

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

JUNE 13, 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 6:33 P.M. by Mayor Boyce, followed by a salute to the flag.

ROLL CALL: Present: Mr. Lensak, Ms. Phoebus,
Mr. Smith, Mayor Boyce
Also present: Attorney DiYanni, Attorney Semrau arrived at 8:50
Absent: Excused Mr. Walsh

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

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

Personnel Matters:

1. ***V. Thompson, Clerk/Administrator (tabled)***
2. ***D. Dickinson, DPW Supervisor***

Contract Negotiations:

1. ***St. Paul's Abbey Due Diligence***
2. ***Police Dispatcher's & DPW Union Contracts Status Reports***
3. ***Tax Reassessment Services Discussion***
4. ***Various Shared Services Opportunities***

Attorney-Client Privilege:

1. ***Solar Project Status Report***
2. ***Newton Water Company Water Main Break***
3. ***Asphalt Curbing – Block 29/Lot 3 (tabled)***

Potential Litigation:

Pending Litigation:

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

The Committee went into executive session at 6:34 P.M. Mr. Smith moved to adjourn executive session at 7:33 P.M., seconded by Ms. Phoebus and carried unanimously.

REGULAR MEETING

APPROVAL OF AGENDA Mayor Walsh asked that the agenda be amended by adding a second Executive Session at the end of tonight's meeting. He also asked that Resolution #R2011-99 be added Under Resolutions:

RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-012-007 FOR LORRAINE D'OLIVO, ADMINISTRATRIX OF THE ESTATE OF RAYMOND P. CERASOLI III FOR THE TERM JULY 1, 2011 THROUGH JUNE 30, 2012 WITH CERTAIN CONDITIONS

Attorney DiYanni stated there will be a brief statement placed on the agenda prior to the Public Portion of the meeting by the Administrator. Ms. Phoebus moved to approve the agenda as amended, seconded by Mr. Lensak and carried unanimously.

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

***CONSENT AGENDA:**

***OTHER BUSINESS:**

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

ACCEPTANCE OF TAX COLLECTOR'S MAY REPORT - \$3,041,028.66

***RESOLUTIONS:**

#R2011-89 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY OPPOSING THE PASSAGE OF A-3285

#R2011-90 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY CALLING UPON THE LEGISLATURE TO FULFILL ITS DUTY FOR FAIR DISTRIBUTION OF STATE AID FOR EDUCATION

#R2011-91 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO REQUEST THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF A \$14,399.79 NJDEP CLEAN COMMUNITIES GRANT IN THE 2011 MUNICIPAL BUDGET

#R2011-92 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO REQUEST THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF A \$165,000 NJDOT GRANT FOR GOODALE ROAD IN THE 2011 MUNICIPAL BUDGET

CONSENT AGENDA: (CONTINUED)**RESOLUTIONS: (CONTINUED)****#R2011-93 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE ISSUANCE OF A FIREWORKS DISPLAY PERMIT TO APPLICANT "CELEBRATION FIREWORKS" ON THE PERONA FARMS PROPERTY FOR FRIDAY, JUNE 24, 2011 AND FRIDAY, JULY 01, 2011**

(See Inserts Attached to These Minutes)

***APPROVAL OF MINUTES:**

APRIL 25, 2011 EXECUTIVE SESSION (Mr. Smith abstained on these minutes)
MAY 09, 2011 EXECUTIVE SESSION
MAY 23, 2011 REGULAR MEETING

REGULAR AGENDA

REPORT FROM THE FIRE CHIEF President Melfi was present and reported for the month of May there were 27 calls, 3 activated fire alarms, 1 carbon monoxide alarms, 1 gas incident, 4 regular monthly drills, 1 landing zone, 1 regular meeting, 2 mutual aid out of town, 6 motor vehicle accident, 1 memorial/parade participation, 1 public assist, 2 smoke conditions, 1 structure fire, 3 down power lines. There was a total of 377.6 hours for a total year to date calls of 155 for a total man hours of 2,184.4. Mayor Boyce stated he received a letter from Newton Mayor Becker thanking the Andover Township Fire Department for assistance in the two fires at the apartment complexes. President Melfi informed everyone of the Chicken BBQ on July 30th and tickets are still available, but going fast.

