talk with them,, he can. He stated that he does not know why she is trying to restrict communication with people in the community. Ms. de Vries stated she is not trying to restrict communication, only that a minority of the committee should not be talking to developers without the rest of the committee. The purpose of the Mayor's Committee is to listen and provide avenues of information for developers who want to come in.

OPEN TO THE PUBLIC (CONTINUED) Mr. Walsh stated he and Mr. Grotyohann disagree. He stated his job is to search to bring in ratables in keep the tax base down and make it affordable to live in this township.

She stated that the Environmental Commission follows the policy and procedures set forth by this town and state statute and they don't do anything contrary to these policies. She offered her opinion that the Mayor's Committee is an excellent idea. She added that she has never prevented any of the other eight members of the Land Use Board to vote on any application as they saw fit.

Hearing nothing more from the public, Mr. Walsh moved to close this portion of the meeting, seconded by Mr. Smith and carried unanimously.

ORDINANCE: PUBLIC HEARING

#2008-03 TO AMEND CHAPTER 30 "CONSTRUCTION FEES"
"SECTION 30-10 UNIFORM CONSTRUCTION CODE

***"AN ORDINANCE AMENDING CHAPTER 30, SECTION 30-10, "FEES"
UNIFORM CONSTRUCTION CODE OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX, STATE OF NEW JERSEY"***

Mr. Walsh moved to open the public hearing, seconded by Mr. Smith and carried unanimously.

Diane Gillespie of 115 Andover-Mohawk Road asked about if the increase in these fees covers the expenses of the construction department. Mr. Smith explained the purpose of this ordinance amendment is because the current fees do not cover the daily operation of the department and this department but be self-sustaining. Mr. Walsh explained that last June we amended this ordinance to increase the fees, found that wasn't sufficient and we are now amending again.

Hearing nothing more from the public, Mr. Walsh moved to close the hearing, seconded by Mr. Grotyohann and carried unanimously.

An ordinance of which the foregoing is the title was introduced and passed on first reading at the regular meeting of the Andover Township Committee on February 11, 2008, was advertised according to the law and was brought before the public for final consideration. There being no objections, Mr. Walsh moved the adoption of the above entitled ordinance, seconded by Mr. Grotyohann. Roll call vote:

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

NEW BUSINESS**DISCUSSION REGARDING THE 2008 MUNICIPAL BUDGET**

CFO Tim Day and Auditor Ray Sarinelli were present for this discussion. Administrator Alfano explained that at the last meeting Mr. Walsh asked for a bill regarding the Open Space tax portion of the County tax payment to be tabled. She asked CFO Day to explain why this bill should be paid. He stated that the County has proposed reduction in the open space rate which will be reflective in future tax bills. The County tax bills were due on February 15th and if not paid by that date, interest would begin to accrue.

Administrator Alfano also stated that CFO Day has the documentation to address the question asked at the last meeting regarding what the township's costs are in defending tax appeals. In his research, checking records from 2003 through 2007, the Township spent approximately \$38,000.00 for all tax appeals. He stated he looked through individual invoices and there was a great deal of legal fees associated with one specific tax appeal; Limecrest Quarry. He stated that 75% of more of the costs for tax appeals were related to this one appeal. Attorney Semrau stated that he did not handle the Limecrest Quarry appeal which was ultimately dismissed.

Administrator Alfano commented on the issue of a surveillance system for the municipality. She stated that if the Township Committee is still interested, there are Homeland Security Funds available. The DPW has requested an additional mechanic and correspondence was send to the governing body outlining this request.

She informed the Township Committee that a resident met with her and gave a very good presentation regarding recreation and what could be done with fields and their maintenance. He suggested that this individual come before the committee to give his presentation. Administrator Alfano stated there are funds available. Mr. Walsh reminded everyone that we can not place any permanent fencing at Hillside Park because it is an all-purpose field.

CFO Tim Day presented the proposed budget in which the finance committee had spent numerous hours finalizing. All data and requests from department heads were collected and in total represented a \$.09 tax increase which was unacceptable. The finance committee worked on this budget and tonight is presenting a budget with a \$.04 tax increase. He stated that the State Pension and annual contribution was increased \$82,000.00 which represents 1.2 cents on the tax increase. The construction ratables are down which were \$108,000.00 last year to \$36,000.00 this year. Health insurance costs have increased by \$48,000.00. The budget also represents a capital increase of \$50,000.00. He reminded everyone that the 2006 and 2007 municipal tax rates remained constant. Most of the operating budget was either reduced or remained constant. The Township has two State mandated budget caps; one on appropriations and the new tax levy cap that was passed last year, which is a 4% cap.

Mr. Grotyohann and Mr. Walsh thanked everyone on the finance committee for a job well done. They expressed their attempt to reduce the budget a bit more, but they did the best they could.

Mr. Smith also thanked the finance committee on this difficult task, but found the \$.04 increase unacceptable. He stated that more control is required by individual departments. He stated that we need to find more efficient ways of accomplishing our needs. Business processes should be reviewed and streamlined. Business functions need to be shared and individuals cross-trained. He asked the finance committee to look to trim the budget further.

NEW BUSINESS (CONTINUED)

DISCUSSION REGARDING THE 2008 MUNICIPAL BUDGET

He then stated in reference to mayor and council benefits, there is one way to decrease the \$.04 to \$.03 by voluntarily giving up health benefits, which is 1.3% of the budget.

At this time, Mr. Smith moved that effective April 1, 2008 that the Township Committee give up their health benefits. Motion was seconded by Mayor Phoebus for discussion.

