

# ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

BOB SMITH, MAYOR  
GAIL PHOEBUS, DEPUTY MAYOR  
PHIL BOYCE  
ALEX GILSENAN  
THOMAS WALSH

APRIL 27, 2009  
6:30 P.M.

## REGULAR MEETING BEGINS AT 7:30 P.M.

The regular meeting of the Andover Township Committee was called to order at 6:34 P.M. by Mayor Smith, followed by a salute to the flag.

**ROLL CALL:** Present: Mr. Boyce, Mr. Gilsenan, Mr. Walsh,  
Ms. Phoebus, Mayor Smith  
Also present: Administrator Alfano, Attorney Semrau

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

**EXECUTIVE SESSION:** On a motion by Mr. Walsh, seconded by Ms. Phoebus, the resolution to go into executive session to discuss

**Personnel Matters:**

**Contract Negotiations:**

1. ***PSE&G - Easement Offer***

**Attorney-Client Privilege:**

1. ***Sparta Pumped Storage Project***

Discussion regarding a status report on this matter.

2. ***Proposed Tree Policy***

Attorney Semrau will provide a report following his review of this matter.

**Potential Litigation**

**Pending Litigation**

1. ***Leenstra vs. Andover Township***

There will be discussion regarding the indictable charges in this matter.

, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:35 P.M. Mr. Walsh moved to adjourn executive session at 7:20 P.M., seconded by Mr. Boyce and carried unanimously.

## REGULAR MEETING

**EXECUTIVE SESSION:** On a motion by Mr. Walsh, seconded by Mr. Boyce, the resolution to go into executive session "B" to discuss St. Paul's Abbey-Wastewater Treatment Plant was carried unanimously.

The Committee went into executive session "B" at 7:20 P.M. Mr. Walsh moved to adjourn executive session at 7:35 P.M., seconded by Mr. Boyce and carried unanimously.

**APPROVAL OF AGENDA** Mr. Walsh moved to approve the agenda, seconded by Mr. Boyce and carried unanimously except for voucher number T13-56-717-284 relating to Mayor Smith in which he abstained.

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

**\*CONSENT AGENDA:**

**\*OTHER BUSINESS:**

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

**OPEN SPACE COMMITTEE APPOINTMENTS -  
RECREATION COMMITTEE MEMBERSHIP**  
Replace Michael Morel with Ed Burgio Effective Immediately  
Term to Expire 12/31/09

**\*RESOLUTIONS:**

**#R2009-76 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO  
AUTHORIZE THE MUNICIPAL CLERK TO ADVERTISE THE BID FOR  
A NEW SKID STEER WITH ATTACHMENTS AND TRACTOR FOR THE  
DEPARTMENT OF PUBLIC WORKS**

(See Insert Attached to These Minutes)

**\*APPROVAL OF MINUTES**

**MARCH 09, 2009 REGULAR MEETING  
MARCH 23, 2009 REGULAR MEETING**

**APPOINTMENTS BY THE TOWNSHIP COMMITTEE**

**ECONOMIC DEVELOPMENT ADVISORY COMMITTEE**

Gail Phoebus	One year term (2009)
John Carafello	One year term (2009)
Rick Melfi	One year term (2009)
Michael Lensak	One year term (2009)
Michael Morel	One year term (2009)
Mark Avondoglio	One year term (2009)

Mr. Walsh moved to approve the foregoing recommendations made by Deputy Mayor Phoebus, seconded by Mr. Boyce and carried unanimously.

**REGULAR AGENDA*****PUBLIC HEARING FOR THE ADOPTION OF THE 2009 MUNICIPAL BUDGET***

Mr. Gilsenan moved to open the public hearing on this matter, seconded by Mr. Walsh and carried unanimously.

Township Auditor Raymond Sarinelli was present and explained the budget approval process. He stated that every three years the Division of Local Government Services reviews the Budget and this is a review year. There are a few changes that don't effect the tax rate. He stated there are changes in the grant awards, but when those appropriations are amended, both sides change. At some point this amendment needs to be read into the record.

