

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

NOVEMBER 10, 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 Deputy Mayor Blackburn, followed by a salute to the flag.

ROLL CALL:  
Present: Mr. Lensak, Mr. Walsh, Deputy Mayor Blackburn  
Also present: Attorney Semrau  
Excused: Ms. Mc Govern & Mayor Boyce

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

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

Personnel Matters:

1. Support Staff for the Joint Municipal Court

Contract Negotiations:

1. DPW Contract
2. 9-1-1 Contract with Green Township

Attorney-Client Privilege:

1. Property Located at Block 73/Lot 6
2. Cross River Fiber

Potential Litigation:

Pending Litigation:

1. Tax Appeal – Young Realty v. Andover Township

, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:34 P.M. Mr. Lensak moved to adjourn executive session at 7:23 P.M., seconded by Mr. Walsh and carried unanimously.

REGULAR MEETING

RECESS WAS CALLED AT THIS TIME.

Meeting called to order at 7:30PM.

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ANDOVER TOWNSHIP COMMITTEE

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APPROVAL OF AGENDA Mr. Walsh asked to amend the agenda to include discussion regarding the Newton Regionalization Study under New Business. Mr. Lensak moved to approve the agenda as amended, seconded by Mr. Walsh and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Deputy Mayor Blackburn asked that the Consent Agenda be amended to include the following Resolutions:

#R2014--133 AUTHORIZING THE USE OF A PURCHASING CONTRACT THROUGH THE HOUSTON GALVESTON AREA COUNCIL FOR A FIRE TRUCK FROM PIERCE MANUFACTURING INC.

#R2014--134 TO APPOINT DANA WASELIK TO THE TEMPORARY PER DIEM POSITION OF CLERK 1 FOR THE MUNICIPAL COURT FOR A PERIOD OF SIX MONTHS

Mr. Walsh moved the following consent items be approved, seconded by Mr. Lensak and carried unanimously.

\*CONSENT AGENDA:

\*OTHER BUSINESS:

APPROVAL OF VOUCHERS FOR PAYMENT

(See Insert Attached to These Minutes)

ACCEPTANCE OF THE CHIEF FINANCIAL OFFICER'S REPORT FOR THE MONTH ENDING OCTOBER 31, 2014

\*RESOLUTIONS:

#R2014-125 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING AN AGREEMENT WITH THE TOWNSHIP OF LAFAYETTE PURSUANT TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT SERVICES OF A CHIEF MUNICIPAL FINANCE TO THE CONCERNING THE OFFICER

#R2014-126 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING AN AGREEMENT WITH THE TOWNSHIP OF LAFAYETTE PURSUANT TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT SERVICES OF A CERTIFIED TAX COLLECTOR THE CONCERNING THE

#R2014-127 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO US BANK CUST/EMP VIN REGARDS TO THE REDEMPTION OF SALE CERTIFICATE # 12-00009 SOLD FOR DELINQUENT LOT 21 C0411, IN THE AMOUNT OF \$16,225.02 TAX TAXES FOR BLOCK 116

\*CONSENT AGENDA (CONTINUED)

\*RESOLUTIONS (CONTINUED)

#R2014-128 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO US BANK CUST /CRESTAR CAPITAL IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE # 12-00017 SOLD FOR DELINQUENT TAXES FOR BLOCK 157, LOT 14 IN THE AMOUNT OF \$28,857.51

#R2014-129 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO US BANK CUST FOR PRO CAPITAL I IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE # 11-00001 SOLD FOR DELINQUENT TAXES FOR BLOCK 35 LOT 1.01 IN THE AMOUNT OF \$34,516.50

#R2014-130 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO PREPARE CERTAIN SURPLUS MUNICIPAL EQUIPMENT THAT IS CONSIDERED UNREASONABLY EXPENSIVE TO REPAIR FOR SALE ONLINE AT MUNICIPAL AUCTION THROUGH ALFRED'S AUCTIONS, INC. IN ACCORDANCE WITH THE CONDITIONS OF THE STATE CONTRACT

#R2014-131 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE USE OF THE MORRIS COUNTY COOPERATIVE FOR THE MULFORD ROAD RECONSTRUCTION PROJECT

#R2014-132 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY REVISING THE APPROVED QUANTITIES FOR THE STICKLES POND ROAD RECONSTRUCTION PROJECT

#R2014-133 AUTHORIZING THE USE OF A PURCHASING CONTRACT THROUGH THE HOUSTON GALVESTON AREA COUNCIL FOR A FIRE TRUCK FROM PIERCE MANUFACTURING INC.

