

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

**DOLORES BLACKBURN, MAYOR
JACK BURKE, DEPUTY MAYOR
ELLSWORTH E. BENSLEY JR
JANIS MC GOVERN
TOM WALSH**

APRIL 11, 2016

**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 6:36 P.M. by Mayor Blackburn, followed by a salute to the flag.

ROLL CALL: Present: Mr. Bensley, Mr. Burke, Ms. Mc Govern,
Mr. Walsh, Mayor Blackburn
Also, present: Attorney Semrau, Diana Francisco, Clerk/Admin

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

EXECUTIVE SESSION: Mr. Walsh moved to amend the executive session agenda to discuss an Ad Hoc Committee, under Personnel Matters, and Center for Prevention under Attorney Client Privilege. Mr. Burke seconded, the motion carried

EXECUTIVE SESSION:

Personnel Matters:

1. *DPW-Personnel-Mechanic*
2. *Ad Hoc Committee (added)*

Contract Negotiations:

1. *Union Contract Negotiations*
2. *Hillside Park Hall/House*

Attorney-Client Privilege:

1. *Springdale Market -Status*
2. *Township Right of Way Matter*
3. *One-Way Streets*
4. *Lackawanna Cutoff*

Pending Litigation:

1. *Hemlock & Rutherford Ave drainage Issue*
2. *Center For Prevention (added)*

Carried unanimously.

The committee went into executive session at 6:36pm. The committee returned to public session at 7:47pm on motion by Walsh, seconded by Mr. Burke and carried unanimously.

REGULAR MEETING: Mayor Blackburn had excused herself from the remainder of the meeting; Deputy Mayor Burke resumed the meeting.

GENERAL MEETING AGENDA

APPROVAL OF THE GENERAL AGENDA Ms. Mc Govern moved to approve the agenda as presented, seconded by Mr. Walsh and carried by a unanimous roll call vote.

APPROVAL OF CONSENT AGENDA Mr. Burke asked the members of the public if anyone wanted to pull from the consent agenda. Seeing no hands, Mr. Burke requested a motion to approve the consent agenda. Mr. Bensley moved to approve the consent agenda, seconded by Mr. Walsh and carried by a unanimous roll call vote.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

1. APPROVAL OF VOUCHERS FOR PAYMENT
2. ACCEPTANCE OF THE CFO'S REPORT FOR THE MONTHS OF FEBRUARY AND MARCH 2016
3. ACCEPTANCE OF THE TAX COLLECTORS REPORT FOR THE MONTH OF MARCH 2016 \$249,806.98 and \$5,416,131.14 YEAR TO DATE.
4. ACCEPTANCE OF THE 2015 ANNUAL REPORT - LAND USE BOARD

***RESOLUTIONS:**

***PROCLAMATION:**

1. **R#2016-54** RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO CENTER FOR PREVENTION & COUNSELING INC. FOR \$2,644.79 FOR AN OVERPAYMENT OF \$2016 TAXES FOR PROPERTY KNOWN AS BLOCK 111.02, LOT 28.01, C0302
2. **R#2016-55** RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ISSUE A TAX REUND TO M & V LIENS IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE #13-00005 SOLD FOR DELINQUENT TAXES FOR BLOCK 108, LOT 4.01 IN THE AMOUNT OF \$92,393.09
3. **R#2016-56** RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ISSUE A TAX REFUND TO JOHN LAMI IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE #15-00020 SOLD FOR DELINQUENT TAXES FOR BLOCK 109, LOT 4.01 C00060 IN THE AMOUNT OF \$16,675.33

- 4. R#2016-57 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ACCEPT THE LETTER OF RESIGNATION FROM MATTHEW CAUTERO PART-TIME PUBLIC SAFETY TELECOMMUNICATOR TRAINEE FOR THE ANDOVER TOWNSHIP POLICE DEPARTMENT
- 5. R#2016-58 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX STATE OF NEW JERSEY TO APPOINT SARAH ALPAUGH TO THE POSITION OF PART TIME PUBLIC SAFETY TELECOMMUNICATOR TRAINEE FOR THE ANDOVER TOWNSHIP POLICE DEPARTMENT
- 6. R# 2016-59 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN
- 7. R#2016-60 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE AUTHORIZING THE CONTINUANCE OF STATUTORY AND REGULAR PAYMENTS
- 8. R#2016-61 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AMEND RESOLUTION R#2016-ENTITLED 2016 SALARY RESOLUTION

*MINUTES: January 25, 2016 REGULAR SESSION MINUTES

PUBLIC PORTION

Deputy Mayor Burke opened the public portion of the meeting.

Brenda Ezzo, Questioned the committee regarding JCP&L giving Andover Township money to install a trail. She said she heard there was a resident who was objecting. Mr. Walsh confirmed that.

Mr. and Mrs. Clark, of Current Drive spoke about the hardship it is to get his mail on the one-way street. They discussed making a section a two-way street at the location of their property. The Chief of Police did not have any objection.

Seeing no other hands, Deputy Mayor Burke closed the public portion of the meeting.