REPORT FROM THE RESCUE SQUAD CHIEF Chief Allenspach reported for the month of May they responded to 122 calls total, 53 in Andover Township. There were 11 mutual aid calls, most in Newton. There was one fly out. Total mileage was 2,424 and total volunteer hours of 492.

REPORT FROM THE CHIEF OF POLICE He reported for the month there were 923 calls for service in Andover Township, 11 in Andover Borough, 556 in Hamburg and 29 in Green Township for a monthly total of 1,519. The year to date total is 6,632.

Chief Tagliatela commented that his department has been working several accidents with the fire department and rescue squad and he wanted everyone to know that there is such a good level of cooperation amongst all public service agencies in this municipality and they work very well together. Mayor Boyce stated he is in total agreement.

At this time Clerk/Administrator Thompson read the following statement:

As you may be aware, an unfortunate accident occurred on 6/6/2011 when Andover Twp. was involved in an incident that disrupted water services in the Town of Newton. Andover Township immediately contacted their insurance carrier who instituted an immediate investigation of the incident. The Township's Administration and the insurance claims investigator are working diligently to complete the investigation and provide guidance to the persons and companies that may have sustained claims from this incident. The Administration thanks the efforts by all involved who addressed this matter and in particular, the Town of Newton.

Mayor Boyce then added his thanks to Mayor Becker and the Town of Newton, their emergency services agencies and DPW for a very high level of cooperation with us this past week on this issue.

PUBLIC PORTION Antoinette Oysterman of Andover-Sparta Road commented on the condition of the roadway at the end of her driveway following recent paving. She was directed to the County of Sussex because this is a county road. She was directed to contact John Risko of the engineering department.

She then stated her concerns regarding a street sign for her road in which the response was to contact the County. She then remarked on the trash and recycling services provided by Blue Diamond. Mr. Smith informed her that there will be a meeting on Wednesday with representatives concerning the complaints filed by our residents. He will report back at the next meeting.

Ms. Oysterman then commented on the increased truck traffic on Route 517 in the past eight years since she moved in. Ms. Phoebus stated that there have been other complaints regarding this issue on this road and according to the County, this road was designed to handle heavy industrial trucks. Ms. Oysterman then voiced her concern regarding stormwater, which is also a matter for the County Engineering Department.

Mr. Hughes of 7 Manor Drive commented on the building inspector and that department. He stated he is concerned about the issuance of permits for jobs being done. He then commented on the recent water main break stating the break was not necessary and he referenced the 1-800-DIG phone number.

Mr. Guy Riotto of Hemlock Avenue questioned the break asking what the limits of liability is on this incident. He then asked if the premiums would increase as a result of the incident. Mayor Boyce stated he does not know how to answer these questions, the insurance company is handling the matter. Mr. Riotto then asked if taxes will increase as a result of possible increase in premiums. Mayor Boyce replied he did not think so. In his final question he asked if there is an investigation into this matter. Mayor Boyce stated that all these items are being reviewed by the township and dealt with in executive session under Attorney-Client Privilege. Mr. Riotto stated that he hopes if there was some type of negligence for a lack of due diligence, that some action be taken to prevent it from happening again.

James Woodstrom of Limecrest Road stated he was in construction for 44 years and now retired. He stated the first thing done before digging is to call the toll free number at least 48 hours before. He then asked about the last meeting and all the comments made by the Committee with regard to the public service response time. He then quoted Mayor Boyce from the last meeting stating "he loves the rural character of Andover Township". He then went on to say "but we need industry and ratables." Mr. Woodstrom then mentioned Mayor Boyce's comments from the last meeting with regard to flat taxes and the need to layoff personnel. He then quoted Mr. Walsh from the last meeting saying if there are no health benefits for the Committee, no one will run. Mr. Woodstrom said there are members of the Byram Council that ran with no benefits since the referendum was passed.

