

ANDOVER TOWNSHIP COMMITTEE MINUTES

**THOMAS D. WALSH, MAYOR
CHARLES GROTYOHANN, DEPUTY MAYOR
GAIL PHOEBUS
ALEX GILSENAN
BOB SMITH**

**FEBRUARY 26, 2007
6:30 P.M.**

REGULAR MEETING BEGINS AT 7:30 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

**A MOMENT OF SILENCE IN HONOR AND MEMORY OF
SERGEANT HARRY S. KINNEY
OF THE ANDOVER TOWNSHIP POLICE DEPARTMENT**

ROLL CALL

The regular meeting of the Andover Township Committee was called to order at 6:30 P.M. by Mayor Walsh, followed by a salute to the flag.

ROLL CALL: Present: Mr. Grotyohann, Mr. Gilsenan, Ms. Phoebus,
Mr. Smith, Mayor Walsh
Also present: Administrator Padula, Attorney Semrau

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

EXECUTIVE SESSION: On a motion by Ms. Phoebus, seconded by Mr. Gilsenan, the resolution to go into executive session to discuss

Personnel Matters:

- 1. D. Dickinson, Supervising Laborer**
- 2. Police Personnel**

Contract Negotiations:

- 1. T-Mobile**
- 2. Andover Borough**
- 3. Chief Financial Officer**
- 4. Court Administrator**

Attorney-Client Privilege:

- 1. Ballantine Woods vs. Andover Township Planning Board**
- 2. McGowan vs. Andover Township**
- 3. Steep Slopes Litigation**
- 4. Possible Violation of the Law, was carried unanimously.**

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:40 P.M. Ms. Phoebus moved to adjourn executive session at 7:43 P.M., seconded by Mr. Gilsenan and carried unanimously.

REGULAR MEETING

APPROVAL OF AGENDA
follows:

Mayor Walsh asked that the agenda be amended as

To Remove from the Consent Agenda, Resolution #R2007-43 and add the following

UNDER CONSENT AGENDA

***RESOLUTIONS:**

4. **#R2007-45 2006 BUDGET APPROPRIATIONS TRANSFER
TOTALING \$8,512.14**

5. **#R2007-46 RESOLUTION AUTHORIZING THE EXECUTION OF THE
AGREEMENT FOR THE RESALE OF SNOW REMOVAL
CHEMICALS AS PART OF A COMMODITY RESALE
SYSTEM WITH THE COUNTY OF SUSSEX**

6. **#R2007-47 RESOLUTION OF THE ANDOVER TOWNSHIP
COMMITTEE APPROVING THE ASSIGNMENT OF
HARRY S. KINNEY TO THE POSITION OF
DETECTIVE EFFECTIVE JULY 1, 2006
APPROVING NUNC PRO TUNC, ALL
CONTRACTUAL SALARY OBLIGATIONS OWED
TO SERGEANT KINNEY**

Attorney Semrau asked that Resolution #R2007-44 also be removed from the Consent Agenda.

Administrator Padula asked that the two bills tabled from the last meeting, purchase order number 07-00069, in the amount of \$55.00 and the other for Softsource Corporation, for \$2,300.00, purchase order number 07-00075.

Ms. Phoebus moved to approve the agenda as amended, seconded by Mr. Smith and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Ms. Phoebus moved the following consent items be approved, as amended, seconded by Mr. Grotyohann and carried unanimously. Mayor Walsh abstained on purchase order #06-01341 and Mr. Grotyohann abstained on purchase order #07-00101.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT

(See Insert Attached to These Minutes)

**ACCEPTANCE OF THE LETTER OF RESIGNATION FROM TOM BAUMAN –
LAND USE BOARD CITIZENS' ADVISORY COMMITTEE – TERM TO EXPIRE
DECEMBER 31, 2007**

**ACCEPTANCE OF THE LAND USE BOARD 2006 ANNUAL REPORT AS
MANDATED BY 40:55D-70.1 OF THE MUNICIPAL LAND USE LAW**

**ACCEPTANCE OF THE ENVIRONMENTAL COMMISSION 2006 ANNUAL
REPORT**

APPROVAL OF RAFFLE LICENSES

- A) **HAMPTON TOWNSHIP EDUCATION FOUNDATION – R.L. 775
ON-PREMISE 50/50 TO BE HELD ON MARCH 31, 2007 AT
HILLSIDE PARK HALL**

- B) **ST. JOSEPH'S HOME & SCHOOL ASSOCIATION – R.L. 776
ON-PREMISE MERCHANDISE TO BE HELD ON MARCH 10,
2007 AT PERONA FARMS**

***RESOLUTIONS:**

**#R2007-42 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE
OF NEW JERSEY SUPPORTING THE MAYORS WELLNESS
CAMPAIGN**

**#R2007-45 2006 BUDGET APPROPRIATIONS TRANSFER
TOTALING \$8,512.14**

**#R2007-46 RESOLUTION AUTHORIZING THE EXECUTION OF THE
AGREEMENT FOR THE RESALE OF SNOW REMOVAL
CHEMICALS AS PART OF A COMMODITY RESALE
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**#R2007-47 RESOLUTION OF THE ANDOVER TOWNSHIP
COMMITTEE APPROVING THE ASSIGNMENT OF
HARRY S. KINNEY TO THE POSITION OF DETECTIVE
EFFECTIVE JULY 1, 2006 APPROVING NUNC PRO TUNC.
ALL CONTRACTUAL SALARY OBLIGATIONS OWED
TO SERGEANT KINNEY**

(See Inserts Attached to These Minutes)

PRESENTATION ON SHARED COUNTY SERVICES BY**SUSAN ZELLMAN, SUSSEX COUNTY FREEHOLDER DIRECTOR**

Freeholder Director Zellman discussed the County Budget hearings, the first of which will be on this Wednesday, February 28th. The proposed county tax increase is 3.3 percent. The court house is scheduled for interior completion in 2008 and then the Surrogate will move and then the Hall of Records sale will be completed. With the sale of this building and the other two county buildings, the County will realize a savings of 3 million dollars. The County has pledged \$20,000.00 for the revitalization of Downtown Newton. She stated that this revitalization could bring up the value of the Hall of Records building as well.

Freeholder Director Zellman informed everyone that this week the County received their Strategic Growth Plan approved after eight years. Cross Acceptance process has been going on since 1989 and now it seems to be friendlier and if there is a disagreement with maps or information you may see, she urged that we contact the County Planner to discuss this with him. She then explained the advantages of being a part of the Strategic Growth and Cross Acceptance Plans. She spoke on the Rails to Trails program and that is moving forward. She then advised in speaking with Susan Bass-Levin, COAH is assembling a focus group. The County has planned a panel discussion along with Morris County with Bass-Levin or the deputy director, someone from COAH, and someone from the NJDEP for the middle of April. She understands that the numbers will only get higher not lower.

Freeholder Director Zellman encouraged Andover Township Board and Township Committee member to become active in the Sussex County Committees. There are new members in the 208 Water Quality, SWAC, and there are openings on the Senior Advisory Board and Disabilities Board.

Administrator Padula thanked Ms. Zellman for coming and speaking to us. He added that one hot topic is medical/health insurance premiums. He mentioned that the County has seen minimal if no increase at all in health insurance premiums since they opted out of the State Health Benefits Plan. He asked if the County has considered having the municipalities piggy back on their plan. Ms. Zellman stated that the County opted out of the State Plan in 2004 which was a big expense to begin with and bigger adding the paybacks. The increase was minimal at about 7 percent versus 17 percent with the State. The Freeholder Board has been encouraging the Technical School and the County College who are still with the State Plan to join with the County, who is with Horizon Blue Cross/Blue Shield. There has been some discussion regarding a self insurance pool. They will continue to explore that.

Mayor Walsh asked if the County has ever considered trash collection and recycling as areas of shared services. There was discussion concerning other areas such as school superintendents, housing rehabilitation program, police dispatching services. She stated that the County has been exploring a grant application in order to appoint a county shared services coordinator. The most difficult part is keeping track of who has something to share and who has the need.

**(CONTINUED) PRESENTATION ON SHARED COUNTY SERVICES BY
SUSAN ZELLMAN, SUSSEX COUNTY FREEHOLDER DIRECTOR**

Ms. Zellman stated she will share the discussions held this evening with the Freeholder Board. She thanked everyone for having her here; the Township Committee thanked her for her time which was followed by a round of applause.

REGULAR AGENDA

OPEN TO THE PUBLIC Nadine Roberts, 49 Ballantine Road read a letter into the record giving history on her home, property and the road they reside on. She spoke of the existing stone wall which ran the entire length of the property. She mentioned the issuance of summonses because the wall was responsible for the collection of water in the roadway. She asked the governing body what the township's expenses were in order to argue this issue in municipal court. She asked why Mr. Dykstra, Mr. Deacon's surveyor testified in this matter. She spoke of the Department of Public Works grading of the roadway in December. She stated that since this grading was done, collection of water now exists on the other side of the road. She added, the DPW must maintain this roadway on a regular basis. She mentioned other areas of concern along with road.

Ms. Roberts spoke of the construction vehicle that has been sitting illegally in her neighborhood. She stated she understands that the owner has been issued a summons and would like to know when the court date will be scheduled.

She added that this whole problem would have been averted if the Township had provided regular maintenance, such as grading in the beginning.

She stated she was fined \$539.00 and she believes a double standard exists when it comes to applying township regulations and they have been unfairly treated by the Township. Following her reading, Ms. Roberts presented the Township Committee with photographs of the water situation as it exists on the road.

Attorney Semrau stated there have been many public comments regarding this matter in the past year. He asked if the Township Committee would consider having a meeting with the residents on Ballantine Road to see what we can or can't do to resolve this. A committee member had suggested this last year and one resident stated at that time he was not coming to the meeting. Attorney Semrau remarked that if someone does not want to attend then their concerns are not heard.

Following a short discussion it was decided that all residents of Ballantine Road be invited to a meeting on March 26th at 5:00 p.m. Construction Official Cutler, Township Engineer Golden, Attorney Semrau along with Administrator Padula, Mr. Gilsenan and Mr. Grotzmann will attend.

Laura Gilsenan voiced her opinion stating that the meeting is a good idea but why was it not done a year and a half ago. Mayor Walsh stated that attempts were made in the past, but no one wanted to attend.

OPEN TO THE PUBLIC (CONTINUED) Lois de Vries asked for an explanation stating that after the Robert's went through this ordeal, paying for an attorney for their defense, now we are finding out that the wall was not the problem after all. Attorney Semrau remarked that it hasn't resolved anything and this meeting may do so. Mayor Walsh explained that the laws must be followed and what was done was according to the law.

Fred Gillespie stated that there are numerous driveways along Ballantine Road and trenches and in the rainy season there is a problem. He added that if grading had occurred from the beginning the Robert's would have not incurred the expense that they did. Mayor Walsh took lead from Engineer Golden who stated we can not divert the water into another wetlands area. What was done was in his report and it was the normal flow. Attorney Semrau stated that a number of people tried different ways to remedy the situation. Attorney Semrau also stated that he believes Mr. Dykstra testified at the request of the Municipal Prosecutor.

Diana Boyce, 19 Victoria Pines Lane asked that when this meeting is scheduled, she assumes suggestions will be made by the parties involved and they may be applied however they can. If so, she asked if there will be a list of suggestions and that they be applied to this particular situation. She asked if this is what the meeting is about. Administrator Padula stated we will have to see what happens at the meeting. Mayor Walsh stated there were many suggestions made which we found we could not legally do. Administrator Padula stated that Mr. Grottyhann and Mr. Gilsenan will bring the suggestions back to the Township Committee to determine what can be done.

Al Roberts insisted that if you cross the road the Ordinance is being violated. Mayor Walsh asked that he explain these suggestions at the meeting of the residents when it is scheduled.

Hearing nothing further from the public, Mayor Walsh closed the public portion of the meeting.

ORDINANCES: PUBLIC HEARING

#2007-01 TO AMEND CHAPTER 115 "PERSONNEL POLICIES" **CRIMINAL HISTORY BACKGROUND CHECKS**

"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING CHAPTER 115, "PERSONNEL POLICIES," SECTION 21, "CRIMINAL HISTORY BACKGROUND CHECKS OF EMPLOYEES AND VOLUNTEERS OF NONPROFIT YOUTH SERVING ORGANIZATIONS"

Ms. Phoebus moved to open this Ordinance for Public Hearing, seconded by Mr. Grottyhann and carried unanimously.

Hearing no comments from the public, Ms. Phoebus moved to close the Public Hearing, seconded by Mr. Grottyhann and carried unanimously.

ORDINANCES: PUBLIC HEARING (CONTINUED)**#2007-01 TO AMEND CHAPTER 115 "PERSONNEL POLICIES"
CRIMINAL HISTORY BACKGROUND CHECKS**

An ordinance of which the foregoing is the title was introduced and passed on first reading at the regular meeting of the Andover Township Committee on February 12, 2007, was advertised according to the law and was brought before the public for final consideration. There being no objections, Ms. Phoebus moved the adoption of the above entitled ordinance, seconded by Mr. Gilsenan. Roll call vote:

Mr. Gilsenan – yes
Ms. Phoebus – yes
Mayor Walsh – yes

Mr. Grotyohann – yes
Mr. Smith – yes

**#2007-02 TO SUPPLEMENT CHAPTER 51
"FIRE PREVENTION" "CISTERNs"**

"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO SUPPLEMENT CHAPTER 51, FIRE PREVENTION, WITH THE ADDITION OF SECTIONS 51-16.1, "ESTABLISHMENT IN FRONT OF HYDRANTS, CISTERNs AND OTHER FIRE DEPARTMENT CONNECTIONS", AND 51-16.2, "PARKING IN OR OBSTRUCTING FIRE ZONES"

Ms. Phoebus moved to open this Ordinance for Public Hearing, seconded by Mr. Grotyohann and carried unanimously.

Hearing no comments from the public, Ms. Phoebus moved to close the Public Hearing, seconded by Mr. Grotyohann and carried unanimously.

An ordinance of which the foregoing is the title was introduced and passed on first reading at the regular meeting of the Andover Township Committee on February 12, 2007, was advertised according to the law and was brought before the public for final consideration. There being no objections, Ms. Phoebus moved the adoption of the above entitled ordinance, seconded by Mr. Grotyohann.

Attorney Semrau thanked the Fire Department for their assistance in drafting this Ordinance because it is a unique situation. Through good communication they were able to help us with this final format.

Roll call vote: Mr. Gilsenan – yes
Ms. Phoebus – yes
Mayor Walsh – yes

Mr. Grotyohann – yes
Mr. Smith – yes

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA**#R2007-43 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER *AWARDING THE BID FOR THE PURCHASE OF ONE (1) MID-MOUNT FLAIL MOWER AND TRACTOR TO STORR TRACTOR COMPANY***

Attorney Semrau informed everyone that this evening he was advised by Mr. Dickinson that one of the companies that submitted a bid, who was the apparent second lowest bidder raised some concerns regarding the apparent low bid. He added that because he was not made aware of challenges, he recommended that this award be tabled at this time. We need an opportunity to review these comments. There would be no impact on the cutting season by delaying this award for two weeks. Both contractors were informed to either contact Attorney Semrau or the Township Administrator regarding their comments before the next meeting.

Mr. Grotzmann moved to table this Resolution until the March 12, 2007 meeting, seconded by Ms. Phoebus and carried unanimously.

#R2007-44 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER *TO CONSENT TO THE SUBMISSION OF THE TWA PERMIT APPLICATION NUMBER NJ0166553 FOR WAWA, INC., BLOCK 158/LOTS 6 & 7 TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND AUTHORIZATION FOR THE TOWNSHIP ADMINISTRATOR TO EXECUTE THE STATEMENTS OF CONSENT RESOLUTION*

Attorney Semrau asked that this Resolution be tabled at this time in order to receive comment and recommendation from the Environmental Commission as we have done in the past prior to approval.

Ms. Phoebus moved to table this Resolution until the March 12, 2007 meeting, seconded by Mr. Gilseman and carried unanimously.

COMMITTEE REPORTS

MR. GILSEMAN. He reported that the Environmental Commission submitted their annual report. They also applied and received the ANJEC Smart Growth Grant in the amount of \$10,000.00. He mentioned the National Resource Inventory which will be available on DVD in the next several weeks.

Mr. Gilseman questioned Ms. de Vries if the BASF energy efficient home in Paterson is open to the public. She stated that there were several Open Houses throughout the summer and the residents are now occupying the home.

He added there was no other feedback from Judge Bozenelis on the Municipal Court Security Compliance Policy.

COMMITTEE REPORTS (CONTINUED)

MR. SMITH. He reported the statistics regarding our website visits for the month of February are ahead of January. Mr. Smith stated that all the agendas and minutes from all the boards and commissions are up to date on the website. He added that he improved the navigation of locating the site. He informed everyone that there is a search facility on the site.

Mr. Smith advised that all pending and newly adopted Ordinances have been added to the website for easy reference. On the Home Page there are pictures highlighting the Fire Department's Ice Rescue Drill held this past Saturday.

He reported that he is currently working on providing a more secure central data base for all our Emails in order to protect our private Emails. He stated that four of the five Committee Members have public Email addresses, as well as the Land Use Chairman, the Open Space Chairman and Environmental Commission Chair and Municipal Attorney.

Mr. Smith reported that he attended a meeting with CSM, our network vendor. There are a number of action plans going on with them including a detail review of the contract. The contract does not identify exactly what they are doing and he wants to know what these services are. There is a 90 day contract cancellation if we are dissatisfied with the service. He informed everyone that they are doing a detailed orientation of the file structure security and backup on the server which is an area of concern at this time. There is also an investigation on the replacement of the equipment which was all brought at the same time about 5 and ½ years ago. The equipment is beginning to break down. He is researching the economics of the lease versus buy possibility. He also mentioned his review of replacing the current DSL with T-1 line and proposal to upgrade the server. He mentioned that we received a quote to run a fiber optical line between the municipal building and the Department of Public Works garage. The DPW will do the trenching.

Mr. Smith mentioned there are ports numbered which are empty so we have no idea where the lines are going. There is a way to trace the lines and determine which are live. He mentioned that a replacement computer was installed in the Finance Department. He stated that they located and installed a computer for the Construction Official, corrected cabling in the Tax Office which was disturbed when a component was removed. Mr. Smith also informed everyone that a proto-type for a classified ads page was built, which will be considered to promote local businesses. He stated his goal for the next few weeks is to identify and inventory of all software running and try to consolidate so we run more efficiently.

MR. GROTYOHANN. He stated that the Finance Committee is still working on the budget. An Ordinance has been introduced and will be heard for adoption at the next meeting which will increase the CAP by one percent. He also mentioned that they continue to do research on the budget and find new areas such as the Road Department contract with Andover Borough. In that contract it allows the Township to increase the fees by a maximum of five percent on each anniversary. This practice was never taken advantage of. He also stated that he and Mr. Grotyohann are on a committee with Andover Borough to ensure things such as this do not happen.

Mr. Grotyohann informed everyone that he attended a meeting with the Andover Seniors on February 19th and Mr. Smith and he will be exploring and gathering input on their needs in the technological field. The first class will be addressing how to obtain a copy of the Newsletter on the website.

COMMITTEE REPORTS (CONTINUED)

MS. PHOEBUS. She reported that due to the weather and an unfortunate event, the Recreation Committee meeting for the month of February has been cancelled. The next meeting is scheduled for March. There are openings for two Alternates on the Committee if anyone is interested. The adult dance has been moved to April. Andover Township Day is scheduled for May 19th and if anyone wants to volunteer, they should let us know so that they can be informed of the meetings. She stated that the playground equipment should be up by then.

The Fire Department invited the Township Committee to their Ice Rescue Drill and she had a great time. They saved a swan in distress. She lauded the Fire Department and their efforts and reminded everyone how lucky they are as residents to have such a fine department.

She will be attending the Open Space Committee meeting scheduled for tomorrow evening at 7:30 p.m.

REPORT FROM THE TOWNSHIP ADMINISTRATOR He reported that the Skytop Road Drainage project is in the easement phase. Signatures are being obtained from affected property owners. Following that, there will be a pre-construction meeting and immediately following, construction will begin.

He stated that advertisement for the Plenary Distribution license will be in the NJ Herald tomorrow and next Tuesday, according to law. The receipt of the documents is April 11th and the bid opening is scheduled for April 18th.

The School Board announced that due to changes in the State budget, they can expect an increase in State Aid. He asked the Township Committee if we are taking the older computers out of service, could we donate one of them to the senior citizens for their training expeditions. They all agreed.

Mayor Walsh asked Administrator Padula when interviews for Tax Assessor are going to begin. He replied, due to a conflict with one of the candidates, he asked if one of the Township Committee members would take over the interviews. Mayor Walsh asked if Mr. Smith will conduct the interviews. Ms. Phoebus stated she would be happy to be a part of these interviews. She suggested to Mayor Walsh that we should reconsider a Personnel Committee and this committee will comprise of Mr. Smith, Administrator Padula and herself. The Township Committee agreed. Arrangements will be made to commence the interview process.

REPORT FROM THE MUNICIPAL ATTORNEY He reported that he is preparing the easements for Skytop Road and will have them delivered to the Administrator's office tomorrow. With respect to the road contract with Andover Borough, there are fuel escalation costs which should have been a part of this contract. He stated thanks to Mr. Smith, the email issue is being addressed and this is a plus because all municipalities are faced with this issue. This plan maintains privacy for public officials.

Attorney Semrau reported that he received a letter from the attorney representing Ray's Inn regarding the stipulations made in the liquor license renewal application. They were supposed to install cameras and he understands that these will be installed by the end of the month.

REPORT FROM THE CHIEF OF POLICE He reported to the Township Committee the unfortunate and sad duty to report the untimely loss of Sergeant Harry Kinney. He passed away on February 17th, 2007, leaving behind his wife Paula and two children, Erica and Tyler. He stated that Sergeant Kinney is a 17 year veteran of the Andover Township Police Department. He served as Detective and Sergeant. He was responsible for building of the 9-1-1 Communications Center and Police Station of which he saved the citizens of Andover Township tens of thousands of dollars during its development and construction. During his time as Detective, he was responsible for the investigation and ultimate successful prosecution of some of the most serious crimes ever recorded in the township. Chief Coleman reported that Sergeant Kinney was a dedicated police officer, father and husband. He will be forever missed.

Chief Coleman reported calls for service as follows: Andover Township – 1,289; Andover Borough – 50; Hamburg Borough – 644; Green Township – 76.

NEXT SCHEDULED MEETINGS:

Monday, March 12, 2007 6:30 p.m.
Regular Meeting 7:30 p.m.

Monday, March 26, 2007 6:30 p.m.
Regular Meeting 7:30 p.m.

EXECUTIVE SESSION: On a motion by Ms. Phoebus, seconded by Mr. Gilseman, the resolution to go into executive session to discuss the following not reached during the first session:

Contract Negotiations:

1. ***T-Mobile***
2. ***Andover Borough***
3. ***Chief Financial Officer***
4. ***Court Administrator***

Attorney-Client Privilege:

1. ***Ballantine Woods vs. Andover Township Planning Board***
2. ***McGowan vs. Andover Township***
3. ***Steep Slopes Litigation***
4. ***Possible Violation of the Law***, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 9:02 P.M. Mr. Grottyohann moved to adjourn executive session at 9:42 P.M., seconded by Ms. Phoebus and carried unanimously.

REGULAR MEETING RESUMED

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Grottyohann moved the meeting be adjourned at 9:42 P.M., seconded by Ms. Phoebus and carried unanimously.

Respectfully submitted,

Tom Walsh, Mayor

Vita Thompson, R.M.C.
Municipal Clerk

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Committee of the Township of Andover on the 26th day of February 2007, that:

- 1. Prior to the commencement of this Regular Meeting, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):**
- () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.

 - () b. (4) A collective bargaining agreement including negotiations.
 - 1. *T-Mobile***

 - () b. (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.

 - () b. (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.

 - () b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.

 - () b. (8) Personnel matters.
 - 1. *Position of Fire Official***
 - 2. *D. Dickinson, Supervising Laborer***

 - () b. (9) Deliberations after a public hearing that may result in penalties.
 - 1. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted:

Moved:
Voted Aye:
Voted Nay: None
Abstained:
Resolution adopted.

Seconded:

