

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

**THOMAS D. WALSH, MAYOR
CHARLES GROTYOHANN, DEPUTY MAYOR
GAIL PHOEBUS
ALEX GILSENAN
BOB SMITH**

**JUNE 25, 2007
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 Walsh, followed by a salute to the flag.

ROLL CALL: Present: Mr. Grotyohann, Mr. Gilsenan,
Mr. Smith, Mayor Walsh
Also present: Administrator Padula, Attorney Semrau
Those absent: Ms. Phoebus (excused)

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

EXECUTIVE SESSION: Administrator Padula requested that Andover Township vs. Hook be added to this agenda. On a motion by Mr. Smith, seconded by Mr. Grotyohann, the resolution to go into executive session to discuss

Personnel Matters:

1. *D. Szatkiewicz, Police Officer*

Contract Negotiations:

Attorney-Client Privilege:

1. *Town Center Legal Issues*

Possible Litigation

1. *Lakeview Ridge at Andover*
2. *Possible Violation of the Law*

Pending Litigation

1. *Meda Corporation vs. Andover Township*
2. *Andover Township vs. Hook*, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:40 P.M. Mr. Smith moved to adjourn executive session at 7:39 P.M., seconded by Mr. Grotyohann and carried unanimously.

REGULAR MEETING

APPROVAL OF AGENDA Mayor Walsh asked that the agenda be amended as follows:

UNDER EXECUTIVE SESSION

Pending Litigation:

- 2. Andover Township vs. Hook

***UNDER CONSENT AGENDA**

***UNDER OTHER BUSINESS**

- 1. AMEND BILLS' LIST TO INCLUDE \$10,250.00 TO WHIRL CONSTRUCTION – PO #07-00456
- 2. APPROVAL OF OFF PREMISE MERCHANDISE RAFFLE #RL 789 – SENIOR QUALITY OF LIFE FOUNDATION – TO BE HELD AT FARMSTEAD GOLF & COUNTRY CLUB ON SEPTEMBER 30, 2007 FROM 3:00 – 6:00 PM

***UNDER RESOLUTIONS**

- 13. **#R2007-105 RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE #1902-31-013-001 CLUB LICENSE FOR LT. CHAS A. MEYER POST 86 – AMERICAN LEGION FOR TERM JULY 1, 2007 THROUGH JUNE 30, 2008**
- 14. **#R2007-106 RESOLUTION AUTHORIZING THE FILING OF A APPLICATION TO THE COMMISSIONER OF TRANSPORTATION FOR FUNDING FOR THE IMPROVEMENT OF THE ANDOVER TOWNSHIP BIKEWAY**

UNDER REGULAR AGENDA

UNDER OTHER BUSINESS

- 1. **DISCUSSION REGARDING THE PROPOSED BID FOR THE PURCHASE OF (1) 2008 STERLING L-8500 DIESEL TRUCK WITH CENTRAL HYDRAULIC SYSTEM AND ASSOCIATED EQUIPMENT**

Mr. Smith moved to approve the agenda as amended, seconded by Mr. Grottyohann and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Mr. Grottyohann moved the following consent items be approved, seconded by Mr. Smith. Attorney Semrau explained that there are liquor license renewal resolutions that the Township Committee took action on at the last meeting. He advised that it would be best if the resolutions were considered again this evening and by voting tonight the last approvals are rescinded. Although not a direct conflict with Ms. Phoebus voting, these should be voted upon with her participation.

With a first and second on the table, the motion was carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT

(See Insert Attached to These Minutes)

***ACCEPTANCE OF THE SOIL EROSION & SEDIMENT CONTROL CASH BOND
MOREL BUILDERS – 13 EILEEN’S WAY – BLOCK 69/LOT 4.18
\$3,000.00 – ESCROW #T-13-56-717-234***

***RESOLUTIONS:**

#R2007-87A RESOLUTION OF THE TOWNSHIP COMMITTEE 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, 2007 THROUGH JUNE 30, 2008

#R2007-88A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-003-002 FOR ALSATIAN CORPORATION T/A LAKE LENAPE LODGE FOR THE TERM JULY 1, 2007 THROUGH JUNE 30, 2008 WITH CERTAIN CONDITIONS

#R2007-89A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-006-002 FOR PERONA ENTERPRISES, INC. T/A PERONA FARMS FOR THE TERM JULY 1, 2007 THROUGH JUNE 30, 2008

