

# ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

NOVEMBER 25, 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  
Also present: Attorney Semrau  
Excused: Mayor Walsh

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

**EXECUTIVE SESSION:** Deputy Mayor Lensak requested the following amendments to the Executive Session: Chief Tagliatela under Personnel Matters, Current Drive and Miller Sheep Ranch under Attorney-Client Privilege. On a motion by Ms. Mc Govern, seconded by Mr. Boyce, the resolution to go into executive session to discuss

**Personnel Matters:**

1. **Police Department Staffing**
2. **DPW Staffing**
3. **Chief A. Tagliatela**

**Contract Negotiations:**

**Attorney-Client Privilege:**

1. **Limecrest Quarry Status Report**
2. **Current Drive**
3. **Miller Sheep Ranch**

**Potential Litigation:**

**Pending Litigation:**

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

The Committee went into executive session at 6:35 P.M. Mr. Boyce moved to adjourn executive session at 7:17 P.M., seconded by Ms. Blackburn and carried unanimously.

RECESS WAS CALLED AT THIS TIME.

**REGULAR MEETING**

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

**APPROVAL OF CONSENT AGENDA ITEMS** Ms. Blackburn moved the following consent items be approved, seconded by Mr. Boyce.

**\*CONSENT AGENDA:**

**\*OTHER BUSINESS:**

***APPROVAL OF VOUCHERS FOR PAYMENT  
(See Inserts Attached to These Minutes)***

***ACCEPTANCE OF THE CHIEF FINANCIAL OFFICER'S REPORT FOR  
THE MONTH ENDING OCTOBER 31, 2013***

***ACCEPTANCE OF THE TAX COLLECTOR'S OCTOBER 2013 REPORT  
\$2,521,293.18 – YEAR TO DATE - \$17,578,841.27***

**APPROVAL OF MINUTES:**

**SEPTEMBER 09, 2013 REGULAR MEETING  
SEPTEMBER 09, 2013 EXECUTIVE SESSION**

Ms. Blackburn moved to approve the foregoing minutes as presented, seconded by Ms. Mc Govern.

Roll call vote:

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

**SEPTEMBER 23, 2013 REGULAR MEETING  
SEPTEMBER 23, 2013 EXECUTIVE SESSION**

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

Roll call vote:

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

**PRESENTATIONS**

**LETTER OF COMMENDATION – POLICE OFFICER EDWARD DIKLICH**

Chief Tagliatela presented Officer Diklich with special commendation for his actions in response to a call for assistance. Chief Tagliatela commended Officer Diklich for his outstanding performance while demonstrating a high level of professionalism and initiative while performing a lifesaving event. There was a round of applause. Officer Diklich expressed his appreciation for this commendation.

**PRESENTATIONS (CONTINUED)****ROSEVILLE ROAD TRAIN STATION CONCEPT PLAN –  
JESSICA C. CALDWELL, SPECIAL PROJECTS PLANNER**

At the request of the governing body, Ms. Caldwell was asked to come before them to discuss her report. She outlined a general planning process for consideration. She drafted a cope of work that will provide the Committee with a budget outlining details with adjustments along the way. She spoke about the adoption of an amended Master Plan and zoning for the area that implements the Master Plan and vision. The amendment will outline what types of uses will be permitted and in what densities and how uses may be mixed. The Master Plan should also look at transportation issues and set goals for improving access to the station for multiple modes of transportation.

In closing she stated that there may be grants available for the Township to assist with the infrastructure and transportation related projects. She mentioned the NJDOT Transit Village program that provides funding for the infrastructure. She also stated that the process can be scaled to meet the needs and budget of the Township.

**PUBLIC PORTION** Mr. Steven Warburton-Pitt of Andover Township expressed his deep concern with regard to plans regarding a food waste facility at the former Miller Sheep Ranch. Jay Fischer, owner of the business relocating to this area, along with his wife Jill were present. Mr. & Mrs. Fischer gave a short explanation of the business and offered to provide answers to anyone's questions and concerns. They also offered a tour to anyone who is interested to learn more about this operation. There was a question regarding a bond be posted by AG Choice. Mr. Fischer explained that the State mandates there be a \$1 million insurance policy before any approvals are given. AG Choice has been operating in Green Township since 2007. Deputy Mayor Lensak explained that this Committee does not have jurisdiction over this operation. Anyone with questions should contact SWAC.

**ORDINANCES: INTRODUCTION****NO. 2013-15 TO AMEND CHAPTER 103  
SECTION 103-3 "RULES OF CONDUCT"  
"PARKS AND RECREATION AREAS"**

***"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO PROHIBIT SMOKING WITHIN BOUNDARIES OF TOWNSHIP PARKS, PLAYGROUNDS AND RECREATIONAL AREAS, ASIDE FROM DESIGNATED SMOKING ZONES"***

***BE IT RESOLVED*** by the Mayor and Committee of the Township of Andover, that Ordinance #2013-15, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on December 09, 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 – absent



**NEW BUSINESS****DPW STAFFING DISCUSSION**

Following a short discussion, it was decided to have DPW Supervisor Darren Dickinson come before the Committee at the next meeting.

**COMMITTEE REPORTS:**

**MS. BLACKBURN.** She reported on the Land Use Board stating that due to the applicant's error, the hearing had to be postponed. She then reported on the Environmental Commission stating that they once again did not have a quorum for an official meeting.

