

## ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

TOM WALSH, MAYOR  
GAIL PHOEBUS, DEPUTY MAYOR  
PHIL BOYCE  
MICHAEL LENSAK  
BOB SMITH

### WORKSESSION MEETING

March 08, 2010  
6:00 P.M.

### REGULAR MEETING BEGINS AT 7:00 P.M.

The regular meeting of the Andover Township Committee was called to order at 6:00 P.M. by Mayor Walsh, followed by a salute to the flag.

**ROLL CALL:** Present: Mr. Boyce, Mr. Lensak, Mr. Smith,  
Ms. Phoebus, Mayor Walsh  
Also present: Attorney DiYanni and CFO Day

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

### WORKSESSION MEETING

**2010 MUNICIPAL BUDGET DISCUSSION** Budget worksheets were distributed to all Committee members and Mayor Walsh asked that they review each line item. Each worksheet contains the budget numbers from 2007, 2008 and 2009 and the numbers provided for 2010 are handwritten requests of each department. He stated the Finance Committee received these numbers and worked on them to a point where now he and Mr. Boyce would like to review them with the rest of the Committee. Mayor Walsh began with identifying those line items that were either reduced or altogether eliminated from the budget. The Township Committee was able to review 17 of the 44 pages of the budget.

There was discussion regarding the increase in the JIF premium. CFO Day explained this line item consists of three components. There is the Workers Compensation, Liability, and the Volunteer Insurance. The increase from last year is \$10,000, which is based on our experience rating.

The Committee discussed the police salary and wages line item which includes funding for a new police officer. Mayor Walsh indicated that if we do not hire a new officer we should decrease this amount by \$76,000.

There was also discussion regarding State Aid and what numbers we are looking at. Governor Christie will be making a budget speech on March 16 and we may know then what aid we are looking at.

Mr. Smith stated in addition to cutting expenses it is also about increasing revenues and he came up with the concept that at Hillside Park there is a large facility that is capable of housing our clerical functions. He recommended investigating the possibility of renovating the lower level of the Barn and move our municipal offices to that location and put the municipal building up for sale. Ms. Phoebus agreed but stated her concerns that the building is Green Acres property. Following a short discussion it was decided that this venture would be further investigated as a possibility. At the same token, it was suggested that leasing of the Hillside House also be investigated. Mr. Smith stated he would be happy to look into this possibility. Mr. Carafello from the Economic Development Advisory Committee would assist Mr. Smith in this task.

Mayor Walsh then asked each Committee member to take their budget worksheets and continue marking it up suggesting cuts everywhere they can and submit these changes back to the Finance Committee.

**2010 MUNICIPAL BUDGET DISCUSSION** He also asked if the Committee meeting scheduled for March 22<sup>nd</sup> be moved to March 29<sup>th</sup> to allow additional time to prepare the budget for its introduction. Mr. Boyce moved to reschedule the March 22<sup>nd</sup> meeting date to March 29<sup>th</sup>, seconded by Mr. Lensak and carried unanimously.

**PUBLIC PORTION** Stan Christdlous of 6 Wisteria Road stated at the last meeting action there was discussion regarding the reinstatement of Andover Day and add a fireworks display. He said he feels that in a year that we are making cuts, possible layoffs and cuts in services to spend \$10,000 and add money to the budget for this event does not make sense to him. Mayor Walsh explained that if the day can't be funded through private donations, the fireworks will be cancelled. He stated that due to the outpour of donations, the entire Andover Township may only cost about \$3,000. He added that a result of cancelling last year's event, many residents stated their disappointment because they were looking forward to such an event, close to home for very little cost during these economic times. He Christdlous said it could be \$1,000 and it still doesn't make sense to him.

He then added because of the very light schedule of the Planning Board, he suggested the Township Committee consider rescinding the \$2000 stipend for the COAH Housing Liaison position. Mr. Christdlous stated he doesn't understand the need for additional time for this service when the Planning Board has a new project every two to three meetings. Mr. Christdlous said he agrees with Mr. Smith that the charge of \$110 for Planning Board Engineer for 2009 has to be a mistake because it is less than one hours of Mr. Golden's time. Mayor Walsh agreed there was less than one hour of non-escrow work performed.