Diane Gillespie of 115 Andover-Mohawk Road asked for the Township Committee to first hold a discussion on the Budget before public comment so the public will know what questions to ask. Mayor Smith stated that the Budget has been made available to the public for viewing after its introduction. Mr. Boyce stated that Ms. Gillespie has asked for the Township Committee to hold a discussion regarding their position on the Budget and then the public will have an opportunity to respond to those comments. All were in agreement.

Mayor Smith began by saying he has great concerns on this budget and we are in a great economic crisis. The Budget presented was a very responsible one, adding that the Finance Committee did an outstanding job, working extremely hard, but he stated we are at the point where we have to talk about some of the issues. He added that the School Budget passed last week with 479 voters chose to come out. Sixty-two percent of those were in favor of the Budget. That Budget will constitute 6.5 cent per hundred dollars on the tax bill. The municipal budget being proposed is approximately another 5 cents.

Mr. Boyce stated good business principals apply when trying to manage any budget, including this one. First, what needs to be determined is what can be controlled, some are mandated by the State. There are certain cost of living increases that must continue each year. He asked if we are holding the line on costs whenever possible, which he believes for the most part, we are. But, we can always do better. He then spoke about finding increase opportunities for the tax rolls that don't impact higher property taxes. He stated he believes it is unrealistic to expect to hold the line flat year after year with all the increased costs of doing business. There were a few years we were able to do so, but that was when we received State Aid, which has pretty much ceased to exist. The State has reduced the State Aid by about \$300,000 in the last two years, which is about the dollar amount that this budget has increased over last year. Mr. Boyce added that without those cuts, we may have been able to hold the line with a flat budget this year.

Mr. Boyce stated that we might have to have budget cuts involving a reduction in the level of service to the residents or increase revenue derived from a higher tax base because of incoming development. He stated that the economy and the schools could not sustain a huge development of homes. He then suggested increased ratables due to business growth or some type of commercial development. He stated that there is a general feeling among some that ratables are not a good thing. He spoke of certain property with a great potential for a \$30,000 tax ratable. This type of ratable can keep an employee on the payroll. He added without new revenue coming in, your business will slowly die.

Mr. Boyce named four property owners who pay over \$100,000 a year in taxes on their commercial property. He added that by securing more office buildings we can then support the related businesses that are already located in Andover Township. Mr. Boyce stressed that we need to be proactive in attracting quality ratables so we don't find ourselves in this position year after year. In closing, Mr. Boyce stated he would vote yes in adopting this year's budget because he finds it to be a good and fair budget. The tax increase this year is completely acceptable considering all he had mentioned. He added that if this budget does not pass, we may have to lay employees off. A round of applause followed.

***PUBLIC HEARING FOR THE ADOPTION OF THE 2009 MUNICIPAL BUDGET (CONTINUED)***

Mayor Smith stated that there are different opinions on ratables and he agreed with Mr. Boyce, the large ratables are very desirable but on the other hand, he stated there are some that do very little. He then referenced some of the commercial businesses and the amount of taxes paid by them. Mayor Smith then spoke about the issue of employee layoffs, he said he does not know where that came from, if it is a recommendation on Mr. Boyce's part or someone else, but he stated that has yet to be seen.

Mr. Gilsenan stated he will vote no on this budget. He stated that is because of the current economic environment that we are in. He stated he is not trying to harm anyone financially. The County has kept their budget in line and the State has mandated salary freezes and furloughs. Mr. Gilsenan stated that in reviewing the budget, furloughs is probably the fairest way and it keeps employees from the layoff process.

Mr. Gilsenan then referenced the current Bond Ordinance which is on the agenda for consideration later this evening. He stated that action on this Ordinance tonight will affect future budgets. He stated that perhaps there are areas that can be cut. He mentioned health benefits costs for committee members and though he does not want to harm anyone financially, but these are areas that need to be discussed. He then included the possibility of a four day work week. He stated that we have to hold the line.