#R2007-90A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-004-006 FOR LARRY L. SNOVER, INC. T/A THE CELLAR FOR THE TERM JULY 1, 2007 THROUGH JUNE 30, 2008

#R2007-91A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL PLENARY RETAIL CONSUMPTION LICENSE #1902-22-009-002 FOR SHERIDAN’S LODGE, INC. T/A SHERIDAN’S LODGE FOR THE TERM JULY 1, 2007 THROUGH JUNE 30, 2008 WITH CERTAIN CONDITIONS

APPROVAL OF CONSENT AGENDA (CONTINUED)***CONSENT AGENDA: (CONTINUED)*****RESOLUTIONS: (CONTINUED)**

- #R2007-92A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-005-004 FOR J & M WALDRON, INC. T/A MAX'S STATION HOUSE FOR THE TERM JULY 1, 2007 THROUGH JUNE 30, 2008**
- #R2007-93A RESOLUTION OF THE TOWNSHIP COMMITTEE 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, 2007 THROUGH JUNE 30, 2008**
- #R2007-94A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF CLUB LICENSE #1902-31-014-002 FOR THE NEWTON COUNTRY CLUB, INC. FOR THE TERM JULY 1, 2007 THROUGH JUNE 30, 2008**
- #R2007-100 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY ADVISING THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL OF NO OBJECTION TO THE ISSUING OF THE CONFLICT OF INTEREST LICENSE FOR THE FARMSTEAD GOLF AND COUNTRY CLUB FOR THE TERM JULY 1, 2007 THROUGH JUNE 30, 2008**
- #R2007-101 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO CANCEL CAPITAL APPROPRIATION BALANCES OF COMPLETED PROJECTS**
- #R2007-102 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO REQUEST THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF A \$555.58 NJDEP CLEAN COMMUNITIES GRANT IN THE 2007 MUNICIPAL BUDGET**

APPROVAL OF CONSENT AGENDA (CONTINUED)

***CONSENT AGENDA: (CONTINUED)**

***RESOLUTIONS: (CONTINUED)**

#R2007-103 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY **AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-010-003 FOR DINA'S LLC FOR THE TERM JULY 1, 2007 THROUGH JUNE 30, 2008**

#R2007-105 RESOLUTION OF THE TOWNSHIP COMMITTEE 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 FOR TERM JULY 1, 2007 THROUGH JUNE 30, 2008**

#R2007-106 RESOLUTION OF THE TOWNSHIP COMMITTEE OF TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY **AUTHORIZING THE FILING OF A APPLICATION TO THE COMMISSIONER OF TRANSPORTATION FOR FUNDING FOR THE IMPROVEMENT OF THE ANDOVER TOWNSHIP BIKEWAY**

(See Inserts Attached to the These Minutes)

***APPROVAL OF MINUTES**

**MAY 29, 2007 REGULAR MEETING
MAY 29, 2007 EXECUTIVE SESSION**

APPROVAL OF MINUTES

**JUNE 11, 2007 REGULAR MEETING
JUNE 11, 2007 EXECUTIVE SESSIONS A & B**

Mayor Walsh announced that due to a lack of voting quorum on these items, the minutes were tabled until the July 23rd meeting.

SWEARING IN CEREMONY

BRIAN E. KITHCART, POLICE OFFICER

As his parents held the Bible and Chief Coleman stood by, the Municipal Clerk administered the Oath of Office to the newly appointed police officer. A round of applause followed.

REGULAR AGENDA**LAKE LENAPE DAM REHABILITATION PROJECT – DISCUSSION**

Attorney Semrau explained that this matter goes back about 15 years. He stated that Lake Lenape Dam is a high hazard dam and in need of repair and restoration. Previously the prior Township Committee adopted an Assessment Ordinance whereby the Township was to join in the Co-Borrowers Agreement and those who benefit from the project would in fact be assessed. The association needs the Committee to do is to authorize us to go forward as a partnership, even though the association will be making the repairs. It is a \$2.3 million dollar project and they are ready to proceed in September. He also informed everyone that Engineer Golden has reviewed the project. Attorney Semrau stated that because of deadlines it is necessary that the Township Committee consider this issue tonight in order for the association to file this loan application with the NJDEP. He added that in reviewing the Ordinance adopted in 2002 they may be a need to readdress that for the next order of business.