Diane Gillespie of Andover-Mohawk Road stated that she believes it is a good idea that all members of the governing body are involved in the budget process. She stated she feels we need revamped our account names and generate some kind of a listing that goes with each of the accounts in order for a better understanding what each consists of. Mayor Walsh explained that is how the budget is written and showed her a sample of the budget worksheet.

She added that with this economy and with the Planning Board cancelling meetings because there are no applications, and with a full time planning/zoning person, do we need full time employees in those positions. If not, what are they doing right now that there no very few applications? She suggested that is something that needs to be looked at. She stated the Township Committee show look through every single department and ask what does that department do and is that department working at 100%. Mayor Walsh stated that the Finance Committee has been looking at everything but he does warn that we need to be very careful when discussing personnel.

Ben Bensley of Mountainside Drive spoke about the medical benefits and he asked if the Township has shopped around for competitive rates. Mayor Walsh explained that we could not at this point because of the Township's lost history. We would not receive any rate better than what we are currently paying because of large losses the past year. Mr. Lensak explained no insurance company would offer a great rate knowing of this history. Mayor Walsh added that the rate of increase for private insurance coverage was higher than the State Health Benefits Plan. Mr. Bensley then asked if anyone pays toward their insurance coverage. Mayor Walsh stated there is a plan pending in the State that all public employees will have to contribute 1.5% of their salary towards their benefits. Mr. Lensak also stated it is also part of union negotiations.

**ADJOURNMENT** No further business appearing before the Committee at this time, Mr. Lensak moved the meeting be adjourned at 7:05 P.M., seconded by Mr. Boyce and carried unanimously.

Respectfully submitted,

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Tom Walsh, Mayor

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Vita Thompson, R.M.C.  
Clerk/Administrator

## ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

**TOM WALSH, MAYOR  
GAIL PHOEBUS, DEPUTY MAYOR  
PHIL BOYCE  
MICHAEL LENSAK  
BOB SMITH**

### REGULAR MEETING

**7:00 P.M.**

The regular meeting of the Andover Township Committee was called to order at 7:10 P.M. by Mayor Walsh, followed by a salute to the flag.

**ROLL CALL:** Present: Mr. Boyce, Mr. Lensak, Mr. Smith,  
Ms. Phoebus, Mayor Walsh  
Also present: Attorney DiYanni

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

### OATHS OF OFFICE & BADGE PINNING CEREMONY

**LIEUTENANT ACHILLE TAGLIALATELA  
SERGEANT STEPHEN D. MURRELL  
SERGEANT ERIC C. DANIELSON**

Chief of Police Philip Coleman stated that it is his duty and honor to present to the Mayor and Township Committee for promotion this evening Lieutenant Tagliatela, Sergeant Danielson and Sergeant Murrell. He stated he certified that all individuals have met the requirements of Civil Service and the requirements, rules and regulations of the Andover Township Police Department.

Lieutenant Tagliatela was sworn in while Carol Zydorski held the Bible. Chief Coleman looked on. She was presented with the Lieutenant's Badge, which she pinned on his uniform.

Sergeant Danielson was sworn in while his children Patrick and Matthew held the Bible and his wife Debbie stood by his side. Mrs. Danielson was presented with her husband's badge, which she pinned on his uniform.

Sergeant Murrell was sworn in while his wife Dana held the Bible. She was presented with her husband's badge, which she pinned on his uniform.

A round of applause followed.

RECESS WAS CALLED AT 7:17 AND THE MEETING RESUMED AT 7:32.

### REGULAR MEETING

**APPROVAL OF AGENDA** Ms. Phoebus moved to approve the agenda as presented, seconded by Mr. Boyce and carried unanimously. Mayor Walsh asked to have the agenda amended under Executive Session to include Contract Negotiations: Property Acquisition – Scotto Properties. Mr. Boyce moved to approve the agenda as amended, seconded by Mr. Smith and carried unanimously.

