

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

APRIL 28, 2014

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, Ms. Mc Govern,
Mr. Walsh, Mayor Boyce
Mr. Lensak arrived at 6:57 P.M.
Also present: Attorney Semrau

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

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

Personnel Matters:

1. **Police Department Staffing**

Contract Negotiations:

1. **FOP #177 Police Department Contract**

Attorney-Client Privilege:

1. **Old Creamery Road Property
Block 60/Lot 4.06**

Potential Litigation:

1. **Andover Borough/Andover Township Fire Department – Tort Claim Notice**

Pending Litigation:

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

The Committee went into executive session at 6:33 P.M. Mr. Walsh moved to adjourn executive session at 6:53 P.M., seconded by Ms. Mc Govern and carried unanimously.

EXECUTIVE SESSION “B”: At this time Mayor Boyce asked to amend the Executive Session to add the Newton Water Main Break under Potential Litigation. Mr. Walsh moved to go into Executive Session “B” as amended, seconded by Ms. Mc Govern and carried unanimously.
(See Insert Attached to These Minutes)

The Committee went into executive session at 6:53 P.M. Mr. Walsh moved to adjourn executive session at 6:59 P.M., seconded by Ms. Mc Govern and carried unanimously. Recess called at this time.

REGULAR MEETING

APPROVAL OF AGENDA

APPROVAL OF CONSENT AGENDA ITEMS Mr. Walsh asked that the check for the Lake Lenape Water Company be held and sent only if the streets opened due to the water main breaks are restored to original condition. All agreed.

Mr. Walsh moved the following consent items be approved, as amended, seconded by Ms. Mc Govern and carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

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

***RESOLUTIONS:**

#R2014-59 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 BARRY J. KRAUSER, MAI, CRE, FRICS OF INTEGRA REALTY RESOURCES, FOR PROFESSIONAL APPRAISAL SERVICES FOR THE LITIGATION ENTITLED YOUNG REALTY ASSOCIATES V. TOWNSHIP OF ANDOVER, DOCKET NOS. 005002-2012, 001476-2013 AND 002419-2014, REGARDING PROPERTY LOCATED AT LAWRENCE ROAD, BLOCK 109, LOTS 4.02, 4.03 & 5.02, AND BLOCK 116, LOTS 16 & 24.03

(See Insert Attached to These Minutes)

APPROVAL OF MINUTES:

FEBRUARY 24, 2014 REGULAR MEETING
FEBRUARY 24, 2014 EXECUTIVE SESSIONS "A" & "B"

Ms. Mc Govern moved to approved the foregoing minutes as presented, seconded by Ms. Blackburn.
Roll call vote:

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

MARCH 10, 2014 REGULAR MEETING
MARCH 10, 2014 EXECUTIVE SESSION

Ms. Mc Govern stated that on page 4 the roll call should be corrected to read Mr. Lensak and Ms. Blackburn were absent. Mr. Walsh moved to approve the minutes as amended, seconded by Ms. Mc Govern.
.Roll call vote:

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

PRESENTATION**OFFICER DANIEL KERN – National Law Enforcement Officers Memorial Run**

Officer Daniel Kern was present at the request of Mayor Boyce to present to the Committee and public the annual motorcycle run for National Law Enforcement Officers who have died in the line of duty. Last year he rode for Andover Township Police Officer Bill Bosworth. Every officer that rides picks an officer to honor. This year he is riding for Deputy Joseph Whitehead of the Bibb County Georgia Sheriff's Office. He was killed during a narcotics investigation in 2006. Officer Kern stated he has become friends with Deputy Whitehead's mother and sister. They begin their ride from East Hanover and ride to Somerset. From there they ride to Delaware and from Wilmington to Annapolis Maryland. The final trip is from Annapolis to Washington DC. Along the way, they stop at schools, shopping centers to raise awareness to those officers who have given their lives in the line of duty. He provided pamphlets and the website regarding the event if anyone is interested in donating. Mayor Boyce thanked Officer Kern for his contribution to this fundraiser adding that when any of our employees do something like this he said he believes it deserves public recognition.

PUBLIC HEARING FOR THE ADOPTION OF THE 2014 MUNICIPAL BUDGET

Mayor Boyce opened the public hearing of the budget. Linda Golonski stated she spoke to the CFO earlier today because she was interested in the information regarding revenues. She said that she should use the annual audit, which was being conducted at the time she visited the building. She spoke about the monies received for various projects such as the cell towers and asked where we can find this in the budget. Mayor Boyce stated that the revenues are declining about \$90,000 at one point. Ms. Magura stated that all that information is listed under Miscellaneous Revenues and not anticipated. Those funds go into our surplus. Mr. Walsh added approximately \$175,000 is received from the cell tower leases. We don't show that in the anticipated and put some in Reserves for future use. We were using \$50,000 a year from the sale of a liquor license. Mr. Sarinelli stated that the Anticipated Fund Balance had been decreased but the Anticipated Revenues in this budget were increased by \$37,000 to help offset the loss of Fund Balance. Mr. Walsh mentioned a meeting three or four years ago when we dipped into the Reserves a bit more than we should have.

Seeing no other hands, Mayor Boyce closed the public hearing and opened discussion among the Committee.