ORDINANCES: INTRODUCTION

ORDINANCE 2016-04

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AMEND CHAPTER 3, ADMINISTRATION OF GOVERNMENT, ARTICLE V, TOWNSHIP CLERK SECTION 3-25, DEPUTY TOWNSHIP CLERK, OF THE CODE OF THE TOWNSHIP OF ANDOVER TO MODIFY PARAGRAPH A TO REPEAL THE RESIDENCY REQUIRMENT FOR THE DEPUTY TOWNSHIP CLERK

Mr. Bensley moved to adopt the above referenced ordinance on first reading. Mr. Walsh seconded, the motion carried with a unanimous roll call vote.

Mr. Bensley, yes, Ms. McGovern, yes, Mr. Walsh, yes, Mr. Burke, yes.
Ms. Blackburn, absent.

The township's attorney added that from time to time there are ordinances that are from many years ago. They do not apply today and there is no real rationale to have that type of requirement for that particular position. With that in mind, there is the proposed amendment to the ordinance.

ORDINANCES: Public Hearing

ORDINANCE 2016-02

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/OR NJDEP PURSUANT TO DAM REHABILITATION LOAN

Deputy Mayor Burke opened the discussion to the public. When seeing no hands Deputy Mayor Burke closed to the public. He then opened the discussion to the Township Committee. There were no comments from the committee. Township Attorney, Fred Semrau explained that during the last meeting there was a formal hearing, regarding the assessment. All residents were invited to attend.

Mr. Burke called for a motion.

Mr. Walsh moved to adopt the above referenced ordinance. Ms. Mc Govern seconded, the motion carried by a unanimous roll call vote.

VOTE:

Mr. Bensley, yes; Ms. McGovern, yes; Mr. Walsh, yes; Mr. Burke, yes;
Ms. Blackburn, Absent.

ORDINANCE 2016-03 COLA ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER COUNTY OF SUSSEX, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Deputy Mayor Burke opened the discussion to the public,

Mr. John Carafellow asked about the percentage of increase in this year's budget. Mr. Walsh responded that the cap is 2 percent and they are at about 1.5.

Ray Sarinelli, Township's Auditor, explained the appropriation cap and the adoption of the COLA ordinance. He continued to explain that the tax levy cap is 2 percent and the township is within a 2 percent increase.

With no further comments, Mr. Burke closed the discussion to the public. He then opened the discussion to the Township Committee.

There were no comments from the committee, Mr. Burke then asked for a motion.

Mr. Walsh moved to adopt the above referenced ordinance on final reading. Ms. McGovern seconded, and the motion carried by a unanimous roll call vote.

VOTE: Mr. Bensley yes; Ms. McGovern, yes; Mr. Walsh yes; Mr. Burke, yes; Ms. Blackburn, absent.

INTRODUCTION OF THE 2016 MUNICIPAL BUDGET

RESOLUTIONS: R#2016-62 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ADOPT THE 2016 MUNICIPAL BUDGET

Mr. Burke read the resolution into the record.

Mr. Walsh moved to adopt R#2016-62, Mr. Bensley seconded, the motion carried by a unanimous roll call vote. Mr. Burke, yes; Ms. McGovern, yes; Mr. Walsh yes; Mr. Burke yes; Ms. Blackburn, absent.

NEW BUSINESS: There was no new business discussed.

UNFINISHED BUSINESS:

Open Space Funding: Ms. McGovern explained that the Open Space Committee had worked on a request sheet/form at their last meeting. The purpose of the form is for the public to request certain projects and funding for Open Space. ex., a Bache ball court, clay or maintenance of ball fields. Mr. Walsh added that the requests for funding may be used for historical purposes as well.

Township Owned Property: The township attorney explained that the town has properties that have foreclosed and the township can now sell those properties to get them back on the tax rolls.

OTHER BUSINESS:

Municipal Building Hours of Operation; There was a discussion regarding the summer hours schedule being Memorial Day to Labor Day and whether the town should extend them past Labor Day. It was the consensus of the committee to implement extended hours one evening per week, from Memorial Day to Labor Day and that they will consider extending that service to later in the year, at a future meeting.

COMMITTEE REPORTS

Mr. Walsh: Reported on Economic Development, he is meeting with JCP&L regarding the Airport property, there is some interest in a possible subdivision.

He also reported that the DPW has been busy with the little league ball field and pitcher's mound.

The former hockey rink walls are down and the electric moved. He is looking to have the apron taken down for basketball courts

In addition, we will ask the company returning to finish the repair tennis courts to give a quote for the basketball court. The pavilion flooring is scheduled for concrete on April 20.

The Trails at Lake Iliff access are at half way through the project.

The other trail out to 206 is moving forward.

The bike Trail is complete, from Hillside Park to Greendale.

Road Sweeper is currently being refurbished.

The grant to fund the resurfacing of Pinkneyville Rd.is approved by the state.

Ms. McGovern: Reported the following on the Open Space Committee: She and Carla Kostelnik had walked the Bike Path, they apparently took the long way. She would like to get the parking lot started and on June 25 have the Lake Iliff Access open to the public. April 23 is the next scheduled cleanup for Lake Iliff and she will talk to Toni Lu Martin regarding that.

Mr. McGovern then reported on Sustainable Andover: Eagle Scout Conner Krieg is working on a, butterfly garden project at FMB School. He intends to incorporate student artwork into the garden. Food Pantry garden has been started by Carla. They are finishing the composting article, which will be on the website and Facebook. The Meadow Scaping project is moving forward.

There is a need for the town to include local businesses in our recycling efforts to increase our tonnage and recycling grant. Sustainable Andover will have projects for kids at Andover Day.

The seniors meet next Monday; the police department will be present to talk about the latest scams targeting seniors.

Mr. Bensley: Reported on the Land Use Board. They are currently working to identify a mechanism to amend or address ordinances to help applicants streamline the application process.

Mr. Burke Reported on Lakeland EMS calls for the month March. He announce that Police Sgt. Rod Mosner and Sgt. Kithcart both passed the police Lieutenant Examination.

The community-planning meeting was very successful and he would like the committee to continue to follow up. He would also like to come prepared to the next meeting with one or two items that the town can move on.

REPORT FROM THE CLERK/ADMINISTRATOR: No Report

REPORT FROM THE MUNICIPAL ATTORNEY

The attorney informed the public that the committee will need to go back into executive session to discuss two (2) items that they did not get to in the earlier executive session. He added that the affordable housing litigation plan was submitted and there have been no objections.

He would also like to update the governing body in executive session on the status of the Center for Prevention matter.

NEXT SCHEDULED MEETINGS:

APRIL 25, 2016 & MAY 9, 2016
6:30PM Executive Session
7:30PM Regular Meeting

Mr. Walsh moved to return to executive session to discuss the two remaining items the Center for Prevention and the Lackawanna Cutoff matters at 8:40 pm. Mr. Burke seconded, the motion carried with all in favor.

The Township Committee returned to public session at 9:08 pm. There was no action taken.

ADJOURNMENT With no further business appearing before the committee at this time, Mr. Walsh moved to adjourn at 9:09 P.M., seconded by Mr. Bensley and carried unanimously.

Submitted by,



Diana Francisco, R.M.C.
Clerk Administrator

Jack Burke, Deputy Mayor

TOWNSHIP OF ANDOVER
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Committee of the Township of Andover on the 11th day of April 2016, that:

1. Before the commencement of the 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.

EXECUTIVE SESSION:

Personnel Matters:

- 1. *DPW-Personnel-Mechanic*
- 2. *Ad Hoc Committee (added)*

Contract Negotiations:

- 3. *Union Contract Negotiations*
- 4. *Hillside Park Hall/House*

Attorney-Client Privilege:

- 5. *Springdale Market -Status*
- 6. *Township Right of Way Matter*
- 7. *One-Way Streets*
- 8. *Lackawanna Cutoff*

Pending Litigation:

- 9. *Hemlock & Rutherford Ave drainage Issue*
- 10. *Center For Prevention (added)*

- () 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 previously mentioned matter(s).

Adopted: April 11, 2016

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

RESOLUTION #R2016-54

**RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO
AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO CENTER
FOR PREVENTION & COUNSELING, INC IN THE AMOUNT OF \$2,644.79
FOR AN OVERPAYMENT OF 2016 TAXES FOR PROPERTY KNOWN AS
BLOCK 111.02, LOT 28.01, C0302**

WHEREAS, the Tax Assessor determined that property known as Block 111.02, Lot 28.01, C0302 was tax exempt for the year 2016, *and*,

WHEREAS, notification of the exemption was not given to the Tax Collector or property owner until after the due date for the 1st quarter 2016, and taxes were paid on February 5, 2016 in the amount of \$2,644.79 by the property owner, *and*,


WHEREAS, the property owner has requested that the overpayment be refunded to them, *and*,

NOW, THEREFORE, BE IT RESOLVED by the Township of Andover, County of Sussex, State of New Jersey, that a refund be issued to Center for Prevention & Counseling, Inc in the amount of \$2,644.79.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector, the Chief Financial Officer, and Township Auditor for their records.

CERTIFICATION

I, Diana Francisco, Clerk of the Township of Andover, in the County of Sussex in the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Andover Township Committee at the meeting of April 11, 2016.



Diana Francisco, R.M.C.
Municipal Clerk

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

RESOLUTION #R2016-55

**RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO
ISSUE A TAX REFUND TO M & V LIENS IN REGARDS TO THE
REDEMPTION OF TAX SALE CERTIFICATE # 13-00005 SOLD FOR
DELINQUENT TAXES FOR BLOCK 108, LOT 4.01,
IN THE AMOUNT OF \$92,393.09**

WHEREAS, On October 22, 2013, Tax Sale Certificate #13-00005 was sold for delinquent 2012 taxes on Block 108, Lot 4.01, owner of record Robert Pyskaty, to M & V Liens in the amount of \$17,571.90, *and*,

WHEREAS, the lien holder, M & V Liens, paid subsequent taxes from the 1st quarter 2013 thru the 1st quarter 2016 in the amount of \$48,408.10, *and*,


WHEREAS, on March 24, 2016, First Hope Bank, in regards to a mortgage on the property, paid the lien and subsequent principal of \$65,980.00, search & recording fees in the amount of \$52.00, penalties in the amount \$3,914.94, and interest in the amount of \$22,446.15 through April 12, 2016 for the redemption of Tax Sale Certificate #13-00005.

NOW, THEREFORE, BE IT RESOLVED by of the Township Committee of Andover, County of Sussex, State of New Jersey, that upon certification of Daryn L. Cashin, Tax Collector, a refund be issued to M & V Liens in the amount of \$93,393.09.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector, the Chief Financial Officer, and Township Auditor for their records.

CERTIFICATION

I, Diana Francisco, Clerk of the Township of Andover, in the County of Sussex in the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Andover Township Committee at the meeting of April 11, 2016.



Diana Francisco, R.M.C.
Municipal Clerk

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

RESOLUTION #R2016-56

**RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO
ISSUE A TAX REFUND TO JOHN LAMI IN REGARDS TO THE
REDEMPTION OF TAX SALE CERTIFICATE # 15-00020 SOLD FOR
DELINQUENT TAXES FOR BLOCK 109, LOT 4.01, C0060
IN THE AMOUNT OF \$16,675.33**

WHEREAS, On October 6, 2015, Tax Sale Certificate #15-00020 was sold for delinquent 2014 taxes on Block 109, Lot 4.01, C0020, owner of record Andrea Angrisane, to John Lami in the amount of \$3,880.22, *and*,

WHEREAS, the lien holder, John Lami, paid a premium in the amount of \$8,000.00 at the time of the sale, and subsequent taxes from the 1st quarter 2015 thru the 1st quarter 2016 in the amount of \$4,341.76, *and*,


WHEREAS, on March 31, 2016, Andrea Angrisane paid the lien and subsequent principal of \$8,221.98, search & recording fees in the amount of \$52.00, penalties in the amount \$77.60, and interest in the amount of \$323.75 through April 12, 2016 for the redemption of Tax Sale Certificate #15-00020.

NOW, THEREFORE, BE IT RESOLVED by of the Township Committee of Andover, County of Sussex, State of New Jersey, that upon certification of Daryn L. Cashin, Tax Collector, a refund be issued to John Lami in the amount of \$16,675.33.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector, the Chief Financial Officer, and Township Auditor for their records.

CERTIFICATION

I, Diana Francisco, Clerk of the Township of Andover, in the County of Sussex in the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Andover Township Committee at the meeting of April 11, 2016.



Diana Francisco, R.M.C.
Municipal Clerk

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

RESOLUTION #R2016-57

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE
OF NEW JERSEY TO ACCEPT THE LETTER OF RESIGNATION FROM MATTHEW
CAUTERO PART-TIME PUBLIC SAFETY TELECOMMUNICATOR TRAINEE FOR THE
ANDOVER TOWNSHIP POLICE DEPARTMENT

WHEREAS, Matthew Cautero was appointed February 08, 2016; and,


WHEREAS, Mr. Cautero had submitted his letter of resignation to Chief Danielson, a copy attached hereto; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex and State of New Jersey, to hereby accept the letter of resignation tendered by Mr. Cautero to be effective immediately; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Township Administrator, the Chief of Police, the Township Auditor, the Finance Department and the New Jersey Civil Service Commission for their records.

CERTIFICATION

I, Diana Francisco, Municipal Clerk of the Township of Andover, in the County of Sussex in the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Andover Township Committee at its meeting on April 11, 2016.


Diana Francisco, R.M.C.
Municipal Clerk

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

RESOLUTION #R2016-58

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO APPOINT SARAH ALPAUGH TO THE POSITION OF PART-TIME PUBLIC SAFETY TELECOMMUNICATOR TRAINEE FOR THE ANDOVER TOWNSHIP POLICE DEPARTMENT

WHEREAS, there is a need for additional personnel for the position of Part-Time Public Safety Telecommunicator Trainee for the Andover Township Police Department; and,

WHEREAS, interviews were conducted and Police Chief Danielson has recommended Sarah Alpaugh be appointed to fill this vacancy; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex and State of New Jersey, candidate Sara C. Alpaugh, be appointed to the position of Part-time Public Safety Telecommunicator Trainee, said appointment subject to N.J.S.A. Title 11, NJ Civil Service Commission; and,


BE IT FURTHER RESOLVED that based on her experience, remuneration for said position shall be \$15.79 per hour, step pay scale for part-time dispatchers in the current police dispatchers' contract.

BE IT FURTHER RESOLVED that said appointment shall become effective immediately.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to, the Township Administrator, the Police Chief, the Township Auditor, the Chief Financial Officer and the NJ Civil Service Commission for their records.

CERTIFICATION

I, Diana Francisco, Municipal Clerk of the Township of Andover, in the County of Sussex in the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Andover Township Committee at its meeting on April 11, 2016.



Diana Francisco, R.M.C.
Municipal Clerk

R#2016-59

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY
ENDORING THE HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the Land Use Board of the Township of Andover, County of Sussex, State of New Jersey ("Land Use Board"), adopted a Housing Element and Fair Share Plan ("HEFSP") pursuant to N.J.S.A. 40:55D-28 on December 16, 2008, which HEFSP was submitted to the Council on Affordable Housing ("COAH") for Substantive Certification on December 29, 2008; and

WHEREAS, the Township's 2008 HEFSP received Substantive Certification from COAH on October 27, 2009; and

WHEREAS, the New Jersey Supreme Court issued a decision and order on March 10, 2015, In re Adoption of N.J.A.C. 5:96 and 5:97 ex rel. New Jersey Council on Affordable Housing, 221 N.J. 1, which required adoption of a new HEFSP to be prepared in accordance with COAH's prior round rules; and

WHEREAS, in accordance with the Court's decision, the Land Use Board has prepared a proposed new HEFSP ("2016 HEFSP"); and

WHEREAS, the new HEFSP was adopted by the Land Use Board on March 15, 2016 after notice and hearing pursuant to applicable law; and

WHEREAS, N.J.A.C. 5:91-2.2(a) requires the adoption of the HEFSP by the Land Use Board and endorsement by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Andover, in the County of Sussex and State of New Jersey, hereby endorses the 2016 Housing Element and Fair Share Plan as adopted by the Township of Andover Land Use Board on March 15, 2016.

This Resolution shall take effect immediately.

Adopted: April 11, 2016

Adopted this 11th day of APRIL, 2016 and
certified as a true copy of an original.



Diana Francisco, Township Clerk

RESOLUTION #R2016-60

**RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE
AUTHORIZING THE CONTINUANCE OF STATUTORY AND
REGULAR PAYMENTS**

WHEREAS, the Andover Township Committee has in recent years, canceled its regular meeting schedule on occasion; and

WHEREAS, due to the nature of certain claims and timing of the particular meeting involved, certain claims should be paid when presented which are statutory and regular in nature, rather than held for the next meeting of the Township Committee due to the nature of said bills.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover as follows:

A. This Township does hereby approve of the payment between meetings of the following enumerated claims for payment, when the same are presented to the Township committee and Chief Finance Officer of the Township of Andover

1. Township of Andover Board of Education
2. Sussex County Treasurer (County Taxes only)
3. State Health Benefits of New Jersey- Standard Life Insurance- Delta dental Plan of NJ
4. Century Link Telephone.
5. Jersey Central Power & Light
6. Petty Cash
7. Recycling and garbage contractors, monthly contract only*
8. Retiree Reimbursements For Monthly Health Benefit Insurance Premiums
9. Postage

***NORMAL RETAINER AND/OR REGULAR MONTHLY PERIODIC FEES.**

B. That the Chief Finance Officer be and she is hereby authorized and directed to prepare the proper vouchers for payment of the above recited accounts when the same is properly presented to her for payment, and that thereafter said claim shall be listed on the List of bills to be approved by the Township Committee.

C. Certified copy of this resolution be forwarded to the Chief Finance Officer of the Township of Andover, and Township Auditor.

Adopted this 11th day of April, 2016 and
certified as a true copy of an original.



Diana Francisco, Municipal Clerk

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

RESOLUTION #R2016-61

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AMEND RESOLUTION
#R2016- ENTITLED "2016 SALARY RESOLUTION"


BE IT RESOLVED by the Township Committee of the Township of Andover,
County of Sussex and State of New Jersey that the following position of the Township of
Andover be compensated as follows for calendar year 2016:

<u>POSITION</u>	<u>HOURLY WAGE</u>
TAX Clerk	\$15.30

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded
to Tax Clerk Terry Vervaet, the Township Administrator, the Finance Department, the
Township Auditor and the New Jersey Civil Service Commission for their records.

CERTIFICATION

I, Diana Francisco, Clerk of the Township of Andover, in the County of Sussex in the State
of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the
Original Resolution duly passed and adopted by a majority of the full membership of the
Andover Township Committee at its meeting on April 11, 2016.



Diana Francisco, R.M.C.
Municipal Clerk

ANDOVER TOWNSHIP

TAX DEPARTMENT

INTER-OFFICE MEMORANDUM

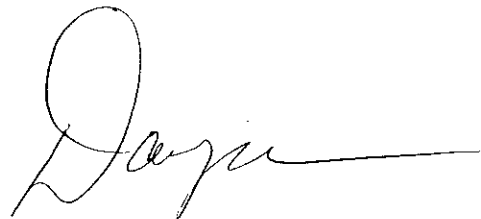
DATE: April 1, 2016
TO: Mayor, Committee & Administrator
FROM: Daryn Cashin, Tax Collector
SUBJECT: Monthly Report for March, 2016

March collections: \$249,806.98 (see attached)

Below is a comparative chart of collections in the tax office, from 2015 to 2016.

	<u>2015</u>	<u>2016</u>
January	\$1,418,450.96	\$ 874,583.25
February	3,618,961.74	4,291,740.91
March	188,382.54	249,806.98
<i>Year to date</i>	<i>\$5,225,795.24</i>	<i>\$5,416,131.14</i>

Delinquent 2015 \$ 188,213.26 (49 accounts)
Delinquent 2016 \$ 149,253.36 (141 accounts)
Total Delinquent \$ 337,466.62



Code Description	Count	Arrears/Other	Principal			Interest	Total
			2015	2016	2017		
001 TAX PAYMENT	147	0.00	37,706.17	107,193.60	0.00	3,838.79	148,738.56
Tax Payments	147	0.00	37,706.17	107,193.60	0.00	3,838.79	148,738.56
004 REDEEM LIEN	22	74,201.98	0.00	0.00	0.00	12,392.02	86,594.00
019 LIEN YEP 6%	3	2,860.63	0.00	0.00	0.00	11,509.79	14,370.42
024 LIEN RECORDING FEE	2	104.00	0.00	0.00	0.00	0.00	104.00
Lien Payments	27	77,166.61	0.00	0.00	0.00	23,901.81	101,068.42
Payments Total:	174	77,166.61	37,706.17	107,193.60	0.00	27,740.60	249,806.98
NSF Reversals Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
Total:	174	77,166.61	37,706.17	107,193.60	0.00	27,740.60	249,806.98