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

**\*CONSENT AGENDA:**

**\*OTHER BUSINESS:**

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

**TAX COLLECTOR'S FEBRUARY REPORT - \$3,586,373.95**

**ACCEPTANCE OF TAX COLLECTOR'S 2009 STATEMENT OF RECEIPTS REPORT**

**APPROVAL OF RAFFLE LICENSE – FIRST MASONIC DISTRICT MASTERS,  
WARDENS, & PAST MASTERS - #R.L. 903 OFF PREMISE 50/50 FOR  
DECEMBER 14, 2010 AT HARMONY LODGE #8**

**\*RESOLUTIONS:**

**#R2010-61 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF  
SUSSEX AND STATE OF NEW JERSEY DESIGNATING THE  
MONTH OF MARCH AS "WOMEN'S HISTORY MONTH"**

**#R2010-62 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF  
SUSSEX AND STATE OF NEW JERSEY AUTHORIZING A 2009  
BUDGET RESERVE APPROPRIATION TRANSFER - \$1,000**

**#R2010-63 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP  
OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY  
AWARDING THE CONTRACT TO PROVIDE ALARM SYSTEM  
MONITORING AND ANNUAL INSPECTIONS FOR THE FIRE ALARM  
SYSTEMS AT THE MUNICIPAL BUILDING, DEPARTMENT OF  
PUBLIC WORKS GARAGE, HILLSIDE HOUSE AND HILLSIDE PARK  
HALL TO A.C. DAUGHTRY**

**#R2010-64 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF  
SUSSEX AND STATE OF NEW JERSEY SUPPORTING  
PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL  
CERTIFICATION PROGRAM**

**#R2010-65 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY  
OF SUSSEX AND STATE OF NEW JERSEY TO REVISE RESOLUTION  
#R2010-24, REAPPOINTING DARYN CASHIN CERTIFIED MUNICIPAL  
TAX COLLECTOR**

**\*CONSENT AGENDA: (CONTINUED)****\*RESOLUTIONS: (CONTINUED)****#R2010-66 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AWARDING THE CONTRACT TO PROVIDE ELEVATOR MAINTENANCE AND REPAIR SERVICES AT THE MUNICIPAL BUILDING TO MORRIS COUNTY ELEVATOR**

(See Inserts Attached to These Minutes)

**\*APPROVAL OF MINUTES****FEBRUARY 08, 2010 REGULAR MEETING****REGULAR AGENDA**

**REPORT FROM THE FIRE CHIEF** Mayor Walsh stated that the Fire Chief is not available at this time.

**REPORT FROM THE RESCUE SQUAD CHIEF** Chief Reidmiller reported for the month of February they responded to a total of 74 calls, 28 of which were in Andover Township, request for medics was 31, they worked on patients 23 times, they were cancelled twice. There were no fly outs, no defibrillator applications and no visits from the stork. There were 252 and 27 minutes of man-hours and traveled a little over 7800 miles. To date they responded to a total of 158 calls, 58 in Andover Township.

She also reported that they have taken possession of the new ambulance purchased with the FEMA grant and the second ambulance will be arriving next Wednesday.

**REPORT FROM THE CHIEF OF POLICE** Mr. Lensak reporting on behalf of the Chief stated as of March 7, 2010 there were 202 calls for service, bringing the year to date total to 2,692 calls.