Mayor Boyce replied that when we talked about response time, that issue came up when deciding if it was a good idea to layoff police officers. Now there are two officers on patrol. If we starts eliminating officers that number will decrease and response time will increase and that action may cost lives. He added that seniors may have a difficult time paying any property tax increase but they can suffer in the lack of public safety services. He said that the response rate is more important for most seniors than 12 cents a day in property tax increase.

Mr. Woodstrom then commented there are a number of municipalities in Sussex County without a municipal police force that rely solely on State Police. Ms. Phoebus gave a personal account to the response time of our police officers when responding to a 9-1-1 health issue at her business. The police arrived in five minutes. She said her customers were very grateful. The response time for State Police is about 30 minutes. When there is a heart attack victim, 30 minutes is a long time.

PUBLIC PORTION (CONTINUED) Mayor Boyce said the 2011 property tax increase of 12 cents per day was to save five jobs. He added that he believes most residents agree to pay that increase, they are probably not happy about it but it is the reality. One position has already been eliminated in the police department.

He then touched on the issue of ratables and the need for them in this municipality. Resident Christine Kretzmer then commented on a local business and how she benefitted from them relocating in Andover Township.

John Carafello of Eileen's Way stated he would not live in a town without a police department. He also gave a personal account and how he values the department for helping him. He then stated if you look at the per capital costs of the department is low for the services they provide. He said the police department is very important and when you pick up the phone when you need them, there should be someone on the other end. Time is the most important issue when dealing with a serious illness or accident. He said that response time is in deed important.

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

ORDINANCES: PUBLIC HEARING

NO. 2011-06 TO AMEND CHAPTER 190-38 **"MT. LAUREL ZONE"**

***"AN ORDINANCE AMENDING CHAPTER 190 ENTITLED
"ZONING" OF THE TOWNSHIP OF ANDOVER, COUNTY
OF SUSSEX, STATE OF NEW JERSEY TO AMEND
ARTICLE V, "USE AND BULK REGULATIONS",
SECTION 190-38, "MOUNT LAUREL ZONE" TO MODIFY
CERTAIN CONTROLS AND STANDARDS GOVERNING
THE DEVELOPMENT OF AFFORDABLE HOUSING"***

Planner McGroarty was present to explain this Ordinance in addition to answering any questions from the public or governing body.

He stated this Ordinance makes certain amendments to the existing Mt. Laurel Zone District located on Route 206. It will not change the zone in terms of its location or the properties contained in the zone. It does not reduce or increase the zone. The area is in the area of about 200 acres. The density that is established which has been on the books for many years, six units per gross acre will stay the same. The purpose of this Ordinance is to update the zoning regulations to be consistent with the current rules and regulations that are under the jurisdiction of COAH. The definition of low and moderate income housing will not change. This Ordinance will clarify the amount of commercial space permitted in a mixed use development in this zone. It makes certain adjustments to buffers in that area as well. This Ordinance will not have any adverse impact on residential neighborhoods. There has not been any affordable housing development in the Mt. Laurel Zone for the many years it has been on the books.

Mayor Boyce then opened the Ordinance for public hearing.

Antoinette Oysterman of Andover-Sparta Road asked why it is called Mt. Laurel Zone. Planner McGroarty explained that the affordable housing concept was coined after the litigation in Burlington County that began the process. He then explained the process of incorporation of certain mechanisms according to the court order.

ORDINANCES: PUBLIC HEARING (CONTINUED)**NO. 2011-06 TO AMEND CHAPTER 190-38**
“MT. LAUREL ZONE”

Mr. Woodstrom asked if the decision was made by the NJ State Supreme Court. Planner McGroarty stated that is correct. Mr. Woodstrom then asked with regard to affordable housing, does that mean there is a certain percentage of the people of the township that receive under a certain income qualify for this housing. Mr. McGroarty explained that it isn't within the township but in the housing regions throughout the State. Mr. Woodstrom then asked if existing housing and apartments count toward this number of housing units requirement. Mr. McGroarty said there are no apartment units that qualify.

