

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

MARCH 14, 2011

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 6:30 P.M. by Mayor Boyce, followed by a salute to the flag. There was a Moment of Silence in honor of those victims in the Japanese earthquake, tsunami and nuclear power plant disaster.

ROLL CALL: Present: Mr. Lensak, Ms. Phoebus,
Mr. Walsh, Mayor Boyce
Also present: Attorney Semrau
Absent (Excused) Mr. Smith

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

EXECUTIVE SESSION: Mr. Walsh asked that the Executive Session be amended to include under Attorney-Client Privilege: Professional Appointments for the Town. Ms. Phoebus asked that under the same heading she would like to add Wastewater Management Plan. Mr. Lensak asked that under Contract Negotiations he would like to add A. Tagliatela, Police Chief. On a motion by Mr. Lensak, seconded by Ms. Phoebus, the resolution to go into executive session to discuss

Personnel Matters:

1. ***J. Cutler, Construction Official/Zoning Officer***
2. ***C. Storms, Electrical Inspector***

Contract Negotiations:

1. ***St. Paul's Abbey Due Diligence***
2. ***Dispatcher's Union Contract Status Report***
3. ***9-1-1 Interlocal Agreement – Green Township***
4. ***A. Tagliatela, Police Chief***

Attorney-Client Privilege:

1. ***Professional Appointments for the Town***
2. ***Wastewater Management Plan***

Potential Litigation:

Pending Litigation:

was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:32 P.M. Mr. Walsh moved to adjourn executive session at 7:42 P.M., seconded by Mr. Lensak and carried unanimously.

REGULAR MEETING

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

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

***CONSENT AGENDA:**

***OTHER BUSINESS:**

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

ACCEPTANCE OF TAX COLLECTOR’S FEBRUARY REPORT - \$3,580,507.52

ACCEPTANCE OF TAX COLLECTOR’S 2010 STATEMENT OF RECEIPTS REPORT

***RESOLUTIONS:**

#R2011-52 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY DESIGNATING THE MONTH OF MARCH AS “WOMEN’S HISTORY MONTH”

#R2011-53 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY IN SUPPORT OF ASSEMBLY BILL A-196 TO GRANT MUNICIPAL COURTS DISCRETION TO ASSESS COURT COSTS FOR CERTAIN DISMISSALS AND CHANGES COURT COSTS FOR CERTAIN VIOLATIONS

#R2011-54 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE RELEASE OF CERTAIN EXECUTIVE SESSION MINUTES OF THE TOWNSHIP OF ANDOVER

(See Inserts Attached to these Minutes)

APPROVAL OF MINUTES

**FEBRUARY 14, 2011 REGULAR MEETING
FEBRUARY 14, 2011 EXECUTIVE SESSION
FEBRUARY 28, 2011 REGULAR MEETING**

Ms. Phoebus moved to approve the foregoing minutes as presented, seconded by Mr. Walsh. Roll call vote:

Mr. Lensak– abstain
Mr. Smith – absent
Mayor Boyce – yes

Ms. Phoebus – yes
Mr. Walsh – yes

PRESENTATION – ERIC OLSEN & CHRISTINE KRETZMER, ENVIRONMENTAL COMMISSION MEMBERS ON SUSTAINABLE NEW JERSEY & EARTH DAY CELEBRATION

Mr. Olsen stated he has lived in Andover Township about 10 years and a Sussex County resident his entire life. One thing he enjoys about being a resident of Sussex County and Andover in particular, is the myriad of open space and recreational opportunities mixed with the wonderful services such as the restaurants, theatre, bowling alleys, etc. He stated this program hits at the sustainability with a mix of these types of uses. Andover Township fits Sustainable New Jersey very well. The three things he would like to cover is the general overview of the program, some of the items discussed by the Environmental Commission, specifically the creation of the Green Team and sum up with a meeting that Ms. Kretzmer, Mr. Lensak and he attended several weeks ago in Sparta. He stated that the Green Team Rally was well attended.

Mr. Olsen explained that currently there are more than 300 municipalities registered in New Jersey. It is a program that is provided by the NJ League of Municipalities and once a municipality becomes certified, they receive an emblem that can be used on their mailings and other Andover Township materials. This is a certification program for municipalities that want to sustain the quality of life. He added that you can't have environmental sustainability without economic sustainability in a town, county or state.