**OPEN TO THE PUBLIC** John Carafello of 10 Eileen's Way stated to the Township Committee that they are going to be facing the most difficult budget year of any past governing body. He stated there is so much transition and there is no way to know where we are going. He offered to help anyway he can and with that being said he stated he has spoken to so many people in town who are experiencing tremendous hardship. Mr. Carafello stated that these difficult times are making it more difficult to maintain essential services. He stated all municipal employees do a very good job and the Committee will be faced with a difficult decision as to what services they will consider eliminating. He had recommended that the Township Committee consider repeal of the Open Space Tax because he does not believe it is an essential service to the municipality. He added State Codes and mandates along with municipal codes are in place to protect Andover Township for what it is. He stated he is more concerned for the services that we need the town to provide on a daily basis will suffer. Mr. Carafello spoke about the possibility of not making this tax mandatory, stating that those who wish to contribute can and those who are not in a position to, do not have to.

Mr. Boyce asked if we knew what the savings would be to the average homeowner if this tax were eliminated. It was stated that the average cost is \$35 per household. Mr. Carafello stated eliminating this tax probably won't save the budget but everything does help. However, what can really help is the increase in revenues.

**OPEN TO THE PUBLIC (CONTINUED)** Dan Freed of 85 Lawrence Road stated he believes what Mr. Carafello is saying is very true about this being tough times. On the Open Space he stated he thinks it is important to look back at what that tax is about. The issue is that everything that has been done has been at 10 or 20 to one return on that minimal tax investment which is an investment for the future. Mr. Freed said he lives in this town and he is passionate about open space because as a past member of the Open Space Committee they brought in \$750,000 on investment over three years of tax money of \$50,000 a year. He asked the Township Committee to understand what exactly went into those tax dollars and no matter how bad things look right now we have to keep a vision of where we want this town to go and he stated he wants it to be the best that it could be.

Anthony Massaro of Current Drive remarked the highest tax we all pay is the school tax and he stated if we could get it across to the School Board to cut their budget there could be substantial savings. He added that many people who are losing their homes have children also and it doesn't do them any good if there is a school budget that can't be cut and the resident ends up losing their home.

Ben Bensley of Mountainside Drive spoke about the Open Space Tax stating that this tax was one that was voted on by the residents of the Township. He asked how this tax then could be taken away. Mr. Boyce replied as he understands it we have the option of suspending it for one year at a time. The tax referendum allows for a maximum of two cents but we are currently at one cent. Mr. Bensley then spoke about the school taxes and Mayor Walsh stated that the school does have a budget meeting every year before the vote in April. He added that unfortunately, very few voters attend this election. Mr. Bensley replied every year when you attend concerts the school teachers hand out flyers that if we don't vote on the budget school programs will be cut and the children will suffer. Mayor Walsh stated no one shows up to vote. Mr. Smith stated that last year at the school budget hearing there were five people in the audience and he was one of the five. The School Budget constitutes 50% of the tax dollar where the municipal tax is 25%.

Mr. Boyce and Mr. Lensak stated there is a special budget hearing on Saturday March 20<sup>th</sup> at 1PM at the Long Pond School. He said the school budget is currently at \$14.1 million and they are looking at a flat budget which means about \$1 million in cuts. Mr. Smith added that \$14.1 million supports 750 children and the Township has a budget of half that supporting 6,033 residents in every aspect of their lives. Mayor Walsh stated he has been preaching "revenue" for years. He added that the revenue from the liquor license is gone after this year, but we do have the cell towers. Mayor Walsh reminded everyone that when you start cutting under a 3% CAP that never returns.

Diane Gillespie of Andover-Mohawk Road stated she agrees with Mr. Carafello 98%. She said something to keep in mind that if we to do away with that tax she said she doesn't know what that does to our Green Acres money that was granted to the Township. Mayor Walsh said there would be discussion in Executive Session that will affect that also. She suggested that we should use the Mayor's Newsletter to remind people about that Special Budget Hearing on March 20<sup>th</sup>. Mayor Walsh agreed and added that the Newsletter has been changed to the Mayor/Committee/Administrator's Alert with input from everyone.

At this time, Mayor Walsh closed the public portion of the meeting.