Ms. Phoebus remarked that this process is very difficult because she truly feels the Finance Committee did was bring in a very good budget. She added that she and her husband as the second highest taxpayers in the municipality do not want to see an increase in taxes. The bad economy has affected all the businesses in town. She explained that golf outings and the attendance at these outings are down and because the three highest taxpayers are golf courses, that is not a good thing. She also agreed that ratables need to be found while keeping the rural characteristic of the Township. The residents can not keep taking this tax burden unless there are some decent ratables. She added that she hopes that the newly formed Economic Development Advisory Committee can put their thoughts together and try and find the ratables to come to Andover Township.

She also commented that she is not in favor of employee layoffs. She stated all employees do a wonderful duty for the Township and the residents. She suggested looking at the budget once again; there may be some areas that could be reduced. Therefore, she stated her vote would be no on this budget in order to send it back for a further look.

Mr. Walsh stated the Township has lost hundreds of thousands of dollars in State Aid, lost revenues in numerous areas, cut for the fourth year in a row line item by line item. He referenced a list he put together that could cut another \$37,000 from the budget. He added that after that, he feels it would be irresponsible to cut further. The Township needs to continue to operate, provide services and taxes will continue to increase. Mr. Walsh stated that his goal when he was first elected was to not increase taxes. But he stated he can not sit back and see irresponsibility either. He does not want to see taxes increase and also lose services. With that said, he stated this is a good budget, some items can be removed if need be, but it would extremely tight at that point. He stated he will vote yes. He then offered for anyone else to attempt to further cut this budget because he has been working on this budget since October and there is nothing left but irresponsible cuts.

Mayor Smith stated that people are losing their homes and jobs. He stated people have urged him to not increase taxes because they will not be able to live here any longer. Mayor Smith stated that an 11.5 cent tax increase will also affect property values. In terms of cuts in staff he stated he has never been in favor of this action for the reason that no assessment or job evaluation has been done as to what these people do and how the Township would suffer if the position was eliminated. He strongly opposes anyone losing their job.

Mayor Smith suggested a four day work week, Recreation Department events cuts, review rental fees for the Hillside Park Hall and consider increases and find a tenant for the vacant lower level of the Barn. He suggested contacted area businesses for ideas, contributions and assistance.

***PUBLIC HEARING FOR THE ADOPTION OF THE 2009 MUNICIPAL BUDGET (CONTINUED)***

He mentioned suggesting attendance at the NJ League of Municipalities Conference be eliminated unless someone chooses to attend by self funding the event. He suggested cutting the Gypsy Moth Spraying Program and save \$30,000. He spoke of overtime hours reduction which means better control and effective way to schedule Court sessions.

He had also suggested that the Administrator speak to Waste Management and the bargaining units asking them for suggestions on how to cut these amounts. He thought about a voluntary furlough process for employees, Mayor Smith also suggested cutting the Senior Citizens contribution in half. He also mentioned salaries for Township Committee members be eliminated. Four members currently receive salaries, which amounts to \$5,000. Mayor Smith suggested health benefits for Committee members be eliminated on a voluntary basis which would yield a savings of \$46,000.

Mayor Smith also suggested that Administrator Alfano reach out to some of the employees for their ideas. Mr. Walsh stated that asking employees to comment on where to make budget cuts would pit department against department and therefore becomes very unproductive. Mayor Smith stated some of the suggestions from employees is reduction in staff. He then agreed with Mr. Walsh and decided not to continue reading from the list.

Mr. Boyce stated in pouring over the budget again over the past several weeks, he remarked that the total including the Gypsy Moth Spraying and elimination of the Recreation Budget yielded a reduction of \$121,000 which leaves \$179,000 short of a flat budget. He stated it is impossible to make up this difference without staff reduction. Mayor Smith stated he would have liked a flat budget but admits that is neither reasonable nor attainable. Mr. Walsh stated we are on a four percent CAP which is forever, hurting future budgets. At this time, Mr. Walsh moved to open the public hearing, seconded by Mr. Gilsean and carried unanimously.

Sally Trognotti questioned if the budget included employee salary increases. Mr. Walsh stated the rate of increase was 3.65 percent. Mr. Walsh stated all employees are contractual except for nine. Mayor Smith stated that would send the wrong message to non-protected employees. All employees should be treated the same. Laura Gilsean stated she is a State employee and has been furloughed one day per month with a pay freeze for the next year. The alternative would be to lay people off. She added that it is unfair for the taxpayer to pay volunteers for their stipend and health benefits.