This program offers municipalities the tools and services in order to accomplish the town's goals. He provided the Township Committee with information regarding action categories, that towns with interest can strive to accomplish. He mentioned energy efficiency, green house gases, community partnership, natural resources to name a few. He said these are things that we have already accomplished in Andover Township. The Green Team will pick some of these action categories and there are a handful that are mandatory. One for instance is to create a Green Team which was done. He said we want those people who are interested in the environment and sustainability. He said we also want those who care about the social and cultural issues.

Mr. Olsen stated they are still early in the process and on the agenda it mentions the Earth Day Celebration. He was going to have the Green Team Kick Off on Earth Day but unfortunately, the Barn was booked on the date they needed. Their Plan B is to put this information on the website and invite all who are interested, including the governing body, to attend the Kick Off. More information will be available in late April. The meeting will include discussion regarding what people would like to see done.

Mr. Olsen stated at the last Environmental Commission meeting a discussion was held regarding this issue and the Commission summed up the things that they have already done. He spoke about dialogue with the schools and providing education on environmental sustainability. He spoke about natural resources which has already been done. He then said that he and Mr. Lensak have spoke about recycling posters.

He spoke about the economic gain for the township. He said that Sparta Township installed two solar projects for the cost of \$450,000. The system on the municipal building is the larger of the two and saves them \$48,000 annually for energy costs. They also generate \$70,000 in annual income from the sale of their solar credits. On their DPW building, they save \$11,000 annually and generate \$41,000 from solar credits.

He closed in saying that one of the good things about Sustainable NJ; it gives you the tools to help tackle this as a town but also gives you an opportunity to receive funds projects. He then mentioned energy audits. Mr. Lensak stated that Andover Township has had an energy audit performed last year and energy upgrades will be done on the municipal building this summer at no cost to the township. Mr. Olsen spoke about the possibility of a bike path and improve some of our trails at Kittatinny State Park. He said there are funds available in small grants to do exactly that. We need to come up with our projects and the areas we want to focus our efforts on and then begin to chip away.

Mayor Boyce asked if the first step is to establish our Green Team. Mr. Olsen responded yes and explained he went online to register Andover Township. The resolution was adopted last year and apparently we are already registered. Ms. Kretzmer explained how that transpired. Mayor Boyce added that we want students and parents involved in this program. Mr. Olsen stated that are willing to go to schools to do a presentation. He said they want this to be a partnership with all people doing something they care about.

At this time, Mayor Boyce informed everyone of the Clean Communities Day scheduled for April 9, 2011 beginning at Hillside Park.

REGULAR AGENDA

PUBLIC PORTION Jim Woodstrom of 841 Limecrest Road stated that during the meeting before last Mayor Boyce commented that according to his figures regarding the Construction Office given in the fall of 2010. He explained that these figures were not his but there were the numbers he received from the former CFO. He said last year, CFO Day stated that the amount of money that was taken in for permits was \$15,000. Mr. Woodstrom then commented on a the theory of raising construction fees and he believes that that expenses should be cut rather than rates increased. He then stated that someone remarked that Mr. Cutler performs other tasks and his response was that most of the other things he does pertain to construction and there is no construction.

He then commented on a statement made by the Municipal Attorney. Mr. Woodstrom stated he expects comments from the governing body regarding Mr. Cutler but does not feel that Mr. Semrau's place is to offer an opinion regarding an employee. Mr. Walsh explained that Mr. Semrau had personal knowledge on a recent construction board appeal where he represented Mr. Cutler. Mr. Semrau gave his opinion on how well he conducted himself during this matter. Mr. Cutler's knowledge and expertise were beneficial in a favorable outcome before the Board of Appeals. Mr. Walsh further explained that Mr. Semrau was just showing his appreciation on how he is working relationship with Mr. Cutler.

Mr. Woodstrom then circulated copies of a survey he drafted on Sussex County construction offices, their hours, phone numbers and staffing. He stated things may have changed since he contacted these departments in the fall. Mr. Walsh said he heard Vernon had three inspectors all full time with two technical assistants. Mr. Woodstrom said he spoke to the building inspector in Vernon last week and someone said they went from four days a week to five days. Mr. Walsh said the information Mr. Woodstrom provided has been valuable and we are taking the information seriously.

Mr. Walsh asked Mr. Woodstrom if he has noticed the sign for the jake-braking of trucks. Mr. Woodstrom stated he has not noticed. Mr. Walsh said the sign was erected about a week ago. He then asked Mr. Woodstrom if he had taken him up on his invitation to go before the Board of Education meeting. He replied that he would go. Mr. Lensak said March 28 is the budget presentation by the school board.

Mayor Boyce added that the item Mr. Woodstrom just raised was discussed in Executive Session and we are always looking at this and he appreciates Mr. Woodstrom taking the time to provide this information. All towns have to look at ways to save money and all have to look at shared services now more than ever before. Mayor Boyce said there is an item to be discussed later in the meeting that will save the town some money so we are working on this.

Tom and Pam Iberer came before the Committee to talk about a flooding issue that have had for the past five years. They live at the intersection of Bernard and Irving and their sump pump has been operating constantly pumping water into the roadway. They believe this flooding is due to new construction in the area. Following a short discussion and presentation of photos of the flooding, Mr. Walsh stated he will speak to DPW Supervisor Dickinson and the engineer to ask what can be done with the drainage in that area again. Mr. Walsh said that several years ago their septic was compromise by the water coming up.

Mr. Iberer added that several officials have come to the area but nothing seems to get resolved. Mr. Walsh stated he has personally visited the area three or four times. Other neighbors have also suffered from the flooding in the area, damage to their basement and loss of personal property. There are no catch basins in the area. Mr. Walsh stated he will meet with the DPW Supervisor in the morning and during the week, they will visit the area and see what can be done.

PUBLIC PORTION (CONTINUED) Diane Gillespie of Andover-Mohawk Road commented on the photos behind the dais but they have to be bigger. Ms. Phoebus said she is aware of that – this is a temporary fix. Ms. Gillespie stated she is following up on what Mr. Woodstrom spoke about earlier. She said she has been reading that many towns are going into shared services. She asked what criteria is used to determine that these positions can now provide residents with the same service on a scaled back work week. Mr. Walsh stated the main reason we even address shared services is due to economics.

He added that just because we have done so with a few positions does not mean we aren't looking at everything. Mr. Walsh stated he and DPW Supervisor Dickinson have discussed visiting other municipalities for shared services in that department. When an opportunity arises, the first option investigated is the opportunity for shared services and changing full time positions to part time. Ms. Gillespie asked how can you take a full time position and make it part time without affecting the service given to the residents' position can go from full time to a shared services and part time. She is in favor of shared services but has to ask if we are getting the service. The Committee has been asking the question of every department, do we need this position full time. Mayor Boyce stated much of this is communication between the Committee and the employee. If we think this is a possibility, we will call the employee into executive session and ask if they could absorb additional duties. He said he doesn't believe there is a formula used to determine when and where shared services can be used. Ms. Thompson added that the service isn't quite the same with part time as it is with having some here full time. The response time can be comprised slightly by taking a bit longer because someone is part time. She added that there haven't been any complaints as to the additional time to receive a response from an employee because the office is now part time. It seems to be working.

Ms. Gillespie then informed the Committee of a new website called TownStats.org and we can type in Andover Township and you can compare it with two other towns. Mr. Lensak stated he viewed that site but the information is not current. Mr. Walsh once again stated that the municipality is responsible for 25% of the stx bill and everyone is hear and no one attends the County and Board of Education meetings. Mr. Walsh stated the Township Committee does work very hard to keep expenses down. Ms. Phoebus stated the County is very active in trying to do shared services with the municipalities because they realize that if they are going to keep their departments, they are under the same 2% CAP as everyone else. They have to be more involved in showing municipalities all areas of possible shared services.

Seeing no other hands, Mayor Boyce closed the public portion of the meeting.

REPORT FROM THE FIRE CHIEF The Chief was not available for this evening's meeting.

REPORT FROM THE RESCUE SQUAD CHIEF On behalf of Chief Allenspach, Mrs. Allenspach reported for February there were 78 total calls and 48 were in Andover Township. They traveled 1,403 miles and logged 246 hours of volunteer time. Ms. Phoebus asked how many calls are to the nursing home. Mrs. Allenspach reported 22 calls last month. She then asked at what hours are these calls. Most calls are in the middle of the night. Mrs. Allenspach stated she will provide the actual report on nursing home calls and detailed hours for the Committee. Ms. Phoebus asked if the nursing home has a paid service that they use during the day. She responded there is a paid service 24/7, but there are times that service is not available and they then call Lakeland. Sometimes there are multiple calls at that location and they need assistance.