Mayor Boyce thanked Ms. Phoebus for her hard work on this matter because if we are able to satisfy rounds one and two with very little expenditure, it will be a miracle. Ms. Phoebus added that we are working with RPM and they do beautiful work. She then explained the plans for this project and how the Abbey retreat house will be rehabilitated to about 20 units. She then stated the Brothers of St. Paul's Abbey will hopefully partner with this company and with the help of the township to redo that stone building. She mentioned there is certain criteria for the units. She said there will be a mix of one, two and three bedroom units according to affordable housing regulations. She said the list of people that want to live in this development are mostly residents from Andover Township.

Seeing no other hands, Mayor Boyce closed the public hearing on this Ordinance. Ms. Thompson stated she received a letter from Land use Board Administrator Wilhelm that at the June 7th meeting the Board adopted a resolution confirming this Ordinance's consistency with the Master Plan.

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 May 23, 2011, was advertised according to the law and was brought before the public for final consideration. There being no objections, Ms. Phoebus moved the adoption of the above entitled ordinance, seconded by Mr. Lensak. Roll call vote:

Mr. Lensak – yes	Ms. Phoebus – yes
Mr. Smith – yes	Mr. Walsh – absent
Mayor Boyce – yes	

ORDINANCES: INTRODUCTION**NO. 2011-07 TO AMEND CHAPTER 51**
“SECTION 51-28 “NON-LIFE HAZARD USES”***“AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 51, “FIRE PREVENTION”, SECTION 51-28 “NON-LIFE HAZARD USES” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ANDOVER”***

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2011-07, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on June 27, 2011 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. Lensak – yes	Ms. Phoebus – yes
Mr. Smith – yes	Mr. Walsh – absent
Mayor Boyce – yes	

RESOLUTIONS

#R2011-94 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE (WITH HOTEL/MOTEL EXCEPTION) #1902-36-002-004 FOR SOMERSET INVESTORS, INC. T/A BELLA ITALIA FOR THE TERM JULY 1, 2011 THROUGH JUNE 30, 2012

Mr. Smith moved to adopt the foregoing resolution as presented, seconded by Mr. Lensak. Roll call vote:

Mr. Lensak– yes
Mr. Smith – yes
Mayor Boyce – yes
Ms. Phoebus – recused
Mr. Walsh – absent

#R2011-95 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE (WITH BROAD PACKAGE PRIVILEGE) #1902-32-011-002 FOR THE CORNER RESTAURANT, INC. T/A THE CORNER RESTAURANT FOR THE TERM JULY 1, 2011 THROUGH JUNE 30, 2012

Mr. Lensak moved to adopt the foregoing resolution as presented, seconded by Mr. Smith. Roll call vote:

Mr. Lensak– yes
Mr. Smith – yes
Mayor Boyce – yes
Ms. Phoebus – recused
Mr. Walsh – absent

#R2011-96 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF LIQUOR LICENSE #1902-44-015-002 PLENARY RETAIL DISTRIBUTION LICENSE FOR ANDOVER WINE AND LIQUORS FOR THE TERM JULY 1, 2011 THROUGH JUNE 30, 2012

Mr. Smith moved to adopt the foregoing resolution as presented, seconded by Mr. Lensak. Roll call vote:

Mr. Lensak– yes
Mr. Smith – yes
Mayor Boyce – yes
Ms. Phoebus – recused
Mr. Walsh – absent

#R2011-97 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF LIQUOR LICENSE #1902-31-014-002 - CLUB LICENSE FOR THE NEWTON COUNTRY CLUB, INC. FOR THE TERM JULY 1, 2011 THROUGH JUNE 30, 2012

Mr. Smith moved to adopt the foregoing resolution as presented, seconded by Mr. Lensak. Roll call vote:

Mr. Lensak– yes
Mr. Smith – yes
Mayor Boyce – yes
Ms. Phoebus – recused
Mr. Walsh – absent

RESOLUTIONS (CONTINUED)

#R2011-98 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF LIQUOR LICENSE #1902-31-013-001 CLUB LICENSE FOR LT. CHAS A. MEYER POST 86 AMERICAN LEGION T/A AMERICAN LEGION POST 86 FOR THE TERM JULY 1, 2011 THROUGH JUNE 30, 2012

