

**TOWNSHIP OF ANDOVER  
MEETING AND PUBLIC HEARING OF  
THE SPECIAL ASSESSMENT COMMISSIONERS**

July 25, 2019 at 6:05 pm

**PRESENT:**

**Commissioners:**

John Hatzelis, Chairman  
Virginia Graves  
Daniel Cruz

**Other:**

Darren Raymond - Appraiser  
Dawn M. Sullivan – Township Attorney  
Eileen McCarthy Born – Lake Lenape Association Attorney  
Diana Francisco – Township Administrator/Clerk  
Daryn Cashin – Township Tax Collector

The meeting was called to order by Chairman John Hatzelis at approximately 6:05 pm. The Open Public Meetings statement was read.

This was the second meeting with the purpose being to discuss the special assessment being instituted in connection with two (2) loans that the Lake Lenape Association as Borrower and Andover Township as Co-Borrower obtained from the NJDEP in order to perform repairs to the Lake Lenape Dam.

Appraiser, Darren Raymond, was present to answer questions related to the Appraisal Report. Attorneys Born and Sullivan were also present to handle questions of the public not related to the Appraisal Report.

Attorney Born reintroduced the members of the Commission and the Township staff members present. She also provided clarification on several issues:

- 1) the payout process from the loan: invoices were submitted to the NJDEP, which reviewed the expense, determined if it was a permissible expense under the statute and then issued payment if it was
- 2) a correction that the attorney fees associated with the litigation that occurred during the project had been submitted to the NJDEP and paid out of the loan
- 3) the breakdown of payouts provided had been posted online and printouts provided and include expenses paid out through the NJDEP

Darren Raymond then presented his report, explaining the entire process that he followed regarding establishing the special assessment amounts for the different properties and the rationale for there being two tier of property (lake front and non-lake front).

The meeting was then opened to the public for questions.

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Members of the public asked about: the methodology of the appraisal and for more clarification as to why there were only 2 tiers; how the information was developed and/or obtained for the report; the rationale for the methodology used in the report; the differences between the special assessment analysis and process and a tax assessment; why the attorney fees from the litigation were an approved expense; why the Lenape Lake website was not updated regarding the project; how residents could go about obtaining all of the notices from the beginning of the process because of a perceived lack of any notice; options for those selling after assessment was set; the determination of the properties to be assessed and the development of the recorded map used; who oversaw the project; why residents were subject to the assessment even though they did not use the lake; the history of the Lake Lenape Community as a whole and property owners knowing they were part of the Community; details of the litigation, the reasons and the outcome; the reason there was not an “even” assessment (same assessment amount for every property).

All issues were addressed by Darren Raymond, Attorney Born and Attorney Sullivan.

At the conclusion of the public comments, the Commissioners conferred and determined that they were satisfied that the report reflected a just and equitable assessment of the benefits conferred on the property owners. A motion was made to refer the report to the Township Committee for consideration at a special meeting to be held on August 1, 2019. The motion was seconded and all Commissioners voted in the affirmative to refer the report.

Thereafter the meeting was adjourned at 9:30 pm.

Dawn M. Sullivan, Esq.  
Township Attorney