A long discussion continued regarding this motion. Following, Mayor Phoebus asked for a roll call:

- | | |
|-----------------------|---------------------|
| Mr. Gilsenan – absent | Mr. Grotyohann – no |
| Mayor Phoebus – yes | Mr. Smith – yes |
| Mr. Walsh – no | |

Motion does not carry.

There was continued discussion regarding further review of the budget for possible areas of reduction.

Mr. Smith remarked that Administrator Alfano will be bringing up a matter regarding the municipal computer network server upgrade contract which she shared with him. He stated that two bids were requested, the one bid from the company he has worked with, that he has confidence in and a second company. He stated that he will no longer argue this issue and informed everyone that effective now he is stepping down from any technology support, he will not support the server or the email system. He further stated that this service is worth approximately \$35,000, which now has to be budgeted.

The finance committee will review the budget as directed to attempt to locate other areas for costs.

COMMITTEE REPORTS Due to the length of tonight’s meeting, Mayor Phoebus asked if the governing body would waive their reports. They all agreed.

REPORT FROM THE TOWNSHIP ADMINISTRATOR She reported on the computer quotes, receiving one for \$13,194.00 and the other for \$10,329.00. She requested three and received two. The Committee agreed to move forward with the lower quote. She then asked about having a policy regarding the use of the municipal building. Attorney Semrau stated he can draft a policy to show some choices.

She then asked the Township Committee their opinion regarding the closing of the building or delayed openings due to inclement weather. Following a short discussion it was decided that certain criteria must be in place before any decision is made. It was then decided that the Administrator and Mayor will communicate with the DPW when addressing this issue. Other options such as the use of sick and vacation time were also discussed. By consensus it was decided that the Mayor and Administrator will talk with the DPW and make the decision using the criteria mentioned by Mr. Smith.

REPORT FROM THE CHIEF OF POLICE He reported 2,319 calls were received to date, 1,411 for Andover Township, 39 for Andover Borough, 788 for Hamburg Borough, 81 for Green Township. He referenced an incident that occurred and he commended two officers, Detective Danielson and Officer Kithcart. He read his letter into the record which outlines their efforts in apprehending a criminal who has been burglarizing the Town of Newton. His plans are to have special recognition at a future meeting.

REPORT FROM THE MUNICIPAL ATTORNEY He stated that Mayor Phoebus asked him to report on the progress of the Mayor's Committee. He informed everyone that the committee has met with Mr. Smith with respect to his property along Route 206 for a possible site for affordable housing. He added that they met with representatives for Miller Sheep Farm, which is over 200 acres of land, not zoned residential. He stated that discussions included possible uses of the property from the standpoint of potential zoning change to residential and concepts were discussed.

He reported on the meeting with Rolling Greens representatives which the discussion about what was once a possible town center concept with mixed retail with residential development. He stated that the biggest concern is the C-1 Stream Encroachment Restrictions. Attorney Semrau stated that Rolling Greens officials would like to go to Trenton to see this plan effects their property. He then reported on their meeting with Rainmaker which is the Jump Airport site. In that meeting there was discussion regarding some of the changing market conditions. He stated that they continue to look for feedback as to their last concept which the committee will discuss. All these property owners have been obligated to post escrows.

Mayor Phoebus, Administrator Alfano and he met with officials at St. Paul's Abbey and there are two other landowners scheduled to meet with the Mayor's Committee and they are Mr. Mulvihill and Turzi-Bonano.

Attorney Semrau stated that in regard to Mr. Walsh's comment earlier regarding the Life Care Mews property, everyone agreed that they still need to provide a Restoration Plan. Their attorney sent a letter stating they would provide a plan and they will ask to meet.

Administrator Alfano reported that at the last meeting Mr. Walsh asked about fire inspections at the hotels. She stated that the inspections are done four times a year but when the rooms open directly to the outside, you do not have to inspect every room. She added that the only way we can change that practice, is to create a Housing Authority, which would be by ordinance.

In a separate matter, Attorney Semrau stated that Mr. Smith had forwarded to the Township Committee a letter from an Assembly of Mayors in Hunterdon County. This letter is to Joseph Doria, Commissioner of the DCA which outlines concerns regarding the new COAH regulations. He asked that if the Township Committee has had an opportunity to review this, perhaps they may wish to authorize the Mayor to sign this letter and send it to the DCA. It was unanimous to have the letter sent to the State.

EXECUTIVE SESSION On a motion by Mr. Walsh, seconded by Mr. Smith the motion to go into Executive Session at 10:13 p.m. for the following was carried unanimously.

Personnel Matters:

1. ***J. Alfano, Township Administrator***

Contract Negotiations:

1. ***St. Paul's Abbey***
2. ***Open Space Acquisition***

Attorney-Client Privilege:

Pending Litigation

1. ***Golf Courses Tax Appeals***

Potential Litigation

1. ***Possible Violation of the Law***
2. ***Casa Bellisima***

ADJOURN EXECUTIVE SESSION Mr. Smith moved to adjourn Executive Session at 10:59 p.m., seconded by Mr. Walsh and carried unanimously.

REGULAR MEETING RESUMED

NEXT SCHEDULED MEETINGS:

**Monday, March 10, 2008 6:30 p.m. Workshop
Regular Meeting 7:30 p.m.**

**Monday, March 24, 2008 6:30 p.m.
Regular Meeting 7:30 p.m.**

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Walsh moved the meeting be adjourned at 11:00 P.M., seconded by Mr. Smith and carried unanimously.

Respectfully submitted,

Gail Phoebus, Mayor

**Vita Thompson, R.M.C.
Municipal Clerk**