Total Cash: 80.00

Total Check: 249,726.98

Total Credit: 0.00

ANDOVER TOWNSHIP - CFO'S REPORT
for the Month Ending March 31, 2016

	Beginning Balance	Cash Receipts	Disbursements	Ending Balance
Current Fund	\$ 2,786,613.80	\$ 756,662.26	\$ 2,214,802.94	\$ 1,328,473.12
Current Fund - Investment	\$ 122,844.52	\$ 44.75	\$ -	\$ 122,889.27
Capital Fund	\$ 299,506.50	\$ 731.58	\$ 108,875.00	\$ 191,363.08
Capital Fund - Investment	\$ 180,330.26	\$ 65.68	\$ -	\$ 180,395.94
Dog Trust Fund	\$ 3,011.04	\$ 439.41	\$ 219.17	\$ 3,231.28
COAH Trust Fund	\$ 16,342.06	\$ 5.96	\$ -	\$ 16,348.02
Open Space Trust Fund	\$ 204,806.37	\$ 74.49	\$ 837.50	\$ 204,043.36
Escrow Trust Fund	\$ 311,276.13	\$ 14,894.20	\$ 5,108.08	\$ 321,062.25
Developers Escrow Accounts	\$ 83,285.24	\$ -	\$ -	\$ 83,285.24
Net Payroll Account	\$ 1.50	\$ 141,694.81	\$ 141,693.14	\$ 3.17
Agency Payroll Account	\$ 27,672.86	\$ 111,891.21	\$ 138,937.90	\$ 626.17
Sustainable Andover	\$ 4,633.16	\$ -	\$ -	\$ 4,633.16
SUI Trust Account	\$ 15,882.68	\$ 2,178.81	\$ -	\$ 18,061.49
Totals	\$ 4,056,206.12	\$ 1,028,683.16	\$ 2,610,473.73	\$ 2,474,415.55

Submitted by Shawn Maguire Date April 8, 2016

*Township of Andover
Office of the Land Use
134 Newton-Sparta Road
Newton, New Jersey 07860
Tel: 973-383-4280 ext. 245
Fax: 973-383-5039
awilhelm@andovertwp.org*

MEMORANDUM

TO: Andover Township Committee
FROM: Anne-Marie Wilhelm, Land Use Administrator
RE: 2015 Annual Report
DATE: March 22, 2016

Please see the attached *RESOLUTION TOWNSHIP OF ANDOVER LAND USE BOARD REPORT ON VARIANCE APPLICATIONS AND AMENDMENT RECOMMENDATIONS DECIDED ON FEBRUARY 16, 2016 AND MEMORIALIZEED ON FEBRUARY 16, 2016* forwarded pursuant to Andover Township Code §74-29 and N.J.S.A. 40:55D-70.1.

Thank you for your attention.

RESOLUTION
Township of Andover Land Use Board
Report on Variance Applications and
Amendment Recommendations
Decided on February 16, 2016
Memorialized on February 16, 2016

WHEREAS, the Township of Andover Land Use Board in accordance with Andover Code § 74-29 and the Municipal Land Use Law pursuant to N.J.S.A. 40:55D-70.1 shall, at least once a year, review its decisions on applications and appeals for variances and prepare and adopt by Resolution a report on its findings on Zoning Ordinance provisions which were the subject of variance requests and its recommendations for Zoning Ordinance amendment or revisions if any exist; and,

WHEREAS, the Board pursuant to Andover Code §74-29 and N.J.S.A. 40:55D-70.1 makes the following report and recommendations to the Governing Body and Planning Board; and

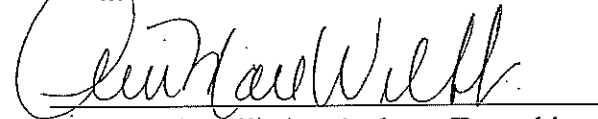
WHEREAS, the following matters were heard and decided by the Land Use Board during the calendar year 2015:

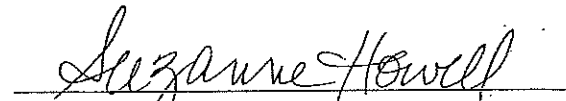
Applicant	Block & Lot	Decided	Memorialized	Relief
Xtreme Race Cars, LLC 64 Stickels Pond Road	Block 126 Lot 502	4/21/15	5/5/15	Site Plan Waiver Approval
Theodore Moroz	Block 156 Lot 1, 2.03 and 2.04	4/7/15	5/19/15	Minor Subdivision Approval
Alma Lane Associates, LLC	Block 156 Lots 2 and 2.02	4/7/15	5/19/15	Minor Subdivision Approval
Thomas Southerland and Irene Linck 18 Hemlock Avenue Newton, NJ 07860 20 Hemlock Avenue Newton, NJ 07860	Block 38 Lot 7	7/21/15	8/18/15	Minor Subdivision/Lot Line Adjustment Approval
F. William LaVigne, Esq. 494-500 Limecrest Road Andover, NJ 07821	Block 60 Lot 5	7/21/15	8/18/15	Granting of an Appeal from Decision of Zoning Officer
Barry Holland 26 Hemlock Avenue Newton, NJ 07860	Block 38 Lot 11	7/21/15	8/18/15	Minor Subdivision and Ancillary "c" Variance Relief