Mr. Smith moved to adopt the foregoing resolution as presented, seconded by Mr. Lensak. Roll call vote:

Mr. Lensak– yes
Mr. Smith – yes
Mayor Boyce – yes
Ms. Phoebus – recused
Mr. Walsh – absent

#R2011-99 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-012-007 FOR LORRAINE D’OLIVO, ADMINISTRATRIX OF THE ESTATE OF RAYMOND P. CERASOLI III FOR THE TERM JULY 1, 2011 THROUGH JUNE 30, 2012 WITH CERTAIN CONDITIONS

Mr. Lensak moved to adopt the foregoing resolution as presented, seconded by Mayor Boyce. Roll call vote:

Mr. Lensak– yes
Mr. Smith – yes
Mayor Boyce – yes
Ms. Phoebus – recused
Mr. Walsh – absent

(See Inserts Attached to These Minutes)

OLD BUSINESS

APPROVAL OF VOUCHERS – BILL NO. 1-01-01-31-460-073 IN THE AMOUNT OF \$725 TO THE LAKE LENAPE WATER COMPANY

Following a short discussion of this matter, it was decided to table this matter until such time that the water company presents the township with the documentation that all fire hydrants are in working order.

OTHER BUSINESS

DISCUSSION REGARDING POSSIBLE SUMMER MEETINGS SCHEDULE

Following a short discussion it was decided that the Committee would cancel the first meetings of July and August but will not do so until such time they firmly believe these meetings are not necessary. Mr. smith moved to cancel the July 11th and August 8th meetings in the event they are found to be unnecessary. Motion was carried unanimously.

APPROVAL OF ON PREMISE MERCHANDISE RAFFLE – RL #970 AMERICAN RED CROSS – TO BE HELD ON JULY 13, 2011 AT THE FARMSTEAD GOLF & COUNTRY CLUB

APPROVAL OF OFF PREMISE 50/50 RAFFLE – RL #971 BIRTH HAVEN, INC. – TO BE HELD ON SEPTEMBER 27, 2011 AT THE NEWTON COUNTRY CLUB

Mr. Smith moved to approve these licenses as presented, seconded by Mr. Lensak. Roll call vote:

Mr. Lensak– yes
Mr. Smith – yes
Mayor Boyce – yes
Ms. Phoebus – abstain
Mr. Walsh – absent

COMMITTEE REPORTS:

MR. SMITH. He reported on the senior citizens stating at their next meeting on June 20th at 1PM, there will be a special presentation. The topic is on the deregulation of public utilities which means you are now allowed to choose your electrical provider. He said there are significant cost savings involved and this presenter will explain this to the seniors. Mr. Smith invited anyone interested to also attend. Mr. Lensak asked if that includes companies such as Meridian and he replied yes.

Mr. Smith stated that SWAC is meeting tomorrow, June 14th at 7:30 and there will be a presentation by Jason Fisher from Agchoice. He will be discussing recycling processes for farm use. He will explain more once he has heard the presentation.

Reporting on the Board of Health there are discussions with Andover Borough with regard to shared services on the free rabies clinic. Ms. Thompson and Ms. Huelbig are also involved in the discussions. More will be reported as conversations developed. Mr. Smith reminded everyone that tomorrow is Flag Day and urged everyone to display their flag proudly.

MR. LENSAK. He reiterated what Mayor Boyce stated earlier about Ms. Phoebus stating that she has done a fantastic job spending hours on the affordable housing project. He stated her dedication to this is amazing and we are all indebted to her for taking on this project. He then reported that the Economic Development Committee will be meeting this Friday at 8AM.

He then spoke about the budget stating that on the 2010 budget was set at \$7.4 million. The total police budget is only 14% of that at \$1.2 million. He said we have taxable properties totaling 2,428 and the annual cost per taxable property is \$5.10 with the daily cost is \$1.38 for the police force. The current census for 2009 listed Andover Township at 6,533. The annual cost per person for 12 officers is \$189, cost per day is \$.52 and final cost per officer is \$.04 per day.