Mayor Boyce stated we conducted four budget hearings prior to the Introduction of the Budget a month ago. We are coming in this year with an increase of \$350,000 over last year. He stated this is a little concerning to him, which will mean the average homeowner will pay \$96 more this year over last year. The average home is \$241,000. He spoke briefly about tax appeals and found that this year they are lower than in previous years. He thought perhaps property values declined and they did a little bit. He said he could not see what can cause such a high increase. Mr. Sarinelli stated when the recession first started it was the decision of the governing body to cut the homeowners most during the most desperate of times. More Fund Balance was anticipated than in previous years. Line items were kept at the bare minimum over that period so the budget could be kept as low as possible. At this point, it has caught up with the Township. He added that in looking at the number of line items that increased, the major ones were Police Salary & Wages up \$63,000, the DPW Salary & Wages up \$56,000, Reserve for Uncollected Taxes is up \$40,000, Dispatch was up \$30,000, Clerk Salary & Wages up \$28,000, Health Insurance up \$23,000, Police O & E up \$8000. There were many line items without an increase. He said in his opinion why these items increased this year might be because the Township felt they held things back for so long that there is the need to provide services to the municipality.

Ms. Mc Govern stated up until last year we did have certain items we were using to keep the budget down and now those items have been used and are gone. Mr. Walsh stated we still have to maintain the services.

PUBLIC HEARING FOR THE ADOPTION OF THE 2014 MUNICIPAL BUDGET (CONTINUED)

Mr. Sarinelli reminded everyone that during the worst part of the recession there was little or no increase in the taxes. It was known that this was going to happen and he stated he does not think anyone is shocked by it, until you see the result and how it impacts the taxpayer. He added that County taxes are increasing about 1.5%. Mayor Boyce stated he compared other towns to Andover Township's budget and some are similar. He said he has been watching other budgets come in and he mentioned some towns' budgets decreasing and others with a smaller increase than Andover Township. He said he has a hard time voting to increase the taxes by \$96 when it is double what the highest of our other towns in the County are doing. Mr. Walsh reminded everyone for the past five years he warned not to tap into the Reserves and do not go for a zero, flat budget or one percent. He said vote for what it is. You cannot provide the services and not have the budget increase to pay for them. He said this should not be a surprise to anyone sitting here for the past several years that this day would come. Mr. Walsh added that the Committee sat here for the past four meetings reviewing the requests from the various departments, cutting slightly as we went along and nothing was done during those meetings.

CFO Magura added that those items in the budget set by contract cannot be touched and need to be financed. She also stated some of the other towns mentioned do not have a police department, garbage contracts, and dispatchers. These items affect the budget immensely. We have less debt now than we did 10 years ago.

Mayor Boyce then stated there was a request to add a person for Town Hall to begin in July. The argument is that Ms. Pieragowski will retire in January so we need to begin training someone but he said he does not feel we need to train someone for six months. CFO Magura and Mr. Walsh stated that the budget is for someone in the Clerk's Office and we need to consider someone to replace Ms. Pieragowski in the Finance Office for January. Mayor Boyce said he doesn't know that at a time when its this height that we can afford to hire someone. He spoke about an employee of the DPW that resigned and instead of reducing the budget; we added that money to the overtime budget. He asked if we needed to add that entire balance to the overtime budget. CFO Magura stated based on the winter storms we have reached the amount of overtime originally budgeted and not knowing what this winter will bring, there is very little left in the overtime budget at this time.

Mr. Lensak gave a brief history of the past budget hearings and adoptions reminding everyone that Mr. Sarinelli did say to be careful how far you reduce the budget. He said we have great services and they have to be financed. Mr. Walsh stressed we need to raise each year's budget a little every year to avoid an increase such as this one. Years of keeping the numbers down now need to be addressed. Ms. Blackburn thanked Ray, Tom and Mike for the history on the past budgets and though she isn't thrilled with the current increase, we need to adopt a responsible budget to cover our expenses and contracts. There was a brief discussion regarding the Bond Ordinances and the Debt Service. Mr. Sarinelli added that in 2012 the tax rate only went up one cent.

RESOLUTIONS**#R2014-60 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE
TO ADOPT THE 2014 MUNICIPAL BUDGET**

Mayor Boyce read the Resolution statement into the record. Mr. Walsh moved to adopt the 2014 Municipal Budget as presented, seconded by Ms. Mc Govern. Roll call vote:

Ms. Blackburn – yes	Mr. Lensak – yes
Ms. Mc Govern – yes	Mr. Walsh – yes
Mayor Boyce – no	

PUBLIC PORTION Jackie Espinoza of JCP&L spoke about the road closures for work on the transmission lines, stating that the Police Department was a tremendous help. This was a last minute request to do the tree trimming work and the responsiveness was fantastic. Mayor Boyce asked if this work was done by helicopter and it was. Ms. Espinoza then spoke about the tours at the Morristown facility and encouraged everyone to attend if they can. She then stated that garage sales signs are being posted on utility poles, which should not be done for safety reasons. Mayor Boyce thanked Ms. Espinoza for the level of cooperation and communication with the town advising of power outages. There was also discussion regarding the trucks now equipped with GPS. Mr. Lensak spoke briefly about the email notification service for power outages. Ms. Espinoza urged residents to go to My Town web page to view areas that are affected by outages for their convenience. John Carafello commented on the fabulous job that JCP&L did during the Sandy storm and other events as well.

