

**ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES**

**MICHAEL LENSAK, MAYOR  
JANIS MC GOVERN, DEPUTY MAYOR  
DOLORES BLACKBURN  
JACK BURKE  
TOM WALSH**

**FEBRUARY 09, 2015**

**EXECUTIVE SESSION AT 6:30 P.M.**

**REGULAR MEETING BEGINS AT 7:30 P.M.**

The regular meeting of the Andover Township Committee was called to order at 6:35 P.M. by Mayor Lensak, followed by a salute to the flag.

**ROLL CALL:** Present: Ms. Mc Govern, Mr. Walsh, Mayor Lensak  
Also present: Attorney Sullivan  
Absent(Excused): Ms. Blackburn, Mr. Burke

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

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

**Personnel Matters:**

1. ***Rates of Compensation for Officials, Officers and Employees***
2. ***DPW Staffing***
3. ***Police Department Staffing – Position of Police Lieutenant***
4. ***J. Marchione, Tax Assessor***

**Contract Negotiations:**

1. ***Police Dispatchers Union Contract Renewal***
2. ***Lieutenant Danielson***

**Attorney-Client Privilege:**

1. ***Property Located at Block 73/Lot 6***
2. ***Lake Lenape Water Company***
3. ***Active Engineering Projects***
4. ***Assignment of Cell Tower Leases***

**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. Walsh moved to adjourn executive session at 7:41 P.M., seconded by Ms. Mc Govern and carried unanimously.

## REGULAR MEETING AGENDA

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

**APPROVAL OF CONSENT AGENDA** Mayor Lensak asked that the Consent Agenda be amended to include resolution #R2015-45, A Resolution Requesting that the Sussex County Division of Engineering Investigate, Study and Evaluate Improvements to Newton-Sparta Road in the Andover Township Corridor.

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

**\*CONSENT AGENDA:****\*OTHER BUSINESS:**

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

**ACCEPTANCE OF THE TAX COLLECTOR'S JANUARY 2015  
REPORT - \$1,418,450.96**

**\*RESOLUTIONS:**

**#R2015-39 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO PETER HAROLD IN THE AMOUNT OF \$250.00 FOR AN OVERPAYMENT IN THE FOURTH QUARTER 2014 TAXES FOR BLOCK 54, LOT 4**

**#R2015-40 A RESOLUTION OF THE TOWNSHIP OF ANDOVER COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE SUBMISSION OF A STRATEGIC PLAN FOR THE ACTION MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2015**

**#R2015-41 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE RENEWAL OF THE VOLUNTEER ACCIDENT POLICY NUMBER FHH030157 FROM QBE INSURANCE CORPORATION AT AN ANNUAL PREMIUM OF \$493 FOR THE TERM FEBRUARY 1, 2015 THROUGH FEBRUARY 1, 2016**

**#R2015-42 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY SUPPORTING, RECOGNIZING AND HONORING THE SERVICE OF LAW ENFORCEMENT OFFICERS**

**\*CONSENT AGENDA (CONTINUED)**

**\*RESOLUTIONS (CONTINUED)**

**#R2015-43 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO APPOINT JEREMIAH HENDERSHOT TO THE POSITION OF TEMPORARY LABORER FOR THE ANDOVER TOWNSHIP DEPARTMENT OF PUBLIC WORKS ON A PER DIEM, AS NEEDED BASIS**

**#R2015-44 2014 BUDGET APPROPRIATIONS TRANSFER**

**#R2015-45 REQUESTING THAT THE SUSSEX COUNTY DIVISION OF ENGINEERING INVESTIGATE, STUDY AND EVALUATE IMPROVEMENTS TO NEWTON-SPARTA ROAD IN THE ANDOVER TOWNSHIP CORRIDOR**

*(See Inserts Attached to These Minutes)*

**\*APPROVAL OF MINUTES:**

**JANUARY 02, 2015 REORGANIZATION MEETING**

**APPROVAL OF MINUTES:**

**DECEMBER 08, 2014 REGULAR MEETING  
DECEMBER 08, 2014 EXECUTIVE SESSION**

Due to the lack of a voting quorum, these minutes will be tabled until the next meeting.

**DECEMBER 22, 2014 REGULAR MEETING**

Ms. Mc Govern moved to approve the foregoing minutes as presented, seconded by Mr. Walsh and carried unanimously.