Diane Gillespie of 115 Andover-Mohawk Road stated in her opinion the budget should have nothing to do with ratables. She stated that when you see a number in the budget, there is a face associated with that number. A review should be done item by item. She also mentioned that health benefits should be reviewed and a resolution should be adopted to eliminate these benefits forever. Mr. Walsh remarked that committee members are not volunteers but employees of the State. He then stated that this position requires a full time commitment, 30 or more hours per week. He continued to show examples of how the position has affected his regular full time job. Mr. Boyce reiterated that because of a job change he needs the benefits, but also because of the job change he is able to commit more hours to the Township Committee. Ms. Phoebus stated she has no problem with Committee members who choose to take benefits. She stated she had no idea the amount of time that she had to dedicate to this work. She also didn't realize she received compensation and when she was informed of this she decided to take her stipend and dedicate it to the recreation activities for the Township. If the budget gets cuts and the Recreation budget also gets cut, her small stipend will allow them to do the few functions that they do. She mentioned other volunteering efforts she is committed to.

Mayor Smith stated he works for this town seven days a week, waived his salary a year ago and does not receive health benefits. He stated he is here to serve the town and not looking for what the town can compensate him for.

**PUBLIC HEARING FOR THE ADOPTION OF THE 2009 MUNICIPAL BUDGET (CONTINUED)**

Following the statements and suggestions from several residents, volunteers and employees, Mr. Walsh moved to close the public hearing, seconded by Mr. Boyce and carried unanimously.

**RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ADOPT THE 2009 MUNICIPAL BUDGET AS PRESENTED**

Mr. Walsh moved to adopt the 2009 Municipal Budget, seconded by Mr. Boyce. Roll call vote:

Mr. Boyce - yes

Mr. Gilsenan - no

Ms. Phoebus - no

Mr. Walsh - yes

Mayor Smith - no

**THE BUDGET WAS NOT ADOPTED**

RECESS WAS CALLED AT 9:10 P.M.

MEETING WAS RESUMED AT 9:21 P.M.

**OPEN TO THE PUBLIC** Attorney Semrau brought the public up to date on a telephone conference held last week on the Riverbank matter. He reported that there was discussion regarding the next phase of the project and tonight the Township Committee will be asked to approve the services of Hydrogeologist Matt Mulhall for an amount not to exceed \$10,000 by way of consensus. A resolution will be on the next agenda. He added that there is a resolution on the agenda for the special legal counsel who has an expertise with FERC regulations. Mr. William Friedman has asked for an additional \$10,000 for the next phase of the process. He stated that the remainder of the Executive Session discussion involved various legal matters that are currently confidential in order to protect the township's interest and the process.

Mayor Smith read a message he received from John Douglas, CEO of Riverbank. He stated that an interest company has come forward to buy some of the energy from the facility. They are waiting for meetings with right of way owners and still waiting for the drill permit. Mr. Douglas stated he will give advance notice when the drilling will begin. The request to have observers on the site when the drilling began, Mr. Douglas responded that it was not in his authority to do that. Mayor Smith stated he communicated with Sparta and apparently it is not their authority either. There is another party that needs to be contacted in order to obtain the right to be present at the site.

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

Sally Trognani asked what is taking so long to obtain the drilling permit. Mayor Smith stated that there must be a New Jersey licensed driller and they are having difficulty finding someone qualified to do this. Negotiations are probably also involved. She then asked about the project in New York which was cancelled and she asked if anyone knew why it was. No one on the Committee had an answer as to why. She stated that there was a great deal of opposition to that project also.

Lois de Vries spoke to the Township Committee on the issue of harassment and hostile work place. She stated that harassment is being directed to the Township Administrator and that it should not be tolerated. She stressed that everyone should be very careful how they speak to any employee. Attorney Semrau stated that it is apparent that this is information that Ms. de Vries has allegedly become aware of as a member of the public. Mr. Boyce stated that if that were to occur there is a grievance procedure and he encourages any employee to file that grievance.