#### **ORDINANCES: INTRODUCTION**

##### **NO. 2010-03 TO AMEND CHAPTER 20 "ANIMALS"** **SECTION 20-6 "DELINQUENT FEES"**

***"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER,  
COUNTY OF SUSSEX, AND STATE OF NEW JERSEY  
AMENDING CHAPTER 20, "ANIMALS" OF THE REVISED  
GENERAL ORDINANCES, SECTION 20-6 "DELINQUENT FEES"***

**ORDINANCES: INTRODUCTION (CONTINUED)****NO. 2010-03 TO AMEND CHAPTER 20 "ANIMALS"  
SECTION 20-6 "DELINQUENT FEES"**

**BE IT RESOLVED** by the Mayor and Committee of the Township of Andover, that Ordinance #2010-03, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on March 29, 2010 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. Lensak – yes
Ms. Phoebus – yes	Mr. Smith – yes
Mayor Walsh – yes	

**OLD BUSINESS****CAMBRIDGE PAVERS REQUEST FOR A ZONING ORDINANCE AMENDMENT REPORT FROM THE LAND USE BOARD REGARDING REVIEW OF THE PLANNER'S REPORT**

Ms. Thompson stated that as a result of the last Land Use Board meeting they voted to move ahead with the Master Plan Re-examination and there will be a Special Meeting on March 22, 2010 for this purpose only.

**COMMITTEE REPORTS:** Mayor Walsh asked that in the interest of time these reports be waived unless someone had something if anyone had a report tonight.

**MR. SMITH.** He reported that the Seniors are planning a trip to Nova Scotia in July for 6 days at a cost of \$745 all inclusive. You don't have to be a member of the Club to participate.

**MAYOR WALSH.** He read a letter into the record from Andover Borough Fire Department stating that at their annual installation dinner they recognized Andover Township personnel that went above and beyond the call of duty. They were the Andover Township Police Department, 95 Rescue and Andover Township Firefighter Debbie Danielson were recognized for their actions on July 16, 2009 in an attempt to save a young drowning victim.

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

**Personnel Matters:**

1. *T. Day, Chief Financial Officer*

**Contract Negotiations:**

1. *St. Paul's Abbey Agreement Extension – Due Diligence*
2. *Property Acquisitions – Scotto Properties*

**Attorney-Client Privilege:**

1. *Riverbank-Sparta Project*

**Potential Litigation****Pending Litigation**

1. *Susquehanna-Roseland Project*

, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 8:02 P.M. Mr. Smith moved to adjourn executive session at 8:53 P.M., seconded by Mr. Boyce and carried unanimously.

**NEXT SCHEDULED MEETINGS:**    March 29, 2010  
  April 12, 2010

**Executive Session - 6:30 p.m.**  
**Regular Meeting - 7:30 p.m.**

**ADJOURNMENT**    No further business appearing before the Committee at this time, Ms. Phoebus moved the meeting be adjourned at 8:53 P.M., seconded by Mr. Smith and carried unanimously.

Respectfully submitted,

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Tom Walsh, Mayor

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Vita Thompson, R.M.C.  
Clerk/Administrator



**TOWNSHIP OF ANDOVER**

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Committee of the Township of Andover on the 08<sup>th</sup> day of March, 2010, that:

1. **Prior to the commencement of this Regular Meeting, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):**

- ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
- ( ) b. (4) A collective bargaining agreement including negotiations.
- ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.

**Contract Negotiations:**

- 1. ***St. Paul's Abbey Agreement Extension***
- 2. ***Property Acquisition – Scotto Property***

**Attorney-Client Privilege:**

- 1. ***Riverbank-Sparta Project***

**Potential Litigation**

**Pending Litigation**

- 1. ***Susquehanna-Roseland Project***

( X ) a. (8) Personnel matters.

- 1. ***T. Day, Chief Financial Officer***

( ) b. (9) Deliberations after a public hearing that may result in penalties.

- 1. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: March 08, 2010

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Moved: Phoebus      Seconded: Boyce  
Voted Aye: Boyce, Lensak, Phoebus, Smith, Walsh  
Voted Nay: None  
Abstained: None  
Resolution adopted. March 08, 2010

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