

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

**SEPTEMBER 10, 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 6:47 P.M. by Mayor Walsh, followed by a salute to the flag.

***MOMENT OF SILENCE IN REMEMBRANCE OF THE
SIXTH ANNIVERSARY OF THE TERRORIST ATTACKS ON AMERICA***

ROLL CALL: Present: Mr. Grotyohann, Mr. Gilsenan, Ms. Phoebus,
Mr. Smith, Mayor Walsh
Also present: Attorney Semrau

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

EXECUTIVE SESSION: Mayor Walsh asked that the following Executive Session agenda be amended to include Under Personnel – 4. Special Counsel and to Remove Under Possible Litigation – 1. Possible Violation of the Law. On a motion by Ms. Phoebus, seconded by Mr. Smith, the resolution to go into executive session to discuss

Personnel Matters:

- 1. S. Padula, Township Administrator**
- 2. Position of Tax Assessor**
- 3. J. McSherry, Police Secretary**
- 4. Special Counsel (Police Disciplinary Matter)**

Contract Negotiations

- 1. DPW Contract**

Attorney-Client Privilege

Possible Litigation

- 1. Possible Violation of the Law (Removed)**

Pending Litigation

- 1. Meda Corporation vs. Andover Township** was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:50 P.M. Ms. Phoebus moved to adjourn executive session at 7:33 P.M., seconded by Mr. Smith and carried unanimously.

REGULAR MEETING

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

Under Consent Agenda – Resolutions to add the following

7. **#R2007-133 A RESOLUTION AUTHORIZING THE APPLICATION FOR MEMBERSHIP TO THE NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND**
8. **#R2007-134 A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THOMAS PORTELLI, ESQ. TO SERVE AS HEARING OFFICER**

Resident Diane Gillespie questioned the meaning of Resolution #R2007-130 and it was explained that this mandate requires each voting machine shall produce an individual permanent paper record for each vote cast so the vote can be inspected and verified. The cost in Sussex County alone to retro-fit our new Ivotronic system would cost about \$500,000. The resolution outlines reasons why municipalities should oppose this new mandate and asked the State of New Jersey to issue a waiver to this criteria and consider alternatives to paper audit trail.

She then asked about the resolutions regarding the health benefits. Mayor Walsh explained that these resolutions will change our current carrier for Delta Dental coverage to the Health Insurance Fund, which will reveal a savings in premium for the municipality. The coverage will not change in any manner.

Ms. Phoebus moved to approve the agenda as amended, seconded by Mr. Grotyohann and carried unanimously.

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

***CONSENT AGENDA:**

***OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT

(See Inserts Attached to These Minutes)

ACCEPTANCE OF THE TAX COLLECTOR'S AUGUST REPORT - \$3,336,217.23

***RESOLUTIONS:**

#R2007-127 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AWARDING THE BID FOR THE PURCHASE OF ONE (1) 2008 STERLING L-8500 DIESEL TRUCK WITH CENTRAL HYDRAULIC SYSTEM AND ASSOCIATED EQUIPMENT TO QUALITY BUS SALES & SERVICE, INC. DBA QUALITY BUS & TRUCK CENTER

APPROVAL OF CONSENT AGENDA (CONTINUED)

***CONSENT AGENDA: (CONTINUED)**

***RESOLUTIONS: (CONTINUED)**

#R2007-128 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY **TO DIRECT THE DEPARTMENT OF PUBLIC WORKS TO PREPARE CERTAIN SURPLUS MUNICIPAL EQUIPMENT THAT IS CONSIDERED UNREASONABLY EXPENSIVE TO REPAIR FOR SALE AT THE SUSSEX COUNTY COOPERATIVE SURPLUS AUCTION 2007**

#R2007-129 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY **TO FORMALLY ACCEPT THE SKYTOP ROAD SECTION III DRAINAGE IMPROVEMENTS PROJECT, AUTHORIZE FINAL PAYMENT IN THE AMOUNT OF \$4,035.30 TO SALMON BROS., INC. AND ACCEPTANCE OF THE ONE YEAR MAINTENANCE BOND NO. 100075765 IN THE AMOUNT OF \$10,444.96**

#R2007-130 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY **IN OPPOSITION TO THE VOTER VERIFIED PAPER AUDIT TRAIL (VVPAT) MANDATED BY THE NEW JERSEY ATTORNEY GENERAL**

#R2007-131 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY **TO JOIN NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND**