REPORT FROM THE CHIEF OF POLICE Chief Taglialatela reported calls for services for Andover Township totaled 340, Andover Borough 16, Hamburg Borough 475 and Green Township 14 for a monthly total of 1146. The year to date total is 2428 calls.

RESOLUTIONS Mayor Boyce stated there was discussion earlier regarding the amount of money received in the Construction Office. In Executive Session there was discussion regarding the funds in the electrical inspection line item. Following a brief discussion with Mr. Storms concerning the decrease of electrical inspections. He has agreed to lower his rate of \$8000 and his hours will be adjusted to four hours per week.

RESOLUTIONS: (CONTINUED)**#R2011-55 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX
AND STATE OF NEW JERSEY TO ADJUST THE HOURS AND SALARY FOR
CLIFFORD W. STORMS, JR., ELECTRICAL SUBCODE/INSPECTOR
EFFECTIVE MARCH 15, 2011**

Mr. Walsh moved to approve the foregoing resolution as presented, seconded by Ms. Phoebus and carried unanimously.
(See Insert Attached to These Minutes)

COMMITTEE REPORTS

MR. WALSH. He read a letter of appreciation from a resident regarding the road department services this past winter.

Regarding contract negotiations with the dispatchers, he stated another meeting is scheduled for April 4th. He has been in communication with the County and expects a phone call by March 17th regarding information on a countywide 9-1-1 system. The County's hope is to have their center operating by 2012. This may be aggressive by the Sheriff's Department has agreed to fund \$2 million into this project. He informed them that Andover Township has a Committee may want to be in on the ground floor in this project due to the potential cost savings. Contract negotiations with the DPW will begin this Wednesday at 5PM.

MS. PHOEBUS. She reported that the fire department has their venison dinner on March 26th and no tickets are available.

Reporting on the Abbey, she thanked Sheriff Strada and his SLAP Team for the amount of work they did in cleaning out the facility at that location. This work did not cost the Township a cent. They also will clear the brush for the trails. She further stated that she and Special Engineer Stoner went to the County 208 Water Quality PAC meeting to apply for an amendment to the Abbey's wastewater treatment plan and we were able to double the gallonage of that plant. There has been a great deal of interest for this housing.

MR. LENSAK. He reported that due to business travels he was not able to make the emergency squad meeting. He spoke to the Recreation Committee and everything is moving along. The Economic Development Committee continues to review areas in the township in attempt to get businesses in the vacant facilities.

The solar panel installation project is moving along and its been a long winter. Every time we have them continue with the project, the snow piles up on the roof making the progress extremely slow. They are hoping that within two weeks that project should be done.

The FOP is holding their annual corned beef dinner on St. Patrick's Day and that too is sold out. He then read a letter of thanks and apologies written by a resident regarding the police department's response to a false alarm. He then reported that Chief Tagliatalata took a seminar on critical incident response. Detective Mosner attended a course on interview and interrogation.

MAYOR BOYCE. He reported last Thursday in a meeting of the Liaison Committee with the School and Andover Borough, they did say their budget would see an increase of 1.88%, under the 2%. They will present this budget to the public on March 28th. They are also negotiating their teachers' contract and they are doing their best to keep that increase flat for the coming year. The vote will be in April. Mr. Walsh asked if anyone does go that evening, he asked how a budget can be put together if a contract hasn't been settled.

He then stated that he and Mr. Lensak attended a fundraiser for a local businessman whose family runs the Bagel Bistro. He was happy to see in this town when someone needs help we rally around.

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Committee of the Township of Andover on the 14TH day of MARCH 2011, 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):

- (x) 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.
- (x) b. (4) A collective bargaining agreement including negotiations.
- (x) 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 Due Diligence***
- 2. ***Dispatcher's Union Contract Status Report***
- 3. ***9-1-1 Interlocal Agreement – Green Township***
- 4. ***A. Tagliatela, Police Chief***

Attorney-Client Privilege:

- 1. ***Professional Appointments for the Town***
- 2. ***Wastewater Management Plan***

(x) a. (8) Personnel matters.

- 1. ***J. Cutler, Construction Official/Zoning officer***
- 2. ***C. Storms, Electrical Inspector***

- () 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 14, 2011

Moved: Lensak Seconded: Phoebus
Voted Aye: Lensak, Phoebus, Walsh, Boyce
Voted Nay: None
Absent: Smith
Resolution adopted. March 14, 2011