Attorney Semrau stated that following his review of this matter, he gives his recommendation to adopt the following resolution.

RESOLUTION**#R2007-104 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER AUTHORIZING THE TOWNSHIP OF ANDOVER TO ACT AS CO-APPLICANT IN CONNECTION WITH THE DAM RESTORATION LOAN FOR LAKE LENAPE ASSOCIATION, INC. FOR THE REPAIR OF LAKE LENAPE DAM**

Mr. Smith moved to adopt this Resolution as presented, seconded by Mr. Gilseman and carried unanimously.
(See Insert Attached to These Minutes)

Lake Lenape Association President Rich Hammler thanked the Township Committee for their cooperation with this matter.

OPEN TO THE PUBLIC Diane Gillespie of Andover-Mohawk Road stated that at the last Committee meeting, there was discussion regarding the waterways in the township and the State is reviewing the regulations considering stricter laws. She asked that a letter of support be sent from Mayor Walsh to the NJDEP. Mayor Walsh asked if she had a draft letter. He asked that he have a chance to read the draft and he will speak to her later.

She then remarked, as a member of the Environmental Commission, it is the time of the year that many have noticed two invasive weeds, garlic mustard stilt grass. She held up samples of these weeds. They are the fastest invasive plants in New Jersey and if these are growing in your yard, she urged residents to remove them. There is a poison in their root system that can kill trees and bushes. They should be ripped out and placed in a plastic bag and thrown in the trash.

OPEN TO THE PUBLIC (CONTINUED) Police Officer/Traffic Safety Officer Stephen Murrell was present and he addressed complaints and concerns from residents regarding speeding vehicles in various neighborhoods. He mentioned that in reviewing the roads in Drake Manor, including Club Road and Country Club Road. He stated that the speed limit in these neighborhoods should be reduced from 30 miles per hour to 25 miles per hour. He will prepare a written request to the Township Committee to amend the current Ordinance Chapter 10-19. There were residents from Drake Manor who spoke regarding their concerns with speeding vehicles and they urged the Township Committee to make the proper adjustments to the Ordinance in order to reduce the speed limit.

Mr. Smith stated that he became aware of this issue and spent the day driving the roads and he found that 30 miles per hour is too fast for those roads. He decided to investigate this further and he asked the residents in the neighborhood their opinion on reducing the speed limit and it was unanimous that the limit needs to be reduced. He agreed with this speed limit amendment.

Attorney Semrau stated that one of the roads mentioned is where the Mayor resides so he suggested that Mayor Walsh not participate in this discussion. Attorney Semrau requested that Mr. Grotyohann as Deputy Mayor chair this discussion.

Officer Murrell commented that most neighborhoods are posted at 25 miles per hour adding he is not sure why this one was posted at 30.

Deputy Mayor Grotyohann entertained additional comments from the residents of Drake Manor as to why they feel the speed limit should be reduced.

Mr. Smith made a recommendation that an Ordinance be drafted reducing the speed limit. Attorney Semrau stated he could have one drafted if that is the consensus. It was asked what can be done in the meantime. Chief Coleman stated that the trailer has been posted in that neighborhood and the police department can continue to do so. An unidentified resident stated that since the speed limit has become an issue, there has been an increase of patrols in the area. He stated that since he voiced his concerns, Officer Murrell contact him the next day and offered his services to remedy the problem.

The neighborhood collected funds from the residents to purchase 10 "Keep Kids Alive, Drive 25" signs and they are posted are the Drake Manor.

Attorney Semrau asked the residents if they have gone to the Newton Country Club to speak to their members regarding the speeding vehicles. Chief Coleman stated he has purposely addressed this issue to their members to reduce their speed.

Chief Coleman added this is part of the duties of the Traffic Safety Bureau that is newly implemented. It is an aggressive program and he added that the township will see more of this type of investigation.

Anthony Massaro of Current Drive commented that the speed limit of 25 miles per hour is much too fast for the conditions of that road. Mr. Smith remarked that Chief Coleman with his Traffic Safety Bureau will be making recommendations as to all the roads in the municipality. Office Murrell commented that all speed limits will be reviewed but some will not meet the criteria for speed limit reduction.

