

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

REGULAR MEETING 7:30 PM

MARCH 9, 2015

The regular meeting of the Andover Township Committee was called to order at 7:39 P.M. by Mayor Lensak, followed by a salute to the flag.

ROLL CALL: Present: Ms. Blackburn, Mr. Burke, Ms. Mc Govern, Mr. Walsh, Mayor Lensak
Also, present: Attorney Semrau, Ms. Francisco, Deputy Clerk

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

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

***CONSENT AGENDA:**

***OTHER BUSINESS:**

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

**ACCEPTANCE OF THE TAX COLLECTOR'S FEBRUARY 2015
REPORT - \$3,618,961.74
YEAR TO DATE- \$5,037,412.70**

CONSENT AGENDA (CONTINUED)

ANNUAL TAX COLLECTOR'S STATEMENT OF RECEIPTS YEAR END DEC. 31, 2014

LAKELAND EMERGENCY SQUAD –MONTHLY CALL SUMMARY FEBRUARY 2015

ACCEPTANCE OF CFO'S REPORT FOR FEBRUARY 2015

*RESOLUTIONS:

#R2015-49 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY PROCLAMTION COMMENDING NORTHWEST NJ COMMUNITY ACTION PARTNERSHIP INC. (NORWESCAP) UPON THE OCCASION OF CELEBRATING THE 50TH ANNIVERSARY OF COMMUNITY ACTION

PUBLIC PORTION

Mayor Lensak opened the public portion of the meeting.

Seeing no hands, Mayor Lensak closed the public portion.

GIRL SCOUT GOLD AWARD PROJECT:

Mayor Lensak invited Erica Hvizdos, lifetime resident of Andover, to the microphone to tell the Township Committee about her Girl Scout Gold Award Project and she requested the use of the Hillside House or Hall for her project. Her project addresses childhood obesity. She hopes to get her peers involved in dance as an alternative exercise. It would be a free weeklong program, one hour per day and she would teach them movement through dance. She is taking donations for tap shoes and supplies. She plans to distribute fliers at school and the use of internet to advertise her program.

Mayor Lensak thanked her and asked for a motion to approve the use of the Hillside House, for her project. Mr. Walsh moved to approve Erica's request, seconded by Ms. Mc Govern and carried unanimously.

Mayor Lensak invited her to come back after she completed her project to let the committee know how it was.

ORDINANCES: PUBLIC HEARING

ORDINANCE NO. 2015-04

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

Mayor Lensak opened the discussion to the public.

Diane Gillespie stood up to be heard regarding the ordinance.

She requested an interpretation of current zoning ruling. Attorney Semrau responded that we are not abolishing the Mount Laurel Zone, we are making a minor change to the ordinance, the contribution to affordable housing does not change, the change is in the contribution regarding the commercial property did not exist before, before there was a contribution of building units with this ordinances there is a contribution and no requirement to build units in the commercial zone, and the commercial. There will be a master plan in the future. Trying to light a spark in that area of the township.

Mr. Semrau said the planning board did not meet because of the weather. He did speak to the LUB attorney and filled him in on the discussion that was had, although he cannot speak for the board but he also did not relay any legal concern that you need the planner or disrupt any of the long-term goals of the township to that magnitude. If the board found it to be inconsistent with the Master plan after their investigation, it would require a majority vote and a resolution explaining why you are doing this. Since they have not responded with an objection or concern, you can go ahead if you so choose to. For the record please reflect the reasons by motion anything you want to add. Indicate the reasons you are taking the action.

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 to adopt the above entitled ordinance adding the following reasons:

With the purpose to ignite some activity and/or initiate some growth in the area of route 206 to encourage some development, While still also tempered by the fact that residential development does not change here, but to encourage some commercial growth for that corridor and also with the mindset that in the future there will be a master plan, a fully explored master plan revision to the township and this change still has an affordable housing obligation to commercial development.

Ms. McGovern second the motion, and was carried by a roll call vote.