#R2007-132 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY **AUTHORIZING THE AWARD OF A SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THE MORRIS LAND CONSERVANCY FOR ASSISTANCE IN THE DEVELOPMENT OF AN OPEN SPACE AND RECREATION PLAN**

(See Inserts Attached to These Minutes)

***APPROVAL OF MINUTES**

**AUGUST 13, 2007 REGULAR MEETING
AUGUST 13, 2007 EXECUTIVE SESSIONS "A" & "B"**

PRESENTATIONS (CONTINUED)**1. HUDSON FARM WEST – JOHN E. URSIN, ESQ.**

Andover Township side would be minimal and should be pleasant because it is a barn. The operation has some cows and some of the fields have been planted with crops. He stated that his clients are before Byram Township for some rezoning although they do not propose to build any new buildings. One of the uses in Byram will be the same as Hudson Farm, but on a smaller scale such as sporting clays, skeet and trap shootings. It will be very restricted in the respect that it will never be open to the public and always remain semi-private. Shootings lessons will be held for one or two people for a couple of hours, few cars and small groups of corporate outings to do some shooting. There is no firing range in the respect of rifles and handguns. Sound studies have shown that the area is generally conducive to what they want; complying with all the DEP regulations on sound and it took a bit of effort made to locate some of the areas where the shooting will take place. He added that his clients want the shooting location to be as far away from the neighbors as possible. He also stated that this proposed rezoning has very little impact on the Andover Township side mainly due to topography.

Attorney Ursin stated that he knows Andover Township is concerned about their open space and conservation and he said that is what his clients are interested as well. He added that there are a number of projects that they can be helpful with. He stated that the DEP has spoken with them about trying to preserve portions of the Andover Township side and the talks are going fairly well.

Mr. Grotyohann asked if his clients are a non-profit organization. He replied that Hudson Farm is owned by a land holding company called MMK Reinsurance, totally owned by his client is a for-profit entity but their activities here are not for profit. He stated that the Westby Farm is about 900 acres and not in very good shape. He mentioned that immediately upon purchase work need to be done.

Mr. Smith asked how this use would affect neighboring areas in terms of sound. Attorney Ursin explained that Hudson Farm is in a similar area to the property here. It is a significant land holding but on the edges there are houses. Ten years ago when the project was started, neighbors had concerns. The area they choose for shooting is carefully chosen in respect to be as far from the neighbors as possible to limit the sound. It is a low intensity use. There has never been a noise complaint from the neighbors of Hudson Farm.

Attorney Ursin mentioned the public hikes that take place at Hudson Farm in Hopatcong and Byram money raised for charity. Money is raised for their fire departments, schools and rescue squads. He stated that there is a picnic every year which is attended by their neighbors.

He spoke about the Highlands Trail which will connect the Delaware River to the Hudson River and six miles of this trail will run through their property. Not only do they allow public access in certain areas, but they also encourage it. He emphasized that there are many charity functions held at this location.

Mr. Gilseman asked what is being done with the Casperson estate. Attorney Ursin stated that his client requested of him to mention that we have this house that we don't know what to do with, adding perhaps there are groups that may be interested. The house is known as the Crow's Nest, 7,000 to 8,000 square foot house that has been dormant for the last nine months since they purchased it. Discussions were held as to possible uses for this structure.

Mayor Walsh asked about the type of shot that is used in their hunting and shooting. He replied that they are regulated by Fish and Game and they have a permit as a commercial hunting preserve. Fish and

PRESENTATIONS (CONTINUED)**1. HUDSON FARM WEST – JOHN E. URSIN, ESQ.**

Game did a hunters safety course using their facility. He added that if someone comes from out of state, permits are issued on site.

Fred Gillespie remarked that he and his wife participated in the Hopatcong hike and asked if something similar will take place in Andover Township. Attorney Ursin stated that in Byram and Hopatcong they have been lucky to have someone associated with the school to spear the hikes. All they need is someone to organize the hike which tends to be a lot of work.

Lois de Vries suggested that the Crow's Nest should be an environmental center.

Mr. Grottyhann asked about the safety guidelines and Attorney Ursin explained the entire property is used for "unorganized" shooting, regular recreational hunting. The sporting clays are different that it is organized and you walk to different stations. On the Hopatcong side you can walk almost two miles to 19 different stations, shoot at different targets. The targets can not be controlled without a guide from Hudson Farm with the remote control. The operation on the Westby Farm is much smaller in scale with perhaps a 10 station course here. In Andover Township, there will be renovation of a 2,800 square foot existing farmhouse that has a couple bedrooms. This will not suit groups of more than 12.

REGULAR AGENDA

OPEN TO THE PUBLIC Ms. de Vries asked the status of the request to have CFO Day calculate what the cost of bonding \$850,000. for RCA's against the cost of building a new school and operations. Mayor Walsh stated that they have investigated various options to address COAH obligations. We have bonded for \$350,000. this year for RCA's. Ms. Phoebus stated she believes he was working on the figures and she will check further.

Hearing nothing further from the public, Mayor Walsh closed the public portion

ORDINANCES: PUBLIC HEARING**1. #2007-15 TO AMEND CHAPTER 82 "LITTERING"**

"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 82, "LITTERING" OF THE REVISED GENERAL ORDINANCES"

Ms. Phoebus moved to open the public hearing on this Ordinance, seconded by Mr. Gilseman and carried unanimously.

Hearing no comments from the public, Ms. Phoebus moved to close the public hearing, seconded by Mr. Gilseman and carried unanimously.

ORDINANCES: PUBLIC HEARING (CONTINUED)**1. #2007-15 TO AMEND CHAPTER 82 "LITTERING"**

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 August 13, 2007, 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. Gilsenan. Roll call vote:

Mr. Gilsenan – yes	Mr. Grotyohann – yes
Ms. Phoebus – yes	Mr. Smith – yes
Mayor Walsh – yes	

2. #2007-16 INCREASE MAXIMUM FINE FOR VIOLATIONS

"AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF THE MUNICIPAL CODE"

Ms. Phoebus moved to open the public hearing on this Ordinance, seconded by Mr. Smith and carried unanimously. Attorney Semrau explained that this Ordinance is to take advantage of the State permitting municipalities to increase the maximum fines for violations from \$1,000. to \$2,000. This will give the Judge the right under some circumstances to impose such a fine up to \$2,000.

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

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 August 13, 2007, 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. Smith. Roll call vote:

Mr. Gilsenan – yes	Mr. Grotyohann – yes
Ms. Phoebus – yes	Mr. Smith – yes
Mayor Walsh – yes	

NEW BUSINESS**1. NORWESCAP SMALL CITIES BLOCK GRANT PROGRAM**

Municipal Clerk Thompson informed the Township Committee of the correspondence received from Norwescap requesting they adopt a resolution permitting the residents to file an application with them for Small Cities Block Grant which, if they qualify, will provide them with a \$5,000. no interest loan payable at 20 percent per year for the next five years. Following a short discussion, it was decided not to participate in this program at this time.

NEW BUSINESS (CONTINUED)**2. REQUEST FROM THE OFFICE OF EMERGENCY MANAGEMENT**

Emergency Management Coordinator Bob Reidmiller was present and he asked the Township Committee for authorization to purchase a 1986 ambulance from Byram Township. He explained that he would use this vehicle in case of an emergency and it will house all necessary equipment and serve as the command center. He would also use this ambulance as transportation to and from certain education seminars. He stated that funds are available in the account for this purchase. He stated that the vehicle is in very good shape with very few miles on it.

Mayor Walsh asked Chief Coleman if this ambulance was necessary. He replied in his opinion that he did not feel it is necessary. Mayor Walsh added that for \$1,250.00 he does not believe this vehicle to be road worthy in an emergency situation. Mr. Smith remarked that earlier this evening action was taken to sell our older vehicles at the next auction. He stated he did not want to turn around and buy another old one back. Ms. Phoebus asked where this vehicle would be housed. EMC Reidmiller was going to ask to leave it at town hall and if not, it would be stationed at his home. She then offered the use of one of the old police vehicles for his use when traveling to classes. Ms. Phoebus then offered available space on the second floor of the old police headquarters to locate his equipment. Mr. Grotyohann stated that given the age of this vehicle it may not be prudent to make this purchase.

Following this discussion it was decided that such a purchase would not be necessary at this time and therefore, not authorized.

OTHER BUSINESS

- 1. APPROVAL OF RAFFLE LICENSES – SUSSEX COUNTY CHILDREN'S ADVOCACY CENTER (GINNIE'S HOUSE) TO BE HELD AT THE NEWTON COUNTRY CLUB ON OCTOBER 01, 2007 FROM 11:00 A.M. – 10:00 P.M.**
- A) R.L. 795 – ON-PREMISE 50/50**
 - B) R.L. 796 – ON-PREMISE MERCHANDISE**
 - C) R.L. 797 – ON-PREMISE MERCHANDISE**

Mayor Walsh moved to approve these Raffle Licenses as presented, seconded by Mr. Smith. Roll call vote:

Mr. Gilsenan – yes	Mr. Grotyohann – yes
Ms. Phoebus – abstain	Mr. Smith – yes
Mayor Walsh – yes	

COMMITTEE REPORTS

MR. GILSENAN. He reported that he returned from a trip to Ireland noting that Andover Township's water is much cleaner. One of there major problems being overdevelopment and he visited certain towns where you could not drink their water. He also commented that the fishing is better in Lake Aeroflex. They are losing a major asset and they are now back peddling because their tourism is based on fishing.

He reported on the Joint Meeting with the Open Space and Environmental Commission and he spoke with ANJEC Project Manager David Pfeiffer and he said they have a library of ordinances that are available to us and the legal track record is also available. He mentioned the League of Municipalities also has a library of ordinances.

COMMITTEE REPORTS (CONTINUED)

MR. SMITH. Mayor Walsh thanked Mr. Smith for donating his time to the day to day municipal business. He reported that website visits broke another record at 1,352 up from 1,246 last month. Our previous record being 1,308. Andover Township Day is featured on the homepage. The Wetdown photos are located under the Fire Department.

There are no issues with email except for the fact that people are tending not to look at their mail. He asked that if you do have a township email box, please review it. Email addresses are located under the caption "directory".

Regular maintenance was performed on the network and found no major problems. He reported again that something needs to be done with upgrading the server. He has scheduled a meeting for this Wednesday for the vendor to begin to size the project. He hopes to report some options at the next meeting.

He reported that the overhead projector was due today but was delayed. The vendor provided a loaner but he stated he would wait to reveal our own and hopes to have it available for the next meeting.

He then reported on Reception/Sanitation they received 24 inquiries which were pretty much standard questions. On Technology, the Time Reporting System has been completed and that will give us the ability to track compensation time. He then mentioned the Requisition System which is available through Edmunds. Training will begin with the Finance Department with a test module. The police department will come in on phase II.

Mr. Smith then reported that the Senior Citizens had their picnic last month and they will have a White Elephant Sale during Andover Township Day. He mentioned the Assessment Report for the Paris Grant and he found it to be a fair assessment.

He then reported from Administration, Delta Dental forms have been circulated to all affected employees. He then mentioned a possible payroll change from every two weeks to the first and 15th of each month. He stated that monthly staff meetings have been reinstated on the first Wednesday of every month. He also stated that performance appraisals have been instituted, hoping to conduct and complete them by the end of the year.

Mr. Smith reported on a business in Sussex County called Back Thru the Future, recommended by Chief Coleman. They discard old and obsolete equipment and for a \$10.00 they will wipe out the hard drive and provide a certificate that they have do so. He, Chief Coleman and CFO Day will meet with officials from Back Thru the Future on Thursday.

He mentioned some streamlining of the processes in the Construction Office and he feels it is going extremely well. The reconciliation process was completed for two months in a row. Some clerical processes will be replaced with technology programs.

Mr. Smith in speaking with Attorney Semrau, it was suggested that the governing body consider work sessions which are open to the public, a more casual atmosphere and no action is taken only items discussed for the next regular meeting. Attorney Semrau outlined the work session format.

COMMITTEE REPORTS (CONTINUED)

MR. GROTYOHANN. He reported that the Board of Health has been on summer recess and they will reconvene this Wednesday. He informed everyone that the County Board of Health is holding a seminar on Thursday, September 27th regarding Smoking and Obesity in NJ and what the NJ Department of Health and Senior Services is doing to improve the health of Sussex County residents. He added that this will be a great opportunity to meet the Commissioner.

He then reported on the budget status as of August 31st. He explained that the overall budget is \$7,283,629.00 and expenditures thus far are \$3,520,571.00 which represents about 48.3 percent of the overall budget. At this point, the budget is favorable considering we are eight months into the year, 66.7 percent through 2007. He reminded that the budget is tight and many cuts were made. However, there are some budget line items in the Salary & Wages category that will be over expended near the year's end and will require budget transfers. Mayor Walsh added that there are some outstanding bills that we have yet to receive.

