

## ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

May 8, 2017

The regular meeting of the Andover Township Committee was called to order at 6:43 p.m. at 134 Newton Sparta Road, Andover Township, by Mayor Walsh, followed by a salute to the flag.

**ROLL CALL:** Present: Mr. Bensley, Ms. Blackburn, Mr. Burke, Mayor Walsh

Excused absence: Ms. Mc Govern

Also, present: Attorney Semrau, and Diana Francisco, Clerk/Administrator

**OPEN PUBLIC MEETING STATEMENT** The statement of compliance with Chapter 231, P. L. 1975 was read by Mayor Walsh.

**EXECUTIVE SESSION:** Mr. Burke moved to go into Executive Session to discuss to discuss the following:

### **Personnel Matters**

1. ***Grant Application Incentives***
2. ***Dispatchers***
3. ***Police Personnel***

### **Contract Negotiations:**

1. ***Rolling Hills Condo Agreement***
2. ***Health Benefits Waiver***
3. ***Additional Dental Plan Offering***

### **Attorney-Client Privilege:**

1. ***Lackawanna Cutoff***

*Ms. Blackburn seconded, the motion carried with unanimous roll call vote.*

*Executive session concluded at 7:42 pm, after a 5 minute recess the regular meeting resumed.*

### **APPROVAL OF THE GENERAL AGENDA**

Mr. Burke moved to approve the general agenda, Ms. Bensley seconded, the motion carried by a unanimous roll call vote.

### **APPROVAL OF CONSENT AGENDA**

Mayor Walsh opened to the public regarding the consent agenda items, with no response Mayor Walsh closed to the public regarding the consent agenda. He then opened to the committee, Mr. Burke moved to add **R 2017-75 RESOLUTION AUTHORIZING A PPO DENTAL PLAN AS AN ADDITIONAL DENTAL PLAN OFFERING TO EMPLOYEE HEALTH BENEFITS PROGRAM**, Mr. Bensley seconded. Mr. Burke moved to adopt the amended consent agenda, there was a second, the motion carried with a unanimous roll call vote.

**CONSENT AGENDA:**

**\*OTHER BUSINESS:**

- 1. APPROVAL OF VOUCHERS FOR PAYMENT**
- 2. ACCEPTANCE OF THE TAX COLLECTOR'S REPORT FOR THE MONTH OF APRIL 2017  
\$1,031,748.11 YEAR TO DATE \$6,532,898.42**
- 3. ACCEPTANCE OF THE CFO'S REPORT FOR MONTH OF APRIL 2017**

**\*RESOLUTIONS:**

- 1. #R2017-71 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ISSUE A TAX REFUND TO US BANK CUST BV002 TRST & CRDTRS IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE #16-00005 SOLD FOR DELINQUENT TAXES FOR BLOCK 105.04, LOT 21 IN THE AMOUNT OF \$33,189.95**
- 2. #R2017- 72 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 22 – June 4, 2017**
- 3. #R2017-73 RESOLUTION OF THE TOWNSHIP OF ANDOVER , COUNTY OF SUSSEX < STATE OF NEW JERSEY AUTHORIZING THE MUNICIPAL JOINT INSURANCE FUND TO PROVIDE LIABILITY COVERAGE SUBJECT TO POLICY TERMS AND CONDITIONS TO THE GREATER ANDOVER SENIOR CITIZENS CLUB AS A QUASI-MUNICIPAL ENTITY**
- 4. #R2014-74 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 MONDAY, MAY 22, 2017**

**PUBLIC PORTION**

Mayor Walsh opened the public portion of the meeting.

Mrs. Coppolino thanked the Road Department for a job well done with brush pickup after the last storm and the winter as well.

Ms. Gillespie spoke about the graffiti that had been painted over on the overpass on the trail. After a brief discussion, it was concluded that it was most likely done by the county.

Bill Gallagher spoke about the Lake Iliff Trail and the status of the trail getting to Kittatinny State Park.

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

**UNFINISHED BUSINESS**

**1. DPW Personnel**

Discussion ensued regarding the replacement of a full time DPW laborer.

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**May 8, 2017**

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The DPW Supervisor explained the position of the Road Department, he doesn't know how they will get the work done. The overall DPW budget was cut during budget hearings. With the cut in the budget the town will not be able to pay prevailing wage for outside work, which is work his staff may be able to do in house if they have adequate man power.

Mr. Bensley stated that the town can't afford to pay the benefits package for a full time employee he would like to continue to this think about it. He would opt for a part time employee. Other towns do with fewer DPW Employees

Mr. Walsh stated that he did not care what they do in other towns, he is looking to invest in the future of this town and not a company to do lawn maintenance. He wants to invest in the township and a replacement of the lost employee.

The Municipal Clerk/Administrator was asked for her opinion by Mayor Walsh. She said she thought the town is very fortunate to have extremely qualified and professional department heads. I would trust in Darren's expertise to know what his department needs in terms of roads, maintenance of buildings and grounds.

Ms. Blackburn stated that yes there is some savings in hiring an entry level Laborer however her concerns are that it's not what is being paid this year it's the increases each year as well as the benefits package.as opposed to contracting we won't be paying the benefits package. She does realize that the DPW staff does more than picking up brush, and mowing lawns.

Mr. Burke the question is not whether or not we are going to replace the DPW Employee it is how are we going to replace him, that is with outside contractors or a full time employee? Discussed the Pros and cons. The DPW hasn't been given direction.

**Mr. Burke moved to hire a full time DPW employee, Mr. Bensley seconded, and the motion did not carry by a roll call vote:**

**Mr. Bensley, no, Ms. Blackburn, no, Mr. Burke no, Mr. Walsh yes. Ms. McGovern, absent.**

**Summer Hours, Municipal Building**

The Municipal Clerk Francisco reported that the municipal staff are agreeable to adjusting Thursday office hours to 8 am-7pm and Friday 8am-noon until daylight savings time ends in early November.

**NEW BUSINESS:**

**Telephone Services**

Mr. Bensley spoke about the telephone bills being very high. He wanted to be sure the town is getting the best price.

**Electric Services**

Mr. Bensley also talked about the electric bills being high in his opinion.

He would like to change the bulbs to LED.

**COMMITTEE REPORTS:**

**Mr. Burke:**

Read the EMS Lakeland report and fire Department reports.

He also commented on the summary provided by Cory Stoner authorizing the construction of trail up to the property which needs an easement.

**Ms. Blackburn:** no report at this time.

**Mr. Bensley:**

The land Use Board had a completeness hearing. The Recreation committee is sponsoring a Dance 6:30pm-8:30pm.

**Mayor Walsh:**

Shared with the committee samples of a Welcome to Andover sign.

The finance department provided the Mayor with the overall debt information which is 1.7 million, the town is expected to be debt free by 2020.

He shared a resolution from the Sussex County Economic Development Commission in support of the township regarding the Lackawanna cutoff project.

**REPORT FROM THE CLERK/ADMINISTRATOR** No report

**REPORT FROM THE MUNICIPAL ATTORNEY**

He discussed what can be done to break the stalemate, permitting process, confirmed by the DEP that a permit was issued by the DEP. NJ Transit has not completed the test of the culvert as of yet. NJ transit does have the authority to go on the property for certain purposes.

**NEXT SCHEDULED MEETINGS:**

May 22, 2017  
6:30PM Executive Session  
7:30PM Regular Meeting  
June 12, 2017  
6:30PM Executive Session  
7:30PM Regular Meeting

**ADJOURN:**

There being no further business before the committee, Ms. Blackburn moved to adjourn at 8:30 pm, there was a second, the motion carried with all in favor.

*Submitted by,*

***Diana Francisco, RMC/CMR***  
***Clerk/Administrator***

*Diana Francisco*

**ANDOVER TOWNSHIP TAX COLLECTOR**

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**DATE: May 1, 2017**

**TO: Mayor, Committee and Administrator, Andover Township**

**FROM: Daryn Cashin, Tax Collector**

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**I have examined our tax records and find that there are no uncollectible property taxes at this time.**

**Respectfully Submitted,**

**Daryn Cashin, C.T.C.**

ANDOVER TOWNSHIP  
TAX DEPARTMENT  
INTER-OFFICE MEMORANDUM

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DATE: April 28, 2017  
TO: Mayor, Committee & Administrator  
FROM: Daryn Cashin, Tax Collector  
SUBJECT: Monthly Report for April, 2017

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April tax collections: \$1,031,748.11 (see attached)

Below is a comparative chart of collections in the tax office, from 2016 to 2017.

	<u>2016</u>	<u>2017</u>
January	\$ 874,583.25	\$ 1,178,601.13
February	4,291,740.91	4,145,219.32
March	249,806.98	177,329.86
April	974,177.18	1,031,748.11
<i>Year to date</i>	<i>\$ 6,390,308.32</i>	<i>\$ 6,532,898.42</i>
Delinquent 2016	\$ 121,529.85	
Delinquent 2017	94,667.71	
<i>Total Taxes Delinquent</i>	<i>\$ 216,197.56</i>	

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Special Assessment (Forest Lakes Dam)

*Collected Year to Date* \$0.00



Code Description	Count	Arrears/Other	Principal			Interest	Total
			2016	2017	2018		
001 TAX PAYMENT	467	0.00	45,107.98	910,663.74	0.00	5,489.74	961,261.46
023 6% YEP PENALTY	<u>1</u>	<u>0.00</u>	<u>1,361.20</u>	<u>0.00</u>	<u>0.00</u>	<u>1,202.39</u>	<u>2,563.59</u>
Tax Payments	468	0.00	46,469.18	910,663.74	0.00	6,692.13	963,825.05
004 REDEEM LIEN	38	51,122.73	0.00	0.00	0.00	12,964.33	64,087.06
024 LIEN RECORDING FEE	<u>3</u>	<u>3,806.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>3,806.00</u>
Lien Payments	41	54,928.73	0.00	0.00	0.00	12,964.33	67,893.06
002 TAX SRCH/STATUS/REDP	<u>3</u>	<u>30.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>30.00</u>
Misc Payments	3	30.00	0.00	0.00	0.00	0.00	30.00
Payments Total:	512	54,958.73	46,469.18	910,663.74	0.00	19,656.46	1,031,748.11
Cash o/S Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
NSF Reversals Total:	<u>0</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total:	512	54,958.73	46,469.18	910,663.74	0.00	19,656.46	1,031,748.11

Total Cash: 9,545.06  
Total Check: 1,022,203.05  
Total Credit: 0.00

ANDOVER TOWNSHIP - CFO'S REPORT  
for the Month Ending April 30, 2017

	Beginning Balance	Receipts	Disbursements	Ending Balance
Assessment Trust	\$ 19,618.59	\$ 13.62	\$	\$ 19,632.21
Current Fund	\$ 1,126,653.12	\$ 1,151,945.53	\$ 1,521,096.05	\$ 757,502.60
Current Fund - Investment	\$ 123,485.71	\$ 85.73	\$	\$ 123,571.44
Capital Fund	\$ 183,477.11	\$ 127.70	\$ 11,125.47	\$ 172,479.34
Capital Fund - Investment	\$ 180,483.14	\$ 125.30	\$	\$ 180,608.44
Dog Trust Fund	\$ 2,190.21	\$ 482.12	\$ 287.50	\$ 2,384.83
COAH Trust Fund	\$ 23,494.96	\$ 16.32	\$	\$ 23,511.28
Open Space Trust Fund	\$ 207,591.72	\$ 144.12	\$	\$ 207,735.84
Escrow Trust Fund	\$ 398,833.59	\$ 8,397.66	\$ 7,182.78	\$ 400,048.47
Developers Escrow Accounts	\$ 84,330.34	\$ 3.44	\$	\$ 84,333.78
Net Payroll Account	\$ 13.38	\$ 148,509.68	\$ 148,500.43	\$ 22.63
Agency Payroll Account	\$ 42,198.48	\$ 114,779.67	\$ 156,802.91	\$ 175.24
Sustainable Andover	\$ 5,073.16	\$	\$ 145.00	\$ 4,928.16
SUI Trust Account	\$ 26,823.25	\$ 2,839.51	\$	\$ 29,662.76
Totals	\$ 2,424,266.76	\$ 1,427,470.40	\$ 1,845,140.14	\$ 2,006,597.02

*Yves Magneta*  
Submitted by \_\_\_\_\_ Date May 3, 2017



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

**RESOLUTION #R2017-71**

**RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE  
TO ISSUE A TAX REFUND TO US BANK CUST BV002 TRST & CRDTRS IN  
REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE #16-00005  
SOLD FOR DELINQUENT TAXES FOR BLOCK 105.04, LOT 21  
IN THE AMOUNT OF \$33,189.95**

*WHEREAS*, On October 4, 2016, Tax Sale Certificate #16-00005 was sold for delinquent 2015 taxes on Block 105.04, Lot 21, owner of record Sam Saleh, to US Bank Cust BV002 Trst & Crdts in the amount of \$3,936.76, *and*,

*WHEREAS*, the lien holder, US Bank Cust BV002 Trst & Crdts, paid a premium in the amount of \$19,100 at the time of sale, and also paid subsequent taxes from the 1<sup>st</sup> quarter 2016 thru the 1<sup>st</sup> quarter 2017 in the amount of \$9,243.69, *and*,

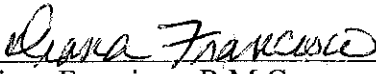
*WHEREAS*, on April 17, 2017, Ocwen Financial Corporation, in regards to a mortgage held against the property, paid the lien and subsequent principal of \$13,180.45, search & recording fees in the amount of \$52.00, penalties in the amount \$78.74, and interest in the amount of \$778.76 through May 9, 2017 for the redemption of Tax Sale Certificate #16-00005.

*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 US Bank Cust BV002 Trst & Crdts in the amount of \$33,189.95.

*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, 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 the meeting of May 8, 2017.

  
\_\_\_\_\_  
Diana Francisco, R.M.C.  
Municipal Clerk

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

RESOLUTION #R2017-72

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE  
OF NEW JERSEY SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF  
MAY 22 – June 4, 2017

**Whereas**, there were 21,000 motor vehicle fatalities in the U.S. in 2013; and

**Whereas**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**Whereas**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**Whereas**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**Whereas**, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 22 – June 4, 2017 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

**Whereas**, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88% to 90%; and

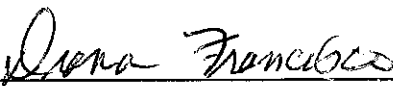
**Whereas**, a further increase in seat belt usage in New Jersey will save lives on our roadways;

**Therefore**, be is resolved that the Township of Andover, County of Sussex and State of New Jersey declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 22 – June 4, 2017 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

**Be It Further Resolved**, that certified copies be forwarded to the Andover Township Police Department, the Andover Township Municipal Court and all Sussex County Municipalities 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 May 8, 2017.

  
\_\_\_\_\_  
Diana Francisco, R.M.C.  
Municipal Clerk

Resolution 2017- 73

**RESOLUTION OF THE ANDOVER TOWNSHIP MAYOR AND TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY  
AUTHORIZING THE MUNICIPAL JOINT INSURANCE FUND TO PROVIDE LIABILITY  
COVERAGE, SUBJECT TO POLICY TERMS AND CONDITIONS, TO THE GREATER  
ANDOVER SENIOR CITIZENS CLUB, AS A QUASI-MUNICIPAL ENTITY**

**WHEREAS**, the Township of Andover is a participating member of the Morris County Municipal Joint Insurance Fund relative to general liability and other coverages; and

**WHEREAS**, the Fund has adopted certain criteria to distinguish between bona fide municipal activities and other quasi-municipal organization not sponsored by the municipality and, therefore, not subject to coverage by the Fund; and

**WHEREAS**, it has been determined that in order to be covered by the Fund, an organization or activity must meet the test that its function is of the type that historically municipalities have undertaken themselves or have provided with insurance coverage and/or is one which advances a bona fide local public purpose on a non-profit basis typically met by a local government, the benefits of which are available to the municipality in general; and

**NOW THEREFORE BE IT RESOLVED THAT**

- 1) The Township of Andover hereby certifies that the Greater Andover Senior Citizens Club is classified as a Class III organization for Joint Insurance Fund purposes.
- 2) The Township of Andover does hereby request that the organization described herein be named as additionally insured for general liability and non-owned automobile liability coverages in accordance with the applicable limits and restrictions.
- 3) A certified copy of this Resolution, together with the "general application" shall be filed with the Secretary of the Morris County Municipal Joint Insurance Fund.

*Diana Francisco, RMC/CMR  
Clerk, Andover Township  
5/8/2017*

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

RESOLUTION #R2017-74

**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 MONDAY, MAY 22, 2017**

**WHEREAS**, Celebration Fireworks, 7911 7<sup>th</sup> Street, Slatington, Pa 18080 requested a Fireworks Display Permit from Fire Official Virgil Rome to conduct an exhibit on Monday, May 22, 2017 at the Perona Farms property; and,

**WHEREAS**, Fire Official Rome has received and reviewed all the required documentation and fees and has recommended the approval of this permit; and,

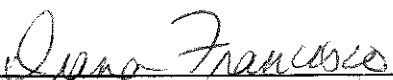
**WHEREAS**, officials from the Andover Township Police Department and Andover Township Volunteer Fire Department were notified of this event and are on standby; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Andover, County of Sussex, State of New Jersey to hereby authorize the issuance of the Fireworks Display Permit to Celebration Fireworks to be held on the Perona Farms property on Monday, May 22, 2017.; and,

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to Celebration Fireworks, the Fire Official, the Andover Township Police Department, the Andover Township Volunteer Fire Department and the Township Administrator for their records.

CERTIFICATION

I, Diana Francisco, Clerk/Administrator 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 May 08, 2017.

  
\_\_\_\_\_  
Diana Francisco, R.M.C./C.M.R.  
Clerk/Administrator

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Committee of the Township of Andover on the 8th day of May 2017, that:

1. **Before the before 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.
  - (X) a. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - (X) a. (4) A collective bargaining agreement including negotiations.
  - ( ) 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.
  - ( ) a. (8) Personnel matters.
  - ( ) 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).

**Personnel Matters**

- 1. **Grant Application Incentives**
- 2. **Dispatchers**

**Contract Negotiations:**

- 1. **Rolling Hills Condo Agreement**
- 2. **Health Benefits Waiver**
- 3. **Additional Dental Plan Offering**

**Attorney-Client Privilege:**

- 1. **Lackawanna Cutoff**
-