

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

**TOM WALSH, MAYOR
GAIL PHOEBUS, DEPUTY MAYOR
PHIL BOYCE
MICHAEL LENSAK
BOB SMITH**

FEBRUARY 08, 2010

6:30 P.M.

REGULAR MEETING BEGINS AT 7:30 P.M.

The regular meeting of the Andover Township Committee was called to order at 6:38 P.M. by Mayor Walsh, followed by a salute to the flag.

ROLL CALL: Present: Mr. Boyce, Mr. Lensak, Mr. Smith,
Ms. Phoebus, Mayor Walsh
Also present: Attorney Semrau
Those absent: Clerk/Administrator Thompson

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. Boyce, the resolution to go into executive session to discuss

Personnel Matters:

1. Police Department Staffing

Contract Negotiations:

1. St. Paul's Abbey - Agreement Extension

Attorney Semrau will report on the progress he has made with the negotiations with representatives from the Abbey.

2. Animal Control Officer

There will be discussion regarding the need to fill this position which is currently being held through a temporary shared services agreement with Wantage through the end of February.

Attorney-Client Privilege:

Potential Litigation

Pending Litigation

1. Testa vs. Andover Township

Attorney Semrau will report on the status of this litigation.

2. T. Sugar, Court Administrator

, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 7:31 P.M. Ms. Phoebus moved to adjourn executive session at 7:15 P.M., seconded by Mr. Boyce and carried unanimously.

RECESS CALLED AT THIS TIME.

REGULAR MEETING

Attorney Semrau reported on the Executive Session beginning with the discussion of Police Department Staffing with the Chief of Police. There was an update as to where we are with the due diligence with the St. Paul's Abbey COAH project. Regarding Contract Negotiations: Animal Control Officer was discussed about either a shared service agreement or the hiring of a part time individual. In the matter Testa vs. Andover that is in relation to an approval granted by the Land Use Board that is presently in litigation. There was a recent conference call with Judge Bozonelis. The Court Administrator issue is a personnel matter.

APPROVAL OF AGENDA Ms. Phoebus moved to approve the agenda as presented, seconded by Mr. Boyce and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Mayor Walsh asked that the Approval of Vouchers be amended to include check #111107 for \$6349., check #4562 for \$139.50 and check #279 for \$1,441.50. Mayor Walsh stated these bills were amended due to the decrease in the hourly compensation by Attorney Semrau for 2010 and he thanked Mr. Semrau for this. Mr. Lensak asked that Resolution #R2010-46 be tabled for the next meeting. Mr. Smith asked that Resolution #R2010-44 and R2010-46 also be removed for discussion.

#R2010-46 RESOLUTION ADOPTING A POLICY FOR ELIGIBLE NON-CONTRACTUAL MUNICIPAL EMPLOYEES TO VOLUNTARILY WAIVE THE MEDICAL AND PRESCRIPTION COVERAGES PROVIDED THROUGH THE EMPLOYEE HEALTH BENEFITS PROGRAM

Ms. Phoebus moved to table the foregoing Resolution for the next meeting, seconded by Mr. Boyce and carried unanimously.

Ms. Phoebus moved the following consent items be approved, as amended, seconded by Mr. Boyce and carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT

(See Insert Attached to These Minutes)

TAX COLLECTOR'S JANUARY REPORT - \$1,014,323.71

ACCEPT LETTER OF RESIGNATION FROM LINDA HUBBARD – ENVIRONMENTAL COMMISSION MEMBER – TERM TO EXPIRE DECEMBER 31, 2010

***RESOLUTIONS:**

#R2010-41 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AMEND RESOLUTION #R2010-16 "LOCAL PUBLIC CONTRACTS LAW" RESOLUTION WITH SAM CASTIMORE VMD FOR AN ANIMAL POUND FACILITY FOR STRAY CATS AND DOGS FEE SCHEDULE AMENDMENT

