

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

MAY 22, 2017

The regular meeting of the Andover Township Committee was called to order at 7:30 p.m. at 134 Newton Sparta Rd. Andover Township, by Mayor Walsh, followed by a salute to the flag.

ROLL CALL: Present: Mr. Bensley, Ms. Blackburn, Ms. Mc Govern, Mayor Walsh
Excused: Mr. Burke

Also: Present: Attorney Semrau, Toni-Lu Martin, Deputy Clerk

OPEN PUBLIC MEETING STATEMENT: The Statement of compliance with Chapter 21, P.L. 1975 was made by Mayor Walsh.

EXECUTIVE SESSION: Mayor Walsh asked to go into executive session briefly to discuss the Lackawanna Cutoff.

Attorney-Client Privilege:

Lackawanna Cutoff: Attorney Semrau stated we have received more information about the Lackawanna cutoff and so it necessitates a request for us to go into executive session to discuss that issue and will give the committee the opportunity to discuss whatever is applicable.

Ms. Mc Govern motioned to go into executive session Ms. Blackburn second, the motion carried with a unanimous roll call vote

GENERAL AGENDA:

Ms. Blackburn moved to approve the general agenda, Ms. Mc Govern seconded, the motion carried with a unanimous roll call vote.

CONSENT AGENDA:

Mayor Walsh opened the consent agenda to the public, no one came forward.

Mayor Walsh opened to the committee regarding the consent agenda. Mr. Bensley moved to approve the consent agenda, Ms. Mc Govern seconded. The motion carried with a unanimous roll call vote.

****OTHER BUSINESS:***

1. APPROVAL OF VOUCHERS FOR PAYMENT

*RESOLUTIONS:

1. #R2017-76 RESOLUTION FOR ACCEPTANCE OF 2016 REPORT OF AUDIT
2. #R2017-77 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ACCEPT THE RESIGNATION OF ANDREW MOORE FROM THE POSITION OF POLICE OFFICER EFFECTIVE JUNE 1, 2017
3. #2017-78 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-007-002, FOR FARMSTEAD CLUB INC. T/A FARMSTEAD GOLF & COUNTRY CLUB, FOR THE TERM JULY 1, 2017 THROUGH JUNE 30, 2018
4. #R2017-79 COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF LIQUOR LICENSE #1902-33-006-003 FOR PERONA ENTERPRISES, INC. T/A PERONA FARMS, PLENARY RETAIL CONSUMPTION LICENSE FOR THE TERM JULY 1, 2017 THROUGH JUNE 30, 2018
5. #R2017-80 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 FOR ANDOVER TOWNSHIP DAY AT HILLSIDE PARK FOR SATURDAY, JUNE 3, 2017
6. #R 2017-81 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF LIQUOR LICENSE #1902-44-015-002 PLENARY RETAIL DISTRIBUTION LICENSE FOR ANDOVER WINE AND LIQUORS FOR THE TERM JULY 1, 2017 THROUGH JUNE 30, 2018
 - MINUTES: April 10, 2017 Regular Session Minutes, April 24, 2017 Regular Session, April 24 Executive Session, May 8, 2017 Executive Session

PUBLIC PORTION

Mayor Walsh opened to the public segment of the meeting.

Jackie Spinoza, from JCP&L, spoke regarding the STEM Grant they are offering to schools.

Mr. Deacon, Mayor Walsh and Committeewoman Blackburn had a discussion regarding the Lackawanna cut off. Mr. Deacon stated how impressed he is with all the work the committee is doing and offered to help in any way he can.

There being no others, Mayor Walsh closed the public portion of the meeting

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UNFINISHED BUSINESS

Lackawanna Cutoff: Attorney Semrau spoke to the public regarding the reason why the committee went into executive session was only to discuss the Lackawanna Cut Off. There was a discussion involving the progress and that the township continues to be diligent in trying to get answers from NJ DEP and NJ Transit. Attorney Semrau wanted to confer with the Committee. There will be another conference call with NJ Transit, Thursday, the 25th of May and he will report back to the committee regarding that conversation at the next meeting.

NEW BUSINESS

Steep Slope Ordinance Revision:

Ms. Blackburn spoke regarding the steep sloop ordinance that at this time she cannot bring back any information from the land use board as they did not have any discussion on it. The Ordinance is more about people who are putting additions onto their house or a pool, the Steep Slope Ordinance does not pertain to them. The other key is the man-made slope on Limecrest Road will be in compliance once changes are made and will be less restrictive and will have more exemptions. Attorney Semrau would like the township engineer Cory Stoner or Jessica Caldwell to come in when they are ready to adopt the Ordinance to answer any questions. The Land Use Board will review and discuss the ordinance.

Summer Township Meeting Schedule:

Mayor Walsh discussed the summer meeting schedule and suggested one meeting in July and one in August. Those being the second meeting of each month, July 24 and August 28. Motion made by Ms. Blackburn, 2nd by Ms. Mc Govern, carried all in favor.

COMMITTEE REPORTS

Ms. Mc Govern reported:

The Andover School budget is down \$ 90.20 per 100k of assessed value and Andover Borough Schools up \$48.00. The Greater Andover Seniors are very happy at the Hillside house and they will have a both at ATD. They will be having a white auction and the proceeds will go to the school nurse and she will give to a needy family in Andover.

OpenSpace - she has a few things to discuss with Mr. Stoner regarding Goodale. The bids have not gone out for Lake Iliff Road that needs to be paved. The tennis courts are still cracking and to have our DPW Supervisor contact the company that originally did the covering. The seniors would still like a baci ball court, horse shoes and a few tables with boards inlayed for chess or checkers along with a few benches.

Mr. Bensley reported:

Land Use has another business coming into town. There are various recreation events coming up including Andover Township day on June 3rd. The 8th-Grade Dance is going to be held in the barn on June 7th. BBQ and Movie night is soon.

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Ms. Blackburn reported:

The Municipal Court Judge realizes that Wednesday, June 21 and Thursday, June 22 court sessions will be running till at least 11 pm on both nights and he would like to close the court on Friday, June 23. The committee discussed and stated that it is only fair to close Friday, June 23.

Mayor Walsh reported:

The Township has received the state grant of 155K for Lake Iliff and Pinkneyville Road. The Township has been nominated by the Chamber of Commerce for the Economic Development in bringing new business to the township. The luncheon is at Perona Farms is slated for Thursday, June 1st. He also congratulated Ms. Mc Govern on receiving the senior of the Year award.

REPORT FROM THE CLERK/ADMINISTRATOR

Deputy Clerk, Toni-Lu Martin reported: a request was received from the Public Safety Training Center to use the Hillside House to hold a few classes. They are requesting a discounted rate. Committee stated they need to pay the standard rental rate.

REPORT FROM THE MUNICIPAL ATTORNEY

The revaluation firm stated the tax appeals numbers were not too high. The Assessor is putting together the results of the appeals, there are some property inspections that must be re-done. Our COAH obligations are not subject to another round. Attorney Semrau introduced Leslie Phiefer, who has recently joined the firm

NEXT SCHEDULED MEETINGS:

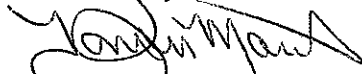
JUNE 12, 2017 6:30PM Executive Session 7:30PM Regular Meeting

JUNE 26, 2017 6:30PM Executive Session 7:30PM Regular Meeting

ADJOURN

There being no further business before the committee, Mr. Bensley moved to adjourn at 8:50 pm, there was a second, the motion carried with all in favor

Submitted by:



Toni-Lu Martin
Deputy Clerk

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Committee of the Township of Andover on the 22nd day of May 2017, that:

1. After 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):

- () 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.
- () 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.
- () 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:

Contract Negotiations:

Attorney-Client Privilege:

Adopted:

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

RESOLUTION #R2017-76

RESOLUTION FOR ACCEPTANCE OF 2016 REPORT OF AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: COMMENTS AND RECOMMENDATIONS and

WHEREAS, The members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: COMMENTS AND RECOMMENDATIONS as evidenced by the group affidavit form of the Governing Body attached hereto, and

WHEREAS, Such resolution of certification shall be adopted by the Governing Body no later than forty-five days after receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5, and

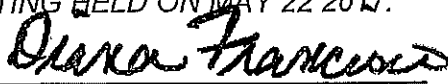
WHEREAS, All members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Andover, hereby states that it has complied with NJAC 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE GOVERNING BODY AT THE MEETING HELD ON MAY 22 2017.


Diana Francisco, R.M.C./C.M.R

**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF SUSSEX

We, members of the governing body of the *Township of Andover*, in the County of Sussex, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Township Committee of the Township of Andover in the county of *Sussex*
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year *2016*;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.) <u><i>Robert Blackman</i></u>	(L.S.)
(L.S.) <u><i>Thomas Walsh</i></u>	(L.S.)
(L.S.) <u><i>Ellsworth E. Bersky Jr</i></u>	(L.S.)
(L.S.) <u><i>J.M. Gourea</i></u>	(L.S.)
(L.S.) <u><i>[Signature]</i></u>	(L.S.)

Sworn to and subscribed before me this
22nd day of May
Notary Public of New Jersey

Diana Francisco
Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

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

RESOLUTION #R2017-77

**RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ACCEPT
THE RESIGNATION OF ANDREW MOORE FROM THE POSITION OF POLICE
OFFICER EFFECTIVE JUNE 1, 2017**

WHEREAS, at the June 11, 2007 Township Committee meeting, action was taken to appoint Andrew Moore to the position of part time Public Safety Telecommunicator Trainee for the Andover Township Police Department as per New Jersey Civil Service Commission rules and then under Resolution #R2014-104; appointed Andrew Moore to position of Police Officer on August 25, 2014 and,

WHEREAS, Chief of Police Danielson received a letter from Police Officer Moore stating appreciation for the opportunities afforded him over the past 10 years; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex, State of New Jersey, to hereby accept Officer Moore's resignation from the position of Police Officer effective June 1, 2017.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Andre Moore, Chief of Police Eric Danielson, Township Administrator, Chief Financial Officer, the Township Auditor and Department of Personnel for their records.



Diana Francisco, R.M.C.
Municipal Clerk

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

RESOLUTION - #R2017-78

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY
RETAIL CONSUMPTION LICENSE #1902-33-007-002, FOR FARMSTEAD
CLUB INC.
T/A FARMSTEAD GOLF & COUNTRY CLUB, FOR THE TERM
JULY 1, 2017 THROUGH JUNE 30, 2018

WHEREAS, the following Plenary Retail Consumption Licenseholder has made proper application for renewal, has submitted to the New Jersey Division of Alcoholic Beverage Control the proper fee of Two Hundred Dollars (\$200.00) and to the Township of Andover, the proper fee of Five Hundred Ninety-Seven Dollars (\$597.00):

#1902-33-007-002

**Farmstead Club Inc.
T/A Farmstead Golf & Country Club
88 Lawrence Road
Lafayette, New Jersey 07848**

WHEREAS, the Director of the Division of Taxation, in accordance with chapter 161, Laws of NJ, 1995, has reviewed the records of this holder of retail alcoholic beverage license. This licenseholder is in compliance and the necessary Tax Clearance Certificate has been filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex and State of New Jersey, that the above listed Plenary Retail Consumption License be and is hereby renewed for the 2017-2018 licensing year, effective July 1, 2017, subject to substantial compliance with all existing codes and provisions of N.J.S.A. 33:1-12.13.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control and the License holder 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 22, 2017.



Diana Francisco, R.M.C./CMR
Clerk/Administrator

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

RESOLUTION #R2017-79

**RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF LIQUOR LICENSE
#1902-33-006-003 FOR PERONA ENTERPRISES, INC. T/A PERONA FARMS,
PLENARY RETAIL CONSUMPTION LICENSE FOR THE TERM
JULY 1, 2017 THROUGH JUNE 30, 2018**

WHEREAS, the following Plenary Retail Consumption Licenseholder has made proper application for renewal, has submitted to the New Jersey Division of Alcoholic Beverage Control the proper fee of Two Hundred Dollars (\$200.00) and to the Township of Andover, the proper fee of Five Hundred Ninety-Seven Dollars (\$597.00):

**#1902-33-006-003 Perona Enterprises, Inc.
T/A Perona Farms
350 Andover-Sparta Road
Andover, New Jersey 07821**


WHEREAS, the Director of the Division of Taxation, in accordance with chapter 161, Laws of NJ, 1995, has reviewed the records of these holders of retail alcoholic beverage licenses. This license holder is in compliance and the necessary Tax Clearance Certificate has been filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex and State of New Jersey, that the above listed Plenary Retail Consumption License be and is hereby renewed for the 2017-2018 licensing year, effective July 1, 2017, subject to substantial compliance with all existing codes and provisions of N.J.S.A. 33:1-12.13.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control and the Licenseholder 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 May 22, 2017.



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

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

RESOLUTION #R2017-80

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 FOR ANDOVER TOWNSHIP DAY AT HILLSIDE PARK FOR SATURDAY, JUNE 3, 2017

WHEREAS, Serpico Pyrotechnics, 12 Andover –Mohawk Road, Andover 07821 requested a Fireworks Display Permit from Fire Official Virgil Rome to conduct an exhibit on Monday, May 22, 2017 at the Hillside Park 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 Serpico, Pyrotechnics to be held on the Hillside Park, Andover Township property on Saturday June 3, 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 22, 2017.



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

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

RESOLUTION #R2017-81

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF LIQUOR LICENSE #1902-44-015-002 PLENARY RETAIL DISTRIBUTION LICENSE FOR ANDOVER WINE AND LIQUORS FOR THE TERM JULY 1, 2017 THROUGH JUNE 30, 2018

WHEREAS, The Andover Wine and Liquors has made proper application for renewal of Plenary Retail Distribution License Number 1902-44-015-002 for the licensing year 2017-2018, and has submitted to the New Jersey Division of Alcoholic Beverage Control the proper fee of Two Hundred Dollars (\$200.00) and to the Township of Andover the proper fee of Five Hundred Ninety Seven Dollars (\$597.00).

WHEREAS, the Director of the Division of Taxation, in accordance with chapter 161, Laws of NJ, 1995, has reviewed the records of this holder of retail alcoholic beverage license. This license holder is in compliance and the necessary Tax Clearance Certificate has been filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex and State of New Jersey, that the above listed Plenary Retail Distribution License be and is hereby renewed for the 2017-2018 licensing year, effective July 1, 2017, subject to substantial compliance with all existing codes and provisions of N.J.S.A. 33:1-12.13.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control and the License holder 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 the Andover Township Committee at its meeting on May 22, 2017.



Diana Francisco, RMC/CMR
Clerk /Administrator