One Way Focused Holdings, LLC 453 Route 206 Andover, NJ 07860	Block 151 Lot 16	9/1/15	10/6/15	Preliminary Site Plan Approval, Ancillary "c" Variance Relief and Design Waiver Relief
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The Land Use Board has no Ordinance recommendations at this time.

The undersigned certifies the within Resolution was adopted by this Land Use Board on February 16, 2016, and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on February 16, 2016


 Anne-Marie Wilhelm, Andover Township
 Land Use Administrator/Board Secretary


 Suzanne Howell, Chairman

FOR: *Ben Benson Jr., Lele Patterson, Paul Messerschmitt, Eric Olsen,*

AGAINST: *John O'Connell, A. Howell, Richard Pheasant*

ABSTAIN: *Ø*

Board Member(s) Eligible to Vote: *S/A*

SECTION 2 - UPON ADOPTION FOR YEAR 2016

(Only to be included in the Budget as Finally Adopted)

RESOLUTION 2016-62

Be It Resolved by the Andover Governing Body of the Sussex Township of Andover, County of Sussex that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 6,143,583.24 (item 2 below) for municipal purposes and
- (b) \$ _____ (item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) \$ _____ (item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 64,934.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ _____ (Item 5 below) Minimum Library Tax

RECORDED VOTE

(insert last name)

AYES {

*Bensley
McGovern
Walsh
Burke*

Nays {

Abstained {

Absent { *Blackburn*

SUMMARY OF REVENUES

1. General Revenues

Surplus Anticipated	08-100	\$	1,100,000.00
Miscellaneous Revenues Anticipated	13-099	\$	1,065,349.14
Receipts from Delinquent Taxes	15-499	\$	200,250.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	6,143,583.24
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 41	07-195	\$	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	07-192		
Total Revenues	13-299	\$	8,509,182.38

SUMMARY OF APPROPRIATIONS

6. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXXXXXXX
Within "CAPS"	XXXXXX	XXXXXXXXXXXX
(a&b) Operations Including Contingent	34-201	\$ 5,777,124.60
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 650,163.00
(g) Cash Deficit	46-885	
Excluded from "CAPS"	XXXXXX	XXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 267,494.78
(c) Capital Improvements	44-999	\$ 264,000.00
(d) Municipal Debt Service	45-999	\$ 394,800.00
(e) Deferred Charges - Municipal	46-999	\$ 85,600.00
(f) Judgements	37-480	\$
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	\$
(g) Cash Deficit	46-885	\$
(k) For Local District School Purposes	29-410	\$
(m) Reserve for Uncollected Taxes (Include Other Reserves If Any)	50-899	\$ 1,070,000.00
7. SCHOOL APPROPRIATIONS - TYPE 1 SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	07-195	\$
Total Appropriations	34-499	\$ 8,509,182.38

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 11th day of April, 2016. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2016 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 11th day of April, 2016, Diana Francisco, Clerk
Signature

TOWNSHIP OF ANDOVER
SUSSEX COUNTY, NEW JERSEY

ORDINANCE NO. 2016-02

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

WHEREAS, the Forest Lakes dam is in need of rehabilitation; and

WHEREAS, the New Jersey Department of Environmental Protection ("NJDEP"), Dam Safety Division, determined that said dam was unsafe and was in need of repair; and

WHEREAS, on February 28, 2011, the Mayor and Township Committee of the Township of Andover adopted a Resolution authorizing the execution of a Dam Rehabilitation Co-Borrower Agreement between and among the Township of Andover, the Forest Lakes Club, Inc., and the Township of Byram; and

WHEREAS, the 2003 Dam Bond Act, allocated ninety-five million (\$95,000,000.00) dollars to the 2003 Dam, Lake and Stream Revolving Loan Fund, a revolving, non-lapsing fund ("2003 Fund") to provide loans, subject to the regulations set forth in Dam Restoration and Inland Waters Loan Program N.J.A.C. 7:24A-1.1 et seq., to private lake associations, such as the Forest Lakes Club, Inc. to accomplish dam rehabilitation projects; and

WHEREAS, subsequently the Forest Lakes Club, Inc. applied for a low interest loan under the 2004 Dam Restoration Loan Program; and

WHEREAS, pursuant to the submitted loan application, the State of New Jersey has estimated the cost of the actual work on the dam to be up to one million five hundred twenty five thousand two hundred nineteen dollars and eighty eight cents (\$1,525,219.88); and

WHEREAS, the 2003 Dam Bond Act states:

"The cost of payment of the principal and interest on any loan made to the owner of a private dam, or to a private lake association, as a co-applicant with a local government unit, **shall be assessed**, in the same manner as provided for the assessment of local improvements generally under chapter 56 of Title 40 of the Revised Statutes, **against the real estate benefited thereby in proportion to and not in excess of the benefits conferred**, and such assessments shall bear interest and penalties from the same time and at the same rate as assessments for local improvements in the municipality where they are imposed, and from the date of confirmation shall be a first and paramount lien upon the real estate assessed to the same extent, and be enforced and collected in the same manner, as assessments for local improvements." N.J.S.A. 58:4-12d(1).