**PUBLIC PORTION** Ken Collins was present to discuss Byram’s intent to reduce the speed on Route 206 in their municipality to 35 miles per hour. He stated that he finds that limit to be excessively low and finds it practically impossible to traverse. He felt that reducing the speed will only create a speed trap situation. He stated he has reached out to the deputy mayor who stated area business owners prefer a 35 mph limit in this section of the highway. He urged the Byram officials to increase the speed to a limit that everyone would feel comfortable. He had asked the Andover Township officials to take action to right this wrong.

The Committee felt that the decision of the speed limit belongs to the State on a State highway. Mr. Collins further stated that he spoke to the DOT this morning and they said the decision belongs to Byram. The Committee discussed the process taken when they wish to adjust the speed limit on a local roadway. Ms. Mc Govern questioned what the prior speed limit was and why they think 45 miles per hour wasn’t sufficient and needed to be reduced.

Seeing no hands, Mayor Lensak closed the public portion.

**ORDINANCES: INTRODUCTION**

**NO. 2015-02 BOND ORDINANCE**  
**PURCHASE OF A FIRE TRUCK**

***“BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A FIRE TRUCK IN AND BY THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$478,875 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$193,875 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF”***

***BE IT RESOLVED*** by the Mayor and Committee of the Township of Andover, that Ordinance #2015-02, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on February 23, 2015 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– absent                      Mr. Burke – absent  
Ms. Mc Govern – yes                      Mr. Walsh – yes  
Mayor Lensak – yes

**NO. 2015-03 TO AMEND CHAPTER 155 “STREETS & SIDEWALKS”**  
**SECTIONS 115-15 & 115-17**

***“AN ORDINANCE OF THE ANDOVER TOWNSHIP COMMITTEE TO AMEND CHAPTER 155 ENTITLED “STREETS AND SIDEWALKS” ARTICLE V. REMOVAL OF SNOW AND ICE “SECTION 155-15 “DUTY TO REMOVE”, & SECTION 155-17 “REMOVAL BY TOWNSHIP; COSTS TO BECOME LIEN”***

***BE IT RESOLVED*** by the Mayor and Committee of the Township of Andover, that Ordinance #2015-03, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on February 23, 2015 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– absent                      Mr. Burke – absent  
Ms. Mc Govern – yes                      Mr. Walsh – yes  
Mayor Lensak – yes

**ORDINANCES: PUBLIC HEARING**

**NO. 2015-01 TO AMEND CHAPTER 119 “POLICE DEPARTMENT”**  
**SECTION 119-8 “CONTRACTED OFF DUTY EMPLOYMENT”**

***“AN ORDINANCE TO AMEND CHAPTER 119 ENTITLED “POLICE DEPARTMENT”, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ANDOVER, SECTION 119-8 “CONTRACTED OFF-DUTY EMPLOYMENT”***

**ORDINANCES: PUBLIC HEARING (CONTINUED)**

**NO. 2015-01 TO AMEND CHAPTER 119 "POLICE DEPARTMENT"  
SECTION 119-8 "CONTRACTED OFF DUTY EMPLOYMENT"**

Mayor Lensak opened the discussion to the public. Seeing no hands, he closed the public hearing.

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 February 09, 2015, 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– absent	Mr. Burke – absent
Ms. Mc Govern – yes	Mr. Walsh – yes
Mayor Lensak – yes	

**OLD BUSINESS**

**CONTINUED DISCUSSION REGARDING A POSSIBLE AMENDMENT TO THE MOUNT LAUREL ZONE IN ORDER TO CLARIFY PERMITTED USES FOR POSSIBLE INTRODUCTION**

Mr. Walsh stated that he feels the draft is ready for introduction and he would like to do so tonight. There was minimal change in the Ordinance and the ambiguity was removed. This amendment will make it easier for businesses to relocate to Andover Township.

**ORDINANCES: INTRODUCTION**

**NO. 2015-04 AMENDING CHAPTER 190 "ZONING"  
SECTION 190-38 "MOUNT LAUREL ZONE"**

***"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY AMENDING CHAPTER 190 "ZONING," ARTICLE V "USE AND BULK REGULATIONS," SECTION 190-38, "MOUNT LAUREL ZONE" TO CLARIFY PERMITTED USES WITHIN THE MOUNT LAUREL ZONE***

**BE IT RESOLVED** by the Mayor and Committee of the Township of Andover, that Ordinance #2015-04, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on March 09, 2015 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– absent	Mr. Burke – absent
Ms. Mc Govern – yes	Mr. Walsh – yes
Mayor Lensak – yes	

**COMMITTEE REPORTS:**

**MR. WALSH.** He reported that the Recreation Committee held their family bingo night last Friday. There is another planned for March 6<sup>th</sup>. The Easter Egg Hunt is scheduled for March 28<sup>th</sup> at 10AM and they are planning to begin the event with breakfast starting with bagels with the bunny. Family Day and Night at the Park is scheduled for May 30<sup>th</sup>. All annual contests will be held at that time. June 6<sup>th</sup> and 7<sup>th</sup> they will be hosting the Town wide Garage Sale. The annual bike inspection and parade is tentatively scheduled for June 26<sup>th</sup>.