Fred Gillespie of Andover-Mohawk Road complimented the Rescue Squad and Police Department for their quick response to an accident in their neighborhood. They were compassionate, professional and in control of the entire situation. Administrator Padula asked Mr. Gillespie to put his comments in writing.

Hearing nothing further, Mayor Walsh closed the public portion of the meeting.

ORDINANCES: INTRODUCTION**#2007-11 AMENDING CHAPTER 74 "LAND USE PROCEDURES"**

"AN ORDINANCE AMENDING CHAPTER 74 "LAND USE PROCEDURES," ARTICLE III, "PROVISIONS APPLICABLE TO PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT," SECTION 74-37 "COMPLETE APPLICATION; DECISIONS," OF THE REVISED ORDINANCES OF THE TOWNSHIP OF ANDOVER"

Mr. Gilsenan moved to introduce this Ordinance, seconded by Mr. Smith. Attorney Semrau stated that there is a memo from Engineer Golden summarizing the changes that have been submitted.

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2007-11, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on July 23, 2007 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. Gilsenan – yes	Mr. Grotyohann – yes
Ms. Phoebus – absent	Mr. Smith – yes
Mayor Walsh - yes	

ORDINANCE INTRODUCED**ORDINANCES: PUBLIC HEARING****#2007-12 DEED OF EASEMENT FOR BLOCK 130/LOT 11**

"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION AND ACCEPTANCE OF AN EASEMENT FOR INGRESS/EGRESS OVER ITS PROPERTY DESIGNATED AS BLOCK 130 LOT 4"

Mr. Grotyohann moved to open the public hearing, seconded by Mr. Gilsenan and carried unanimously.

Attorney Semrau explained that this is an easement where Mr. Wright has been utilizing this property and through a title he has found that his access is actually owned by the township and the State of New Jersey. He would be land locked without this access. He added that a particular Deed of Easement was drawn up for the area of the driveway to be 20 feet in width. He stated that the only change, through discussions with the State and the Township Engineer and with the property owner, instead of 20 feet in width it should be 13 feet wide easement. Because it is less not greater, it is not a substantial change. The State of New Jersey asked for a minor change, which is only change in format, and the easement should read "the grantees rights to use the easement are exclusive to the property and are limited to a residential single family use". A Hold Harmless will also be granted. He has found to be in order to adoption of this Ordinance with these changes.

Hearing no comments from the public, Mr. Grotyohann moved to close the public hearing, seconded by Mr. Smith and carried unanimously.

ORDINANCES: PUBLIC HEARING (CONTINUED)

#2007-12 DEED OF EASEMENT FOR BLOCK 130/LOT 11

“AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION AND ACCEPTANCE OF AN EASEMENT FOR INGRESS/EGRESS OVER ITS PROPERTY DESIGNATED AS BLOCK 130 LOT 4”

Attorney Semrau asked for the amendments to this Ordinance as described, going from 20 feet to 13 feet wide and the language as stated earlier specifying the property is limited to a single family residential use.

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 June 11, 2007, was advertised according to the law and was brought before the public for final consideration. There being no objections, Mr. Gilsenan moved the adoption of the above entitled ordinance, seconded by Mr. Gilsenan. Roll call vote:

- | | |
|----------------------|----------------------|
| Mr. Gilsenan – yes | Mr. Grotyohann – yes |
| Ms. Phoebus – absent | Mr. Smith – yes |
| Mayor Walsh - yes | |

ORDINANCE ADOPTED

COMMITTEE REPORTS:

MR. GILSENAN. Just returning from vacation, he had no report at this time.

MR. SMITH. He reported that website activity is doing very well this month and if continues, we will break last month’s record for number of visits.

While Ms. Phoebus in on vacation, he is providing a report on her behalf on the Department of Public Works stating that he received a disk of photographs for the website outlining projects they are working on. He stated that he has received wonderful comments regarding our Road Department.

He then reported on the PARIS grant program which involves the archiving of records. He stated he has been working with the DPW on the records retention and he was amazed at the record keeping in that department. The supervisor can tell you anything you need to know about any road, length, width, materials used to maintain it, when last maintained, when it should be serviced again. He has records on his department personnel, overtime, salaries, vacation, and use of materials. He commended the department on their efforts.

He stated that he has had no email issues that he is aware of. The network is functioning well and the next scheduled maintenance is July 2nd.