ROLL CALL

Ms. Blackburn—Yes Mr. Burke – Yes Ms. Mc Govern – yes, Mr. Walsh – yes
Mayor Lensak – yes

OLD BUSINESS

OTHER BUSINESS

10 YR ROAD IMPROVEMENT PLAN: ENGINEER PROPOSAL

There was discussion among the committee regarding the need for a 10 year road improvement plan. The Township Engineer, Cory Stoner, has submitted a quote for the development of the plan. The DPW supervisor has a wealth of information regarding the roads, such as the measurements and which materials have been used on the individual roads in the township. With the footwork already done by the DPW Supervisor, a \$2900.00 proposal for a 10-year plan, seemed reasonable to the committee and could come from the DPW Budget.

Ms. Mc Govern motioned to approve the expenditure of \$2,900.00 for the Township Engineer Cory Stoner to prepare the plan. , Ms. Blackburn seconded, the motion was carried by a unanimous roll call vote.

COMMITTEE REPORTS

WALSH. Mr. Walsh reported that he and Mr. Burke had recently attended a Freeholder meeting where they had approved the extra 7million dollars plus interest, toward the County Solar Project. Mayors from many of the towns were present. Based on his research of the numbers, the total project will cost \$45 million dollars. The project is for Sparta, Kittatinny, Frankford, Fredon, Sussex County Community College, and Votech HS., and the rest of us pay the bill. The professionals at the county are giving bad information and he would like to call for the resignation of County Administrator, the County Attorney and the County Treasurer.

Mr. Burke agreed that the folks should step down. They want to move forward and put good money into bad. They were met with hostility at that meeting. He reported that they needed to be held accountable. \$7 million needs to be paid back, it could go unfunded.

Mr. Lensak, stated that for a family of 5 that bill will be 1500 that everyone has to pay. There was \$920,000 in legal fees that were already paid out, they need to learn from their mistakes.

Mr. Burke: A settlement may be the way to go but they need to analyze and understand what went wrong so that it does not happen again.

Mr. Walsh motioned to have the Township Attorney draft a resolution. Mr. Lensak suggested that he draft a resolution and send it the committee for their approval, then Township Administrator has the authority to move forward.

Mr. Walsh motioned, Mr. Burke seconded and the motion was carried by unanimous roll call vote.

Mr. Walsh also reported that Hemlock Rd. is being repaired tomorrow; it has been a mess all winter. Ms. McGovern concurred that she was in shock on how horrific the road was that she called the Chief because it was in such a dangerous condition.

MCGOVERN. She reported that there is an Open Space Committee meeting Wednesday March 11, 2015 at the Municipal Building. She also reported the School Board Special meeting is on March 10 at 7:30 pm to discuss the school budget and their regular meeting is scheduled for March 17. She said the senior's luncheon is at Sheridan's Lodge on March 16, 2015.

BURKE. Mr. Burke reported that he was scheduled to attend the Lakeland Emergency Squad meeting last Tuesday but was cancelled due to the weather. He did attend his first Fire Department meeting, and after listening to the topics they appear to be a great group of professional and he looks forward to working with them.

BLACKBURN. Reported that both the LUB and Environmental Commission meeting had been cancelled due to weather.

MAYOR LENSAK. The Andover Regional Education Foundation is hosting a Red and White Fundraiser on March 29, 2015 and the cost is \$40 per person. He reported that the Christie Administration has awarded over Fifteen Million dollars in Municipal Grants to bolster the local recycling efforts. He saw a news release that reported in 2012 we received more than \$13,000.00 and wanted to know how we get more

from our businesses and residents and thought that through single stream it would become easier. He would like to see the town and the schools become more proactive. We may need to incorporate that into a garbage contract coming up.

Mayor Lensak also noted the Corned Beef Dinner that FOP is sponsoring is March 1; the cost is \$25.00 for tickets.

In addition, the email system was down today for two days, so if you sent an email it would be addressed shortly.

RESOLUTION

R#2015-50 SELF-EXAM OF BUDGET

Mayor Lensak at this time requested a motion to adopt the resolution for Self Exam of the Budget.