Reporting on the DPW he stated that there was a salt shortage due to a delivery problem. That has been rectified and the supply is back to normal compliment.

Regarding the Finance Committee, he stated that he along with the CFO and the Clerk/Administrator will meet to discuss the budget to make sure everything is in place for the first work session. He suggested the work session in place of the Executive Session.

**MCGOVERN.** She reported that the last Seniors meeting was canceled due to the weather. The next meeting February 16<sup>th</sup>. She stated she received information from Ms. Thompson with regard to the Sussex County Skylands Ride Shuttle. She mentioned at the last meeting of her concerns regarding the need for certain Seniors to have transportation to and from appointments and shopping. She will present this information to the group at the next meeting and she will ask them if they wish to attend one of our Senior meetings to present before the organization details about what they do.

She then reported on the Open Space Committee speaking about the Lake Iliff Access. She brought a copy of the site plan prepared by Engineer Golden with regard to the parking lot. She stated that we received approval for 24 parking spaces at this location. This allows the public to park their vehicles and use the lake at this location. She added that better signage is needed there. The meeting for last Wednesday was canceled. She said that member Joe Steinwand tendered his resignation from the Committee.

Reporting on the Board of Education, she said their meetings are now once a month, third Tuesday of the month. She spoke about the seminar Hidden in Plain Sight, which was a drug education program for adults. The Recreation Committee worked with the teachers in putting together a childcare service so more parents could attend. For the older students, a dance was held at the Barn at that time. The police also assisted and almost 100 people attend the seminar.

She then spoke about the new student testing program called PARCC given to grades three through eight. It will be given in March. She explained that the test have to take this test online, meaning that all the students will have to be funneled through one computer lab in one school during the month to take the tests. Some people are very upset about this testing.

**MAYOR LENSAK.** He extended condolences to the Kretzmer family for their recent loss. The spaghetti dinner was held as an eighth grade fundraiser for the Boston trip at the school and the event was well attended.

The Lakeland Emergency Squad report was given by the Mayor and he stated there were 57 calls for the month of January. The total for all municipalities was 102. Total patients encountered was 80. Their new Captain is Scott Danielson.

**REPORT FROM THE CLERK/ADMINISTRATOR** She stated that everything was covered during the Executive and regular meeting and she had nothing to add at this time.

**REPORT FROM THE MUNICIPAL ATTORNEY** Attorney Sullivan reported that the issue of the pheasants and the Gillespie's, she stated that Attorney Semrau has reached out to them to discuss this matter further. There was some communication but the matter is being addressed.

**NEXT SCHEDULED MEETINGS:** February 23, 2015  
March 09 & 23, 2015  
6:30PM Executive Session  
7:30PM Regular Meeting

**ADJOURNMENT** Mayor Lensak stated that the above Executive Session for February 23<sup>rd</sup> will be amended to a budget work session and the Executive Session will follow the regular meeting.

No further business appearing before the Committee at this time, Mr. Walsh moved the meeting be adjourned at 8:12 P.M., seconded by Ms. Mc Govern and carried unanimously.



Michael Lensak, Mayor

Respectfully submitted,



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 09<sup>th</sup> day of February, 2015, 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.

**Personnel Matters:**

- 1. ***Rates of Compensation for Officials, Officers and Employees***
- 2. ***DPW Staffing***
- 3. ***Police Department Staffing – Position of Police Lieutenant***
- 4. ***J. Marchione, Tax Assessor***

**Contract Negotiations:**

- 1. ***Police Dispatchers Union Contract Renewal***
- 2. ***Lieutenant Danielson***

**Attorney-Client Privilege:**

- 1. ***Property Located at Block 73/Lot 6***
- 2. ***Lake Lenape Water Company***
- 3. ***Outstanding Engineering Projects***
- 4. ***Assignment of Cell Tower Leases***

**Potential Litigation:**

**Pending Litigation:**

- ( ) 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: February 09, 2015

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Moved: Walsh      Seconded: Mc Govern  
Voted Aye: Mc Govern, Walsh, Lensak  
Voted Nay: None  
Absent (Excused)      Blackburn, Burke

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