

ANDOVER TOWNSHIP COMMITTEE MINUTES

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

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

The regular meeting of the Andover Township Committee was called to order at 6:42 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: Attorney Semrau asked that the Executive Session Agenda be amended by adding Under Attorney Client Privilege: Ballantine Woods vs. Thompson and Ballantine Woods vs. Andover Township Planning Board. On a motion by Ms. Phoebus, seconded by Mr. Grotyohann, the resolution to go into executive session to discuss

Personnel Matters:

1. ***M. Perugini, Tax Assessor***
2. ***Police Chief Coleman Regarding 9-1-1***
3. ***Hiring of Police Officer***

Contract Negotiations:

1. ***Andover Township Shared Police Services***

Attorney-Client Privilege: Pending Litigation

1. ***Steep Slopes***
2. ***Administrative Law Matter***
3. ***Possible Violation of the Law***
4. ***Andover Township vs. Hook***
5. ***Tax Appeals***
6. ***Ballantine Woods vs. Vita Thompson***
7. ***Ballantine Woods vs. Andover Township Planning Board*** was carried

unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:44 P.M. Ms. Phoebus moved to adjourn executive session at 7:30 P.M., seconded by Mr. Smith and carried unanimously.

REGULAR MEETING

Attorney Semrau announced that during the Executive Session the items listed under Personnel were discussed. At the conclusion of this evening's meeting, the Township Committee will return to Executive Session to discuss the remainder of that agenda.

Mayor Walsh asked that the Swearing in Ceremony be moved to the first item on the agenda.

**SWEARING IN CEREMONY FOR SERGEANT
ACHILLE "GIL" TAGLIALATELA**

At this time Sergeant Tagliatela was sworn into office by Assistant Municipal Clerk Huelbig while Paula Kinney, wife of Sergeant Harry Kinney held the Bible. A round of applause and congratulations followed.

**APPOINTMENT OF POLICE OFFICER ERIC DANIELSON
TO THE POSITION OF DETECTIVE**

At this time Police Chief Coleman formally appointed Police Officer Eric Danielson to the position of Police Detective and presented him with his badge.

RECESS WAS CALLED AT 7:46 P.M.

MEETING RESUMED AT 7:50 P.M.

APPROVAL OF AGENDA Mayor Walsh asked that PO #06-01-20-100-299, #06-01-20-155-134 and #07-01-20-155-134 be removed from the Bills' List for further discussion. 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, removing those bills removed by Mayor Walsh, seconded by Mr. Smith and carried unanimously.

***OTHER BUSINESS**

APPROVAL OF VOUCHERS FOR PAYMENT

(See Insert Attached to These Minutes)

**RESCIND THE FOLLOWING APPOINTMENTS FOR THE RECREATION
COMMITTEE**

- A) **BOB SMITH – ALTERNATE NO. 1**
- B) **PAUL LINN – ALTERNATE NO. 2**

TERMS TO EXPIRE DECEMBER 31, 2007

CONSENT AGENDA ITEMS (CONTINUED)

***OTHER BUSINESS (CONTINUED)**

APPROVAL OF ON-PREMISE 50/50 RAFFLE #R.L. 779 – ANDOVER REGIONAL PTA TO BE HELD ON APRIL 20, 2007 - 6:30 TO 9:30 P.M. AT LONG POND SCHOOL

APPOINTMENT OF RECREATION COMMITTEE MEMBER ED BURGIO FROM ALTERNATE NO. 3 TO ALTERNATE NO. 1 – TERM TO EXPIRE DECEMBER 31, 2007

***RESOLUTIONS:**

#R2007-56 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY *APPOINTING TIMOTHY DAY AS TEMPORARY CHIEF FINANCIAL OFFICER*

#R2007-57 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE *TO AUTHORIZE THE TAX COLLECTOR TO ISSUE A REFUND TO SUSSEX & WARREN HOLDING CORP. IN THE AMOUNT OF \$783.29 FOR AN OVERPAYMENT IN THE FIRST QUARTER 2007 TAXES FOR BLOCK 109, LOT 4.01, QUALIFIER C0222*