Ms. Blackburn moved to adopt the resolution, Mr. Walsh seconded, and the motion was carried by a unanimous roll call vote.

REPORT FROM THE CLERK/ADMINISTRATOR Deputy Clerk Francisco reported that she did not have anything formal to report; she was just filling in for the Clerk/Administrator.

REPORT FROM THE MUNICIPAL ATTORNEY Attorney Semrau reported that the tax maps have been approved by the state, which was always a big concern and are in the process now of setting up an initial meeting with the revaluation company. As we would anticipate, we will need coordination with the Revaluation company, the Police Department and identification for those individuals that are doing field work in the spring and summer, numbers would be put together in the fall and notices go out to residents with preliminary numbers and the chance to come in and meet with them. It looks like the Township is going to be timely which makes it easier, moving forward. The company selected is Appraisal Systems; they have done many others in the county and in the state.

Mr. Semrau also wanted noted that he has a personal commitment and would most likely not be able to attend the next meeting but wanted to commend the Chief and that he had enjoyed the opportunity to work with him. In addition, he wanted to be the first to wish him well. He also mentioned that during that time, many departments had litigation and during the Chief's tenure, there have not been any employment practices, claims filed and a tribute to the whole department, but certainly to the leadership and an absolute cost saver.

Mr. Semrau added that he would be working on the resolution requested earlier in the meeting and would circulate it in the next day or so based on the instructions with respect to the County.

NEXT SCHEDULED MEETINGS:

March 23, 2015

April 10, 2015

6:30PM Executive Session

7:30PM Regular Meeting

Mr. Walsh motioned to go into Executive Session at 8:32 and the committee may take action after the executive session. Ms. MCGovern seconded, the motion was carried with a unanimous roll call vote.

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION

EXECUTIVE SESSION: On a motion by Mr. Walsh, seconded by Ms. Mc Govern, the resolution to go into executive session to discuss the following and that there may be action taken by the governing body after executive Session.

Personnel Matters:

- 1. ***Rates of Compensation for Officials, Officers and Employees***
- 2. ***DPW Staffing***
- 3. ***Joint Municipal Court Staffing***

Contract Negotiations:

- 1. ***Lieutenant Danielson***

Attorney-Client Privilege:

- 1. ***Property Located at Block 73/Lot 6***
- 2. ***Lake Lenape Water Company***
- 3. ***Green Township Dispatching Services- Use of Antenna***

Potential Litigation:

Pending Litigation:

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

The Committee went into executive session at 8:32 P.M. Mr. Walsh moved to adjourn executive session at 10:07P.M., seconded by Ms. Mc Govern and carried unanimously.

BE IT RESOLVED by the Township Committee of the Township of Andover on the 09th day of March, 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***

Contract Negotiations:

1. ***Lieutenant Danielson***

Attorney-Client Privilege:

1. ***Property Located at Block 73/Lot 6***
2. ***Lake Lenape Water Company***
3. ***Green Township Dispatching Services - Use of Antenna***

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: March 9, 2015

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

March 9, 2015

The Township Committee returned to public session when Mr. Walsh motioned to close executive session, Ms. Mc Govern seconded the motion, was carried by a unanimous roll call vote.

ORDINANCE #2015-05

**AN ORDINANCE TO PROVIDE AND DETERMINE RATES
OF COMPENSATION FOR OFFICIALS, OFFICERS AND
EMPLOYEES OF THE TOWNSHIP OF ANDOVER, COUNTY
OF SUSSEX AND STATE OF NEW JERSEY**

Mr. Walsh motioned to approve the Salary ordinance on first reading, Ms. McGovern seconded the motion was passed by a roll call vote.

Ms. Blackburn, yes; Mr. Burke abstain ; Ms. McGovern yes; Mr. Walsh, yes; Mayor Lensak, yes.

ADJOURNMENT

With no further business to discuss,

Mr. Walsh motioned to adjourn at 10:12 pm., Ms. Blackburn seconded, and the motion was carried by a unanimous roll call vote.

Respectfully Submitted,



MIKE LENSAK, MAYOR



Diana Francisco, RMC
Deputy Clerk