

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

MAY 13, 2013

EXECUTIVE SESSION AT 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 Walsh, followed by a salute to the flag.

ROLL CALL: Present: Ms. Blackburn, Mr. Boyce, Mr. Lensak
Ms. Mc Govern, 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: On a motion by Mr. Lensak, seconded by Mr. Boyce, the resolution to go into executive session to discuss

Personnel Matters:

Contract Negotiations:

1. ***Dental Coverage/Review of Proposals***
2. ***Rolling Hills Condominiums/Lease Agreement***
3. ***Special Projects Engineer***
4. ***Cell Tower Lease Assignment – Nextel***

Attorney-Client Privilege:

1. ***Old Creamery Property Status***
2. ***Review of Purchase Order #1230 – Corrigan Law Firm***
3. ***Stickles Pond Road Project***

Potential Litigation:

Pending Litigation:

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

The Committee went into executive session at 6:34 P.M. Ms. McGovern moved to adjourn executive session at 7:29 P.M., seconded by Mr. Lensak and carried unanimously.

REGULAR MEETING

APPROVAL OF AGENDA Mr. Lensak moved to approve the agenda as presented, seconded by Mr. Boyce and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Mayor Walsh asked that the Corrigan bill, PO 1230, be added to the Approval of Vouchers. Mr. Boyce moved the following consent items be approved, as amended, seconded by Ms. McGovern and carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT

(See Insert Attached to These Minutes)

ACCEPTANCE OF THE TAX COLLECTOR'S APRIL 2013 REPORT

\$851,651.41 – YEAR TO DATE - \$5,955,464.18

REPORT FROM THE FIRE CHIEF Chief Steinwand was present and gave his report for the month of April.

REPORT FROM THE RESCUE SQUAD LIAISON Mr. Lensak reported for Municipal Liaison to the department, Rourke Day. He provided Mr. Lensak with the report to present to the Committee this meeting. The written report was made available to the full Committee.

PROJECT PRESENTATION FROM RYAN BILLS – EAGLE SCOUT CANDIDATE

Ryan Bills was present and provided copies of his project design to the Committee. He stated he has designed a rain garden at Hillside Park. The garden will be designed to take water from the roof into the garden and it will runoff to the lake. He discussed the size of the garden as well as the type of indigenous, non-evasive plants for the project. He stated the total cost will be about \$700.

He asked if someone from the town assisted with the mulch delivery. The mulch has been donated for this project. Mayor Walsh stated that DPW Dickinson nodded that he will be happy to assist. Water is needed for this project as well.

Following a short discussion, Attorney Semrau added that in order to provide immunity for the Township and Ryan there should be a motion to adopt this plan and the Township Engineer should sign off as well.

Ms. Blackburn moved to approve this plan subject to the municipal engineer's review, seconded by Mr. Lensak and carried unanimously.

Mayor Walsh stated of all the Eagle Scout project designs he has seen, this is one of the most aggressive he has seen.

RETIREMENT PROCLAMATION – JAMES HAGGERTY
IN HONOR OF 21 YEARS OF SERVICE

Jim Haggerty was present. Mayor Walsh called him to the dais as he read the proclamation into the record. He was also presented with a clock from the Township. There was a round of applause.

PROCLAMATION FOR 2013 ANDOVER REGIONAL SENIOR CITIZEN OF THE YEAR
LOUIS COPPOLINO

Mayor Walsh also read the proclamation to our Senior of the Year. Mr. Coppolino was presented his proclamation at the recent Seniors' meeting last week. There was a round of applause.

PUBLIC PORTION Diane Gillespie asked about the status of an email sent to the Committee two weeks ago. She asked if the Committee had an opportunity to discuss this as a possibility to learn more about it. She referred to an article in the Star Ledger this past March 31 about Plumsted Township. They interviewed various electric providers and contracted with one for the entire municipality to take advantage to opt into the contract, that was negotiated by the Township. The residents can opt out at any time during this one year contract. Mr. Lensak liked that idea and following a short discussion Ms. Thompson was directed to reach out to the administrator of Plumsted Township.

Maureen Coppolino on behalf of her husband Lou thanked the Mayor and Committee for that beautiful proclamation. She stated he was not able to attend this evening. She took this opportunity to commend the Road Department. She said she doesn't know anyone personally on the department but the job they do speaks for itself. She complimented them on the street sweeping, brush pickup and snow removal services. She wanted them to know how much their work is appreciated.

Jim Woodstrom asked a question at the last meeting with regard to Chief Tagliatela's stipend. He asked if it is income and if so, does he receive a 1099 for taxes. Ms. Thompson stated the stipend is not on his base, but as an employee of the township, taxes are taken from that salary so no 1099 is needed. That form is used only for contractors. She said that stipends are not listed on the salary resolution but in the agreement with the township.

Brian Kithcart, President of FOP Lodge #177, spoke about a letter submitted to Ms. Thompson about the discussion of dental coverage proposal listed for Executive Session for the past several meetings. He stated he is here to gather additional information on this topic and set up a meeting with all union representatives for the township. He stated that a meeting is in order because a change in benefits is a contractual issue. He respects the idea of trying to save money but he would like to make certain that there are no issues down the road. Mayor Walsh stated that once the Committee has everything in order, he would like to have Mr. Lensak and Ms. Thompson meet with the bargaining units regarding these proposals.

Mr. Lensak explained that at this moment we are looking at everything to see what our options are. He said he understands the "equal to or better" listed in each contract and he stated we will maintain that. From a contractual standpoint, he feels we will be compliant on anything we do. He said there have been some offers on the table that didn't meet that criteria and they haven't been considered.

Mr. Kithcart understands the need to review proposals to save money but urged the need to recognize the contract and the "equal to or better" approach when reviewing all ideas and plans.

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

RESOLUTIONS**#R2013-76 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 SATURDAY, MAY 25, 2013**

Mr. Lensak moved to approve the foregoing resolution as presented, seconded by Mr. Boyce and carried unanimously.

(See Insert Attached to These Minutes)

NEW BUSINESS**CONSIDERATION OF SUMMER HOURS FOR THE MUNICIPAL BUILDING**

Ms. Thompson explained that this practice was followed last summer where the municipal building remained open on Wednesdays until 6PM and closed on Fridays at 1PM. She stated that it was very successful last year. The residents and others visiting the building liked the opportunity to come after their workday during the summer for various reasons. If approved, the summer hours will run from Memorial Day through Labor Day. Mr. Boyce asked about the hours for the Court. Ms. Thompson explains that the Court Administrator will stay to 6PM on Wednesdays unless there is a Court Session scheduled that week, in which her late night would be Thursdays. Ms. Thompson stated that some municipalities close entirely on Fridays during the summer. She stated that she rather have the building open until 1PM than not at all. Fridays in the summer are days when people take off to take care of matters. She stated that it would be a disservice to the public not to have availability on Fridays.

Ms. McGovern moved to honor summer hours for the municipal building, seconded by Mr. Boyce and carried unanimously.

COMMITTEE REPORTS:

MS. MCGOVERN. She reported that the Seniors next meeting is scheduled for May 20th and there will be a presentation by the Andover Subacute. Meeting begins at 1PM and it is always open to new members.

She attended the recent School Board meeting and asked questions that Mayor Walsh had asked about the enrollment for the 2013-2014 school year. She stated the current enrollment is at 606. It is anticipated to increase by a few more students, looking at about 610 for the coming school year. They have 260 students who attend Newton High School. The high school enrollment for the coming school year looks like 250. She said there were four positions cut. She also said that Mayor Walsh had questioned if the school can make money by being a School of Choice. She said that Green has taken part in that program. Andover Regional is making their application for School of Choice designation for the 2014-2015 school year. This designation will attract students from other districts and we will receive the tuition for that student paid by the sending district. She also spoke about the prospect of an all-day kindergarten. Sixty percent of the areas schools do have full day sessions for kindergarten. The exploratory committee is composed of the superintendent, principals, teachers and parents. They are looking at the transportation aspect as well.

Mayor Walsh commented on the lower enrollment for the high school. He said he knows the cost is about \$15000 per student, which equates to \$150,000 in savings. He asked if that reduction could cause the State to reduce State Aid to the district. Ms. McGovern stated that off the top of her head, probably. Mayor Walsh commented that we save \$150,000 but we might not the entire amount depending on the possible cut in Aid. Ms. McGovern stated she will ask the school officials about this matter.

COMMITTEE REPORTS (CONTINUED)

MR. BOYCE. He reported on the Municipal Court stating he spoke to Judge Devine and everything is running smoothly in the Court. He stated that the retired Court Administrator acting as a mentor to Ms. Walls is close to completing her assignment.

He commented on Dress Down Friday and this contribution for \$180 went to offset costs for Doreen's Day. To date, the employees have contributed over \$3000. The program started in 2005.

He then reported on the opening of Dale's Market that opened for Mothers' Day. The nursery portion has opened with the remainder of the facility projected to open by July 4th. He then commented that the coffee shop Savour opened recently as well. He then remarked that he stopped by Blooms of Elegance across the street from Savour and she renewed her lease for two years. Business seems to be coming back to Andover Township. Mayor Walsh added that Hollywood Tans is opening soon and a chocolate and ice cream shop is opening next to Pezzo Pizza. They moved their business from Lafayette Village.

MS. BLACKBURN. She reported that the Land Use Board met last week for approval of vouchers but there are three applications in the pipeline for the Board to review. She concurred that business is picking up in Andover Township.

She then reported on the Environmental Commission and as presented by Ryan Bills, most of the discussion was concerning the rain garden. She stated they also spoke about the possibility of having some in house training for the Environmental Commission members. Some members have been on the Commission for several years and some for several months. Homework from that meeting is to collect information that will be helpful to be together in house training. For some members this will be a review course and others new training.

