

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

JULY 22, 2013

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 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: Mr. Lensak asked that the agenda be amended to add under Attorney-Client Privilege, Settlement Funds for the Nextel Cell Tower Matter. On a motion by Mr. Lensak, seconded by Mr. Boyce, the resolution to go into executive session to discuss

Personnel Matters:

1. Police Department Staffing

Contract Negotiations:

1. Dental Coverage/Review of Proposals
2. Rolling Hills Condominiums/Lease Agreement
3. Cross River Fiber – Request for a Municipal Right of Way Agreement

Attorney-Client Privilege:

1. Smith Property
2. Tax Revaluation Process
3. Settlement Funds for the Nextel Cell Tower Matter

Potential Litigation:

Pending Litigation:

1. SMAC Corporation

, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:32 P.M. Mr. Boyce moved to adjourn executive session at 7:38 P.M., seconded by Ms. Blackburn and carried unanimously.

Page - 2 -

ANDOVER TOWNSHIP COMMITTEE

July 22, 2013

## REGULAR MEETING

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

APPROVAL OF CONSENT AGENDA ITEMS Mr. Boyce moved the following consent items be approved, 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 JUNE 2013 REPORT  
\$97,080.30 – YEAR TO DATE \$10,086,673.68

REPORT FROM THE POLICE CHIEF

REPORT FROM THE CHIEF FINANCIAL OFFICER FOR THE  
MONTH ENDING JUNE 30, 2013

### \*APPROVAL OF MINUTES:

MARCH 25, 2013 EXECUTIVE SESSIONS "A" & "B"  
APRIL 22, 2013 REGULAR MEETING  
APRIL 22, 2013 EXECUTIVE SESSION  
MAY 13, 2013 REGULAR MEETING  
MAY 13, 2013 EXECUTIVE SESSION

### APPROVAL OF MINUTES

JUNE 10, 2013 REGULAR MEETING  
JUNE 10, 2013 EXECUTIVE SESSION

Mr. Boyce moved to approve the foregoing minutes as presented, seconded by Ms. Blackburn. Roll call vote:

Ms. Blackburn – yes  
Mr. Lensak – abstain  
Mayor Walsh – yes

Mr. Boyce – yes  
Ms. Mc Govern – yes

AWARD PRESENTATION BY BILL & JUDY BOSWORTH  
FROM THE GARDEN STATE SURVIVORS

Bill and Judy Bosworth came before the Township Committee with special recognition and a plaque for the Andover Township FOP Lodge #177. Present were Police Chief Tagliatela, FOP President Brian Kithcart and Vice-President Dan Kern to accept the award. A round of applause followed.

REPORT FROM THE FIRE CHIEF

PRESENTATION BY THE FIRE DEPARTMENT – CAPITAL IMPROVEMENTS

Chief Steinwand gave his report for the month of June and thus far in July. Following his report he informed every one of the annual Chicken BBQ and Golf Outing.

President Rick Melfi and Captain Bill Gallagher came before the Committee to speak about their Capital Projects plan and the five year vehicle projection. They gave complete details regarding the need for a rescue vehicle. They spoke about the mandates that must be followed when designing fire department equipment. They also mentioned the five year plan, which was modified about three years ago. Officer Gallagher then explained how the figure for a new fire truck was derived.

Mr. Boyce asked Mr. Gallagher to speak about the current vehicle that needs to be replaced. Mr. Gallagher stated that the truck is 15 years old. He also spoke about the remaining aging fleet. There are mechanical issues that with some of the trucks, parts are no longer available. The last purchase was a tanker in 2009. Mr. Boyce spoke about this vehicle and how it is needed at just about every call. He said it is probably the most expensive piece of fire equipment any municipality has to purchase. Following this discussion there was a consensus for the CFO to prepare financing options for the fire rescue truck and have this report for review at the next meeting. There was also a consensus that an approval to move forward on the truck will be discussed following review of the financing options at the next meeting. At this time the Committee discussed their commitment to the Fire Department for a new rescue truck.

REPORT FROM THE RESCUE SQUAD LIAISON No one was available to give this report but copies were provided in the Committee's packets.

REPORT FROM SUSTAINABLE ANDOVER David Kolstad reported on the status of Sustainable Andover including the success of the Rain Garden, their garden plot located at Sunset Vista Farms and the harvest of vegetables being donated to the Bodhi Monastery Food Bank. He also spoke about the Baseball Mania and Football Mania fundraisers. He also mentioned the initiatives reviewed by the Board and its progress. He also reported that the organization applied for a \$1000 grant through Sustainable Jersey. A resolution will be considered later this evening by the Township Committee.

REGULAR AGENDA

PUBLIC PORTION Linda Golonski asked if the Committee could explain all the Ordinances on the agenda for introduction and public hearing. Mayor Walsh replied we will explain each one when we reach it on the agenda.

Diane Gillespie asked about the fire truck funding and the monies made available for a portion due to the Susquehanna-Roseland agreement. Attorney Semrau explained that through negotiations with other affected municipalities to settle litigation, the settlement was based on the actual usage and presence that PSE&G would have in each separate municipality. The remainder of the funding will be financed through the township without the need for bonding. Attorney Semrau stated there is a formula they used to distribute the funding fairly. She then asked if there is

any way to budget a certain amount of money every year for 18 years to finance a fire truck when one is needed. Mayor Walsh explained we tried to do this every year with every budget and because of increasing taxes, that money is removed from the budget. He said that \$25,000 was earmarked for this expenditure and in order to reduce the taxes, this was removed following each public hearing.

Maryann Frodella was present to inform the public of the Yankee game bus trip scheduled for August 8<sup>th</sup>. She left flyers for the public to take home.

ORDINANCES: INTRODUCTION

NO. 2013-07 REPLACE EXISTING 911 RECORDING SYSTEM

“AN ORDINANCE TO REPLACE EXISTING 911 TELEPHONE RECORDING SYSTEM FOR THE TOWNSHIP OF ANDOVER AND TO PROVIDE FOR THE FUNDING THEREOF”

Chief Tagliatela was present to explain the need for the funding of the 911 Recording System.

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2013-07, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on August 26, 2013 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:

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

NO. 2013-08 REPLACE EXISTING POLICE DEPARTMENT WEAPONS

“AN ORDINANCE TO REPLACE EXISTING POLICE DEPARTMENT WEAPONS AND ACCESSORIES FOR THE TOWNSHIP OF ANDOVER AND TO PROVIDE FOR THE FUNDING THEREOF”

Chief Tagliatela also explained the need to fund this project as well.

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2013-08, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on August 26, 2013 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:

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

NO. 2013-09 PURCHASE NEW DUMP TRUCK FOR DPW

“AN ORDINANCE TO PURCHASE A NEW DUMP TRUCK FOR DPW, FOR THE TOWNSHIP OF ANDOVER AND TO PROVIDE FOR THE FUNDING THEREOF”

DPW Supervisor Dickinson was present and he explained the need to fund for a new dump truck. He reiterated what he explained at the last meeting.

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2013-09, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on August 26, 2013 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:

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

Page - 5 -

ANDOVER TOWNSHIP COMMITTEE

July 22, 2013

ORDINANCES: INTRODUCTION (INTRODUCTION)

ORDINANCE NO. 2013-10 TO FUND FOR OIL AND STONE

“AN ORDINANCE TO OIL AND STONE VARIOUS TOWNSHIP ROADS, FOR THE TOWNSHIP OF ANDOVER AND TO PROVIDE FOR THE FUNDING THEREOF”

Mayor Walsh gave a short report on this Ordinance for the oil and stone of certain roadways and why we need to begin maintaining roads before they become costly to repair.

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2013-10, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on August 26, 2013 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:

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

ORDINANCES: PUBLIC HEARING

NO. 2013-06 UPGRADE RADIOS FOR THE TOWNSHIP

“AN ORDINANCE TO UPGRADE RADIOS FOR THE TOWNSHIP OF ANDOVER AND TO PROVIDE FOR THE FUNDING THEREOF”

Ms. Mc Govern moved to open the public hearing, seconded by Mr. Boyce and carried unanimously. DPW Supervisor Dickinson explained the need for this upgrade including the installation of a repeater. This will enable them to communicate with the police and fire departments. They also have separate channels so each department can speak among themselves.

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 26, 2013, was advertised according to the law and was brought before the public for final consideration. There being no objections, Mr. Boyce moved the adoption of the above entitled ordinance, seconded by Mr. Lensak. Roll call vote:

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

RESOLUTIONS

#R2013-100 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO ANOTHER LLC IN REGARDS TO THE REDEMPTION OF TAX SALE #10-00001 SOLD FOR DELINQUENT TAXES FOR BLOCK 93, OF \$27,365.09 LIEN, CERTIFICATE LOT 1, IN THE AMOUNT

Ms. Mc Govern moved to approve the foregoing as presented, seconded by Mr. Boyce and carried unanimously. (See Insert

Attached to These Minutes)

Page - 6 -

ANDOVER TOWNSHIP COMMITTEE

July 22, 2013

RESOLUTIONS (CONTINUED)

#R2013-101 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO GOLD TYPE BUSINESS MACHINE, INC. TO PROVIDE THE TOWNSHIP COP™ E-TICKETING HARDWARE AND SOFTWARE WITH INFO-

Mr. Lensak moved to approve the foregoing as presented, seconded by Mr. Boyce and carried unanimously. (See Insert Attached

to These Minutes)

#R2013-102 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 – NJDOT GRANT FOR ROAD STICKLES POND

Mr. Boyce moved to approve the foregoing as presented, seconded by Ms. Mc Govern and carried unanimously. (See Insert

Attached to These Minutes)

#R2013-103 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY OF SUPPORT FROM THE TOWNSHIP COMMITTEE AUTHORIZING THE EXECUTION AND SUBMISSION OF THE SUSTAINABLE JERSEY GRANT APPLICATION

Mr. Boyce moved to approve the foregoing as presented, seconded by Ms. Blackburn and carried unanimously. (See Insert Attached

to These Minutes)

COMMITTEE REPORTS:

MAYOR WALSH. He reported that with the opening of Dale's Market, there are seven new businesses to open in Andover Township this year. The Grand Opening will be scheduled this Fall. He announced that Max's Station House celebrated 30 years in business in Andover Township. Farmstead Golf & Country Club celebrated 50 years this past

weekend. He then spoke about the pavilion construction and it should be completed tomorrow. He then stated that in speaking with Ray Ayers, he had suggested selling paving blocks with engraving to raise money. He reported that the YMCA camps have been very successful.

Mayor Walsh then stated that PSE&G, working with the State Parks is designing a plan to continue the trail from Lake Iliff Road down along Limecrest Road to Route 206 in Andover Borough. All funding will be provided by PSE&G.

Mayor Walsh then reported on a meeting with Attorney Semrau and Ms. Thompson and officials from Braen Industries. They stated they are pumping, and is down about 50 feet and is going to about 200 feet. During this discussion they agreed to show us all the information including the permits. Mayor Walsh then said that Attorney Semrau asked if they would enter into an agreement keeping the lines of communication open while they are pumping. They agreed to stay in contact with us.

MR. LENSAK. He reported as well on the opening of Dale's Market. He added that Dale's ice cream counter will be opening soon. He stated the softball tournament is set for September 7<sup>th</sup>.

COMMITTEE REPORTS (CONTINUED)

MS. BLACKBURN. She reported that the Appellate Division struck down Governor Christie's attempt to cease the COAH Trust Funds. She stated that though COAH has lain dormant for a while it could be revived fairly soon.

MR. BOYCE. He mentioned the Fire Department's annual Chicken BBQ scheduled for July 27<sup>th</sup>. Tickets are going fast. The golf outing for the department is scheduled for August 28<sup>th</sup>. He also spoke about the cleanup at the Springdale Farmers Market, which is long overdue.

MS. MCGOVERN. She reported on the Seniors meeting where the Andover Township Police Department attended the meeting last Monday. Chief Tagliatela, Detective Mosner and Officer Kithcart gave a presentation on drug use and the increase of break-ins where people are looking specifically for prescriptions. The FOP Lodge #177 provided lunch. She then announced the Senior Sampler exercise program, free of charge beginning this Wednesday. The YMCA is sponsoring the program.

She then reported on the School Board meeting and Andover collaborated with Sussex County Community College and by this time next year, the school will have an acceptable amount of bandwidth to run their technical equipment. The technology report was presented last week in order to prepare for the State's mandate.

REPORT FROM THE CLERK/ADMINISTRATOR She continued the discussion started by Mayor Walsh on the continuation of the trail. She stated she spoke with representatives from the State as well as Engineer Golden regarding the details. A consensus was given by the governing body to inform the State Parks Commission and PSE&G that the Township is interested in working with them on this project.

She reported that this past Wednesday a group of Seniors assisted the employees in the annual tax bill mailing. She thanked them adding that without their help the bills would not have gone out as scheduled.

REPORT FROM THE MUNICIPAL ATTORNEY He added to the Braen Industries update by stating that Braen has hired Mat Mulhall who has been the Township's hydrogeologist so it is important for the Township to look for another professional to fill this vacancy. He did ask Braen if we could still speak with Mr. Mulhall to ask what he has been involved in.

NEXT SCHEDULED MEETINGS: August 26, 2013  
September 09 & 23, 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 9:01 P.M., seconded by Mr. Boyce and carried unanimously.

Respectfully submitted,

---

Tom Walsh, 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 22nd day of July 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.

Contract Negotiations:

1. Dental Coverage/Review of Proposals
2. Rolling Hills Condominiums/Lease Agreement
3. Cross River Fiber – Request for a Municipal Right of Way Agreement

Attorney-Client Privilege:

1. Smith Property
2. Tax Revaluation Process
3. Settlement Funds for the Nextel Cell Tower Matter

Potential Litigation:

Pending Litigation:

1. SMAC Corporation

( ) a. (8) Personnel matters.

1. Police Department Staffing

( ) 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: July 22, 2013

---

Moved: Lensak      Seconded: Boyce  
Voted Aye: Blackburn, Boyce, Lensak, Mc Govern, Walsh  
Voted Nay: None  
Abstained: None  
Resolution adopted.    JULY 22, 2013

---