***CONSENT AGENDA: (CONTINUED)**

***RESOLUTIONS: (CONTINUED)**

#R2010-42 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY OPPOSING LEGISLATION AMENDING THE TIME OF DECISION RULE

#R2010-43 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO APPOINT MARYANN STEVENS AS INTERIM COURT ADMINISTRATOR

#R2010-45 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE 2009 BUDGET RESERVE APPROPRIATION TRANSFER - \$1,000

#R2010-47 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING VOLUNTARY PAYROLL DEDUCTION BY NON-CONTRACTUAL MUNICIPAL EMPLOYEES FOR THE PURPOSE OF ADDITIONAL SUPPLEMENTAL INSURANCE AT NO COST TO THE TOWNSHIP

#R2010-48 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING IMPLEMENTATION OF A SECTION 125 FLEXIBLE BENEFITS PLAN FOR THE PURPOSE OF OFFERING PRE-TAX EMPLOYEE PREMIUM CONTRIBUTIONS AND FLEXIBLE SPENDING ACCOUNTS TO ALL NON-CONTRACTUAL EMPLOYEES AT NO FINAL COST TO THE TOWNSHIP

(See Inserts Attached to These Minutes)

***APPROVAL OF MINUTES**

November 09, 2009 Executive Sessions A & B
November 23, 2009 Executive Session

APPROVAL OF MINUTES

DECEMBER 14, 2009 EXECUTIVE SESSION

Mr. Lensak moved to approve the foregoing minutes as presented, seconded by Mayor Walsh. Roll call vote:

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

Mr. Lensak – yes
Mr. Smith – yes

APPROVAL OF MINUTES (CONTINUED)**JANUARY 25, 2010 REGULAR MEETING**

Mr. Lensak moved to approve the foregoing minutes as presented, seconded by Mr. Boyce. Roll call vote:

Mr. Boyce – yes

Mr. Lensak – yes

Ms. Phoebus – abstain

Mr. Smith – yes

Mayor Walsh – yes

RESOLUTION REMOVED FROM THE CONSENT AGENDA**#R2010-44 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE
OF NEW JERSEY URGING THE ELIMINATION OF 4% CAP
ON LOCAL TAX LEVY**

Mr. Smith stated it has always been a concern that this cap is in place in order not to exceed and control local spending and he feels 4% is an enormous increase and he does not know why we would be concerned that we would need to exceed that. He recommends that this resolution not be adopted. Mr. Boyce stated this request from the League of Municipalities to all municipalities is to urge the legislature to eliminate this cap which and he said he would never endorse for Andover Township. He added the problem is the unfunded State mandates, decisions of arbitrators, rising utility costs to name a few, apparently are a problem for some municipalities and this cap keeps them from funding these items. Mr. Lensak agreed with Mr. Smith that there should be a cap in place. Mayor Walsh said in certain times such as Faulkner municipalities they have to fund their elections by budgeting over \$15,000 in an election year and keep it in for the following year and that is why they are doing it. That does not affect us at all.

Attorney Semrau recommended tabling this resolution to no specific date then it just dies. If you vote no you are voting against urging the State to eliminate the cap. Mr. Boyce stated though he isn't in favor of approving this resolution he does not want to send a message to the League that they are not in support.

Mr. Boyce moved to table this resolution indefinitely, seconded by Mr. Lensak and carried unanimously.

MAYORAL APPOINTMENTS

Mayor Walsh appointed Eric Olsen as Regular Member to the Environmental Commission for the term to expire December 31, 2011.

REPORT FROM THE FIRE CHIEF Chief Crater reported for the month of January there were three activated fire alarms, a brush fire, a carbon monoxide alarm, two drills, one landing zone, six mutual aids out of town, two unauthorized burnings, one special work drill and two smoke conditions. There were a total of 20 calls, 64 for the year.

REPORT FROM THE RESCUE SQUAD CHIEF The Chief was not present at this time.

REPORT FROM THE CHIEF OF POLICE He reported to date there are 1,499 calls through dispatch. He stated the department is in the process of implementing the wide scan system that was made available through a State grant. This is the electronic fingerprint system that he said would save some time because of its direct input to the computer and the automated fingerprint system.

He then reported he attended the JIF Risk Management Course which was mandated through the MEL. Chief Coleman said that Attorney Semrau was a presenter at this class. He said the class was excellent and he will send a letter to the JIF in reference to this course that it be taught at the academy. He explained the course content.

