

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

PHIL BOYCE, MAYOR
DOLORES BLACKBURN, DEPUTY MAYOR
MICHAEL LENSAK
JANIS Mc GOVERN
TOM WALSH

NOVEMBER 24, 2014

EXECUTIVE SESSION – 6:30 P.M.

REGULAR MEETING – 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.

ROLL CALL: Present: Mr. Lensak, Mr. Walsh, Ms. Blackburn,
Ms. Mc Govern, Mayor Boyce
Also present: Attorney Semrau

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

EXECUTIVE SESSION: Mr. Walsh asked that DPW Contract and 9-1-1 Contract with Green Township be added to the Executive Session. Attorney Semrau requested that Cross River Fiber also be added. On a motion by Mr. Lensak, seconded by Mr. Walsh, the resolution to go into executive session to discuss

Personnel Matters:

1. Support Staff for the Joint Municipal Court

Contract Negotiations:

1. DPW Contract
2. 9-1-1 Contract with Green Township

Attorney-Client Privilege:

1. Property Located at Block 73/Lot 6
2. Cross River Fiber

Pending Litigation:

1. Tax Appeal – Young Realty v. Andover Township
, was carried unanimously.
(See Insert Attached to These Minutes)

The Committee went into executive session at 6:33 P.M. Mr. Lensak moved to adjourn executive session at 7:23 P.M., seconded by Ms. Blackburn and carried unanimously.

APPROVAL OF AGENDA Mr. Walsh moved to approve the agenda as amended, seconded by Ms. Mc Govern and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Mayor Boyce asked that the Consent Agenda be amended to include the following Resolutions:

#R2014--138 TO APPOINT JEFF SCHICK & GIANCARLO CALAMUSA TO THE POSITION OF TEMPORARY LABORER FOR THE ANDOVER TOWNSHIP DEPARTMENT OF PUBLIC WORKS ON AN AS NEEDED BASIS

#R2014--139 AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY USE AGREEMENT BY AND BETWEEN THE TOWNSHIP OF ANDOVER AND CROSS RIVER FIBER, INC. FOR PERMISSION TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE THOROUGHFARES AND PUBLIC RIGHT- OF- WAYS OF THE TOWNSHIP

Mr. Lensak moved the following consent items be approved, seconded by Mr. Walsh and carried unanimously.

*CONSENT AGENDA:

*OTHER BUSINESS:

APPROVAL OF VOUCHERS FOR PAYMENT

(See Insert Attached to These Minutes)

ACCEPTANCE OF THE CHIEF FINANCIAL OFFICER'S REPORT
FOR THE MONTH ENDING OCTOBER 31, 2014

*RESOLUTIONS:

#R2014-135

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO US BANK CUST FOR PC5 STERLING NATIONAL IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE #14-00013 SOLD FOR DELINQUENT TAXES FOR BLOCK 105 LOT 3 IN THE AMOUNT OF \$557.17

#R2014-136

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO RON RAFFINO IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE #14-00015 SOLD FOR DELINQUENT TAXES FOR BLOCK 106 LOT 13 IN THE AMOUNT OF \$1,762.97

#R2014-137

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO APPOINT CHRISTOPHER OLIVO TO THE POSITION OF CLASS II SPECIAL POLICE OFFICER FOR THE ANDOVER TOWNSHIP POLICE DEPARTMENT

*CONSENT AGENDA (CONTINUED)

*RESOLUTIONS (CONTINUED)

#R2014--138

TO APPOINT JEFF SCHICK & GIANCARLO CALAMUSA TO THE POSITION OF TEMPORARY LABORER FOR THE ANDOVER TOWNSHIP DEPARTMENT OF PUBLIC WORKS ON AN AS NEEDED BASIS

#R2014--139

AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY USE AGREEMENT BY AND BETWEEN THE TOWNSHIP OF ANDOVER AND CROSS RIVER FIBER, INC. FOR PERMISSION TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE THOROUGHFARES AND PUBLIC RIGHT- OF- WAYS OF THE TOWNSHIP

(See Inserts Attached To These Minutes)

PRESENTATION BY ERIC OLSEN, CHAIR OF THE SUSTAINABLE ANDOVER TEAM

Mayor Boyce stated that we are honored to have achieved the Sustainable Jersey Bronze Certification and Mr. Olsen is here tonight to speak about the award. Mr. Olsen presented a plaque to Andover Township Committee. He stated that he and a group from Sustainable Andover traveled to Atlantic City during the November conference to accept this award. He said that this is acknowledgment that for one Committee or person but for the efforts of many generations of this community. Volunteers were able to pull together in an effort to submit the application on behalf of Andover Township.