WHEREAS, the final costs of the project have not yet been finalized but a preliminary review of costs estimates that the final cost will be one million five hundred twenty five thousand, two hundred nineteen dollars and eighty eight cents (\$1,525,219.88); and

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

SECTION 1. Assessments.

The assessments levied under this Ordinance shall include any and all of the reasonable and necessary costs incurred in connection with the Forest Lakes Dam Rehabilitation Project, including but not limited to the repayment of the Loan monies, the interest thereon, any associated penalties, late payments and other charges imposed in connection therewith, as provided under N.J.S.A. 58:4-12.

SECTION 2. Notice.

The Township Clerk shall cause a notice of this proposed assessment to be mailed to the owners of real estate impacted by the special assessment prior to the future special assessment for the Forest Lakes Dam Rehabilitation Project. The notice shall contain a description of the property impacted sufficiently to identify it. Such notice shall be served in accordance with law and proof of service shall be filed with the tax office within ten (10) days after such service. A copy of the list of affected property owners is attached to this Ordinance as Exhibit A.

SECTION 3. Special Assessment as Priority Lien.

The special assessment assessed against each impacted property shall constitute a first and paramount lien as provided for in N.J.S.A. 58:4-12d(1).

SECTION 4. Severability.

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid by any Court of competent jurisdiction, such decision shall not affect any remaining sections of the Ordinance.

SECTION 5. Repealer.

All Ordinances or parts of Ordinances which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.



Diana Francisco, RMC/CMR
Municipal Clerk/Administrator

INTRODUCED: March 14, 2016
ADOPTED: April 11, 2016
CERTIFIED: April 11, 2016

ROLL CALL VOTE:

Bensley, Aye
McGovern, Aye
Walsh, Aye
Burke, Aye

Blackburn, Absent

CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

2016 - 03

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Township of Andover in the County of Sussex finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and the citizens; and

WHEREAS, the Governing Body hereby determines that a 3.5 percent increase in the budget for said year, amounting to \$220,266.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Township of Andover, County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of Andover shall, in accordance with this ordinance and N.J.S.A. 40A:40-45.14, be increased by 3.5% amounting to \$220,266.18, and that the CY 2016 municipal budget for the Township of Andover be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote thereon, be filed with said Director within 5 days after such adoption.

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.S.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5, the Township of Andover has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2016 budget year, so

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Andover that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges.
 - b. Deferred charges and statutory expenditures.
 - c. Cash deficit of preceding year.
 - d. Reserve for uncollected taxes.
 - e. Other reserves and nondisbursement items.
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth.
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Approved:

Diana Francisco

Vote recorded as follows:

First Reading - 3/14/16 - vote Ayes (5) NAYS (0)
Final Adoption 4/11/16 - vote Ayes (4)
Absent Blackburn

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

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, AND THE STATE OF NEW JERSEY, TO AMEND CHAPTER 3, ADMINISTRATION OF GOVERNMENT, ARTICLE V, TOWNSHIP CLERK, SECTION 3-25, DEPUTY TOWNSHIP CLERK, OF THE CODE OF THE TOWNSHIP OF ANDOVER TO MODIFY PARAGRAPH A TO REPEAL THE RESIDENCY REQUIREMENT FOR THE DEPUTY TOWNSHIP CLERK

WHEREAS, Chapter 3, Article V, Section 3-25A of the Code of the Township of Andover provides that "The Deputy Township Clerk shall be a resident of Andover Township and shall serve for one year"; and

WHEREAS, the Township Committee of the Township of Andover has determined that it wishes to repeal the residency requirement;

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

SECTION 1. Chapter 3, Administration of Government, Article V, Township Clerk, Section 3-25, Deputy Township Clerk, is hereby amended to repeal the portion of Paragraph A regarding the residency requirement of the Deputy Township Clerk, to read as follows:

ARTICLE V Township Clerk

§ 3-25 Deputy Township Clerk

The office of Deputy Township Clerk shall be and hereby is established for the Township of Andover, Sussex County, New Jersey, pursuant to the provisions of N.J.S.A. 40A:9-135.

- A. The Deputy Township Clerk shall serve for one year.
- B. The Deputy Township Clerk shall have all the powers and perform all the duties of the Township Clerk during such times and for such specific periods as the Township Clerk shall be absent, disabled, or when delegated by the Township Clerk to exercise such powers and perform such duties. The Deputy Township Clerk shall also perform such function and duties as may be assigned to him by the Township Clerk or the Township Committee.

SECTION 2. All ordinances of the Township of Andover which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 5. This Ordinance may be renumbered for codification purposes.

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

ATTEST:



Diana Francisco, Municipal Clerk

By: _____
Dolores Blackburn, Mayor

**AYES: 4
NAYES: 0
ABSENT: 1**

**Introduced: 4-11-16
Adopted:**