Attorney Semrau explained the MEL determined that over 80% of its premium relates to instances of litigation regarding police departments. They took the proactive approach by meeting with the Chiefs Association and they implemented a program to identify ways to avoid litigation. He explained that during the course they went through many different case studies and incidents. Chief Coleman again applauded Attorney Semrau and added that this type of course should be available through the entire rank of the department.

Mayor Walsh then welcomed back Fire Chief Dan Crater. The installation dinner was two weeks ago and the fire department did a wonderful job with that affair. They also celebrated the anniversary of active firefighter Bob Siple for served for 45 years. Mayor Walsh presented a Proclamation to him that evening.

REGULAR AGENDA

OPEN TO THE PUBLIC Diane Gillespie of Andover-Mohawk Road stated in January at the Environmental Commission there was a back and forth discussion about the Hydrology Report and she asked who is taking charge of this and will there will be public hearing with the Land Use Board and Environmental Commission. Attorney Semrau stated the contract with Mr. Mulhall calls for him to make a presentation with respect to the report to either the Environmental Commission or the Land Use Board. In speaking with the Administrator, she was going to try to facilitate a joint meeting where he can make one presentation relative to the report. He does not believe a date has been set yet.

She then referred to the resolution requested by Mr. Lensak to be tabled and she hoped that when it comes up next time that it will be done in the public portion so the public can make a comment. Mr. Lensak stated that reason it was pulled at this time is in order to have discussion of whether we should proceed in this direction. Mr. Lensak explained that if you have employees who are taking benefits and if they happened to have other household coverage, it is an incentive to come off the Township's plan, and they would receive 30% of the cost of the premium. He said they are tabling this to see if there is any desire for anyone to take advantage of this offer. If there is no one that would be in that situation, we do not want to do this in anticipation of anyone else coming in. He stated by doing more analyses we can be more cautious in this approach.

Stan Christdlous of 6 Wisteria Road with regarding to that resolution, he asked if it include part time employees. Mr. Lensak responded no because they do not receive benefits.

With no other comments, Mayor Walsh closed the public portion of this meeting.

ORDINANCES: INTRODUCTION

**NO. 2010-02 TO AMEND CHAPTER 3 – TO ADD SECTION 3-90
“PUBLIC REPORTING OF CIVIL JUDGMENTS
AND SETTLEMENTS”**

“AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 3 “ADMINISTRATION OF GOVERNMENT” TO ADD A NEW SECTION 3-90 “PUBLIC REPORTING OF CIVIL JUDGMENTS AND SETTLEMENTS” OF THE REVISED GENERAL ORDINANCES”

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2010-02, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on February 22, 2010 at 7:30 P.M. local prevailing time, or as soon thereafter as the matter can be reached in the Municipal Building, 134 Newton-Sparta Road, Roll call vote:

- | | |
|-------------------|------------------|
| Mr. Boyce – yes | Mr. Lensak – yes |
| Ms. Phoebus – yes | Mr. Smith – yes |
| Mayor Walsh – yes | |

ORDINANCES: PUBLIC HEARING

**NO. 2010-01 TO AMEND 2008 SALARY ORDINANCE
ADMINISTRATOR AND COAH HOUSING LIAISON**

“AN ORDINANCE TO AMEND THE 2008 SALARY ORDINANCE OF THE TOWNSHIP OF ANDOVER, ORDINANCE #2008-09 TO PROVIDE AND DETERMINE RATES OF COMPENSATION FOR EMPLOYEES OF THE TOWNSHIP”

Ms. Phoebus moved to open the public hearing, seconded by Mr. Smith and carried unanimously. Mr. Christdlous asked the Township Committee to consider opening to the public on the first reading of an Ordinance because maybe someone from the public may make comments that will help make a decision on an Ordinance before it is introduced. Sometimes, by the time we reach the second reading minds are pretty much made up. Mayor Walsh stated this was a good suggestion.

Mr. Christdlous commented on the salary range for the Administrator that under our present setup this range is appropriate but if we had a full time administrator this salary Ordinance wouldn't be sufficient. Mayor Walsh stated the Ordinance would then be amended. He then spoke about the COAH Municipal Housing Liaison position. Ms. Phoebus explained there is a great deal of responsibility that requires extra hours. This position serves as the conduit between the State and us. He asked what happens if COAH administration provisions are eliminated. Attorney Semrau stated the position would be abolished by Ordinance.