#R2014-134 TO APPOINT DANA WASELIK TO THE TEMPORARY PER DIEM POSITION OF CLERK 1 FOR THE MUNICIPAL COURT FOR A PERIOD OF SIX MONTHS

(See Inserts Attached to These Minutes)

APPROVAL OF MINUTES:

SEPTEMBER 22, 2014 REGULAR MEETING  
SEPTEMBER 22, 2014 EXECUTIVE SESSION

Deputy Mayor Blackburn stated that these minutes will be tabled due to the lack of a voting quorum.

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ANDOVER TOWNSHIP COMMITTEE

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NEW BUSINESS

REGIONALIZATION STUDY WITH THE TOWN OF NEWTON

Mr. Walsh stated that we as a Committee have discussed this issue over the past several months. He then referred to the recent newspapers article that stated Andover Township is doing a foolish thing by not signing on with Newton. Mr. Walsh stated when he questioned by the reported, he told Mr. Scruton he told him the study was not complete and we will not spend \$18,000 on a feasibility study as we were asked by Newton and we declined to do so.

He told Mr. Scruton, which was not written, was that we would have conducted this study in house without the need of a professional service. He added that it should have been a four-season study, going for one year. He then told the reported he had asked the woman hired to conduct the study as to why Andover Township would not be the lead agency. As she responded with three No's stating it would be Newton. He then stated he suggested obtaining an efficiency expert to find out who runs the better department to see who should lead the regionalized department. She had then told Mr. Walsh Newton is also looking to study the police and fire departments as possible regionalization targets. He then asked the woman why would you do that and her exact words that he reported to Mr. Scruton were, "we are looking to expand our borders." Mr. Walsh then stated in response, I do not think the people of Andover Township want to be a part of Newton.

He added that the Committee invited Mr. Walsh to meet with the regionalization study team and then he told them, we do not want to be involved in those studies because we are not interested at this particular time. He then cited various reasons why Andover Township and Newton should not regionalized in regards to the public works department, stating for one that we are more rural and they are more urban. Our needs are so different that those of Newton. We have two different types of governments, they are a manager government who typically runs the town. Andover Township's Committee makes the decisions on the municipality and directs the Clerk/Administrator.

Mr. Walsh then stated to the reporter, which he didn't print, was that this study is purely a bunch of numbers put in a report and say this is how you can save money. He disagreed with the concept of the study, how it was conducted and presented. We have a working supervisor and Newton does not. Mr. Scruton responded that there would be two working supervisors under this program. Mr. Walsh responded by saying the report eliminates Andover Township's supervisor from the department. He said the Herald's reported argued with him instead of documenting the comments. It appeared to the public that this was a great idea because it came from Newton. He ended by stating this is how the entire Committee feels and that we are unanimous in this decision not to regionalize. Mr. Lensak stated his feelings, reiterating Mr. Walsh's sentiments. He added that the study showed if there are more people working on a project it will go quicker. He said that is true but are we actually saving man-hours. That is not a savings. He added the study was inefficient.

Deputy Mayor Blackburn summed up by saying, as a Committee we are not opposed to shared services as we have demonstrated throughout the years. We are opposed to this particular plan. She said we talked about looking at DPW regionalization with some of our other neighboring communities, those much like ours. If we do that, we will not hire a consultant but conduct the study in-house. As a Committee, what this plan proposed did not have any benefits to Andover Township.

PUBLIC PORTION

Ellsworth Bensley, Jr. thanked everyone for his write-in vote to the Board of Education, but he declined because of his position on the Land Use Board. He then congratulated Jack Burke and Dolores Blackburn for their election win. He then asked about the status of the train station and if we are going to hire someone to oversee the project. Deputy Mayor Blackburn stated that our Special Projects Planner Jessica Caldwell has been working on the concept for the station. She sent a proposal and we asked her to adjust the plan slightly. She added that a subcommittee will be appointed in begin to brainstorm and decide what direction to go.

