

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

APRIL 27, 2015

EXECUTIVE SESSION – 6:30 P.M.

REGULAR SESSION – 7:30 P.M.

The regular meeting of the Andover Township Committee was called to order at 6:30 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 Fred Semrau

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

**EXECUTIVE SESSION:** Mr. Walsh moved to amend the executive session agenda to include **SMAC-Solar Project** under **attorney client privilege**; the motion was seconded by Ms. Blackburn and carried by a unanimous voice vote.

Mr. Walsh moved to adopt the resolution to go into executive session to discuss the foregoing agenda as amended, seconded and

**Personnel Matters:**

1. ***Joint Municipal Court Staffing***

**Contract Negotiations:**

1. ***Police Dispatchers Union Contract Status***

**Attorney-Client Privilege:**

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

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

The Committee went into executive session at 6:30 P.M. Mr. Walsh moved to adjourn executive session at 7:37 P.M., seconded by Ms. Blackburn and carried unanimously.

**APPROVAL OF THE REGULAR MEETING AGENDA:**

Mr. Walsh moved to approve the regular agenda; the motion was seconded and carried by a unanimous roll call vote.

**APPROVAL OF CONSENT AGENDA** All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Committee and will be approved by one motion. There will be no separate discussion of these items unless a citizen or Committee member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

Mayor Lensak opened to the public regarding the consent agenda, seeing no hands, he closed to the public.

Mr. Walsh moved to approve the consent agenda; the motion was seconded and was carried by a unanimous roll call vote.

**\*CONSENT AGENDA:**

**\*OTHER BUSINESS:**

1. **APPROVAL OF VOUCHERS FOR PAYMENT**

**\*RESOLUTIONS:**

1. **#R2015-65 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO TADEUSZ KIEC IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE # 12-00011 SOLD FOR DELINQUENT TAXES FOR BLOCK 130, LOT 5.07 IN THE AMOUNT OF \$1,242.54**
2. **#R2015-66 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO RESCIND RESOLUTION #R2015-53 AND ISSUE A TAX REFUND TO US BANK CUST FOR PFS FINANCIAL I, LLC IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE #12-00015 SOLD FOR DELINQUENT TAXES FOR BLOCK 153 LOT 21 IN THE AMOUNT OF \$61,341.89**
3. **#R2015-67 RESOLUTION FOR ACCEPTANCE OF 2014 REPORT OF AUDIT**
4. **#R2015-68 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO APPOINT DANA WASELIK TO THE POSITION OF CLERK 1 SERVING AS THE DEPUTY MUNICIPAL COURT ADMINISTRATOR**
5. **#R2015-69 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO APPOINT ELAINE HERITAGE TO THE PERMANENT PART TIME POSITION OF CLERK 1 FOR THE MUNICIPAL COURT**

**\* CONSENT AGENDA (CONTINUED)**

6. **#R2015-70**      **RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE ISSUANCE OF A FIREWORKS DISPLAY PERMIT TO APPLICANT "CELEBRATION FIREWORKS" ON THE PERONA FARMS PROPERTY FOR SATURDAY, MAY 02, 2015**

**\* APPROVAL OF MINUTES:**

1. **MARCH 23, 2015 BUDGET WORK SESSION/REGULAR MEETING**
2. **MARCH 23, EXECUTIVE SESSION "A & B"**
3. **MARCH 9, 2015 BUDGET WORK SESSION/REGULAR MEETING**

**PUBLIC PORTION**

**Mayor Lensak Opened to the Public**

Andover Resident Gail Phoebus thanked the Committee for their support at the recent Sussex County Freeholder meeting.

Jackie Espinoza- JCP&L Representative briefly spoke about a transmission line project happening in Morris County that effects Sussex County- The project supports local sub stations in Sussex County. There is an information sheet available for anyone who would like the information on the JCP&L website and in the Lobby of the Municipal Building.

Resident Ellsworth Bensley-Spoke about Clean Communities Day and suggested the township participate in "Adopt-a- Road."

With no further audience participation, Mayor Lensak closed the public portion.

**ORDINANCES: PUBLIC HEARING:**

1.      **NO. 2015-07 FOREST LAKES DAM REHABILITATION SPECIAL ASSESSMENT**

**"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING A SPECIAL ASSESSMENT TO ENSURE THE COLLECTION, PROPER ADMINISTRATION, AND REPAYMENT OF LOAN MONIES FOR THE FOREST LAKES DAM REHABILITATION TO THE 2003 DAM, LAKE AND STREAM REVOLVING LOAN FUND AND/OR NJDEP PURSUANT TO DAM REHABILITATION LOAN"**

**PUBLIC HEARING FOR ORDINANCE NO. 2015-07 FOREST LAKES DAM REHABILITATION ASSESSMENT**

Mayor Lensak opened to the public,  
Seeing no hands, Mayor Lensak closed to the public.  
He then opened to the committee for discussion. There was discussion regarding who will be handling the assessment and how it will be done? The township's attorney responded that a professional outside of either municipality would decide the method of assessment.