Mr. Boyce 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 January 25, 2010, 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. Lensak. Roll call vote:

- | | |
|-------------------|------------------|
| Mr. Boyce – yes | Mr. Lensak – yes |
| Ms. Phoebus – yes | Mr. Smith – yes |
| Mayor Walsh – yes | |

RESOLUTIONS**#R2010-49 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AMEND RESOLUTION #R2009-53 ENTITLED "2009 SALARY RESOLUTION" POSITION OF ADMINISTRATOR & COAH MUNICIPAL HOUSING LIAISON**

Ms. Phoebus moved to approve the foregoing Resolution as presented, seconded by Mr. Boyce and carried unanimously.
(See Insert Attached to These Minutes)

Ms. Phoebus stated before she leaves in order to recuse on the following agenda item, she asked the Township Committee consider creating an Ordinance with regard to Solar and Wind Power. She stated other municipalities have such an Ordinance and this will determine for one thing the height. Mayor Walsh suggested recommending this to the Land Use Board. The consensus was to have the Administrator send a letter to the Land Use Board requesting same. Mr. Lensak suggested obtaining a sample Ordinance from the Town of Newton. At this time, Ms. Phoebus left the dais.

OLD BUSINESS**UPDATE REGARDING THE REQUEST FROM BERND HEFELE, ESQ. ON BEHALF OF CAMBRIDGE PAVERS FOR A ZONING ORDINANCE AMENDMENT**

Attorney Semrau stated he spoke to Planner McGroarty and he gave an estimate for what he felt was needed to review this Ordinance amendment request. The escrow amount of \$4,000 was requested and they will post this money. Planner McGroarty will have a report for the Township Committee and the Land Use Board relevant to the Ordinance.

NEW BUSINESS**ENVIRONMENTAL COMMISSION – IDEAS TO IMPROVE RECYCLING TONNAGE
– M. LENSAK**

Mr. Lensak stated he has been in conversation with Mr. Eric Olsen and he is very passionate about recycling and has some great ideas. Last year we received a check from the State Recycling Program for \$13,000, which can only be used for recycling education and implementation. Through the Environmental Commission and working with Mr. Olsen trying to get the tonnage amount up and solid waste tonnage down which will save the town a great deal of money. Some of the ideas are education in the schools, getting the students to recycle more and perhaps setting a goal with a particular incentive. There was also discussion regarding the implementation to the residents the possible penalties if someone fails to recycle. He said other municipalities' tonnage numbers are extremely high and there is no reason why we can't improve our figures. He then mentioned the Single Stream Recycling, which will be looked into for the new contract in 2011.

Mr. Lensak added that he looks forward to working with Mr. Olsen on the Environmental Commission and on this particular project. Mayor Walsh stated he spoke to a resident in a nearby municipality and they just increased their fines to \$2000 because their tonnage was low. Mr. Lensak stated if someone is not recycling, everyone is paying for it. Waste Management stated they will put stickers on trash containers where they find recycling materials. Mayor Walsh asked Mr. Smith his opinion as the Solid Waste Advisory liaison. He said his first SWAC meeting is tomorrow and he thinks this is a great idea and education is the issue. People are simply not aware and he has learned a lot himself. He will mention this at the SWAC meeting tomorrow. He stated he hates to have to fine residents because we do pay a lot in taxes alone.

NEW BUSINESS (CONTINUED)**ENVIRONMENTAL COMMISSION – IDEAS TO IMPROVE RECYCLING TONNAGE
– M. LENSAK**

He mentioned that our businesses don't recycle. Ms. Hattersley tries to reach out to these businesses but she is having a difficult time with this. Ms. Phoebus mentioned she does recycle at her business. Mayor Walsh and Mr. Lensak said that is another area that needs to be addressed. Ms. Phoebus added that businesses do pay for their trash removal and recycling.

OTHER BUSINESS**APPROVAL OF RAFFLE LICENSES**

- A. **#R.L. 901 – OFF PREMISE 50/50 RAFFLE – KAREN ANN QUINLAN MEMORIAL FOUNDATION TO BE HELD ON MAY 26, 2010 AT 8 PM AT THE FARMSTEAD GOLF & COUNTRY CLUB**
- B. **#R.L. 902 – OFF PREMISE 50/50 RAFFLE – ROTARY CLUB OF HAMPTON TOWNSHIP TO BE HELD ON MAY 4, 2010 AT 4 PM AT THE NEWTON COUNTRY CLUB**
- C. **#R.L. 903 – OFF PREMISE 50/50 RAFFLE – NEWTON JR. ATHLETIC LEAGUE TO BE HELD ON JUNE 12, 2010 AT 5 PM AT HILLSIDE PARK**

Mr. Boyce moved to approve these applications as presented, seconded by Mr. Lensak. Roll call vote:

Mr. Boyce – yes	Mr. Lensak – yes
Ms. Phoebus – abstain	Mr. Smith – yes
Mayor Walsh – yes	

COMMITTEE REPORTS:

MS. PHOEBUS. She reported that she is attempting to read the new proposed S-1 Bill regarding COAH. She said she will speak to Planner McGroarty about this Bill and ask how he feels. She said this Bill would like to put the contribution back in the hands of the municipalities to determine how much COAH each needs to have. They also want to abolish the Council on Affordable Housing which they have already begun to do because the head of that is no longer there. They want to place COAH under the State Planning which she agrees is a good idea and she believes that each municipality should determine their need for affordable housing which is based on the number and types of jobs in the municipality. Ms. Phoebus stated that the Committee on the local level that would make that determination would be the Economic Development Committee.

She apologized for not being able to attend the Fire Department's Installation Dinner because she was out of the State and she heard the event was fabulous.

She also reported that the Recreation Committee will have their meeting tomorrow evening and they will be planning Andover Day. Donations will be requested in an attempt to keep costs down. They have invited all the participants and the event will be May 22nd from 4PM to 8PM. She finished by saying Wednesday night, weather permitting the Chairs/Vice-Chairs of all the Committees and Boards to attend a round table workshop and to give a couple of goals their Committee is working on. This meeting will also assist in better communication between these boards/commissions.

COMMITTEE REPORTS: (CONTINUED)

MR. LENSAK. He reported on the Environmental Commission's Reorganization meeting and they are taking on some new ideas such as recycling, renewable energy to name a few. Regarding the Open Space Committee they had their reorganization meeting also.

He reported on the Rescue Squad meeting remarking on what a great group of dedicated and professional individuals on the Lakeland Squad. On the Police Department he congratulated Sgt. Taglialatela for passing the Lieutenant's test.

Mr. Lensak provided an update of PSE&G reporting he attended the meeting last Thursday and this Wednesday, weather permitting, there will be a few liaisons coming from the Coalition to talk to Bagger and another individual from the DEP. Everyone is trying their best but it is very difficult. He applauded Attorney Tamasik for a great job in this endeavor. The escrow funds are now depleted and they did apply for more funds from PSE&G and that request was denied and the BPU endorsed the denial. The majority of the towns have remarked there is nothing left in the budgets to fight any further. A decision will be made within the next couple of weeks.

MR. SMITH. He reported on the Seniors stating they have been approached by two of the candidates for Sheriff and they have decided to open the invitation to all four candidates and invite them to a Meet Your Candidate for Sheriff session and allow them to present their platform along with a question and answer segment. He added that he would like to open this session to the general public but no date has been scheduled as yet. Superintendent Baggs has approached the Seniors that he would like to present the School Budget. Scheduling is difficult because of his hours.

Apparently, the Seniors have membership from other municipalities and they are very concerned at the Township's attitude of having outside towns belong to the Seniors. They are appreciative of the funding from the Township but they are afraid that if they allow this to happen the Township may withhold their funding. Mr. Smith stated he is trying to convince them that we do not feel that way but he does believe the club should be a majority of residents from the Township. The Township Committee agreed they will not withhold funding if they do that.

Reporting on Animal Control he stated that 1,116 dog license renewal applications were mailed and 822 were issued. Mr. Smith stated our animal licensing fees are one of the most expensive in the County. We charge \$5 per month late fee up until May 31st and beginning June through December the cost is \$10 per month. It could cost a dog owner up to \$100 if they are late. He stated the purpose of licensing the dog is to prevent rabies. The majority of the municipalities charge \$5 per month for the entire year and he proposed the Ordinance be amended to address that change. He then referenced the possibility of a three year dog license renewal and Mr. Smith said if a rabies shot was in its third year and you are renewing the license this year there is no way to enforce the remaining two years. There are three municipalities who offer the three year renewal.

He reported on the Board of Health and mentioned the County website and its wealth of information available. On February 25th they will have a Project Healthy Living Kickoff from 9am to 12 at the Adam Todd in Byram and its an overall review of all health and wellness initiatives. There is a free breakfast buffet but it does require pre-registration. If anyone is interested, they should let him know and Mr. Smith will register for them.

MR. BOYCE. He spoke to Superintendent Baggs and his biggest concern is this pending snowstorm which is scheduled to start tomorrow. The DPW crews are gearing up for that storm and they will be prepared.

COMMITTEE REPORTS: (CONTINUED)

MR. BOYCE. The schools are encouraging students and children to get immunized for H1N1 flu although the effects of the flu seem mild right now, hundreds of New Jerseyans have been hospitalized this winter and 40 have died. The national toll is 1,905 with 40,000 hospitalizations.

Mr. Boyce commented he saw a survey of voters in New Jersey from Monmouth University conducted about a week ago. Eighty-nine percent said they would not be happy if property taxes remain high during Christie's term but only 42 percent think it's likely the State will take steps to significantly lower property taxes in the next few years. Fifty-six percent don't think it's likely at all. The conclusion is, nine out of ten want Christie to at least nudge property taxes from their current high perch, the highest in the nation. Nearly six in ten don't think it's going to happen.

MAYOR WALSH. Reporting on the DPW last week we were called out three hours after every other municipality was in the County because of the salt brine pre-treatment, saving 33 hours of overtime including fuel and wear and tear on the trucks.

The Finance Committee will be looking to meet sometime later this week and hopefully in one of the next two meetings he would like to have an open session on the budget.

He read a letter received from Bob Nicholson who is assisting his granddaughter to remodel a home in the Township. His letter applauds the employees of Andover Township finding everyone knowledgeable and professional. He complimented the inspectors and staff. He mentioned the brush that was picked up in front of the home which was an abundance because of the deterioration and lack of upkeep at the home. A copy of this letter is posted on the board on the second floor.

REPORT FROM THE CLERK/ADMINISTRATOR No report was given due to the absence of the Clerk/Administrator.

REPORT FROM THE MUNICIPAL ATTORNEY He reported that at the last meeting a person spoke about a proposed amendment to the Steep Slopes Ordinance. Planner McGroarty looked at this proposal and he has a suggestion as to a possible amendment just as to the area of disturbance. In addition, Mr. Cutler had some information to add. They are coordinating this information and perhaps at the next meeting, a response will be prepared and a recommendation made.

NEXT SCHEDULED MEETINGS: February 22, 2010

March 08, 2010

Executive Session - 6:30 p.m.

Regular Meeting - 7:30 p.m.

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Boyce moved the meeting be adjourned at 8:30 P.M., seconded by Ms. Phoebus and carried unanimously.

Respectfully submitted,

Tom Walsh, Mayor

Vita Thompson, R.M.C.
Clerk/Administrator

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Committee of the Township of Andover on the 08th day of February, 2010, 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.
- () 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.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.

Contract Negotiations:

- 1. *St. Paul's Abbey - Agreement Extension***
- 2. *Animal Control Officer***

Attorney-Client Privilege:

Potential Litigation

Pending Litigation

- 1. *Testa vs. Andover Township***
- 2. *T. Sugar, Court Administrator***

(X) a. (8) Personnel matters.

- 1. *Police Department Staffing***

() 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: February 08, 2010

Moved: _____ Seconded: _____

Voted Aye:

Voted Nay: None

Abstained:

Resolution adopted. February 08, 2010