#R2007-58 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY *TO APPOINT DARREN DICKINSON TO THE POSITION OF INTERIM SUPERVISOR, ROADS FOR THE ANDOVER TOWNSHIP DEPARTMENT OF PUBLIC WORKS*

(See Inserts Attached to These Minutes)

***APPROVAL OF MINUTES**

**FEBRUARY 26, 2007 REGULAR MEETING
FEBRUARY 26, 2007 EXECUTIVE SESSIONS A & B**

APPROVAL OF MINUTES

**MARCH 12, 2007 REGULAR MEETING
MARCH 12, 2007 EXECUTIVE SESSION**

Ms. Phoebus moved to approve these minutes as presented, seconded by Mr. Smith.
Roll call vote:

- | | |
|------------------------|----------------------|
| Mr. Gilsenan – abstain | Mr. Grotyohann – yes |
| Ms. Phoebus – yes | Mr. Smith – yes |
| Mayor Walsh - yes | |

APPROVAL OF VOUCHERS PULLED FROM THE CONSENT AGENDA

Mayor

Walsh stated that these bills are for special counsel services in the Matter of David Szatkiewicz totaling approximately \$12,000.00. Attorney Semrau stated this matter is a personnel issue so in order to provide further explanation it would have to be done in a privileged communication. This will be listed for Executive Session later this evening with regard to the matter, not the individual.

OPEN TO THE PUBLIC

Bill Haggerty, Attorney will Dolan and Dolan was present. He stated that his office represents Bill Wright, owner of property located off Lake Iliff Road, access through Hillside Park. He stated that this property was subject to a subdivision in 1978. Everyone anticipated there was an easement until a Title Search was done. There is no deed record for this easement. Mr. Haggerty stated what he is trying to do is formulate an easement. He spoke with surveyors attempting to obtain meets and bounds. He asked if this matter can be placed on a future meeting agenda for the governing body to consider a granting an easement. He added that he has provided the plat to Engineer Golden and has spoken with him and Attorney Semrau.

Attorney Semrau asked Mr. Haggerty if they anticipate any change in the use of the property with the sale. Mr. Haggerty responded no. There is now no record easement to allow access over that road.

It was decided that this matter be placed on the agenda for the April 23rd meeting.

Resident Diane Gillespie was present and she asked if a new Liaison list will be made available to the public. Mr. Smith stated that this information is posted on the website. She stated that according to the old list, Mr. Gilsenan and Administrator Padula are on the Ordinance Review Committee. She asked if there is anyone else on this committee. Administrator Padula stated he is the only member of this committee. Ms. Gillespie stated the reason she asks is because when all committee members give their reports, nobody reports on the Ordinance Review Committee. She asked that the person on this committee should provide a status report on Ordinances. She then asked if a report can be given this evening.

Administrator Padula obliged and stated there are no ordinances pending at this time.

Ms. Gillespie stated in her opinion there should not be only one person on this committee. Mayor Walsh stated this was done in order to streamline. Administrator Padula will review ordinances, bring suggestions before the Township Committee for discussion and the governing body takes it from that point.

Resident Lois de Vries asked the Township Committee to look into the poor conditions at the Life Care Mews site now that the project has been abandoned. Attorney Semrau stated that this is a good point and he will review the Developer's Agreement and report back to the Township Committee. She also asked if there will be an explanation regarding the Ballantine Road meeting held earlier this evening.

Linda Golonski asked for a brief explanation regarding the hiring of a temporary CFO and Interim Road Supervisor. Mayor Walsh explained that Timothy Day is full time, replacing Jeffery Theriault who was part time. Darren Dickinson has been appointed Road Supervisor on an Interim basis in the absence of Michael Insinga.

Hearing nothing further, Mayor Walsh closed the public portion of this evening's meeting.

RESOLUTIONS**#R2007-59 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO INTRODUCE THE 2007 MUNICIPAL BUDGET AS PRESENTED**

Mayor Walsh informed everyone that the public hearing on the 2007 Budget will be held on April 23, 2007 at 7:30 p.m. He added that this budget contains a flat rate with no municipal tax increase.

Ms. Phoebus moved to introduce this Resolution, seconded by Mr. Grotyohann and carried unanimously.
(See Insert Attached to These Minutes)

#R2007-60 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ERIC L. HARRISON, ESQ. AS SPECIAL LEGAL CO-COUNSEL FOR SERVICES ASSOCIATED WITH THE PENDING LITIGATION ENTITLED ANDOVER TOWNSHIP VS. DAVID HOOK, ET AL.

Attorney Semrau remarked that this Resolution pertains to litigation regarding Brescia Court and Mr. Hook is the developer. The roadway has never been completed. The performance bond is outstanding but the costs to complete these improvements exceed the bond amount. Notwithstanding that situation, we are in litigation and Attorney Semrau asked that this Resolution be held until after discussion in this evening's second Executive Session.

ORDINANCES: PUBLIC HEARING**#2007-04 CAPITAL BUDGET – RECREATION*****“AN ORDINANCE TO PROVIDE FOR VARIOUS RECREATION IMPROVEMENTS AND PURCHASES FOR THE TOWNSHIP OF ANDOVER AND TO PROVIDE FOR THE FUNDING THEREOF”***

Ms. Phoebus moved to open the public hearing, seconded by Mr. Grotyohann and carried unanimously.

Resident Linda Golonski stated that it is her understanding that this Ordinance is costing the taxpayers nothing and there is still a balance remaining. Ms. Phoebus replied that this is correct. She explained that due to Jackie Huelbig's hard work and diligence, the amount set aside for tennis court improvements was reduced from \$80,000.00 to \$18,000.00. The difference will earn interest and go to the Capital Fund. Ms. Golonski questioned the skating rink repair. Ms. Phoebus stated that any repair must wait until the litigation is concluded. Once resolved the rink will be painted.

ORDINANCES: PUBLIC HEARING (CONTINUED)**#2007-04 CAPITAL BUDGET – RECREATION*****“AN ORDINANCE TO PROVIDE FOR VARIOUS RECREATION IMPROVEMENTS AND PURCHASES FOR THE TOWNSHIP OF ANDOVER AND TO PROVIDE FOR THE FUNDING THEREOF”***

Mr. Gilsenan moved to close the public hearing, seconded by Ms. Phoebus 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 March 12, 2007, was advertised according to the law and was brought before the public for final consideration. There being no objections, Mr. Gilsenan moved the adoption of the above entitled ordinance, seconded by Ms. Phoebus. Roll call vote:

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

Mr. Grotyohann – yes
Mr. Smith – yes

#2007-05 AMENDING BOND ORDINANCE #2006-13***“BOND ORDINANCE AMENDING BOND ORDINANCE #2005-21, AS AMENDED BY ORDINANCE #2006-13 OF THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, NEW JERSEY FINALLY ADOPTED OCTOBER 26, 2005 AND JUNE 12, 2006, RESPECTIVELY, IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT”***

Ms. Phoebus moved to open the public hearing, seconded by Mr. Grotyohann and carried unanimously.

Michael Crane of Payne Road questioned what this Ordinance is for. Mayor Walsh explained that there were State funds available for the improvements of Hillside Drive. The prior Township Committee petitioned the State to redirect the funds from Hillside Drive to Skytop Road. There were problems with Hillside Drive that needed to be addressed so other funding was made available through the adoption of Bond Ordinance #2005-21 and #2006-13. Engineer Golden realized there was ample funding to address drainage problems with Fenner Drive. This Ordinance amends the description to include Fenner Drive.

Mayor Walsh explained that this project is being done by the Department of Public Works and will be the first item this Spring. There are other issues that need to be addressed, but this issue is the major drainage issue. He added that Engineer Golden had stated that in order to address all drainage issues in the municipality, we will need about \$5 million.

Ms. Phoebus moved to close the public hearing, seconded by Mr. Grotyohann and carried unanimously.

ORDINANCES: PUBLIC HEARING (CONTINUED)**#2007-05 AMENDING BOND ORDINANCE #2006-13**

“BOND ORDINANCE AMENDING BOND ORDINANCE #2005-21, AS AMENDED BY ORDINANCE #2006-13 OF THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, NEW JERSEY FINALLY ADOPTED OCTOBER 26, 2005 AND JUNE 12, 2006, RESPECTIVELY, IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT”

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 March 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. Roll call vote:

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

Mr. Grotyohann – yes
Mr. Smith – yes

OTHER BUSINESS

APPROVAL OF ON-PREMISE 50/50 RAFFLE LICENSE #R.L. 780 - LAFAYETTE AMATEUR ATHLETICS TO BE HELD ON MAY 10, 2007 FROM 7:00 A.M. TO 2 P.M. AT THE FARMSTEAD GOLF AND COUNTRY CLUB

Mr. Grotyohann moved to approve this license, seconded by Mr. Smith. Roll call vote:

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

Mr. Grotyohann – yes
Mr. Smith – yes

COMMITTEE REPORTS

MR. GILSENAN. He reported that he met with Judge Mulhern to discuss the security plans. Judge Mulhern found the plans to be satisfactory and now they need to be submitted to Judge Bozenelis. They also discussed the shared services with Andover Borough. He stated that Judge Mulhern was not too worried about the volume of cases but was concerned about the Township entering into a long term contract because of the Beazer Home project. He added that Judge Mulhern suggested keeping the contract as a shared services rather than combining the courts. Attorney Semrau remarked that there is legislation pending that if it is combined the State gets involved in appointing the Judge.

He also stated that come Spring he will be riding all for the Construction Official for his own education, get a better idea of what is entailed in the day-to-day operation. He asked Ms. de Vries to comment on the newly appointed member of the Environmental Commission, Gregory George. She stated he has done work for Turtle Back Zoo and is now self-employed. He builds habitats for zoos. She added that is a welcomed asset to the Commission

COMMITTEE REPORTS (CONTINUED)

MR. SMITH. He reported on the municipal computer network system and website stating there have been about 1,200 hits per month. He stated that we make about a dozen changes to the website per week, trying to keep it active. He encourages everyone to use it. He also remarked that there was a problem last week in getting the agenda on the website. He informed everyone that by the time the agenda is finalized and emailed to him, it is about 6:00 to 8:00 p.m. on Friday when he has an opportunity to place it on the website. He promised by the end of Fridays, the agendas will be available on the website. He reminded everyone that he is open to any suggestions regarding the website.

Mr. Smith then reported that the township's email spell check is working again. He stated he is looking for the Open Space Committee and Environmental Commission to expand on their information. He reported several failures this week with the network. He received a recommendation from a vendor for a \$10,000.00 solution. In reviewing the matter further, the situation was resolved spending \$268.00.

The fiber optic cable to connect the DPW with the Municipal Building is coming along. The DPW employees have begun digging this morning, the building penetration is complete and by week's end the tunneling will be done. There is a \$70,000.00 savings on the DPW providing the trenching services. An extra computer from the Tax Office is being used. He explained that we reached the max on the splitter and recommendation was made from the vendor to upgrade and the cost would be \$6,000.00. There were available ports and did some rewiring on our own and as a result did an in-house upgrade. He located an unused printer in the tax office and placed in the building department. He stressed that these actions are all an attempt to save money.

Mr. Smith reported on the PARIS Grant status. He stated he is working with Dan Freed and this is the archival of data. He reported that he finished the flow chart data for the Tax Assessor and will review this information with Mr. Perugini. He stated he will be conducting a chart for each office and as he proceeds he is looking for redundancies and unnecessary items.

He spoke about his "Help Desk" actions when he receives questions and calls regarding computer problems and issues. He had 13 this past week. He was asked what happened in the past when these questions arose. He stated that the vendor would be called to rectify these issues at a cost of \$75.00 to \$100.00 a call.

Mr. Smith then reported on the Andover Seniors. He and Mr. Grotyohann attended the last meeting and they asked what can be done for them, concentrating on technology. He stated half of them have computers and half use email and website. He added that almost all need help. He stated those without want computers and wants to learn. He stated he volunteered his services to them and his phone has been ringing ever since. He added that he has been thinking about contacting the schools and the scouts and propose if they can help with this technology training.

He mentioned that there were a number of complaints regarding the garbage and recycling issues. This week there were five serious issues, 20 normal questions. The issue of spillage of materials is being addressed. He rode with Waste Management's Route Supervisor Michael Corey to review the collection process. He stated that the collectors were doing a very good job. Mr. Smith stated it was a very windy day and we did see where the cans are very light and given a gust of wind, the recyclables tipped over.

COMMITTEE REPORTS (CONTINUED)

MR. SMITH. (CONTINUED) Another issue being that after the cans are empty, they blow in the roads and people try to run them over, destroying the cans and the blame is placed on the contractor. In talking to the Route Supervisor about these issues he suggested rectangular containers because they don't roll as the round ones do.

Regarding Dog Licensing last year at this time we had 948 licensed dogs. This year there are 985 with 70 delinquent dog licenses. Also, by the end of the month, summonses will be issued for non-compliance.

MR. GROTYOHANN. He reported on the Senior Citizens meeting agreeing that getting the schools and scouts together for technology training is a great idea. He stated that the Seniors really enjoyed the breakfast held at Long Pond School with the students and they would like to see more functions like that.

He spoke about the 2007 Budget and he thanked everyone who helped put this together, CFO Theriault, Deputy Treasurer Frodella and Administrator Padula. He finally thanked Mayor Walsh for his input and applauded a flat budget for this year.

At this time CFO Theriault explained the proposed budget as it was presented this evening. He then thanked everyone for the opportunity to serve Andover Township in the interim until a full time CFO was appointed.

MS. PHOEBUS. She reported that on March 31st, the Recreation Committee will be conducting the annual Easter Egg Hunt. On May 11th the Adult Dance will held from 8:00 to 12:00. The funds collected for the dance will go to benefit the Harry Kinney Children's Trust. Andover Township Day is scheduled for May 19th at Hillside Park. Funds raised during this event will also benefit the Harry Kinney Children's Trust.

A Recreation Committee meeting will be held on Wednesday 7:00, March 28th. Anyone interested in assisting with Andover Township Day is welcomed to attend.

Ms. Phoebus spoke about the funds available to Recreation through the Green Acres purchase. She reminded everyone that some of the money is to be used for trails. She stated that if we present the State with a plan to connect the trail system from Hillside Park to Kittatinny State Park, there are grant monies available.

She reported on the Fire Department stating they held the Venison Dinner which was outstanding, selling over 200 tickets. Though she was unable to attend, she understands the event was a success.

She asked Dan Freed to provide a status report on the Open Space Committee. He stated they are in the process of applying for an ANJEC Grant. They will review the application and respond. He added that they have been in contact with the Morris Land Conservancy who is a party to this application, as they will be doing the planned work. He stated that the key element is to identify and defining priorities and objectives. By June or July meeting they will have an open forum which will use to get a census on how people want to see the Open Space Plan defined.

COMMITTEE REPORTS (CONTINUED)

MS. PHOEBUS. (CONTINUED) Attorney Semrau informed Mr. Freed that in speaking with officials from the Morris Land Conservancy, they are anxious to get on board in Andover Township. They feel there are so many things they can do to assist the Committee. Mr. Freed stated that the process is about dealing with the land owner and there are many sources of funding. The Plan is intended to put a mechanism in place for Green Acres funding. He added that he has spoken with Donna Traylor regarding Farmland Preservation. He does want to get the ball rolling but does not want to go in all directions.

Ms. Phoebus explained that the Plan is a book of sorts, similar to the Natural Resource Inventory which tells what should be done and how to proceed. There are examples from other municipalities as to what they have done. She stated she asked Dan Freed and Lois de Vries to work on this and she is applying for the grant for us. She asked the Township Committee if Ms. de Vries could sit on the Open Space Committee during this process. Attorney Semrau gave an example such as the Fritz property which is already slated for Farmland Preservation adding that it is better to have someone now to begin work on the Plan as opposed to when you're done with the Plan process.

Ms. de Vries replied that her assistance is necessary because Mr. Freed can not accept/make personal calls during work hours. There was discussion regarding the urgency in proceeding with this concept and the use with the Morris Land Conservancy. She added this would work if the Township was willing to provide the funding. Mayor Walsh added that the Fritz farm preservation was something the Township Committee should have been advised of. Attorney Semrau stated that the funds can be paid back from Open Space funding when available. Ms. de Vries stated they were not aware of the Fritz property. Attorney Semrau stated that this should be listed on the next agenda because from this standpoint it goes hand in hand with questions on Ordinances and Land Use Ordinances. He added that all the Ordinances in the world are going to help unless you are reaching out and really aware as to what is going on. He stressed that he is not recommending one vendor over another that anyone can give a presentation and tell what they can do.

Attorney Semrau stated that this process is necessary to tie everything together, adding that it is not necessary to make a commitment this evening, but bring someone in right away.

MAYOR WALSH. He reported that Attorney Semrau recommended a Snow Removal Ordinance last year with regard to non-dedicated roads. We were in a position to use that Ordinance. Administrator Padula was thanked by resident Ms. Baffa, when he used that Ordinance to get roads plowed and the charge is made to the developer. Mayor Walsh stated that we used that Ordinance a few times this winter.

He asked the Township Committee if April 16th works for a Tree Ordinance Work Shop meeting to be held at Hillside Park Hall. This meeting will be opened to all residents as to what they would like to address in this Ordinance. Land Use Board Chair Christodlous stated that Attorney Germinario is on vacation and may not be able to attend. Following a short discussion, the date was tentatively scheduled.

He reported that he received a letter from Nita De Verio and read the letter in the record. Nita was to do a presentation before the governing body earlier this month.

REPORT FROM THE TOWNSHIP ADMINISTRATOR He reported that he is looking into amending the Fee Ordinance. He then stated that the bids for the Plenary Retail Distribution License are due April 11th at 1:00 p.m. April 18th is the official bid opening. The DPW is in the process of picking up rubber mulch at Selective Risk to be used at Hillside Park, under the new playground equipment.

From the Board of Education, the State has not figured out the funding formula as yet, but the whole budget is up 3.5%, which means a 4.87 increase to Andover Township residents. Andover Borough residents will receive a \$.12 decrease due to a proportion of students in the schools. The public hearing is scheduled for March 28th, and the election is scheduled for April 17th. Currently, the Board of Education is negotiating contracts with the teachers, custodial and secretarial staff. There was discussion regarding the numbers and how the Borough is receiving a decrease. Mayor Walsh reminded everyone that 50 percent of the total budget is the school tax, 25 percent is Municipal and 25 percent is County. Ms. Phoebus remarked that the municipality has worked very hard to keep the taxes steady and the largest part of the tax dollar is spent in the schools and no one goes to those meetings. Mr. Gilsenan stated that the only control we have is to control residential development.

He then reported on the Skytop Road – Phase III drainage project stating the work is scheduled to begin within a week by Salmon Bros.

He reported that with the baseball/softball season a couple of weeks away, he recommends that we move forward on the bids for the field equipment.

REPORT FROM THE CHIEF OF POLICE He reported 3,128 calls for service, 1,948 for Andover Township, 70 for Andover Borough, 1,004 for Hamburg and 106 for Green Township. He instituted the Traffic Safety Program and Officer Steven Murrell is in charge of this program. The Click It or Ticket Program will begin shortly, along with the Aggressive Driving Campaign. Officer Murrell will be in charge of these programs. He has attended special classes for accident investigations.

REPORT FROM THE MUNICIPAL ATTORNEY He reported that some members of the Township Committee and he met with officials from St. Paul's Abbey and it was a productive and informative meeting. He added that in the Matter of Ballantine Woods vs. Thompson he hopes to have an update for the public.

Attorney Semrau reported that at 5:00 p.m. this evening residents of Ballantine Road met with Administrator Padula, Ms. Phoebus, Mr. Gilsenan, Interim Road Supervisor Dickinson and Township Engineer Golden and himself. The meeting lasted for about an hour and each person, 20 people addressed their concerns regarding the road and the meeting concluded with Engineer Golden and his concerns he is faced with from an engineering standpoint. There was information from Mr. Gilsenan provided through his own personal test as to drainage issues, a video tape that he gave to Engineer Golden with a request to get back to the Township Committee in 30 days as to how to address the concerns of the residents. He added that the meeting was informative, productive and cordial as to how everyone conducted themselves.

NEXT SCHEDULED MEETINGS: Monday, April 09, 2007 6:30 p.m.
Regular Meeting 7:30 p.m. (CANCELLED)

Monday, April 23, 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

Contract Negotiations:

1. *Andover Township Shared Police Services*

Attorney-Client Privilege: Pending Litigation

1. *Steep Slopes*
2. *Administrative Law Matter*
3. *Possible Violation of the Law*
4. *Andover Township vs. Hook*
5. *Tax Appeals*
6. *Ballantine Woods vs. Vita Thompson*
7. *Ballantine Woods vs. Andover Township Planning Board* was carried

unanimously.

(See Insert Attached to These Minutes)

RECESS WAS CALLED AT 9:14 P.M.

MEETING RESUMED AT 9:20 P.M.

The Committee went into executive session at 9:14 P.M. Ms. Phoebus moved to adjourn executive session at 10:21 P.M., seconded by Mr. Smith and carried unanimously.

REGULAR MEETING RESUMED

RESOLUTION

#R2007-60 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ERIC L. HARRISON, ESQ., AS SPECIAL LEGAL CO-COUNSEL FOR SERVICES ASSOCIATED WITH THE PENDING LITIGATION ENTITLED ANDOVER TOWNSHIP V. DAVID HOOK, ET AL.

Ms. Phoebus moved to adopt this Resolution as presented, seconded by Mr. Smith. Roll call vote:

- | | |
|--------------------|--------------------------|
| Mr. Gilseman – yes | Mr. Grotyohann – abstain |
| Ms. Phoebus – yes | Mr. Smith – yes |
| Mayor Walsh – yes | |

(See Insert Attached to These Minutes)

APPROVAL OF BILLS REMOVED FROM THE BILL'S LIST. Ms. Phoebus moved to approve those bills removed earlier this evening, PO #06-01-20-100-299, #06-01-20-155-134 and #07-01-20-155-134, seconded by Mr. Smith and carried unanimously.

APRIL 09, 2007 TOWNSHIP COMMITTEE MEETING CANCELLATION. Mr. Smith moved to formally cancel the April 9, 2007 meeting, seconded by Ms. Phoebus and carried unanimously.

ADJOURNMENT No further business appearing before the Committee at this time, Ms. Phoebus moved the meeting be adjourned at 10:27 P.M., seconded by Mr. Gilseman and carried unanimously.

Respectfully submitted,

Tom Walsh, Mayor

Jackie Huelbig, Assistant
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 March 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. ***Andover Township Shared Police Services***
 - () 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.
 1. ***Steep Slopes***
 2. ***Administrative Law Matter***
 3. ***Possible Violation of the Law***
 4. ***Andover Township vs. Hook***
 5. ***Tax Appeals***
 6. ***Ballantine Woods vs. Vita Thompson***
 7. ***Ballantine Woods vs. Andover Township Planning Board***
 - () b. (8) Personnel matters.
 1. ***M. Perugini, Tax Assessor***
 2. ***Police Chief Smith Regarding 9-1-1***
 3. ***Hiring of Police Officer***
 - () 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:

Seconded:

Voted Aye:

Voted Nay: None

Abstained:
Resolution adopted.