Reporting on the Senior Citizens, the next event will be July 2nd and the Fire Department has volunteered to give a demonstration on fire safety equipment. The Sussex County Senior of the Year is coming up and the Andover Regional Senior will be in contention for the Sussex spot.

COMMITTEE REPORTS: (CONTINUED)

MR. SMITH. He spoke regarding the PARIS Grant program and he stated that the first phase is just about completed and reported that Andover Township is second to Hopatcong in documenting our records, and by only a few records. We are way ahead of Sparta and Vernon.

He reported that officials from the Fire Department will be going out to Wisconsin to do an inspection on the new fire truck in about two weeks and it is scheduled for July or August. The annual Chicken BBQ is scheduled for July 28th, \$10.00 per person. Tickets are available from any fire department member.

MR. GROTYOHANN. He reported that as part of the Economic Development Committee he has been attending several growth and development seminars sponsored through the Sussex County Chamber of Commerce. Through these seminars they are looking to see how they can attract businesses to the area, commercial ratables to Andover Township.

He conducted a survey of those present as to what type of businesses residents would like or not like. A suggestion was made to place the survey on the website. Mr. Smith stated that the answers may be much skewed because it will be from only website oriented individuals and not a good cross section of the population. Various suggestions were made as to 24 hour pharmacies, coffee places, barber shop, etc. It was also suggested that a review of Newton and Sparta businesses be done and what is not available there be offered here.

MS. PHOEBUS. Absent

MAYOR WALSH. He reported that the Superintendent of Schools called to extend his thanks to the police department for their services during the ice cream social.

He stated that we have begun negotiations with the Department of Public Works. We will begin with the Police Department bargaining unit shortly.

Mr. Smith had asked how we are doing with the budget and everything seems to be on track with the exception of a few departments. Further review will be done before the next meeting.

He stated that he met with the Land Use Board Citizens Advisory Committee on COAH issues. They had a few good ideas that we will be looking into further. He stated he spoke with Monsignor McHugh from Pope John. He is acting as a go-between with officials from St. Paul's Abbey. There will then be another meeting scheduled with Father Samuel and Brother Luke.

Mayor Walsh stated that earlier this evening the agenda was amended to include the following. Administrator Padula stated he will report on this matter.

UNDER OTHER BUSINESS

**DISCUSSION REGARDING THE PROPOSED BID FOR THE PURCHASE OF (1) 2008
STERLING L-8500 DIESEL TRUCK WITH CENTRAL HYDRAULIC SYSTEM
AND ASSOCIATED EQUIPMENT**

REPORT FROM THE TOWNSHIP ADMINISTRATOR He reported on the Board of Education, in which they accepted a grant for 2007-08 school year for basic disabilities, \$2,218.00 and pre-school disabilities, \$7,874.00.

The DPW oiled and stoned Mt. Nebo, West Lakeview, Hillcrest, Cedar, Hilltop, Westview, Prospect, Ridge, Ridge Circle, Pinecliff, Ayers Circle and a portion of Fenner Drive. The costs totaled \$23,772.00. There was \$31,000. budgeted for these projects.

In speaking with the NJDEP, they informed him the Grant and Loan Program for homeowners who need to remove underground storage tanks on their property. He stated if anyone is interested to contact him.

At this time, he asked for a motion to authorize the bid for the 2008 Diesel Truck. Mayor Walsh requested a discussion at this time stating that there are three trucks all received one year apart. Specifications were drawn for aluminum components which initially is more expensive but in the long run will save money.

Mr. Smith moved to authorize the Notice of Bid for the 2008 Sterling L-8500 Diesel Truck and equipment, seconded by Mr. Gilsean and carried unanimously.

Administrator Padula stated that the infield machine and scoreboards have been delivered and he thanked Michael Morel for volunteering his time and equipment to level the property for the pole barn that will be installed.

The Township received a \$500.00 gift certificate from JIF which was spent on safety equipment such as glasses, road barricades and work gloves.