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ANDOVER TOWNSHIP COMMITTEE

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PUBLIC PORTION (CONTINUED)

He then asked if the entire Committee met with the Newton Town Council to discuss the Regionalization Plan. Ms. Thompson stated that if a meeting of both governing bodies occurred there would be a public meeting notice advertised with date and time. Seeing no hands, Deputy Mayor Blackburn closed the public portion of the meeting. The meeting consisted of Ms. Thompson, DPW Supervisor Dickinson, and Mr. Walsh as the department's liaison. Mr. Bensley stated we currently have several shared services within the department such as the truck washing and salt brining. We share equipment as well. Mr. Walsh said it is unwritten but we do have an unofficial share services and it works out very well. This information was not mentioned in the article either. Deputy Mayor Blackburn stated there wasn't enough information in the study to say yes to the project. We were given four options and the first one had to do with Newton itself. Mr. Bensley recommended that we keep an open dialogue on the subject. Mr. Walsh and Deputy Mayor Blackburn stated that they needed an answer quickly, before the end of the year.

Jim Woodstrom stated he requested information from the County about the new 9-1-1 system. He received a call from John Eskilson regarding his OPRA and asked him to meet with him regarding this matter. He asked Mr. Eskilson how he arrived at the figures for 9-1-1 services and he said it was based on population. There is a base fee for service and \$6.00 per phone call. By pressing a button, the information from the call goes right to the State Police. He told him about the technology and microwave towers required to run the system. He said they can reach everywhere in the County except two places in Vernon and Hopatcong. He was also told they can reach all of Andover and Green. They have the latest technology and all their employees are 9-1-1 certified. They have the retired Lieutenant from Sparta who ran the 9-1-1 system there. The ex-chief in Hardyston is also employed at the 9-1-1 center. The personnel are well qualified.

He then said he ran the costs from our 2014 data sheet for our local dispatch center and it is \$304,500, wages and salaries. He increased the amount by 40%. He added the funds received from our shared services and the amount comes down \$278,300. However, in losing Green, the numbers are right around \$328,300 plus an additional \$11,000 for expenses. He said Mr. Eskilson stated he would charge Andover Township \$127,000 to hook up to the County system. That is a savings of \$212,700. It would be a five-year commitment but with a year's notice you can terminate the contract. There is a 2% increase for every year after the first.

He then said he filed an OPRA asking for a listing of 9-1-1 calls. Lt. Danielson responded by saying because they charged their computer system he could not give an exact amount but provided an estimate. He said he does not understand why the Committee doesn't look into saving this money on a system that is more advanced than we have.

With regard to the Regionalization Study he read the report and had questions. He called the consultant. She said the savings comes from reducing the workforce. Newton has people who are retiring and they would take every one of our employees except the Supervisor. She added that items were opened to negotiations. Mr. Woodstrom stated she said she felt there was little interest in the study and she added that she would have loved to meet with the rest of the Committee. He mentioned some of the savings reported in the study. Mr. Walsh reiterated that he was asked to represent the entire Committee at this meeting. The Committee made a decision and asked him to present their answer. Deputy Mayor Blackburn stated that this is the first we are hearing that she wanted to meet with the Committee. This never came up before.

They talked about how in the report we would meet once a year to go over the regionalization but Deputy Mayor Blackburn stressed that the advisory committee has no say in the project. She added that we have not ruled out the concept of shared services or any regionalization of the DPW. We are just not happy with what Ms. Murphy proposed in her report.

Attorney Semrau added about the 9-1-1 services, stating that once you walk away from your dispatch center, the idea of ever coming back doesn't happen because the equipment is outdated, the staff is gone and you would have to start from the beginning. You are at the mercy of these service providers. They can raise the rates, change your plan and you truly have nowhere else to go. The public portion is now closed.

ORDINANCES: PUBLIC HEARING

NO. 2014-10 AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY REPEALING CHAPTER 3, "ADMINISTRATION OF GOVERNMENT," ARTICLE XVII, "MUNICIPAL COURT," AND ADDING NEW CHAPTER 3, "ADMINISTRATION OF GOVERNMENT," ARTICLE XVII, "JOINT MUNICIPAL COURT"

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 October 27, 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 Mr. Lensak. Roll call vote:

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

PIERCE ROAD – CORRESPONDENCE FROM RESIDENT REGARDING SPEEDING VEHICLES

Mr. Walsh stated the resident with the complaint stated he would be at this meeting. He suggested that the matter be tabled for the entire Committee at the next meeting.

OLD BUSINESS

CONTINUED DISCUSSION REGARDING AN AMENDMENT TO THE CODE BY AMENDING CHAPTER 3, "ADMINISTRATION OF GOVERNMENT," ARTICLE II, "ELECTIVE OFFICERS," TO ADD SECTION 3-5, "EMPLOYMENT RESTRICTIONS"

Following a short discussion it was decided to introduce this Ordinance and they can discuss it at the public hearing.

ORDINANCES: INTRODUCTION

NO. 2014-11 "ELECTIVE OFFICERS"

"AN AMENDMENT TO THE CODE BY AMENDING CHAPTER 3, "ADMINISTRATION OF GOVERNMENT," ARTICLE II, "ELECTIVE

OFFICERS," TO ADD SECTION 3-5, "EMPLOYMENT RESTRICTIONS"

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2014-11, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on November 24, 2014 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

Ms. Mc Govern – absent

Mayor Boyce – absent

Mr. Lensak – yes

Mr. Walsh – yes

COMMITTEE REPORTS

MS. MCGOVERN. In Ms. Mc Govern's absence, Carla Kostelnik gave her report. She stated that the Open Space Committee needs new members. They are working on items for next year including work on the Lake Iliff Access project. They will request if the DPW will remove the brush collected by the volunteers. She also asked if the DPW could work on the parking lot to the lake at that location. Mr. Walsh stated it is on their list of projects to tackle. It has been on the list for two years but they haven't had the time to get to it. She said removing the huge STOP sign would be a place to start. They have been discussing the possibility of creating an education center at that site. She also spoke about using the area as a recreation site for adults. She once again stressed the need for more people on the Open Space Committee.

She then reported that Sustainable Andover they donated over 800 pounds of vegetables to the Bodhi Monastery. They are now working on the Winter Market scheduled for February 22, 2015 at the Hillside House. She asked if anyone knows of vendors who like to participate to let her know. They have to provide something local.

MR. WALSH. He reported on the DPW stating the plows are set and the salt and grit supply is full and they are ready for the winter. The Brine Truck is also ready to respond. He then reported on Recreation stating that Casino Night may be cancelled due to low ticket sales. The decision will be made at their meeting scheduled this evening. He then said that he will meet with the CFO to provide an outline to a draft 2015 Municipal Budget.

MR. LENSAK. He provided the Lakeland Emergency Squad report year to date. There was a total of 1,030 for the area including Byram and Andover Borough. Regarding the police department he stated that Police Officer Mills attended a course on advanced criminal investigation sponsored by the FBI. The department participated in the 2014 Distracted Driving Grant Program. A total of 221 summonses were written during this period, which the majority was for non-hands free electronic devices. Seven arrests were made. There were 154 summonses written for the Click It or Ticket Program. Andover Township was the second highest in the County for writing seatbelt tickets. With regard to the Drive Sober or Get Pulled Over Grant Program, 44 summonses were written and eight arrests during that period.

DEPUTY MAYOR BLACKBURN. As Liaison to the Land Use Board, Sustainable Andover and Environmental Commission, none of her committees have met so she had no report this evening.

REPORT FROM THE CLERK/ADMINISTRATOR She reported on the annual bus trip to New York City on December 13<sup>th</sup> and the FOP Toys for Tots event on December 6<sup>th</sup>. The Rabies Clinic is scheduled for January 9<sup>th</sup>. Up to date information is available on the website and Facebook page.

REPORT FROM THE MUNICIPAL ATTORNEY with respect to the Young Realty tax appeal, there was discussion in Executive, it appears, subject to resolution, and settlement agreement, this matter is near resolve. There will be no need for additional expert fees and costs, as long as the matter is settled. The nursing home appeal was withdrawn with refund of taxes..

NEXT SCHEDULED MEETINGS: November 24, December 08 & 22  
6:30PM Executive Session, 7:30PM Regular Meeting  
2015 Reorganization Meeting, January 02 @ 6:30PM

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

Respectfully submitted,

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Dolores Blackburn, 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 10<sup>th</sup> day of November 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. Discussion Regarding Renewal of Shared Services Contracts  
With Lafayette Township
2. Professional Services Appointments for 2015

Attorney-Client Privilege:

1. Property Located at Block 73/Lot 6
2. Cross River Fiber Proposed Resolution and Agreement

Potential Litigation:

Pending Litigation:

1. Tax Appeal – Young Realty v. Andover Township
- ( ) a. (8) Personnel matters.
1. Support Staff for the Joint Municipal Court
- ( ) 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 10, 2014

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Moved:        Lensak        Seconded: Walsh  
Voted Aye:    Lensak, Walsh, Blackburn  
Voted Nay:    None  
Abstained:    None

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