Regarding the school budget, that is \$11 million. Taxable properties and annual cost is \$4,533 for the school budget. The daily cost is \$12.42. Based on the census, the annual cost per person for school services is \$1,685 as opposed to \$189 for the police force. He referenced letters of appreciation from the residents complimenting our police.

He reported the police department applied and received two mini-grants of \$500. One is a sports safety grant, which is utilized to purchase protective padding for the fences near the ball fields, and certain areas at each school used for recreational purposes. The traffic safety grant will be used to assist in the funding of the Wheels Under Your Feet/Helmets On Your Head Campaign sponsored by the police department. This is designed by law enforcement officials who participate in the safety aspects of bicycle, skateboards, roller skating on the roadways.

He then read a letter addressed to Sgt. Murrell from Girl Scout Troop 770 in appreciation of the tour of police headquarters. There was also a letter of thanks from Skylands Medical Group with regard to the department's response time. He then read a letter from a resident to the police department regarding response to her recent robbery to which the item was found and returned. She gave special recognition to Detective Mosner and Officer Diklich. He then referenced a letter from Bill Bosworth on behalf of Garden State COPS thanking the department for their participation in the day's events for those children whose family was killed in the line of duty.

Mr. Lensak then reported on the solar project and he stated we will have a link on our website to the solar information so everyone can see exactly how we are doing. We went online about a month ago and we have already close to \$1900 in both to electrical savings and SREC credits. We are making money and also saving money and being "green". That equates to a total savings of CO2 of two tons. In one month's time we have reduced our carbon footprint by over two metric tons. Mayor Boyce then commended Mr. Lensak for his hard work on the solar project.

COMMITTEE REPORTS (CONTINUED)

MS. PHOEBUS. She reported on the fire department stating that the chicken bbq will be held on July 30th.

With regard to our affordable housing commitment, she stated we are getting very close with RPM Development Group from Montclair address our COAH needs. They like taking buildings like the Abbey and rehabilitate them into affordable housing. She stated they are wonderful to deal with and they are looking to secure about \$18 million in federal and state tax credits to do this project. We are moving these ordinances in an attempt to make it capable with what they need to secure these credits.

She reported on a meeting with the Abbey officials and their attorney because there is a need to amend their lease agreement to include more acreage at the site. They will need about 15 acres for this project. The original lease only called for eight.

The amount of units is approximately 70 and rounds one and 2 calls for Andover Township to owe 55 units. This project will put us over our obligation. She explained there will be one, two and three bedroom units with some being senior units in the required split as required by the Department of Community Affairs. We currently only have four units for a group home. We never met our obligation since COAH was formed.

She said this is a good project and the County is also excited about it. They have agreed to put walking trails in because this project borders the Muckshaw walking trail. The County is talking about looping the County bus service to this project. Lakeland bus lines has stops nearby as well.

Ms. Phoebus stated that this project will be something that Andover Township should be very proud of and she believes it meets what the State is wanting to see. She added that it does not have any marketable units and we didn't have to get a developer to build 300 units to receive 70 affordable. This is deemed an area in need of rehabilitation and it fits because of its proximity to available shopping areas.

Ms. Phoebus explained that once everything is in place RPM will come before the Land Use Board and the Committee with a presentation showing what their plans are for the site. This will also be a ratable for the town.

MAYOR BOYCE. He reported that last week the Tri-District Consortium met and they are an organization made up of superintendents, principals, and business administrators from Andover Regional, Green and Newton. They meet quarterly and he said he was very impressed. They discuss everything they do at schools. They are looking at cooperating together on a multitude of items, one being shared services, sharing information on contract negotiations so each district knows what the other is offering. They discuss curriculum updates, and teaching training which they can combine and save funds. Members of all school boards were present as well.

As the liaison to the Action Alliance he learned that the grant is coming up again but the Alliance is asking for one-third matching contribution from each of the municipalities. He said they told him they have done this in the past but no one could recall. He stated that the funds are not available at this time and if we did have \$6,000 to donate, though what they do for the school districts is good work, he suggested that the funding if available stay here where we can control it.