Diane Gillespie asked about Resolution #R2014-61 regarding the police department. Mayor Boyce stated questions will be addressed at that time. She then questioned the consideration of summer hours for town hall stating that this has been done in the past but she asked the Committee to consider opening later on Wednesdays and remain open until 6PM instead of closing at 1PM on Fridays. Mr. Walsh stated that the Construction Office comes in at 8AM on Wednesdays and people are lined up by 7:45 adding that 10AM will never be convenient for contractors and others. Ms. Thompson explained with the reduced number of personnel in town hall and the summer vacation season approaching, it is very difficult to properly staff the offices. Having reduced hours on Friday will assist in employees coming in, saving their leave time knowing they are leaving at 1PM and have the remainder of the day for themselves.

ORDINANCES: PUBLIC HEARING

ORDINANCE NO. 2014-04 TO AMEND CHAPTER 190 "SIGNS"

"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND CHAPTER 190, "ZONING," ARTICLE XI, "SIGNS," OF THE CODE OF THE TOWNSHIP OF ANDOVER"

Mayor Boyce stated we have discussed this Ordinance over the course of several meetings along with subcommittee meeting reports so everyone should be up to speed on these amendments. Diane Gillespie asked about the affixing of signs to trees, rocks and other natural structures on page 3 and referring to page 2 allows the posting of one sign for trespassing. Mr. Lensak said any sign cannot be posted to trees or rocks but one can be posted for trespassing. Attorney Semrau stated that it is subject to interpretation and the record reflects the spirit of the ordinance by the governing body, which is the intent.

Ms. Golonski then mentioned the First Hope Bank sign and Mr. Lensak stated that he felt the approval by the Planning Board 10 years ago was not to permit the sign to scroll. It was intended to be static. Attorney Semrau stated that facility had a site plan approval and the sign may have been part of that approval. If it was not then it is an issue for the zoning officer. Ms. Thompson will review the matter with the zoning officer. There was a short discussion regarding real estate signs and following that discussion the ordinance was further amended to increase those signs, and to be consistent, other signs to a maximum of eight square feet.

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 April 14, 2014, was advertised according to the law and was brought before the public for final consideration. There being no objections, Mr. Walsh moved the adoption of the above entitled ordinance, seconded by Ms. Mc Govern. Roll call vote:

Ms. Blackburn – yes

Mr. Lensak – yes

Ms. Mc Govern – yes

Mr. Walsh – yes

Mayor Boyce – yes

RESOLUTIONS**#R2014-61 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY APPROVING THE TERMS OF THE ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE LODGE #177**

Mayor Boyce explained that this resolution addresses the work the Committee has done with the FOP for the past several months in order to obtain an agreement. He said it is in the town's best interest if it becomes necessary to hire another police officer. He said now we have two openings, one because of a transfer and the second by a pending retirement. The intent is to put two officers in the Academy. The Committee was concerned it has become difficult to give police officers lifetime benefits. Now we are paying \$300,000 for retired employees. In order to reach a compromise, this agreement was drafted and designed to address this issue. Benefits would be covered after retirement until age 65. The number of years for Andover Township service has been increased to 25. Attorney Semrau explained what would happen if there was a transfer from another municipality.

Mr. Walsh moved to approve the foregoing resolution subject to final review by the labor counsel, seconded by Ms. Blackburn and carried unanimously.
(See Insert Attached to These Minutes)

NEW BUSINESS**DISCUSSION REGARDING THE AIRPORT SAFETY ZONE AND THE FORMER NEWTON AIRPORT SITE**

Mr. Walsh stated he was under the impression that the Newton Airport was decommissioned. He also stated that he thought we rezoned the area to Commercial/Industrial. Ms. Blackburn stated this issue was brought up by Mr. Melfi at the Land Use Board. He had asked that this be brought before the Township Committee. She said there are four zones affected by the airport safety zone. Mr. Walsh stated he did speak to George Sous from PSE&G and the rumors that they would deed the property over to the Township when they are done with the project are false. They paid \$3.1 million for the property and there is no way they can do that. He then added that Mr. Sous said when they are close to winding down the project; they will approach the Committee and ask what we would like to see at that location. They are willing to work with us.

There was a short discussion regarding the possibility of rezoning the area. Attorney Semrau stated you would begin with consideration of an amendment to the Master Plan and then considering a concept for the area. He then mentioned the possibility of it being deemed an Area in Need of Redevelopment in which you could make it a payment in lieu of taxes and the revenue goes to the Township as opposed to any other entity by Statute. This process gives you other options. Mr. Walsh stated that there will be a subcommittee meeting with the Economic Development membership to continue discussions and evaluation of available options. There was a short discussion regarding the airport and Homeland Security as initiated by Mr. Lensak. This matter will be further investigated as well.

CONSIDERATION OF SUMMER HOURS FOR TOWN HALL EMPLOYEES BEGINNING MAY 5 THROUGH OCTOBER 31, 2014

There was a consensus of the Committee to amend the municipal building hours to allow for this summer schedule.

COMMITTEE REPORTS:

MS. BLACKBURN. She mentioned as a matter of Other Business, as she was driving along Route 206 she noticed in the past several months three businesses have closed. She said she spoke to Mr. Melfi before about Route 206 looking like a blighted area. She wasn't sure what we could do. Mr. Walsh said he spoke with the zoning officer earlier in the year referencing that a portion of Route 206 could be deemed an Area of Redevelopment. They discussed things they could do because it looks rather sad. Mayor Boyce asked if this is something for the Economic Development Committee to review and comment along with the Land Use Board. They also spoke about the County's assistance in these issues.

She added that none of her Committees have met since the last Township Committee meeting.

MR. LENSAK. He reported that he was attending a business meeting in Arizona. Reporting on the police department, the monthly reports show that crime data is quiet. Training was held and completed for some of the officers.