He then informed the Committee of the series of actions that Sustainable Andover did in order to make the Certification possible. He once again acknowledged all the hard work that has been put in here in the Town over the years. He mentioned the numerous projects such as the solar project, the rain garden, the energy audit for all municipal owned buildings. In addition, we were retrofitted many of the buildings for heating, cooling, and lighting systems. He also mentioned that the prescription drug drop off box at police headquarters yielded the Team points. He spoke briefly about the joint meeting with Environmental and Open Space and the need for volunteers was a topic of discussion.

He thanked the Committee for their continued support. Mayor Boyce thanked Mr. Olsen for his leadership in the organization.

APPROVAL OF MINUTES:

SEPTEMBER 22, 2014 REGULAR MEETING
SEPTEMBER 22, 2014 EXECUTIVE SESSION

Ms. Mc Govern moved to approve the minutes as presented, seconded by Ms. Blackburn. Roll call vote:

- | | |
|-----------------------|----------------------|
| Ms. Blackburn– yes | Mr. Lensak – abstain |
| Ms. Mc Govern – yes | Mr. Walsh – yes |
| Mayor Boyce – abstain | |

PUBLIC PORTION George Stafford of Wharton NJ was present as the director of the Highlands Coalition. He has attended local meetings around the area who receive water from the Highlands. He stated that all the water received by Andover Township is from the Highlands. He is here because the Highlands Regional Master Plan is up for renewal. He said there are about 70 environmental groups and 800 individuals involved in this that have been around before the Act was passed. Their mission is to promote environmental benefits in the Highlands. He stated they are concerned there may be an attempt to change some of the rules and revise some of the numbers. He had with him a sample resolution in support of the Highlands Act. He asked the Committee to review the resolution and consider adopting it. He will send a copy to the Clerk by email. He continued to voice his support to the Highlands Act.

Mr. Walsh asked about the reparations for the people that are using the water to the people who have the property where water is coming from. He mentioned Byram as an example stating the property owners have seen their values drop tremendously. Mr. Walsh continued to voice his opinion against the Highlands Act because how it devalued the owners; property that had been in their families for generations. Ms. Mc Govern concurred with Mr. Walsh.

Mary Jo Cato from Lew May Drive and she informed the Committee of the issues regarding the road she lives on which is a private road and her neighbor. She mentioned several complaints, which involved calling the police department to resolve. She said she is before the Committee looking for help on what she can do. She stated in the past the police were able to assist but the last call to them, an officer stated there was nothing further they could do. Following a short discussion, Attorney Semrau stated he would look into the matter further and contact Ms. Cato directly.

Ms. Gillespie asked Mr. Lensak how the meeting went with the DOT Commissioner Fox last month. Mr. Lensak stated he came in and spoke about how they didn't have any money to do anything. He added that he didn't answer anyone's questions about anything. He found it to be a waste of time and energy. He was questioned on where the money went, he very carefully said it was due to overages and contract overruns. Mr. Lensak stated he questioned Mr. Fox why are the taxpayers paying for overages. The onus should be on the contractors. Ms. Blackburn added that he hadn't been here in 15 years and most of his answers were prewise with "I've only been appointed to this position in the last three weeks." He dodged every question to the point to why he was at this meeting.

Rick Melfi asked more about the train station and Mr. Lensak stated that it is going through the governmental process and will take about two to three years.

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

ORDINANCES: PUBLIC HEARING

NO. 2014-10 AMENDING CHAPTER 3,
"ADMINISTRATION OF GOVERNMENT,"

"TO AMEND CHAPTER 3 "ADMINISTRATION OF GOVERNMENT,"
"ELECTIVE OFFICERS," TO ADD SECTION 3-5, "EMPLOYMENT
RESTRICTIONS"

Attorney Semrau explained the ordinance to the public. At this time, Mayor Boyce opened the public hearing. Ms. Gillespie asked why we couldn't make the time period longer than one year. Attorney Semrau stated you run the risk if you go out too far that someone could say you are infringing upon my rights. There was further discussion regarding the length of time suggesting that one year would be a place to begin and build from here.