**OPEN TO THE PUBLIC (CONTINUED)** Gerald Huelbig of 4 Martin Street stated that performance evaluations were conducted recently on municipal employees. He suggested that the municipal attorney contact the Department of Personnel to make sure that the right actions are being followed for civil service employees. Mayor Smith stated that the process was carefully thought out and reviewed by labor attorneys and Department of Personnel. Mr. Boyce stated that perhaps the process was not explained to the employees properly and it is important to sit down with all the employees and explain what is being done. He added that also it is to make sure there is documentation in the file of both good and negative performance and it is the job of the administrator to do the review and make sure they are communicating properly with the employee.

Hearing no further comments from the public, Mr. Walsh moved to close the public portion, seconded by Ms. Phoebus and carried unanimously.

### **ORDINANCES: PUBLIC HEARING**

#### **NO. 2009-14 BOND ORDINANCE**

***"BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF ANDOVER IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$769,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$552,050 BOND OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"***

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

Hearing no comments from the public at this time, Mr. Walsh moved to close the public hearing, seconded by Mr. Boyce and carried unanimously.

Mr. Gilsenan stated that a great deal of time was spent this evening on the Municipal Budget Public Hearing and the action to be taken on this ordinance will affect future budgets. He stated that he hopes that the Township Committee would reconsider some of the items on this ordinance. He asked if they would reevaluate the \$700,000 commitment and see if there are items that can be cut from this list of capital projects.

Mayor Smith asked if there any other comments from the Township Committee. Mr. Walsh asked what Mr. Gilsenan would suggest cutting. He replied he was not sure at this time but he stated that reconsideration of all proposed projects should be made. Mr. Walsh commented that the Budget was introduced unanimously and when it came to the final adoption, there were problems. He stated now we introduced this ordinance unanimously and now there is also an issue during the adoption process. He stated that the concerns should be raised prior to the introduction, not the adoption.

Mr. Walsh explained there is one truck that is in disrepair. There is a savings because two of the trucks' bodies are being replaced. We need to have these items ordered in order to have them in place for the winter. With regard to the ambulance, Lakeland is anxious to go out for bid. Drainage improvements projects need to be started as soon as possible. He stated that the only area we could consider cutting is the \$35,000 for the municipal building, which he is not sure that is a good idea. Ms. Alfano stated that the wall in the upper parking lot is falling and the heat and cooling system needs to be addressed.

Mayor Smith stated that the biggest item is the DPW truck and he stated that unfortunately, Mr. Walsh is correct on this. The truck is falling apart. Ms. Phoebus stated that the ambulance is 16 years old and is in need of replacement. Regarding Perona Road improvements, Ms. Phoebus stated as we wait the materials become increasingly expensive.

Engineer Golden was present and he explained the necessity of the drainage projects which are outlined in this ordinance.

**ORDINANCES: PUBLIC HEARING (CONTINUED)****NO. 2009-14 BOND ORDINANCE**

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 April 13, 2009, 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. Boyce. Roll call vote:

Mr. Boyce - yes

Mr. Gilsenan - yes

Ms. Phoebus - yes

Mr. Walsh - yes

Mayor Smith - yes

**ORDINANCES: INTRODUCTION****NO. 2009-16 TO AMEND CHAPTER 190 "ZONING"  
SECTION 190-32.2 "DEVELOPMENT FEES"****"AN ORDINANCE OF THE GENERAL CODE OF THE TOWNSHIP OF  
ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO  
AMEND CHAPTER 190 "ZONING"/ARTICLE III, GENERAL REGULATIONS  
§ 190-32.2 DEVELOPMENT FEES"**

**BE IT RESOLVED** by the Mayor and Committee of the Township of Andover, that Ordinance #2009-16 entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on May 11, 2009 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. Boyce - yes

Mr. Gilsenan - yes

Ms. Phoebus - yes

Mr. Walsh - yes

Mayor Smith - yes

**NO. 2009-17 TO AMEND CHAPTER 148 "STORM SEWER SYSTEM"  
"REFUSE CONTAINERS/DUMPSTERS"****"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX,  
AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER  
148, STORM SEWER SYSTEM, OF THE REVISED GENERAL ORDINANCES  
WITH THE CREATION OF ARTICLE IV, REFUSE CONTAINERS/DUMPSTERS"**