MS. MCGOVERN. She reported on the last School Board meeting. She thanked Attorney Semrau for his letter to SECTV regarding their need for bandwidth. She also thanked the DPW who came in and swept the area, which they recess. The natural gas conversion project is moving along and should be finished in September. They applied for State Aid and 40% of the cost of that project is covered by that grant. Everything had to be changed making this conversion a major undertaking. They approved hiring special counsel to review the board's contract with the Newton School District. Ms. Mc Govern stated she spoke with Ms. Van Auken today and asked her about the fuel costs and she said they budgeted \$57,000 for fuel oil and the final number turned out to be \$119,000 because of the severe winter. Natural gas would have cost significantly less, perhaps half. Their budget meeting will be discussed during the next meeting. The solar project is in its final stages. They have been working daily on their deficient plan and they are hoping they have everything under control. Updates are weekly on the school's website.

Reporting on the Seniors, they elected their Senior of the Year who is Ed Dougherty and he is the current President. The luncheon is May 19th. She invited the Committee along with their guests. At the last meeting County Clerk Parrott and Surrogate Chiusano spoke about their offices and how Seniors can contact them.

MR. WALSH. He reported on the DPW stating for the month of April they did the final chipping throughout the town, street sweeping was done on a regular basis and today was the final sweep for the season. All ball fields were groomed and are in order for opening day, which was this past weekend. They cleaned 380 out of 700 stormwater catch basins and they continue to work on the balance. They sent 750 tons of road sweepings to the landfill, they conducted minor pothole repair, they are in the process of switching out seasonal equipment. They repaired some of the catch basins in addition to cleaning. The DPW provided vehicle service to the fire department's fleet. Inspection of the Lakeland fleet is scheduled for May 19th. They plan on mulching the beds in all municipal grounds and they will be pulling a concrete pad for the pavilion at the park. Oil & Stone was approved for \$200,000 so those projects will begin on various roads. Stickles Pond is scheduled for repaving. The hockey rink wood surround needs to be replaced and painted. This would be a great Eagle Scout project so if anyone knows someone looking for a project to please let him know. Reporting on the Hillside Barn he was approached by several individuals, one of which was a police officer and they said that there is a parking problem in front of the Barn. People are parked in an apparent fire zone. He is recommending an ordinance to enforce the parking area there. He mentioned Discretionary Funds were applied for Pinkneyville Road and we need to go out to bid for Stickles Pond Road in which we received Municipal Aid.

Reporting on Recreation, there was a teen dance, an Easter Egg Hunt, which were a huge success. On May 16th is Bingo Night and on May 31st is Family Fun Day, Miss Andover contests and a movie night in which the movie Frozen will be shown. Other events planned are the Town wide Garage Sale, the Senior Luncheon and the Holiday Party.

COMMITTEE REPORTS (CONTINUED)

MR. WALSH. On a personal note, he then thanked everyone who came out and assisted during and after his family suffered a house fire. He mentioned the quick action of our great fire department and how proud he is of everyone in this town. He said the emergency squad and police department were awesome in what they did. He said this is the best town to live in.

MAYOR BOYCE. He asked Ms. Blackburn to mention the Clean Communities Day. She said that Robyn Hattersley is the town's coordinator and we receive a grant every year. Groups from around the community are given an area of town to clean. She said most people commented that this year the areas were found in good condition requiring less time because of less debris.

He referenced Officer Kern's presentation this evening and how most people do not like police officers until the time you need them. He then spoke about an accident that occurred in Sparta when Officer Laoudis of the Andover Township Police Department responded along with Sparta while the young boy was hanging upside down in the vehicle attached to his seat belt. He then spoke about the Ascot Apartments fire, which was intestinally set. Once again, our units did a fabulous job. He thanked our department along with all the other departments that assisted.

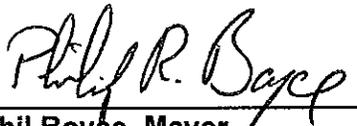
REPORT FROM THE CLERK/ADMINISTRATOR With everything mentioned earlier and other matters covered under Executive Session there is nothing more to report other than a meeting at the County Administration Building. The State DOT will be notifying municipalities of the Route 206 paving project, which will run from the Byram line to the Frankford line. This meeting begins at 11AM and the police chief and emergency management were invited to attend.

REPORT FROM THE MUNICIPAL ATTORNEY He stated that at the last meeting a resident spoke about open pit fires and the smoke blowing into his home. He looked and though there are some State regulations, there's rule on the local level that talk about regulating open fires. Wind speed and lot size do determine if you can burn a fire. If the Committee wishes him to do so he could look further into this matter. Mayor Boyce stated that after the last meeting he was told that State Forestry and Wildlife do have jurisdiction if they are called to investigate.

He then stated that the Township Committee did approve an agreement with Rolling Hills and they are have finalized the wording and we are waiting for signatures at this time.

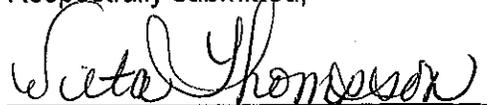
NEXT SCHEDULED MEETINGS: **May 12, 2014**
 June 09 & 23, 2014
 6:30PM Executive Session
 7:30PM Regular Meeting

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Walsh moved the meeting be adjourned at 9:35 P.M., seconded by Mr. Lensak and carried unanimously.



Phil Boyce, Mayor

Respectfully submitted,



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

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION "A"

BE IT RESOLVED by the Township Committee of the Township of Andover on the 28TH day of April 2014, 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) a. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () a. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () a. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - (x) a. (4) A collective bargaining agreement including negotiations.
 - (x) a. (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.
 - () a. (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) a. (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. ***FOP #177 Police Department Contract***

Attorney-Client Privilege:

1. ***Old Creamery Road Property
Block 60/Lot 4.06***

Potential Litigation:

1. ***Andover Borough/Andover Township Fire Department
Tort Claim Notice***

Pending Litigation:

- () 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: April 28, 2014

Moved:	Blackburn	Seconded:	Walsh
Voted Aye:	Blackburn, Mc Govern, Walsh, Boyce		
Voted Nay:	None		
Abstained:	None		
Absent:	Lensak		

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION "B"

BE IT RESOLVED by the Township Committee of the Township of Andover on the 28TH day of April 2014, that:

2. 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) a. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- () a. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- () a. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
- (x) a. (4) A collective bargaining agreement including negotiations.
- (x) a. (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.
- () a. (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) a. (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:

Attorney-Client Privilege:

Potential Litigation:

2. *Newton Water Main Break – Sussex County*

Pending Litigation:

- () a. (8) Personnel matters.
- () b. (9) Deliberations after a public hearing that may result in penalties.
 - 2. 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: April 28, 2014

Moved: Walsh Seconded: Mc Govern
Voted Aye: Blackburn, Lensak (arrived at 6:57) Mc Govern, Walsh, Boyce
Voted Nay: None
Abstained: None

**List of Bills - (0110101000002) CASH CHECKING FIRST HOPE
Current Fund**

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
17269	555 - ACHILLE TAGLIAIATELA 01-201-23-220-175 VISION	PO 2670 2014 VISION CARE REIMBURSEMENT-empl	250.00	250.00	250.00
17270	67 - AIRGAS USA, LLC 01-201-26-290-230 PUBLIC WORKS VEH REPAIR/MAIN	PO 2468 BLANKET P.O. FOR OXYGEN/ARGON CYLIN	27.35	27.35	27.35
17271	729 - ALLIED OIL COMPANY OIL LLC 01-201-31-460-074 UTILITY-GASOLINE & DIESEL	PO 2686 APR 7, 2014 GASOLINE USAGE	1,486.54	1,486.54	1,486.54
17272	857 - AMERICAS PROPANE LP 01-201-31-460-069 UTILITY - HEATING PROPANE	PO 2646 APR 2, 2014 PROPANE CHGS.	718.65	718.65	718.65
17273	91 - ANDOVER BOARD OF EDUCATION 01-206-55-602-000 SCHOOL TAX PAYABLE	PO 2636 MAY 2014 SCHOOL TAX PAYMENT	905,576.99	905,576.99	905,576.99
17274	120 - ANTHONY M. ARBORE, ESQ. 01-201-25-275-000 MUNICIPAL PROSECUTOR	PO 2683 1ST QTR 2014 MUNICIPAL COURT PROSEC	3,000.00	3,000.00	3,000.00
17275	129 - B & R UNIFORM, CORP. 01-201-21-186-299 ZONING OFFICER MISCELLANEOUS	PO 2648 ZONING OFFICER BADGE AND HOLDER	116.95	116.95	116.95
17276	1617 - BLUE DIAMOND DISPOSAL, INC. 01-201-26-305-251 GARBAGE REMOVA SOLID WASTE	PO 2631 MAR 2014 TIPPING FEE RATE ADJ-APR 2	37,328.87	37,328.87	37,328.87
17277	1054 - CENTRE CLEANERS, INC. 01-201-25-240-047 POLICE UNIF CLEANING	PO 2404 POLICE UNIFORM CLEANING-A/C# 38355	344.50	344.50	344.50
17278	1513 - CENTURY LINK(50) 01-201-31-460-076 UTILITY - TELEPHONE	PO 2647 MAR 2014 ATPD LOCAL PHONE CHARGES	909.26	909.26	909.26
17279	1489 - CENTURY LINK COMMUNICATIONS, INC.	PO 2664 MAR 2014 ATPD LONG DIST.	22.72	22.72	22.72