Mayor Walsh added that he and Charles met with officials from Thor Labs explaining that business does approximately \$7 million a year from this municipality. Mr. Grotyohann stated that he and Mayor Walsh met with them and they were thankful to the municipality, and those on the Planning Board for assistance in getting the new facility approved on Stickles Pond Road. He added that they are a great asset and ratable for this township. Their research is cutting edge. Mr. Grotyohann took a tour and he explained new equipment was demonstrated adding that this technique which is non-evasive will revolutionize the medical field. The problem is they need to expand in the future and there is a need for more property. Because of certain restrictions in New Jersey, such as the proposed C-1 Stream Designation, they may be forced to move out to Pennsylvania. Mr. Grotyohann is greatly concerned about losing such a great ratable which provides jobs to the community without impacting our school system. He thought the Township Committee should concentrate not only on bringing in new business but also keep those we have which is much more difficult.

MS. PHOEBUS. She reported on Recreation, stating that Andover Township Day is scheduled for September 22nd beginning at 11:00 a.m. with a parade from Long Pond School to the park. She added that on Tuesday, September 11th, there will be a meeting for all those who are interested in participating in Andover Township Day. If any group/commission needs a table they should attend.

Other activities provided by the Recreation Committee are, on December 1st the New York City Bus Trip is scheduled and all seats have been filled. December 2nd is the Holiday – Santa Arrives to Town Party and the Fire Department assists with that program. December 7th is the Employee/Volunteer Holiday Party at Hillside Park Hall which will include dinner, entertainment and it will be b.y.o.b. Spouses are invited to attend. On December 16th the Recreation Committee will host the Senior Citizens Luncheon and Mr. Smith will provide the entertainment. She also thanked Mr. Smith for his assistance to the town in the absence of an administrator. A round of applause followed.

She reported that the handicapped swings have been installed, one for adults and one for children. Grinnell donated pavers in order to complete this project and we are hoping to have it completed for Andover Township Day. The key to enter this playground area will be available at the police headquarters.

She then reported that she was asked to assist in the early stages of the Plan Endorsement Process. This process is where the Township does an evaluation of all different types of reports which will get us to a point where we will be able to amend the Master Plan through the Plan Endorsement and therefore be able to meet the COAH demands.

COMMITTEE REPORTS (CONTINUED)

MS. PHOEBUS. (CONTINUED) The Pre-Petition meeting was held on September 4th in Trenton and those in attendance were Land Use Chair Christodlous, Land Use Attorney Germinario, Municipal/Land Use Engineer Golden, Planner McGroarty and herself. They met with the Office of Smart Growth and there were representatives from different State agencies. At this time she is asking the governing body to consider moving forward to Step 2 which is Self Assessment. She explained that the Mayor with advice and consent from the governing body appoints an Advisory Committee.

She stated that she has tried to determine what the total cost of this process would be and she stated she was given figures but after talking to the County Administrator and Planner McGroarty, the cost may be estimated in the ballpark of \$150,000. to \$200,000. She stated that we will know more once we proceed to the next step. She also stated that we must do this process because if we don't, COAH will not certify the housing, referring to Rounds One and Two. In order for COAH to agree to the 47 units, they want to see us proceed with Plan Endorsement.

Mayor Walsh asks if everyone consents to proceeding to Step 2. Mr. Smith responded that he and Ms. Phoebus have discussed this and he stated he is concerned about the numbers. He added that he is uncomfortable with the estimated cost and before he agrees to anything he would like to see more accountability and breakdown of what does that number represent. Mayor Walsh stated we need estimates and that is what this advisory committee will do. He said what we need know is recommendations and the Township Committee will approve such a resolution. It was decided that suggestions will be available for the next meeting.

MAYOR WALSH. He reported that he sent a memo to the Township Committee regarding liaison appointments and he asked them if they are fine with their assignments and if they need to transfer responsibilities to another member, they should let him know. He asked you would like to represent the Personnel Policy and Procedures Subcommittee. Mr. Smith and Mr. Grotzmann agreed. Mr. Gilsean agreed to represent the Board of Education. Mr. Smith asked Mr. Gilsean to switch Construction Office with Recycling and Sanitation. A new list will be prepared and distributed.