REPORT FROM THE CLERK/ADMINISTRATOR She reported that she met with representatives from Donnelly Energy and their new contractor who will be performing the upgrades to the municipal building. Once the Scope of Work is completed and signed they can order the necessary supplies and begin the energy upgrades. She then stated, as Mr. Smith mentioned earlier there will be a meeting on Wednesday with Blue Diamond officials to talk about the dissatisfaction of their services. The complaints seem to be the same around the town. She also mentioned that she will be meeting with Terry VanAuken to discuss possible shared services opportunities between the township and school.

REPORT FROM THE MUNICIPAL ATTORNEY Attorney Semrau reported that several weeks ago the Committee directed him to move ahead and commence the litigation for the restoration of the Mews property and they will be filing the documents prior to the next meeting.

Adding to what Ms. Phoebus state earlier about the affordable housing project he said when they did their investigation there are a number of units throughout the township already where people are residing and those individuals would qualify for affordable housing. Some of the developments they found there were 30 to 40% of people living in other complexes were they would qualify. Regarding this contractor and there tract record with obtaining tax credits, over the last 12 years they have received these incentives.

Back in January there was a matter before the Construction Board of Appeals regarding someone living in an illegal structure. They had until June 1 to vacate the premises and he has confirmed that the tenants of that structure have vacated the building.

Attorney Semrau stated that the Testa litigation is scheduled to be heard over the next two weeks before the Superior Court. The complaint against the Township Committee was dismissed last July. This litigation is pertaining to the Board of Adjustment.

NEXT SCHEDULED MEETINGS: Regular Meeting June 27, 2011
 Regular Meeting July 11, 2011 (possible cancellation)
 Regular Meeting July 25, 2011

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

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

Contract Negotiations:

3. Tax Reassessment Services Discussion

Attorney-Client Privilege:

1. Solar Project Status Report

, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 9:10 P.M. Formal Action may be taken. Mr. Smith moved to adjourn executive session at 10:01 P.M., seconded by Ms. Phoebus and carried unanimously.

Mayor Boyce asked for a consensus to direct Attorney Semrau to request the State to give permission to perform a 2012 tax reassessment within the municipality. Consensus was given.

Mr. Lensak questioned the proposals received for banking services and Ms. Thompson stated she will speak with CFO Magura regarding his concerns.

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Lensak moved the meeting be adjourned at 10:04 P.M., seconded by Ms. Phoebus and carried unanimously.

Respectfully submitted,

Phil Boyce, Mayor

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

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION "A"

BE IT RESOLVED by the Township Committee of the Township of Andover on the 13th day of June 2011, that:

1. Following 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. Police Dispatcher's & DPW Union Contracts Status Reports**
- 3. Tax Reassessment Services Discussion**
- 4. Various Shared Services Opportunities**

Attorney-Client Privilege:

- 1. Solar Project Status Report**
- 2. Newton Water Company Water Main Break**
- 3. Tax Reassessment Services Discussion**

Pending Litigation:

(x) a. (8) Personnel matters.

- 1. V. Thompson, Clerk/Administrator**
- 2. D. Dickinson, DPW Supervisor**

() 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: JUNE 13, 2011

Moved: Phoebus Seconded: Smith
Voted Aye: Lensak, Phoebus, Smith, Boyce
Voted Nay: None
Absent: Walsh
Resolution adopted. JUNE 13, 2011

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION "B"

BE IT RESOLVED by the Township Committee of the Township of Andover on the 13th day of June 2011, that:

2. Following 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:

3. Tax Reassessment Services Discussion

Attorney-Client Privilege:

1. Solar Project Status Report

- () b. (9) Deliberations after a public hearing that may result in penalties.
 - 2. 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: JUNE 13, 2011

Moved: Smith Seconded: Phoebus
Voted Aye: Lensak, Phoebus, Smith, Boyce
Voted Nay: None
Absent: Walsh
Resolution adopted. JUNE 13, 2011