**BE IT RESOLVED** by the Mayor and Committee of the Township of Andover, that Ordinance #2009-17 entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on May 11, 2009 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. Boyce - yes

Mr. Gilsenan - yes

Ms. Phoebus - yes

Mr. Walsh - yes

Mayor Smith - yes



**ORDINANCES: INTRODUCTION (CONTINUED)****NO. 2009-18 TO AMEND CHAPTER 148 "STORM SEWER SYSTEM"  
"RETROFITTING OF PRIVATE STORM DRAIN INLETS"**

**"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX,  
AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER  
148, STORM SEWER SYSTEM, OF THE REVISED GENERAL ORDINANCES  
WITH THE CREATION OF ARTICLE III, RETROFITTING OF PRIVATE STORM  
DRAIN INLETS"**

**BE IT RESOLVED** by the Mayor and Committee of the Township of Andover, that Ordinance #2009-18 entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on May 11, 2009 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. Boyce - yes

Mr. Gilsenan - yes

Ms. Phoebus - yes

Mr. Walsh - yes

Mayor Smith - yes

**RESOLUTIONS****#R2009-77 A RESOLUTION OF THE TOWNSHIP OF ANDOVER,  
AND STATE OF NEW JERSEY AUTHORIZING AN AMENDMENT  
TO THE PROFESSIONAL SERVICES CONTRACT WITH WILLIAM J.  
FRIEDMAN, ESQ. FOR LEGAL SERVICES ASSOCIATED WITH THE  
OPPOSITION TO THE SPARTA PUMP STORAGE PROJECT**

Mr. Boyce suggested that this resolution amount be lower from \$10,000 to \$5,000 so that there is some control in the Committee knowing how much is being spent. Mr. Walsh added that further control would be that all matters will be funneled through the Township Attorney. Mr. Walsh moved to approve the foregoing resolution as amended, seconded by Mr. Boyce and carried unanimously.  
(See Insert Attached to These Minutes)

**OLD BUSINESS****MARTIN STREET**

Attorney Semrau referred to his memorandum and the estimates prepared by Engineer Golden which was in the range of \$73,000 rounded to \$80,000. Calculations over a 10 year period, if the Committee opts for a road assessment program, that total would be \$1,600 per year per each resident. He also indicated that the other alternative is the Township could expend the funds to improve the road and also they may want to look at the conditions of other roadways already accepted from a standpoint of equity.

Following this discussion it was decided that Administrator Alfano locate the document outlining the condition of all other roadways maintained by the Township for the Committee's review. Based on those results and then the Committee will decide on the three options available. Attorney Semrau also recommended a combination of the three options. No funding has been included in the budget for this item. Mr. Boyce asked if the residents of this roadway are willing to participate financially in the correction of this problem. Attorney Semrau stated he did not get the sense at the meeting held with the residents that they were all too please to participate in the assessment program.

**OLD BUSINESS (CONTINUED)****PERSONNEL COMMITTEE/COMMUNICATION**

Mayor Smith stated that Attorney Semrau was asked to draft a guideline to govern the newly formed personnel committee. Attorney Semrau explained that based on the comments at the last meeting the policy was streamlined. He asked if the governing body had any other comments to be added. Mayor Smith stated that if any employee had an issue the procedure would be that they would see their immediate supervisor. If not resolved at that level, the issue would be brought before the administrator and if that did not meet their satisfaction they could then request to see the personnel committee. Mayor Smith stated with item #2, it should be emphasized "after" the employee has discussed same with the Township Administrator.

Attorney Semrau remarked that if the Township Committee is comfortable with this draft then he will provide a copy to labor counsel for his review. The Township Committee was in full agreement for this draft and once it is approved by labor counsel a resolution to appoint the Committee and outline the policy will be considered at the next meeting. Upon approval of this policy, notification to all employees should be made. The policy and procedures manual would then also be amended by this action.