ORDINANCES: PUBLIC HEARING (CONTINUED)NO. 2014-10 AMENDING CHAPTER 3,
"ADMINISTRATION OF GOVERNMENT,"

"TO AMEND CHAPTER 3 "ADMINISTRATION OF GOVERNMENT,"
"ELECTIVE OFFICERS," TO ADD SECTION 3-5, "EMPLOYMENT
RESTRICTIONS"

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 October 27, 2014, 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. Lensak. Roll call vote:

Ms. Blackburn– yes	Mr. Lensak – yes
Ms. Mc Govern – yes	Mr. Walsh – yes
Mayor Boyce – yes	

NEW BUSINESS

PIERCE ROAD – CORRESPONDENCE FROM RESIDENT REGARDING
SPEEDING VEHICLES

Mayor Boyce read the report from Special Projects Engineer Cory Stoner, DPW Supervisor Dickinson and Traffic Safety Officer Sgt. Kithcart with regard to the request for speed bumps on Pierce Road. Following review of the documents and reports received, it was in the township's best interest not to install speed bumps on Pierce Road at this point. Mr. Walsh stated that the residents who wrote the letter was going to be at the meeting tonight and he isn't present. He added that he will speak with the resident directly.

COMMITTEE REPORTS

MR. LENSAK. He had nothing to report at this time.

MS. BLACKBURN. She reported that the Land Use Board has not met since their last meeting. The Environmental Commission and Sustainable Andover along with the Open Space Committee held a joint meeting last Thursday. Mr. Olsen spoke earlier in the evening. She said those three Committees have 11 members. There is quite a bit of overlap. There are all looking for additional volunteers. The meeting went very well. She briefly mentioned the award ceremony in Atlantic City.

MR. WALSH. He spoke about Recreation and on December 7th at 1PM there is a Holiday Party for the children at the Barn. He stated that the Recreation Committee has their own Facebook page. A teen dance is being held on January 15th. A drug awareness presentation will take place for the adults that same evening at Long Pond School. He mentioned the family fun bingo nights and asked everyone to visit the website and Facebook pages. He also mentioned the NY City bus trip and seats are still available. Reporting on the DPW, they passed the Right to Know reporting conducted by the State. There are now four books they have to refer to regarding the storage and use of certain chemicals and products.

COMMITTEE REPORTS (CONTINUED)

MR. WALSH. They have been cleaning basins, getting ready for possible snowstorms coming our way. Salt brine is ready to go. WeatherWorks is calling for five to nine inches on Wednesday. He reminded everyone about Toys for tots on December 6th.

MS. MCGOVERN. She reported on the Open Space meeting and they continue to work on plans for Lake Iliff access. They are interested in new signage that will be more user friendly so people know it's available for public use. They also attended the joint meeting last week. Next meeting is December 10th and they are looking for volunteers,

She reported on the Seniors and their trip to Hunterdon Hills. Next meeting is December 1st at noon. The School Board report began with the election noting that the ballot questions failed. They need one more member for the board.

MAYOR BOYCE. He reported on the status of the joint court which will begin January 1st. The five towns have combined and are working well together. Dana Waselik has joined the court staff. There will be an average of six sessions per month.

REPORT FROM THE CLERK/ADMINISTRATOR She stated that everything was already mentioned this evening during the regular and executive session meetings.

REPORT FROM THE MUNICIPAL ATTORNEY He reported that there is no litigation outstanding with respect to the Township. The two most significant tax appeals, the nursing home has been withdrawn and with regard to the Farmstead Golf Club, the governing body has given consent to resolve the appeal which will be a resolution at the next meeting.

NEXT SCHEDULED MEETINGS: December 08 & 22
6:30PM Executive Session
7:30PM Regular Meeting

2015 Reorganization Meeting
January 02 @ 6:30PM

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Lensak moved the meeting be adjourned at 8:36 P.M., seconded by Mr. Walsh and carried unanimously.

Respectfully submitted,

Phil Boyce, Mayor

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 24th day of November 2014, that:

1. Before 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. 10:4-26, sub-section(s):
 - (x) a. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () a. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () a. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - (x) a. (4) A collective bargaining agreement including negotiations.
 - (x) a. (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.
 - () a. (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) a. (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. DPW Contract
2. 9-1-1 Contract with Green Township

Attorney-Client Privilege:

1. Property Located at Block 73/Lot 6
2. Cross River Fiber

Potential Litigation:

Pending Litigation:

1. Tax Appeal – Young Realty v. Andover Township
- () a. (8) Personnel matters.
 1. Support Staff for the Joint Municipal Court
- () 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: November 24, 2014

Moved: Lensak Seconded: Blackburn
Voted Aye: Blackburn, Lensak, Mc Govern, Walsh, Boyce
Voted Nay: None
Abstained: None