**List of Bills - (0110101000002) CASH CHECKING FIRST HOPE
Current Fund**

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
01-201-31-460-076	UTILITY - TELEPHONE		22.72		22.72
17280	1934 - CINTAS FIRE PROTECTION	PO 2590 INSPECTION OF ALL BDGS & REPLACED O		799.00	
01-201-26-310-026	BUILD & GRNDS MAINT & REPAIR		799.00		799.00
17281	966 - DANFORTH'S TRAILER & AUTO, INC.	PO 2591 PLOW PARTS		39.84	
01-201-26-290-230	PUBLIC WORKS VEH REPAIR/MAIN		39.84		39.84
17282	942 - DARYN CASHIN	PO 2671 2014 VISION CARE REIMBURSEMENT/JAN		490.28	
01-201-23-220-175	VISION		200.00		
01-201-23-220-173	PRESCRIPTION		290.28		490.28
17283	794 - DELL BUSINESS CREDIT	PO 2653 VIDEO CAB LES-ATPD		53.72	
01-201-25-240-026	POLICE MAINT & REPAIR		53.72		53.72
17284	1557 - DIANA FRANCISCO	PO 2679 REIMBURSE MEMBERSHIP FEE-INTERNATION		145.00	
01-201-20-120-044	CLERK DUES & MEMERSHP		145.00		145.00
17285	202 - DOVER BRAKE & CLUTCH CO., INC.	PO 2309 TO BE PAID MONTHLY PER INVOICES-A/C		162.44	
01-201-26-290-230	PUBLIC WORKS VEH REPAIR/MAIN		162.44		162.44
17286	213 - ELIZABETHTOWN GAS	PO 2665 MAR 2014 HEATING GAS, BLD A & BLD B		443.28	
01-201-31-460-069	UTILITY - HEATING PROPANE		443.28		443.28
17287	1130 - FAMILY FORD, INC.	PO 2322 BLANKET PURCHASE FOR DPW VEHICLE RE		80.64	
01-201-26-290-230	PUBLIC WORKS VEH REPAIR/MAIN		80.64		80.64
17288	1388 - FASTENAL COMPANY, CORP.	PO 2374 TO BE PAID MONTHLY PER INVOICES - A		30.61	
01-201-26-290-230	PUBLIC WORKS VEH REPAIR/MAIN		30.61		30.61
17289	1248 - FINCH FUEL OIL COMPANY, INC.	PO 2645 MAR 28, 2014 DIESEL FUEL		396.61	
01-201-31-460-074	UTILITY-GASOLINE & DIESEL		396.61		396.61

**List of Bills - (0110101000002) CASH CHECKING FIRST HOPE
Current Fund**

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
17290	01-201-31-460-074	UTILITY-GASOLINE & DIESEL PO 2676 APR 4, 2014 DIESEL FUEL	1,514.12	1,514.12	
17290	01-201-31-460-074	UTILITY-GASOLINE & DIESEL PO 2685 APR 11, 2014 DIESEL FUEL	911.67	911.67	2,822.40
17290	221 - FIRE FIGHTERS EQUIPMENT INC.	PO 2629 service of bottles for ATFD	985.40	985.40	985.40
17291	01-201-39-256-001	PEOSHA - AIR BOTTLES FOR ATFD			
17291	1719 - FIRST CHOICE AUTOMOTIVE EQUIPMENT, PUBLIC WORKS MISCELLANEOUS	PO 2639 ANNUAL LIFT INSPECTION SERVICE	195.00	195.00	195.00
17292	01-201-26-290-299	PUBLIC WORKS MISCELLANEOUS			
17292	1535 - FRANKLIN SUSSEX AUTO MALL, INC.	PO 2604 MODULE PKG FOR POLICE CAR A-06	309.40	309.40	309.40
17292	01-201-25-240-230	POLICE - PATROL CAR REPAIRS/MAINT.			
17293	1722 - FRED F. SULJIC	PO 2687 MAR 24,26, 31 & APR 3, 7, 9, 14, 17	1,260.00	1,260.00	1,260.00
17293	01-201-21-186-012	ZONING OFFICER S&W PART TIME			
17294	1042 - G.T.B.M., INC./INFO-COP	PO 2651 JAN-MAR 2014 E-TICKETING LICENSING	3,628.02	3,628.02	3,628.02
17294	01-201-25-240-303	POLICE OTHER EXPENSE - E-TICKETING			
17295	233 - GANN'S LAW BOOKS	PO 2390 2014 EDITION NJ POLICE MANUAL	63.00	63.00	63.00
17295	01-201-25-240-033	POLICE BOOKS & PUBL			
17296	1942 - GARBO GRABBER, LLC	PO 2594 garbo grabber unit (holds plastic b	932.70	932.70	932.70
17296	01-213-40-000-006	Clean Communities Grant - Approp	932.70		
17297	236 - GARY KOLAKOWSKI	PO 2607 POLICE VEHICLE REPAIRS-BLANKET P.O.	38.51	38.51	38.51
17297	01-201-25-240-230	POLICE - PATROL CAR REPAIRS/MAINT.			
17298	1574 - HESS CORPORATION	PO 2663 MAR 2014 HEATING GAS-A/C#614016/614	504.57	504.57	504.57
17298	01-201-31-460-069	UTILITY - HEATING PROPANE			

List of Bills - (0110101000002) CASH CHECKING FIRST HOPE Current Fund

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
17299	693 - HOME DEPOT CREDIT SERVICES	PO 2307 TO BE PAID MONTHLY PER INVOICES - A		85.71	
	01-201-26-310-026	BUILD & GRNDS MAINT & REPAIR	85.71		
	01-201-26-290-299	PO 2592 BLANKET PURCHASE ORDER-TO BE PD MON PUBLIC WORKS MISCELLANEOUS	127.72	127.72	213.43
17300	312 - JANET M. LEALE	PO 2619 APRIL 2014 RETIREE HEALTH BENEFITS/ HEALTH RETIREE	567.48	567.48	567.48
17301	288 - JCP&L	PO 2675 MAR 2014 MASTER BILL	1,487.91	1,487.91	1,487.91
17302	288 - JCP&L	UTILITY - ELECTRICITY			
	01-201-31-435-075	PO 2684 MAR 2014 STREET LIGHTING-TOWNSHIP STREET LIGHTING	634.67	634.67	634.67
17303	294 - JOYCE COVALENCE	PO 2618 APR 2014 RETIREE & SPOUSE MEDICARE HEALTH RETIREE	209.80	209.80	209.80
17304	1188 - KOCH AUTO PARTS, INC.	PO 2312 TO BE PAID MONTHLY PER INVOICES - D		94.72	
	01-201-26-230-230	PUBLIC WORKS VEH REPAIR/MAIN	94.72		
	01-201-25-240-230	PO 2336 2014 PURCHASES-POLICE VEHICLE MAINT POLICE - PATROL CAR REPAIRS/MAINT.	119.07	119.07	213.79
17305	306 - LAKE LENAPE WATER CO.	PO 2659 JAN - MAR 2014 HYDRANT SERVICE		725.56	
	01-201-31-460-073	UTILITY FIRE HYDRANT	725.56		725.56
17306	957 - LIFE SAVERS, INC.	PO 2570 AED DEFIBRILLATION PADS		548.32	
	01-201-25-240-058	POLICE EQUIPMENT & SUP	548.32		548.32
17307	134 - MAE BAUERLEIN	PO 2617 APR 2014 RETIREE & SPOUSE HEALTH BE HEALTH RETIREE	1,281.14	1,281.14	1,281.14
17308	229 - MARYANN FRODELLA	PO 2649 MAR 7 - APR 7, 2014 PRESCRIPTION RE PRESCRIPTION	98.67	98.67	98.67
	01-201-23-220-173		98.67		98.67