He reported on COAH stating that \$350,000. was approved this year and we are looking into the possibility of acquiring some housing where we can do better. There are 10 to 12 houses they are looking into at this time because we would receive double the unit count if we own our property. Attorney Semrau has been researching other options and when the investigating is done, it will be brought before the governing body. Ms. Phoebus stated she will be meeting with Planner McGroarty on September 14th to review other options. In speaking with County Administrator Eskilson he and County Engineer Snyder have some ideas for COAH units.

Mayor Walsh asked the Township Committee their opinion regarding the consideration of a Beer Keg Registration Ordinance. Mr. Smith said that personally he thinks it's a good idea but questions the mechanics on how it will be implemented. Ms. Phoebus stated that she meant a representative from High Grade and asked him these questions. She stated that it isn't so much the underage drinking, but because the beer kegs from different distributors and have been confiscated by someone in Great Meadows. The companies are now short on kegs. She added that the \$30. deposit is not working. The distributors support this ordinance and they will come up with the tracking system. With the ordinance in place, a deposit will no longer be required.

Attorney Semrau suggested this item be listed for one of the work shops.

COMMITTEE REPORTS (CONTINUED)

MAYOR WALSH. (CONTINUED) Mayor Walsh asked the governing body to consider the possibility of a well testing ordinance which he feels would be good for the future. Attorney Semrau explained that as sub-divisions are filed, the planning board would have the tools in place to set procedures to ensure the residents in the vicinity of the subdivision are spoken for even before. He explained that he worked on one for another municipality comes with actual letters to the residents, the area to be tested, the wells that have to be drilled, the duration of the testing and the draw down. He further explained that ordinances he has seen are comprehensive with a real rational basis behind it. The consensus of the governing body was supportive of this ordinance.

REPORT FROM THE MUNICIPAL ATTORNEY He stated that the Meda Corporation litigation regarding re-subdivision, following a conference call last week, they have agreed to dismiss the complaint without prejudice. He asked for authorization to sign and file a Stipulation of Dismissal on behalf of the Township.

Mayor Walsh moved to authorize Attorney Semrau to execute the Stipulation of Dismissal without prejudice in the Meda Corporation vs. Andover Township matter. Motion was seconded by Ms. Phoebus and carried unanimously.

Attorney Semrau stated that the Plenary Retail Distribution License was received from the State of NJ ABC and the process is now complete.

Regarding the payroll change, he suggested that there be a motion in order to notify the employees and bargaining units that they have 30 days if they object.

Ms. Phoebus moved to authorize an amendment to the payroll schedule to two pay periods per month effective January 1, 2008 and notify the bargaining units of this consideration of this change.

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

Personnel Matters:

1. ***S. Padula, Township Administrator***

Contract Negotiations

2. ***Andover Borough***, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 9:24 P.M. Mayor Walsh announced that there is a possibility that formal action may be taken.

RECESS CALLED AT 9:24 P.M.

MEETING RESUMED AT 9:45 P.M.

Ms. Phoebus moved to adjourn executive session at 11:00 P.M., seconded by Mr. Grotyohann and carried unanimously.

REGULAR MEETING RESUMED

INTERLOCAL AGREEMENT WITH ANDOVER BOROUGH ACTION. Attorney Semrau explained that there is an Interlocal Service Agreement with the Borough of Andover that is dated November 26, 2002 and scheduled to expire and terminate November 30, 2007. There was discussion in Executive Session that there would be a call for a motion to notify Andover Borough that the Township has no intention to continue with such services beyond November 30, 2007 deadline.

Ms. Phoebus moved to notify Andover Borough that the Township has no intention to continue with this agreement beyond November 30, 2007 deadline, seconded Mr. Smith and carried unanimously.

RESOLUTIONS:

#R2007-135 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE ACCEPTANCE OF STEVEN PADULA'S RESIGNATION AND THE EXECUTION OF A SEPARATION AGREEMENT

Ms. Phoebus moved to adopt the foregoing Resolution, seconded by Mr. Smith and carried unanimously.

(See Insert Attached to These Minutes)

NEXT SCHEDULED MEETINGS: Monday, September 24, 2007 6:30 p.m.
Regular Meeting 7:30 p.m.

Tuesday, October 09, 2007 6:30 p.m.
Regular Meeting 7:30 p.m.

ADJOURNMENT No further business appearing before the Committee at this time, Ms. Phoebus moved the meeting be adjourned at 11:02 P.M., seconded by Mr. Smith and carried unanimously.

Respectfully submitted,

Tom Walsh, Mayor

Vita Thompson, R.M.C.
Municipal Clerk