For Ms. Phoebus, he reported on the proposed trail system which will run from Andover Borough line to Florence M. Burd School. Engineer Golden conducted a presentation with illustrations, showing the proposed trail. He stated that the proposal will connect FMB School and to Hillside Park and connect to Kittatinny State Park's trail system. It will be taken along the rail line to Andover Borough. The officials from the State Park system are in full support of this project. He stated that the existing rail line is littered with several thousand railroad ties so part of the project will be to stack in an isolated area along the way. It is an expensive project because these ties are considered a hazardous material. The surface material considered would be a quarry stone. The length is approximately 3.6 miles. The good news is that the Township does own a percentage of the right-of-way and the remainder is owned by the DEP. Mr. Smith asked if the DEP has any issue with stacking the railroad ties. Engineer Golden replied they do not. Park Superintendent Rocky Gott was the one who recommended they be stacked. The right of way is about 100 feet wide, where the trail is only 10 feet.

Mayor Walsh stated that the Resolution authorizing the filing of the application was approved under #R2007-106 by Consent Agenda. Engineer Golden explained that this application seems to meet all the criteria that the State is looking for such as "does it connect the schools?", "does it connect the parks?", "does it provide safe access to schools?", answer to all is yes. Funding is being provided by the sale of property through land sale. It might also be that the township may not have to spend any monies on this project, depending on the amount received by the State and the project bid amount.

Administrator Padula continued to report that the drainage project on Skytop Road is just about done. Hillside and Fenner drainage projects is done and paving was completed last week.

He then asked the Township Committee for feedback to his memo with recommendations regarding the Fire Official. Mr. Smith suggested getting away from the complicated fee structure that was in the proposal and see an equitable flat fee per unit, similar to the one used for the tax assessor

REPORT FROM THE TOWNSHIP ADMINISTRATOR (CONTINUED) He asked the Township Committee what they think about implementing a Property Maintenance Ordinance. Attorney Semrau explained that this type of Ordinance would require a great deal of discussion because there is a lot involved. He then asked about the Hotel Occupancy Tax Ordinance.

REPORT FROM THE CHIEF OF POLICE He reported year to date calls total 7,406. There were 4,746 for Andover Township, 140 for Andover Borough, 2,262 for Hamburg and 268 for Green Township. Andover Township shows an increase of 942 calls. He asked Police Officer Murrell to come forward to report on the results of the Click It or Ticket Program. The seat belt usage for the Township went from 80% before the program began to 97% after. There were 191 summonses issued, 78 were for seat belts. Officer Murrell reported that of the \$4,000. of grant funds, all was used but \$16.00. He added that an additional \$4,000. was received for the Speed Enforcement Grant which begins July 1st and runs the entire month.

Officer Murrell reported that they received a donation from Lowes in Newton for items needed for the Crash Team Unit when there are criminal motor vehicle accidents. The department received \$230. of equipment for \$50.

Chief Coleman mentioned that he had an opportunity to respond to an accident in Lafayette where there was an overturned tractor trailer where the driver was trapped. He credited the quick response of the Andover Township Fire Department, assisted by Lafayette with Detective Danielson and Sergeant Tagliatalata to the driver's release from the vehicle.

REPORT FROM THE MUNICIPAL ATTORNEY He reported on some of the Executive Session items beginning with Meda Corporation vs. Andover Township explaining that there is a change to the Re-Subdivision Ordinance that was adopted in early 2006. There is still pending litigation regarding McGowan vs. Andover Township which is a case where a developer came before the Township Committee for a Treatment Works Approval. There is also pending litigation regarding the skate park which is being handled by the prior attorney. This matter is still ongoing regarding construction of the rink. The Lakeview Ridge issue is regarding the completion of that development.

With respect to the Town Center legal issues, as a part of the process, the wastewater management plan needs to be addressed; a process handled by the County and that plan needs to be amended to accommodate concerns to preserve the overall character of the community. He added that if there is going to be any type of COAH compliance it can be done in areas where the township officials feel it's appropriate. The Township needs to go to the County Planner and ask for some relief as to where the wastewater management plan should and should not be amended. He stated that this is a critical issue because if the County doesn't hear the concerns raised, it could take years and thousands of dollars to get that plan amended. A positive response from the County is greatly needed. Mayor Walsh had stated that a freeholder may be of assistance. Attorney Semrau suggested that the Land Use Chair and Planners also assist in this matter.

Attorney Semrau stated he would like to write a letter to County Planner Eric Snyder and ask for a meeting and the freeholder will be copied along with the Township Committee and the Planning Board. Attorney Semrau stated he read the letter drafted by Ms. Gillespie. Mayor Walsh asked that the Committee review the letter before them. Mayor Walsh then read the letter into the record.