Ms. Blackburn then reported on the Sustainable Andover meeting, formerly known as the Green Team. Most of the meeting was spent discussing recommendations from the meeting with herself and Attorney Semrau, David Kolstad and Eric Olsen. They discussed the creation of an Ordinance recognizing Sustainable Andover and the recommendations were forwarded to the attorney in order to prepare the Ordinance. The draft submitted needs some tweaking so she will meet with Attorney Semrau before the next meeting to iron out some of the wording. Eric Olsen was in the audience and he said he welcomes the opportunity to become a little more formal and develop a cleaner line of communication with the Township Committee. He added that he believes this is long overdue and looks forward with working with the governing body. Ms. Blackburn then touched on the certification process, which will give them recognition with the State's sustainable program. She explained that Sustainable Andover hasn't completed Step 4 in the process, which is formalizing the organization.

MR. LENSAK. He reported on the police department stating that Chief Tagliatela and Detective Mosner who are here tonight, attended the presentation on Gang Awareness 101. Lt. Danielson and Officer Youngs attended a program held by the Criminal Justice Information System Control Unit. The calls volume look stable by the report submitted.

He then reported on the Economic Development Committee stating he stopped in on some of the new businesses that recently opened. He stopped in at Dale's Market and they are very happy in the way the town handled everything. He stopped by Savour and spoke to Brandie. She had kind words for the town, but it seems it is the County giving businesses a difficult time. That seems to be the case with most of the businesses. He gave kudos to the town hall personnel.

COMMITTEE REPORTS (CONTINUED)

MAYOR WALSH. He reported that he attended the Seniors meeting and presented Lou Coppolino with his Proclamation. Bella Italia catered lunch. He spoke with Mrs. Coppolino and she spoke highly of the police department, giving special thanks to Detective Mosner. He assisted the Coppolino with an internet fraud issue. Mr. Lombardi also praised the police department during the Seniors meeting.

He then stated several weeks ago, that the Committee took action on a resolution to fertilize the fields for \$7000. He stated he looked further into this and said that the contract calls for feed on the fields 6 times in the contract year. He said if we were to do it 4 times a year, in house, the cost would be over \$8000 plus the cost of the license, labor, and liability.

He then reported on the receipt of an \$185,000 for Stickles Pond Road. The project will probably begin next summer. There are negotiations in place in order to do the entire road rather than just a portion with the grant funding.

Following his attendance at the Seniors' meeting, Mr. Lombardo gave kudos to Tax Collector Daryn Cashin for a job well done. Mayor Walsh also announced that the State gave the Township \$17,000 for Clean Communities for 2014.

REPORT FROM THE CLERK/ADMINISTRATOR An invitation was sent from Sussex County for anyone to attend the annual public hearing on the County's application for funds for the Senior Citizen and Disabled Residents Transportation Assistance Program. The hearing is scheduled for June 11th at the Freeholders' meeting room at 12 noon.

On May 9th Governor Christie returned the Early Voting Bill back to the Senate without approval. He asked that they take another look because he felt the plan currently in place for early voting is substantial to meet the voters' needs.

REPORT FROM THE MUNICIPAL ATTORNEY He reported that the Township Committee had taken proposals for the buyout of certain cell tower leases on Goodale Road. He gave a brief history of the acceptance of the buyout for the Nextel lease only. The bid was awarded to Landmark Dividend for \$317,000. Landmark came back and began to express reservations about going forward. The Committee authorized that he commence litigation and Landmark Dividend was notified and the proposal is to settle this claim for \$20,000. The Township will continue to collect rent on the leases, but brings in \$20,000 in settlement.

Mr. Boyce moved to settle this litigation for \$20,000, seconded by Mr. Lensak and carried unanimously.

NEXT SCHEDULED MEETINGS: June 10 & 24, 2013
6:30PM Executive Session
7:30PM Regular Meeting

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Lensak moved the meeting be adjourned at 8:30 P.M., seconded by Mr. Boyce and carried unanimously.

Respectfully submitted,



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

Tom Walsh, Mayor

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Committee of the Township of Andover on the 13th day of May 2013, 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) 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.

- 1. **Dental Coverage/Review of Proposals**
- 2. **Rolling Hills Condominiums/Lease Agreement**
- 3. **Special Projects Engineer**
- 4. **Cell Tower Lease Assignment – Nextel**

Attorney-Client Privilege:

- 1. **Old Creamery Property Status**
- 2. **Review of Purchase Order #1230 – Corrigan Law Firm**
- 3. **Stickles Pond Road Project**

Potential Litigation:

Pending Litigation:

- (x) a. (8) Personnel matters.
- () 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: May 13, 2013

Moved: Lensak Seconded: Boyce
Voted Aye: Blackburn, Boyce, Lensak, Mc Govern, Walsh
Voted Nay: None
Abstained: None
Resolution adopted. MAY 13, 2013