Mr. Walsh moved to adopt Ordinance No. 2015-07, Ms. McGovern seconded, and the motion was carried by a unanimous roll call vote.

**PUBLIC HEARING FOR 2015 BUDGET**

The Township Auditor Raymond Sarinelli of Nisivoccia & Company LLP, was present and gave a brief explanation on the proposed budget to the committee and the audience. The new budget will equate to approximately \$7.50 per month to the average taxpayer based upon the average assessed home of \$250,000.

**Mayor Lensak opened to the public.**

Ellsworth Benlsey: Requested clarification on the budget for the Joint Municipal Court.  
The Mayor seeing no more hands, closed to the public.  
Mayor Lensak asked for discussion from the committee, with no comments from the committee, Mayor Lensak closed the discussion and called for a motion. Mr. Walsh motioned to adopt the 2015 Municipal Budget, Ms. Blackburn seconded and the motion was carried by a unanimous roll call vote.

**RESOLUTIONS**

**#R2015-71 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ADOPT THE 2015 MUNICIPAL BUDGET**

Mayor Lensak read the Budget Resolution into the record. Mr. Walsh motioned to adopt Budget Resolution #R2015-71, the motion was seconded and carried by a unanimous roll call vote.

**#R2015-72 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY IN SUPPORT OF BILL A4235, THE TRANSPARENT TAX ACT OF 2015, PERMITTING MUNICIPALITIES TO ISSUE TWO SEPARATE PROPERTY TAX BILLS TO PROPERTY TAXPAYERS AND REQUIRING FIRE DISTRICTS, SCHOOL DISTRICTS AND COUNTY GOVERNMENTS TO SHARE IN BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS**

Mr. Burke moved to adopt the #R2015-72, the motion was seconded and carried by a unanimous roll call vote.

**OLD BUSINESS:**

Sussex County Day, Sunday May 3, 2015 - 12:00pm to 4:00pm at Sussex County Community College. Ms. McGovern added: Andover Township will have a table with information and giveaways from Open Space Committee, Recreation, and the Environmental Commission.

**COMMITTEE REPORTS-**

Mr. Walsh reported that he had attended the 7<sup>th</sup> & 8<sup>th</sup> Grade Dance at the Hillside Park Hall. He congratulated the Andover Recreation members on a job well done. He also reported that maintenance is needed at the Park Hall and the House.

Ms. McGovern: Reported that the "Senior of the Year" luncheon is on May 4 at noon at the Andover Borough senior center. The 2015 senior of the year is Phyllis Mangone.

Mr. Burke: Reported that the delivery of the new fire truck is currently on schedule for 2016.

Ms. Blackburn, Reported that at most recent LUB hearing, they had approved an application for a new business on Stickles Pond Road. It is a family business and they make frames for racecars. She informed the committee that she had participated in the Clean Communities event held at Hillside Park. They also had the Tree Giveaway that day.

Mr. Lensak : Suggested to the committee members who have not yet take the JIF course, take the online version, which takes about 20 minutes for credit.

Mr. Lensak read a letter of thanks to the committee from the tax collector, Darren Cashyn for their support and condolences for her recent loss.

He also reported that township employee Toni-Lu Martin has been selected to receive an award for her involvement at the Waterloo Village Clean Communities Event. Ms. Robyn Hattersley has successfully completed the New Jersey State Registrar's course and is now a Certified Municipal Registrar. He read a thank you letter from a resident regarding the police department responding to a call and helping their child during a crisis.

There is a new business opening in Andover Township called Red Nails, and it is located at 277 Newton Sparta rd.

REPORT FROM THE DEPUTY CLERK; Ms. Francisco recognized her coworkers Robyn, Toni Lu and Dana Waslik for their hard work achievements. She also informed the committee and the public regarding the town wide yard sale, which is sponsored by the Recreation Committee and scheduled for June 6 and 7<sup>th</sup>. The donation is \$5.00 and residents can register at town hall if they want to be added to the map.

REPORT FROM THE MUNICIPAL ATTORNEY- Mr. Semrau spoke on the topic of OPRA. He explained that some records requests could be very costly, and disruptive, to the Clerk's office. Although, most OPRA requests are legitimate some can be fishing expeditions and defeating to the spirit of OPRA.

**NEXT SCHEDULED MEETINGS:** May 11, 2015  
June 08 & 22, 2015  
6:30PM Executive Session  
7:30PM Regular Meeting

**ADJOURNMENT**

With no further business *Mr. Walsh moved to adjourn the meeting at 8:29 pm Ms. McGovern seconded; the motion was carried by a unanimous roll call vote.*

Mayor Michael Lensak  


Diana Francisco,, RMC/CMR Deputy Clerk

  
4-27-2015

**TOWNSHIP OF ANDOVER**

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Committee of the Township of Andover on the 27<sup>TH</sup> day of April 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. ***Joint Municipal Court Staffing***

**Contract Negotiations:**

- 1. ***Police Dispatchers Union Contract Status***

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- 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: April 27, 2015

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Moved:  
Voted Aye:  
Voted Nay: None  
Abstained

Seconded: