

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

August 14, 2017

The regular meeting of the Andover Township Committee was called to order at 6:41 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, Ms. Mc Govern, Mayor Walsh
Absent: Mr. Burke

Also, present: Attorney Fred Semrau, 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

Mayor Walsh requested Hampton Township Communications Radio under Contract Negotiations and under Attorney Client Privilege Redevelopment Study, Mr. Bensley moved to amend the executive session there was a second, Ms. McGovern moved to go into executive session at 6:40pm, Ms. Blackburn seconded the motion carried with a unanimous roll call vote.

Attorney Client Privilege

1. *Redevelopment Study Route 206 (added)*

Potential Litigation:

1. *Lackawanna Cutoff*

Contract Negotiations

1. *Rolling Hills Condo Association*
2. *Hampton Township Fire Department Radio Communications (added)*

The regular meeting resumed at 7:11pm on motion by Mr. Bensley, seconded by Ms. Mc Govern and carried with a unanimous roll call vote. After a short break the meeting resumed at 7:30pm

APPROVAL OF THE GENERAL AGENDA

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

APPROVAL OF CONSENT AGENDA

Mayor Walsh opened the consent agenda to public, no one came forward. Mayor Walsh asked the committee if they had anything that they wanted removed from the consent agenda. With no response, Ms. Blackburn moved to approve the consent agenda, Ms. Mc Govern seconded, the motion carried with a unanimous roll call vote.

CONSENT AGENDA:

***OTHER BUSINESS:**

1. **APPROVAL OF VOUCHERS FOR PAYMENT**
2. **ACCEPTANCE OF THE CFO'S REPORT FOR THE MONTH OF JULY 2017.**
3. **ACCEPTANCE OF THE TAX COLLECTORS REPORT FOR THE MONTH OF JULY \$1,124,789.02 YEAR TO DATE \$11,890,830.16**

***RESOLUTIONS:**

1. **#R2017- 110 RESOLUTION OF THE TOWNSHIP OF ANDOVER , COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING TO AUTHORIZE THE APPOINTMENT OF JACOB P. STRAWAY FROM ROAD DEPARTMENT LABORER TO PUBLIC WORKS REPAIRER EFFECTIVE AUGUST 15, 2017**
2. **#R2017-111 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE ACCEPTING THE INTENT TO RETIRE FILED BY JANET RAGSDALE, PUBLIC SAFETY TELECOMMUNICATOR**

MINUTES: JULY 24, 2017 EXECUTIVE SESSION MINUTES
JULY 24 2017 REGULAR MEETING MINUTES

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PUBLIC PORTION

Mayor Walsh opened the public portion of the meeting.

Ms. Jacqueline Espinosa, JCP&L announced the Sussex County League of Municipalities is hosting a Bocce night, Friday, 5:30 at the Mohawk House, and Sussex County Day is Sunday Sept. 17, 2017 at the fairgrounds. Ms. Espinosa also spoke on the Emerald Ash Borer tree infestation problem in NJ. The Ash tree becomes very brittle overtime and during a severe storm the trees are more likely to come down which is causing concerns.

Richard Crown: Resident, informed the committee that a neighbor had complained about the vegetation on his property and disputes the property boundary survey.

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

RESOLUTIONS:

R # 2017-112 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, AUTHORIZING AND DIRECTING THE TOWNSHIP LAND USE BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA CAN BE DESIGNATED AS "AREAS IN NEED OF REDEVELOPMENT" PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

After a brief description was given by Mr. O'Connell from the Land Use Board, Mr. Bensley moved to adopt **R 2017-112**, Ms. Blackburn seconded, the motion carried with a unanimous roll call vote: Mr. Burke absent.

R # 2017-113 FORM OF SPECIAL EMERGENCY RESOLUTION – NJS 4A:4-53, 54, 55.1 and 55.1.

Mr. Bensley motioned to approve **Resolution R# 2017-113**, Ms. McGovern seconded, the motion carried with a unanimous roll call vote of the members present.

ORDINANCES INTRODUCTION

1. **ORDINANCE # 2017-12 AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, AND THE STATE OF NEW JERSEY TO MODIFY CHAPTER 20"ANIMALS," SECTION 20 "LICENSE REQUIRED : REPLACEMENT TAGS**

Ms. Govern explained that the ordinance as written contains an error should be changed to read "dogs", not "domestic animals". Mr. Bensley moved to amend the error and introduce the above ordinance, on first reading. Ms. McGovern seconded, the motion carried with a unanimous roll call vote. Mr. Burke: Absent

NEW BUSINESS:

1. **Dual School Board /Township Committee Meeting:** Mayor Walsh informed the committee that he had heard that there is a resolution circulating through county municipalities, requesting a study for a countywide consolidated school district. He suggested the township committee meet with the Andover Regional Board of Education to discuss cost saving options. He said the Andover Schools are currently underutilized and the Newton School is overcrowded. It was the consensus of the committee that a round table discussion would be a good idea. They would need an agenda with points to discuss such as shared services topic. The Township will reach out to Board of Education.

UNFINISHED BUSINESS

1. **Zoning – Chickens**

Ms. Mc Govern, circulated information from the Rutgers Program, Backyard Farmers. She said that many towns are amending their ordinances to allow the raising of chickens, especially those who are interested in sustainability. The discussion included regulation by limiting setback and sideline setback requirements, and determining the size of lots, as well as limiting the number of chickens.

Ms. Blackburn expressed concern about the residents who do not want to live next door to the suburban farmers and the need to be mindful of those residents. Mayor Walsh's expressed his concern with attracting certain predatory wildlife to the yards that have chickens in the suburban neighborhood. He doesn't see the public lining up before the township committee asking for change to the ordinance. Although, he said he may agree to a 2 acre or larger minimum, he is also concerned with the overall enforcement.

It was the consensus of the committee to look at the zoning's officer recommendation. He has recommended a 1-2 acres minimum and to continue discussion at the next meeting.

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2. Lackawanna Cutoff

Mayor Walsh brought attention to the NJ transit approved spending \$800K for an alternate design of the culvert at the Lackawanna cutoff. He also said that NJ Transit expects to have the Memorandum of Understanding to the committee by next week. Once the committee has the signed agreement they can then move forward with a real estate appraisal by next meeting. The Township Attorney attributed the progress to the committee for their commitment, numerous conference calls and getting the township's engineer involved which will keep the momentum moving on the project.

3. Lake Lenape Water Company

The Township committee had recently authorized the expense of having the hydrants tested, to see if they are a worthwhile expense. The results revealed that the hydrants tested are all insufficient. The committee is trying to get feedback from officials, to further interpret the results and to get a consensus on what to do with these hydrants. The Police Chief added that the hydrants are not something that they would count on nor use in their current condition.

The township attorney suggested a few options:

- A. To go back a number of years, make a demand for reimbursement and to have the hydrants brought up to standards. He can also ask for compensation for the testing.
- B. They may be able issue violations, and then a chance to bring the system up to standards.

It was the consensus of the committee to have the township attorney move forward with the action.

COMMITTEE REPORTS:

Mr. Bensley No Recreation meetings were scheduled. He asked if it was possible to have Wi Fi in the Barn, and Hillside House installed. The Clerk to get a price quote. He also inquired if the town can authorize fundraisers for improvements to put toward barn improvements.

Mr. Walsh asked Mr. Bensley to function as liaison to the Fire Department and Rescue Squad, in the interim since Mr. Burke is no longer available

Ms. McGovern,

Reported, the senior's annual summer picnic is coming up. She invited the Mayor and Municipal Clerk as guests. The Municipal Attorney had made a monetary donation to the senior's picnic and they asked him to attend the luncheon as their special guest. .

The School Board of Education meeting is August 29. There is Sustainable Andover Meeting scheduled next week. She requested the committee approve the open space money for a line painter for the fields.

Mayor Walsh further explained that they had requested price quotes for a Graco field painter. Sherman Williams came in as the lowest price quote. The quoted amount of \$2050 includes free tips. The painter is for the soccer club, and baseball teams and can be used to line parking lots. It is useful tool, which will also need proper training to operate.

Resolution to authorize from Sherman Williams the purchase for \$2050.00 from Riccardi Brothers

Ms. Mc Govern moved to approve the purchase from Riccardi Brothers for a Sherman Williams Graco Line Painter.in the amount of \$2050.00 to come from the Open Space Fund, Mr. Bensley seconded, the motion carried with a unanimous roll call vote.

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Committee of the Township of Andover on the 14th day of August 2017, that:

- 1. Before the commencement of the Regular Meeting, the Township Committee 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.
 - (X) 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).

Attorney Client Privilege

- 1. *Redevelopment Study Route 206 (added)***

Potential Litigation:

- 1. *Lackawanna Cutoff***

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Ms. Blackburn

Reported that the Land Use Board is in desperate need of new members.

The Morris County Habitat for Humanity has acquired a house in foreclosure in Andover Township. They are having an open house, and they are looking for candidates who will qualify to bid on the house.

Mayor Walsh

Reported that he had a meeting today with the Zoning Officer and Land Use Administrator prior to this committee meeting. The meeting stemmed from a complaint heard at the at last committee meeting from a business owner who claimed that the town unnecessarily caused him to spend thousands of dollars. Mr. Walsh informed the committee that the town did not cause the complainant to hire the professional that he did on his own accord.

When an applicant applies for site plan waivers it is the discretion of the applicant to hire professionals, however is not a requirement of the Land Use Board for the applicant to do so.

He also informed the committee that he received a phone call to look at a possible transit village. A recommendation was made that they contact the Economic Development Committee to discuss the property in question, one requirement is the need to be close to the train station which it is not, however they can explore it.

REPORT FROM THE CLERK/Administrator

The main focus of the monthly Sussex County board of health meeting was on the (2) reported POWASSAN super tick cases in the county.

REPORT FROM THE MUNICIPAL ATTORNEY

A lawsuit has been filed by American Salt Company against the towns like Andover belonging to the Morris County Coop. The suit involves estimates for salt which the town did not purchase because the salt was not needed. Andover will join several other towns and file a motion for dismissal on Thursday August 16, 2017. By combining efforts this should keep the legal costs down, since the matter is not covered by insurance.

Mr. Semrau added the senior's application is complete and he is hopeful for having it approved by the Joint Insurance Fund.

Mayor Walsh concluded the committee reports with an invitation to a fund raiser at the barn for a local child suffering from cancer and encouraged all to participate.

NEXT SCHEDULED MEETINGS:

SEPTEMBER 11, 2017 6:30 PM Executive Session 7:30 PM Regular Session

SEPTEMBER 25, 2017, 6:30 PM Executive Session 7:30 PM Regular Session

ADJOURN

There being no further business, Ms. Mc Govern moved to adjourn at 8:40pm, there was a second, and the motion was carried with all in favor

Submitted by



Diana Francisco, RMC/CMR
Clerk/Administrator

MOTION FOR EXECUTIVE SESSION

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 - () 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.
 - (X) a. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
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Attorney Client Privilege

- 1. Redevelopment Study Route 206 (added)**

Potential Litigation:

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Contract Negotiations

- 1 Rolling Hills Condo Association**
- 2. Hampton Township Fire Department Radio Communications (added)**

08-14-2017



ANDOVER TOWNSHIP - CFO'S REPORT
for the Month Ending July 31, 2017

	Beginning Balance	Receipts	Disbursements	Ending Balance
Assessment Trust	\$ 23,232.64	\$ 4,045.57	\$	\$ 27,278.21
Current Fund	\$ 986,127.73	\$ 1,452,779.81	\$ 523,313.65	\$ 1,915,593.89
Current Fund - Investment	\$ 123,775.67	\$ 118.45	\$	\$ 123,894.12
Capital Fund	\$ 125,993.05	\$ 122.67	\$ 2,802.94	\$ 123,312.78
Capital Fund - Investment	\$ 180,906.94	\$ 173.12	\$	\$ 181,080.06
Dog Trust Fund	\$ 335.80	\$ 170.51	\$ 6.60	\$ 499.71
COAH Trust Fund	\$ 27,733.61	\$ 26.54	\$	\$ 27,760.15
Open Space Trust Fund	\$ 201,450.52	\$ 191.90	\$ 8,334.75	\$ 193,307.67
Escrow Trust Fund	\$ 408,739.10	\$ 15,068.40	\$ 21,486.69	\$ 402,320.81
Developers Escrow Accounts	\$ 84,340.77	\$ 3.55	\$	\$ 84,344.32
Net Payroll Account	\$ 41.02	\$ 157,361.28	\$ 157,350.86	\$ 51.44
Agency Payroll Account	\$ 27,657.84	\$ 117,914.72	\$ 132,325.23	\$ 13,247.33
Sustainable Andover	\$ 4,928.16	\$	\$	\$ 4,928.16
SUI Trust Account	\$ 29,593.72	\$ 834.22	\$ 105.00	\$ 30,322.94
Totals	\$ 2,224,856.57	\$ 1,748,810.74	\$ 845,725.72	\$ 3,127,941.59

Submitted by David Magata August 10, 2017
Date

ANDOVER TOWNSHIP

TAX DEPARTMENT

INTER-OFFICE MEMORANDUM

DATE: August 1, 2017
TO: Mayor, Committee & Administrator
FROM: Daryn Cashin, Tax Collector
SUBJECT: Monthly Report for July, 2017

July tax collections: \$1,124,789.02 (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
May	4,016,238.04	4,171,648.65
June	84,899.30	61,494.07
July	769,751.99	1,124,789.02
<i>Year to date</i>	<i>\$11,261,197.65</i>	<i>\$11,890,830.16</i>
Delinquent 2016	\$ 80,484.55	
Delinquent 2017	154,785.10	
<i>Total Taxes Delinquent</i>	<i>\$ 235,269.65</i>	

Special Assessment (Forest Lakes Dam)

Collected: May	\$5,410.50
June	4,364.75
July	4,021.37
<i>Collected Year to Date</i>	<i>\$13,796.62</i>

2 Forest Lakes Dam assessments remain unpaid and are now in default, letters were mailed to both homeowners on July 25, 2017.



Range: Block: First to Last
 Lot:
 Qual:
 Range of Codes: First to Last
 Range of Batch Ids: First to Last
 Range of Spec Tax Codes: First to Last
 Payment Type Includes: Tax: Y Sp Charges: Y Lien: Y Sp Assmnt: N
 Misc: Y
 Payment Method Includes: Cash: Y Check: Y Credit: Y Range of Installment Due Dates: First to Last
 Print Miscellaneous w/Block/Lot/Qual: N Print Only Miscellaneous w/Block/Lot/Qual: N
 Range of Years: First to 2018
 Range of Periods: 1 to 12
 Range of Dates: 07/01/17 to 07/31/17
 Print Ref Num: N

Code Description	Count	Arrears/Other	Principal			Interest	Total
			2016	2017	2018		
001 TAX PAYMENT	617	0.00	17,133.54	1,074,195.34	17,594.10	4,297.93	1,113,220.91
026 TAX SUB PAYMENTS	6	0.00	6,615.43	3,307.72	0.00	1,564.96	11,488.11
Tax Payments	623	0.00	23,748.97	1,077,503.06	17,594.10	5,862.89	1,124,709.02
002 TAX SRCH/STATUS/REDP	2	60.00	0.00	0.00	0.00	0.00	60.00
009 RETURNED CK FEE	1	20.00	0.00	0.00	0.00	0.00	20.00
Misc Payments	3	80.00	0.00	0.00	0.00	0.00	80.00
Payments Total:	626	80.00	23,748.97	1,077,503.06	17,594.10	5,862.89	1,124,789.02
Cash o/s Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
NSF Reversals Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
Total:	626	80.00	23,748.97	1,077,503.06	17,594.10	5,862.89	1,124,789.02

Total Cash: 5,708.00
 Total Check: 1,119,081.02
 Total Credit: 0.00

Range: Block: First to Last
 Lot:
 Qual:
 Range of Codes: First to Last
 Range of Batch Ids: First to Last
 Range of Spec Tax Codes: First to Last
 Payment Type Includes: Tax: N Sp Charges: N Lien: N Sp Assmnt: Y
 Misc: N
 Payment Method Includes: Cash: Y Check: Y Credit: Y Range of Installment Due Dates: First to Last
 Print Miscellaneous w/Block/Lot/Qual: N Print Only Miscellaneous w/Block/Lot/Qual: N
 Range of Years: First to 2018
 Range of Periods: 1 to 12
 Range of Dates: 07/01/17 to 07/31/17
 Print Ref Num: N

Code Description	Count	Arrears/Other	Principal			Interest	Total
			2016	2017	2018		
200 FLDAM ASSESSMENT	12	4,013.50	0.00	0.00	0.00	7.87	4,021.37
Sp Assmnt Payments	12	4,013.50	0.00	0.00	0.00	7.87	4,021.37
Payments Total:	12	4,013.50	0.00	0.00	0.00	7.87	4,021.37
Cash O/S Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
NSF Reversals Total:	0	0.00	0.00	0.00	0.00	0.00	0.00
Total:	12	4,013.50	0.00	0.00	0.00	7.87	4,021.37

Total Cash: 0.00
 Total Check: 4,021.37
 Total Credit: 0.00

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

RESOLUTION - #R2017-110

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE
APPOINTMENT OF JACOB P. STRAWAY FROM ROAD DEPARTMENT LABORER TO
PUBLIC WORKS REPAIRER EFFECTIVE AUGUST 15, 2017**

WHEREAS, Road Laborer Jacob Straway has been employed by the Andover Township Department of Public Works since May 1, 2015; and

WHEREAS, according to Article XII - Wages (A), of the Road Department Union Contract effective January 1, 2015 through December 31, 2019 states that after completion of one (1) year as Laborer, employees advance to First Step Position of Public Works Repairer with recommendation from Supervisor and Township Committee approval; and,

WHEREAS, Public Works Repairer Jacob applied to the NJ Department of Personnel for an examination for the permanent position of Public Works Repairer under Symbol No. PM0309V and the Clerk's Office was notified on July 13, 2017 of the successful completion of this examination; and,


NOW, THEREFORE, BE IT RESOLVED, following successful completion of the Department of Personnel examination, the Township Committee of the Township of Andover, County of Sussex and State of New Jersey that Jacob P. Straway be hereby promoted to the position of Public Works Repairer in a Permanent status subject to N.J.S.A. Title 11, Department of Personnel.

BE IT FURTHER RESOLVED that this promotion shall be effective August 15, 2017 and remuneration shall be as stated under Article XII - Wages, which is \$25.01 per hour.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Darren Dickinson the Supervisor of Roads, the Township Administrator, the Chief Financial Officer, the Township Auditor and the Department of Personnel 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 August 14, 2017.



Diana Francisco, R.M.C.
Municipal Clerk

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

RESOLUTION #R2017-111

RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE
OF NEW JERSEY ACCEPTING THE INTENT TO RETIRE FILED BY JANET
RAGSDALE, PUBLIC SAFETY TELECOMMUNICATOR

WHEREAS, Janet Ragsdale has indicated her intent to retire her position as Dispatcher for the Township of Andover as in a letter to the Chief of Police dated March 26, 2017; and

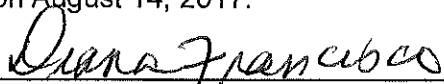
WHEREAS, Ms. Ragsdale is a dedicated employee since her appointment and has noticed her retirement date as December 1, 2017; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, County of Sussex and State of New Jersey to accept the letter of intent to retire from Janet Ragsdale effective December 1, 2017; and,

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to Janet Ragsdale, the Chief of Police, the Township Administrator, the Finance Department and the 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 August 14, 2017.



Diana Francisco, R.M.C.
Municipal Clerk

RESOLUTION 2017-112

A RESOLUTION OF THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, AUTHORIZING AND DIRECTING THE TOWNSHIP LAND USE BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA CAN BE DESIGNATED AS "AREAS IN NEED OF REDEVELOPMENT" PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land within the municipality, or all of the parcels of land within the municipality, constitute "areas in need of redevelopment;" and

WHEREAS, the Township of Andover wishes to utilize the Township Land Use Board's knowledge and expertise in exploring whether the area adjacent to and proximate to Route 206 within its entire length as it traverses in Andover Township, in accordance with the "Route 206 Redevelopment Study" map which is on file with the Township Clerk, meets the criteria established by the Redevelopment Law; and

WHEREAS, pursuant to the required redevelopment procedures specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the land use board to undertake a preliminary investigation to determine whether a proposed area is a development area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, "[t]he resolution authorizing the land use board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condensation Redevelopment Area"); and

WHEREAS, the Mayor and Township Committee finds it to be in the best interest of the Township and its residents to authorize the Land Use Board to undertake such preliminary investigation of the Study Area as a Condensation Redevelopment Area.