**NEW BUSINESS****COPS FAST GRANT APPLICATION**

Chief Coleman was present and he explained that this grant generates from the Office of Community Orient Policing Services. Andover Township has always had an application on file with this office. He stated this is a competitive grant program that provides funding directly to law enforcement agencies having primary law enforcement authority to create and preserve jobs and to increase the community policing capacity and crime prevention efforts. Up to one billion dollars in grant funding will be available for the hiring and rehiring of additional career law enforcement officers. There is no local match requirement for the grant and it will be based on the current entry level salary and benefits package.

Any additional costs for higher salaries or benefits will be the responsible of the agency. Chief Coleman added that grants will provide 100 percent funding for approved entry level salaries and benefits for three years. For newly hired full time sworn officers positions including filling the existing unfunded vacancies or for the rehired officers who have been laid off or scheduled to be laid off as a result of local budget cuts. In addition, there is no cap on the number of positions an agency may request but awards would be limited to available funding. These positions awarded under the grant must be retained for 12 months. Chief Coleman felt that Andover Township's chances of receiving this grant are pretty slim because of the layoffs across the country.

Mayor Smith stated that if the application is approved it will give Andover Township two positions for three years. He stated that should we have retirements it would help fill in the gaps.

**TOWNSHIP POSTAGE METER POLICY**

Mayor Smith stated that the Township Committee had asked Attorney Semrau to draft a policy governing the usage of the postage meter which he has done and a copy was included in every packet. Attorney Semrau asked if there are any questions. Ms. Alfano suggested having Robyn Hattersley the only person who should be using the machine at all. She would post the mail at her leisure. Mayor Smith found this to be a good suggestion. Attorney Semrau asked what would happen if she is not in the office. Ms. Alfano said she is always in. Ms. Phoebus asked what if she is on vacation. Ms. Alfano stated she would give the responsibility to someone else. Attorney Semrau suggested a designee and an alternate as well.

**NEW BUSINESS (CONTINUED)****TOWNSHIP POSTAGE METER POLICY**

Mayor Smith asked for a better definition regarding Township business. He said there are some occasions where there are condolences and well wishes cards asking if they are town business or not. Mr. Gilsean said yes. Ms. Alfano said this was questioned before and the response was no. Mr. Boyce stated a condolence card to another employee/volunteer would be acceptable.

Attorney Semrau stated without being any more specific he thinks good judgment should be used when deciding if the card is for a co-worker, someone on staff. Mayor Smith stated that Ms. Alfano happens to be very good at that and he knows she pays for it herself.

A resolution will be placed on the next agenda for consideration by the Township Committee. Attorney Semrau recommended distributing the policy draft at the next staff meeting to make sure everyone is comfortable with it. Ms. Alfano stated she told everyone at the last staff meeting.

**OPEN SPACE GRANT**

Mayor Smith stated that because we were awarded the grant it does not mean that we have to use any or all of it. If an opportunity presented itself, a portion could be used and matched by the municipality through the open space fund. Mr. Freed reiterated what Mayor Smith stated. Mr. Boyce asked how much the open space tax generates annually. Mr. Freed stated approximately \$62,000. Mayor Smith added that all said this grant award does not impact the budget.

Mr. Walsh asked about the Lake Iliff acquisition and when we can expect to close. Attorney Semrau stated that though this transaction is taking time, what the Conservancy is trying to do is make sure the Township does not have to spend any money on this project. The next order of business will be the vacation of Lake Shore Drive. He estimated that the closing may take place within 60 days.

Attorney Semrau asked Mr. Freed when the 2009 funding deadline is for additional open space acquisitions. Mr. Freed stated the County program is in October.

**OTHER BUSINESS**

Mr. Walsh moved to approve the following raffle licenses as presented, seconded by Mr. Boyce. Roll call vote:

Mr. Boyce - yes	Mr. Gilsean - yes
Ms. Phoebus - abstain	Mr. Walsh - yes
Mayor Smith - yes	

**APPROVAL OF RAFFLE LICENSES**

**OUR LADY OF THE LAKE CHURCH - TO BE HELD ON MAY 1, 2009 AT THE FARMSTEAD GOLF & COUNTRY CLUB FROM 9:00 A.M. TO 1:00 P.M.**

- A. R.L. #865 - ON-PREMISE 50/50**
- B. R.L. #866 - ON-PREMISE MERCHANDISE**

**APPROVAL OF RAFFLE LICENSES (CONTINUED)**

**ANDOVER REGIONAL PTA - TO BE HELD ON JUNE 05, 2009 AT THE LONG POND SCHOOL FROM 6:30 P.M. TO 9:00 P.M.**

**A. R.L. #867 - ON-PREMISE 50/50**

**PASS IT ALONG - TO BE HELD ON JULY 01, 2009 AT THE FARMSTEAD GOLF & COUNTRY CLUB FROM 1:30 P.M. TO 10:00 P.M.**

**A. R.L. #868 - ON-PREMISE 50/50**

**B. R.L. #869 - ON-PREMISE MERCHANDISE**

**ST. CATHERINE OF SIENNA HAS - TO BE HELD ON MAY 18, 2009 AT THE FARMSTEAD GOLF & COUNTRY CLUB FROM 11:30 A.M. TO 6:30 P.M.**

**A. R.L. #870 - ON-PREMISE 50/50**

**B. R.L. #871 - ON-PREMISE MERCHANDISE**

**ARC OF SUSSEX COUNTY, INC. - TO BE HELD ON JUNE 23, 2009 (RAIN DATE JUNE 24, 2009) TO BE HELD AT THE NEWTON COUNTRY CLUB AT 8:30 P.M.**

**A. R.L. #872 - OFF-PREMISE 50/50**

**COMMITTEE REPORTS** Mayor Walsh requested that due to the hour, he asked only urgent reports be given this evening.

**MS. PHOEBUS.** She reported that she and Ms. Alfano met with County Administrator John Eskilson and Eric Snyder and they are supportive of the Township's COAH plan. They will accompany us to Trenton at the end of May. They will gather the right personnel to help with the Abbey project. There is a non-profit group that the COAH committee met with and they indicated that they would like to get involved in this project. Regarding the sewage treatment plant there will be a report as to what it will take to get the system upgraded. It does have a capacity of 20,000 gallons a day, it is only using 7,000.

Ms. Phoebus also requested that there be an update provided by the Master Plan Committee as to how they are moving along. He stated a meeting was scheduled for April 22<sup>nd</sup> and was cancelled due to conflicting schedules.

**MAYOR SMITH.** He reported on Cleaner Greener Andover Day and almost 200 people signed up and were designated to 14 teams. His team collected 14 bags of garbage, a mattress, vacuum cleaner, a mailbox, empty briefcase, two lamps to name a few.

**REPORT FROM THE TOWNSHIP ADMINISTRATOR** She asked about the action necessary to sell the fire truck and ambulance back to their respective departments. Attorney Semrau stated that regarding the fire truck, a motion can be made subject to a legal opinion following DCA confirmation.

Mr. Walsh moved on this motion, seconded by Ms. Phoebus and carried unanimously.

Regarding the ambulance, Attorney Semrau asked that he review this issue further because there are two municipalities involved. This matter will be discussed at the next regular meeting.

**REPORT FROM THE TOWNSHIP ADMINISTRATOR (CONTINUED)** With regard to the ambulance Mr. Walsh moved to direct Attorney Semrau to review the issues surrounding the sale with an attempt to do so by Wednesday. Seconded by Ms. Phoebus and carried unanimously.

She then reported she received four quotes for computer services and she is waiting for one more. Mr. Boyce asked how many of these companies that provided proposals are locate in the Township. She replied none. He stated that preference should be given to township businesses if there is an opportunity.

**REPORT FROM THE MUNICIPAL ATTORNEY** He reported on the COAH meeting and stated he is encouraged with this new development.

Everyone gave consent for Matt Mulhall begin to work on the next phase of the Riverbank project.

**NEXT SCHEDULED MEETINGS:**

**Monday, May 11, 2009  
Monday, June 08, 2009**

**Executive Session - 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 10:41 P.M., seconded by Mr. Boyce and carried unanimously.

Respectfully submitted,

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**Robert O. Smith, Mayor**

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