**MS. MCGOVERN.** She reported on the Seniors stating that the Sheriff's Office came to the meeting. They presented an overview of how the department runs. The department is broken down into two units; the Bureau of Law Enforcement and Bureau of Corrections. She explained the jurisdiction regarding each. She said that the jail was built in 1978 to hold 88 inmates and in 2011, the jail population averaged 185 inmates on a daily basis. She then explained the programs that are offered at the jail. She then spoke about their home detention program which uses the bracelet technology. Since they implemented that program there has been a decline in medical costs because the County is not responsible for their health related costs. The medical costs were also reduced by having a doctor and nurse on staff. Ms. McGovern stated that 80% of those housed at the jail are there because of a drug related incident. She also stated that Sheriff Strada said that the Andover Township Police Department and volunteers did a phenomenal job during Superstorm Sandy.

She then reported on the Board of Education meetings and stated that the Board applied to the Department of Education for 26 School Choice Student Swaps. The Department of Education only approved seven. There was discussion on how to market Andover's schools. Ms. McGovern stated she recommended a YouTube video highlighting their strengths, programs that Andover has that other districts may not. She also mentioned several grants that they received because of the technology program. They are also continuing with their security updates. Ms. McGovern then reported on the Sustainable Andover meeting held at Kittatinny State Park with a potluck dinner. The team discussed their accomplishments for the year and spoke about the coming year. She then mentioned the Winter Market at the end of February at Hillside Park Barn.

**MR. BOYCE.** He applauded Officer Diklich on his accomplishments. He spoke about the need to honor our volunteers for the work they do and by doing so we are letting the public know the kind of departments we have in Andover Township. He stressed that Andover Township has great services. Echoing what Mayor Walsh mentioned at the last meeting about having an Award of Honor presentation at the next meeting. He spoke briefly about the accident on Route 206 and the amazing work 16 individuals that responded to that call at 1AM. This presentation honoring this act of heroism will be held during the December 9<sup>th</sup> meeting. All agreed. Mr. Boyce then read the statistics report from the fire department.

On a personal note, he reported on the Guatemala fundraiser stating that the goal was \$20,000 and they raised \$30,000 to feed almost 700 starving children there. Adding that amount with the earlier fundraiser, the radio station is feeding almost 1200 children in Guatemala. He stated he is very proud of his radio station and its listeners for doing such a great job. He stated he is scheduled to go to Haiti in January.

**DEPUTY MAYOR LENSAK.** He reported there were three police officers that were awarded Valor Certificates at the Lake Mohawk Country Club for a situation that arose at Rolling Hills Condominiums. Their professionalism at the scene diffused what could have been an awful outcome. He congratulated Lt. Danielson, Officer Laoudis, and Dispatcher Ragsdale. He also mentioned the Andover Borough accident and commended our officers and volunteers for their bravery during that incident. He then read the police department and Lakeland Emergency Squad's reports for the month. He then mentioned the FOP Toys for Tots event on December 7<sup>th</sup> at the Barn.

**REPORT FROM THE CLERK/ADMINISTRATOR** She stated that she spoke with Wendy Molner from the Passaic County Energy Pricing Cooperative and she asked if she could come before the governing body with a short presentation. This cooperative program is a way for counties and municipalities to provide their residents and local businesses with a lower-cost utility option. It is available to all eligible residents currently not under contract with an existing Third Party Supplier. Following a short discussion the Committee agreed to listen to the presentation with no promise of adopting any Ordinance and/or Resolution at that time.

She then reported on the Sussex County Economic Partnership luncheon which she attended for Mayor Walsh. She stated that Mayor Walsh was nominated for the Municipal Award. Ms. Thompson stated that the award went to Hardyston Township. When accepting the award for Hardyston, Manager Maryann Smith stated that she credits their new Sign Ordinance as a way to be more business friendly. With that said, Ms. Thompson asked Attorney Semrau for a copy of that Ordinance so that the Committee could review it and revise it, if necessary to meet Andover Township's needs.

She then mentioned that Dale's Market also received an award and Chuckle Time was nominated. Ms. Thompson stated that Stuff the Bus program was located at the First Hope Bank last Friday and today and tomorrow the bus will be at the Dale's Market location on Newton-Sparta Road.

**REPORT FROM THE MUNICIPAL ATTORNEY** Attorney Semrau spoke briefly on the legal issues surrounding the Current Drive matter. He suggested a survey be sent to all residents of the street, asking what they would like see done with the roadway. The Committee agreed.

**NEXT SCHEDULED MEETINGS:**    **December 09 & 23, 2013**  
6:30PM Executive Session  
7:30PM Regular Meeting

**January 03, 2014**  
**Reorganization Meeting**  
**6:30PM**

**ADJOURNMENT**    No further business appearing before the Committee at this time, Ms. Blackburn moved the meeting be adjourned at 8:36 P.M., seconded by Mr. Boyce and carried unanimously.

Respectfully submitted,

  
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Mike Lensak, Deputy Mayor

  
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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 25<sup>th</sup> day of November 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. ***Rolling Hills Condominiums/Municipal Services Agreement***

**Attorney-Client Privilege:**

- 1. ***Limecrest Quarry Status Report***
- 2. ***Current Drive***
- 3. ***Miller Sheep Ranch***

**Potential Litigation:**

**Pending Litigation:**

- 1. ***SMAC Corporation***

- ( ) a. (8) Personnel matters.
  - 1. ***Police Department Staffing***
  - 2. ***DPW Staffing***
  - 3. ***Chief A. Tagliatela***
- ( ) 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: November 25, 2013

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Moved:	Blackburn	Seconded:	McGovern
Voted Aye:	Blackburn, Boyce, McGovern, Lensak		
Voted Nay:	None		
Abstained:	None		

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