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

1. INVESTIGATION OF STUDY AREA AUTHORIZED AND DIRECTED

The Land Use Board is hereby authorized and directed to conduct a preliminary investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the area adjacent to and proximate to Route 206 in Andover Township, in accordance with the "Route 206 Redevelopment Study" and corresponding list of properties set forth therein, satisfies the criteria set forth in the Redevelopment Law, including N.J.S.A. 40A:12A-5, to be designated as a Condemnation Redevelopment Area.

2. MAP TO BE PREPARED

As part of its preliminary investigation, the Land Use Board shall prepare a map showing the boundaries of the proposed redevelopment areas and the location of the various parcels contained herein.

3. PUBLIC HEARING REQUIRED

The Land Use Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Condemnation Redevelopment Area.

At the hearing, the Land Use Board shall hear from all persons who are interested in or would be affected by the resulting determination. All objections to the determination and evidence in support of those objections shall be received and considered by the Land Use Board and made part of the public record.

4. LAND USE BOARD TO MAKE RECOMMENDATIONS

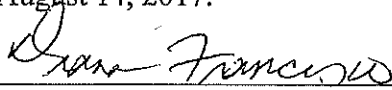
After conducting its preliminary investigation, preparing a map of the proposed Condemnation Redevelopment Area, as applicable, and conducting a public hearing at which all objections to the designation area received and considered, the Land Use Board shall make a recommendation to the Mayor and Township Committee in the form of a report as to whether the Township should designate all or part of the Study Area as a Condemnation Redevelopment Area.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be available for public inspection at the office of the Township Clerk.

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Land Use Board.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

I hereby certify the above to be a true copy of a resolution passed by the Andover Township Committee at a duly convened meeting held on August 14, 2017.



Diana Francisco, Andover Township
Clerk/Administrator

TOWNSHIP OF ANDOVER

R# 2017-113

FORM OF SPECIAL EMERGENCY RESOLUTION – NJS 4A:4-53, 54, 55.1 and 55.13

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by *An Area in Need of Redevelopment Study: Redevelopment Plan And Master Plan Reexamination* and,

WHEREAS, NJS40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth or one-third of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-55:

1. An emergency appropriation is hereby made for An Area in Need of Redevelopment Study: Redevelopment Plan and Master Plan Reexamination /Update for the total amount of **\$61,000.00**.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than **\$12,200.00** (must be at least one-fifth or one-third of the total amount).
3. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services
4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

Adopted this 14th day of August, 2017 and certified as a true copy of an original.


DIANA FRANCISCO, RMC
Clerk/Administrator

IN FAVOR: Bensley, Blackburn, Mc Govern, Walsh
OPPOSED: None
ABSENT: Burke

ADOPTED: August 14, 2017
CERTIFIED: August 14, 2107

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

ORDINANCE #2017-12

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, IN THE
COUNTY OF SUSSEX, AND THE STATE OF NEW JERSEY, TO
MODIFY CHAPTER 20, "ANIMALS," SECTION 20-2, "LICENSE
REQUIRED; REPLACEMENT TAGS"**

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

SECTION 1. The Code of the Township of Andover is hereby amended at Chapter 20, "Animals," Section 20-2, entitled "License required; replacement tags," to read in its entirety as follows:

§20-2. License required; replacement tags.

- A. No person shall own, keep or harbor within the Township more than five (5) dogs on any residential property regardless of property size unless said property is a qualified farm. Six (6) or more dogs shall constitute a kennel or shelter, which are defined herein at §20-1 and are regulated by §20-12. No person shall own, keep, or harbor any dog, within the Township, without obtaining a license therefor, to be issued by the Township Clerk or Animal Control Officer, upon application by the owner and payment of the prescribed fee, and no person shall keep or harbor any dog except in compliance with the provisions of this article.
- B. The owner of any dog may, if the license tag is mislaid, stolen or lost, procure a replacement tag for \$2. The owner must provide adequate proof that the dog is currently licensed for the year in which the replacement tag is desired. [Amended 4-14-2008 by Ord. No. 2008-04]

[Proposed amendments are underlined]

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.

INTRODUCED: 08-14-17
ADOPTED: 09-11-2017
EFFECTIVE DATE: 9-15-2017

TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX
STATE OF NEW JERSEY

ATTEST:

Diana Francisco
Diana Francisco, Administrator

Date: 9-11-17

By: *Thomas D. Walsh*
Thomas Walsh, Mayor

Date: 9-11-17