**List of Bills - (0110101000002) CASH CHECKING FIRST HOPE
Current Fund**

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
17309	1382 - MUNICIPAL CAPITAL CORP. 01-201-26-310-049 BUILD & GRNDS CONTRACTUAL	PO 2348 JAN, FEB, MARCH, 2014 SAVIN COPIER	444.00	444.00	444.00
17310	1908 - NWTIC 01-201-25-240-042 POLICE ED & TRAINING	PO 2595 RAPID RESPONSE WORKSHOP-PTL. DANIEL	100.00	100.00	100.00
17311	1944 - OCEAN PLACE RESORT & SPA 01-201-43-490-042 MUNICIPAL CRT ED & TRAINING	PO 2610 31ST ANNUAL MCAA SPRING CONFERENCE	390.96	390.96	390.96
17312	1442 - PA AAP 01-201-25-240-042 POLICE ED & TRAINING	PO 2614 JUNE 24-26, 2014 CHILD PASSENGER SA	300.00	300.00	300.00
17313	424 - POLAND SPRING, INC. 01-201-26-310-049 BUILD & GRNDS CONTRACTUAL	PO 2678 MAR 2014 BOTTLED WATER SERVICE	155.91	155.91	155.91
17314	1686 - R & L DATA CENTERS, INC. 01-160-05-000-040 INTERFUND - DUE FROM BANK - PAYROLL/SUPP	PO 2632 MAR 14 & 28, 2014 PAYROLL PROCESSIN	540.80	540.80	540.80
17315	433 - R.S. PHILLIPS STEEL, LLC 01-201-26-290-230 PUBLIC WORKS VEH REPAIR/MAIN	PO 2593 REPAIRS TO SWEEPER	184.00	184.00	184.00
17316	1362 - ROBYN HATTERSLEY 01-203-23-220-173 (2013) PRESCRIPTION 01-201-23-220-173 PRESCRIPTION	PO 2640 DEC, 2013 & FEB 19, APR 4, 2014 PRE	7.00 14.00	21.00	21.00
17317	459 - ROWE & COMPANY, INC. 01-201-26-290-230 PUBLIC WORKS VEH REPAIR/MAIN	PO 2311 TO BE PAID MONTHLY PER INVOICES - A	71.92	71.92	71.92
17318	1116 - SPACE WILD ANIMAL FARM, INC. 01-201-26-290-299 PUBLIC WORKS MISCELLANEOUS	PO 2313 TO BE PAID MONTHLY PER INVOICES	124.00	124.00	124.00

**List of Bills - (0110101000002) CASH CHECKING FIRST HOPE
Current Fund**

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
17319	1062 - SPRINT 01-201-31-460-076	PO 2688 MAR 2014 ATPD LONG DISTANCE SERVICE UTILITY - TELEPHONE	82.06	82.06	82.06
17320	1291 - STANDARD INSURANCE CO. CORP. 01-201-23-220-176	PO 2682 MAY 2014 LONG TERM DISAB. INS. L-T DISABILITY	1,224.57	1,224.57	1,224.57
17321	516 - STAPLES 01-201-25-240-036	PO 2454 Office Supplies POLICE OFFICE SUPPLIES	491.94	491.94	491.94
17321	01-201-25-250-058	PO 2531 SAMSUNG MONITOR FOR DISPATCH DISPATCH EQUIPMENT & SUP	109.99	109.99	601.93
17322	87 - TAX COLLECTORS & TREASURERS ASSN 01-201-20-145-042	PO 2672 APRIL 11, 2014 TCTASW MTG-D.CASHIN TAX COLLECTOR ED & TRAINING	25.00	25.00	25.00
17323	562 - TIMMERMAN EQUIPMENT INC. 01-201-26-290-245	PO 2569 SUPPLIES FOR SWEEPER- TO BE PAID MO PUBLIC WORKS - STORMWATER	2,437.86	2,437.86	2,437.86
17324	89 - TREASURER, STATE OF NJ 01-200-55-000-001	PO 2677 1ST QTR 2014 MARRIAGE LICENSE FEES DUE STATE MARRIAGE LICENSE	50.00	50.00	50.00
17325	173 - WALTER CURRENT, SR. 01-201-23-220-172	PO 2616 APR 2014 RETIREE & SPOUSE HEALTH BE HEALTH RETIREE	1,134.95	1,134.95	1,134.95
TOTAL					976,635.37

Total to be paid from Fund 01 Current Fund

976,635.37

976,635.37

List of Bills - (0110101000002) CASH CHECKING FIRST HOPE Current Fund

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
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Checks Previously Disbursed

8561001	NJ STATE HEALTH BENEFITS	APRIL 2014 NJSHB PREMIUMS	80,360.06	4/15/2014	

			80,360.06		

Total paid from Fund 01 Current Fund

80,360.06

80,360.06

Total for this Bills List: 1,056,995.43

List of Bills - (0410101000000) CAPITAL CASH
CAPITAL

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
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614	791 - GOLDEN & MORAN ENGINEERING, LLC	PO 2660 MAR 10-MAR 24, 2014 ENGINEERING SER	1,357.50	1,357.50	1,357.50
	04-226-55-000-013	IMP AUTH - FUNDED - 2011-04 STICKLES POWD RD			

TOTAL

1,357.50

Total to be paid from Fund 04 CAPITAL

1,357.50

1,357.50

**List of Bills - (1310101000004) OTHER TRUST - FIRST HOPE - OTHER TRUST
OTHER TRUST**

Meeting Date: 04/28/2014 For bills from 04/15/2014 to 04/24/2014

Check#	Vendor	Description	Account	PO Payment	Check Total
3254	141 - BLUE RIDGE LUMBER CO, INC. 13-260-58-200-104 RECREATION TRUST - BLDG IMPROVEMENTS	PO 2084 new doors for the barns	2,849.06	2,849.06	2,849.06
3255	791 - GOLDEN & MORAN ENGINEERING, LLC 13-260-58-100-306 PSEG - BIKE TRAIL IMPROVEMENTS	PO 2661 MAR 6-MAR 17, 2014 ENGINEERING - BI	1,562.50	1,562.50	1,562.50
3256	1948 - MARK ROZEK 13-260-58-200-100 RECREATION HALL - SECURITY DEP	PO 2673 REFUND ESCROW SECURITY DEP-HALL REN	300.00	300.00	300.00
3257	1852 - NY YANKEES 13-260-58-200-107 RECREATION TRUST - YANKEE TRIP	PO 2652 NY YANKEES BUS TRIP - 8/8/14	830.00	830.00	830.00
3258	1313 - PANORAMA TOURS, INC. 13-260-58-200-107 RECREATION TRUST - YANKEE TRIP	PO 2654 CHARTER BUS - YANKEE STADIUM 8/8/14	250.00	250.00	250.00
3259	31 - POPE JOHN XXIII REGIONAL 13-260-58-200-100 RECREATION HALL - SECURITY DEP	PO 2674 REFUND ESCROW SECURITY DEP-HALL REN	100.00	100.00	100.00
TOTAL					5,891.56

Total to be paid from Fund 13 OTHER TRUST

5,891.56

5,891.56

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

RESOLUTION #R2014-59

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 BARRY J. KRAUSER, MAI, CRE, FRICS OF INTEGRA REALTY RESOURCES, FOR PROFESSIONAL APPRAISAL SERVICES FOR THE LITIGATION ENTITLED YOUNG REALTY ASSOCIATES V. TOWNSHIP OF ANDOVER, DOCKET NOS. 005002-2012, 001476-2013 AND 002419-2014, REGARDING PROPERTY LOCATED AT LAWRENCE ROAD, BLOCK 109, LOTS 4.02, 4.03 & 5.02, AND BLOCK 116, LOTS 16 & 24.03

WHEREAS, there exists a need for professional appraisal services for the litigation entitled Young Realty Associates v. Township of Andover, Docket Nos. 005002-2012, 001476-2013 and 002419-2014; and

WHEREAS, the Township wishes to retain the services of Barry J. Krauser, MAI, CRE, FRICS of Integra Realty Resources to perform such services and for such other services as identified in its proposal dated February 24, 2014; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Andover, County of Sussex and State of New Jersey as follows:

1. The Township of Andover hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with of Barry J. Krauser, MAI, CRE, FRICS of Integra Realty Resources, 110 South Jefferson Road, 2nd Floor, Whippany, New Jersey 07981, to provide professional appraisal services for the litigation entitled Young Realty Associates v. Township of Andover, Docket Nos. 005002-2012, 001476-2013 and 002419-2014 in an amount not to exceed \$6,000 and in accordance with the proposal dated February 24, 2014.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that neither Integra Realty Resources., its subsidiaries, assigns or principals controlling in excess of 10% of the firm has made a contribution in the one (1) year period preceding the award of the contract that is reportable to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44-16 so as to affect his eligibility to perform this contract, nor will it or they make a reportable contribution during the term of the contract to any political party committee in the Township of Andover if a member of that political party is serving in an elective public office of the Township of Andover when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Andover when the contract is awarded.
3. Integra Realty Resources is advised of the responsibility to file an annual statement on political contributions with the New Jersey Election Law Enforcement

Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271 §3) if it received contracts in excess of \$50,000 from public entities in a calendar year. It is Integra's responsibility to determine if filing is necessary.

4. Notice of this action shall be published once in the Township's official newspaper as required by law.
5. A copy of this Resolution shall be provided to Gail Magura, Township Chief Financial Officer and Integra Realty Resources, 110 South Jefferson Road, 2nd Floor, Whippany, New Jersey 07981, for their information and guidance.

This Resolution shall take effect immediately.

Adopted: April 28, 2014

Adopted this 28th day of April, 2014 and certified as a true copy of an original.



Vita Thompson, Township Clerk