

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

JULY 12, 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 6:35 P.M. by Mayor Walsh, followed by a salute to the flag.

ROLL CALL: Present: Mr. Boyce, Mr. Smith,
Ms. Phoebus, Mayor Walsh
Also present: Attorney Semrau
Those absent: Mr. Lensak (arrived at 8:00PM)

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

EXECUTIVE SESSION: Ms. Phoebus moved to go into Executive Session, seconded by Mr. Smith. Attorney Semrau asked that the agenda be amended to reflect under Pending Litigation: Andover Township vs. Roberts, a Construction Board of Appeals Matter. On a motion by Mr. Smith to amend the Executive Session Agenda, seconded by Mr. Boyce, the resolution to go into executive session to discuss

Personnel Matters:

1. ***Position of Chief Financial Officer***

Contract Negotiations:

1. ***St. Paul's Abbey Due Diligence***

Attorney-Client Privilege:

1. ***T. Sugar, Court Administrator***
2. ***Abandoned Properties List – Block 145/Lot 5***

Potential Litigation

Pending Litigation

1. ***Krueger vs. Andover Township***
2. ***Andover Township vs. Roberts (Construction Board Appeal)***

, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:37 P.M. Ms. Phoebus moved to adjourn executive session at 7:20 P.M., seconded by Mr. Boyce and carried unanimously.

REGULAR MEETING WAS CALLED TO ORDER AT 7:31 P.M.

APPROVAL OF AGENDA Mayor Walsh asked that Resolution #R2010-135 be added to the Regular Agenda. Mr. Boyce moved to approve the agenda as amended, seconded by Mr. Smith and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Mayor Walsh asked that Resolution #R2010-136. Ms. Phoebus moved the following consent items be approved, seconded by Mr. Boyce and carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

**APPROVAL OF VOUCHERS FOR PAYMENT
(SEE INSERTS ATTACHED TO THESE MINUTES)**

ACCEPTANCE OF TAX COLLECTOR'S JUNE REPORT - \$83,146.59

**ACCEPTANCE OF RESIGNATION FROM THE LAND USE BOARD
ROURKE DAY – ALTERNATE #2 MEMBER – TERM 12/31/11**

***RESOLUTIONS:**

#R2010-123 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE AMENDMENT OF A PROFESSIONAL SERVICES AGREEMENT WITH THOMAS PORTELLI, ESQ. TO SERVE AS HEARING OFFICER

#R2010-124 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ACCEPT THE LETTER OF RESIGNATION FROM TIMOTHY DAY, CHIEF FINANCIAL OFFICER EFFECTIVE JULY 09, 2010

#R2010-125 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AMEND THE START DATE FOR POLICE OFFICER JOSEPH INDANO TO JULY 06, 2010

#R2010-126 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AMEND THE START DATE FOR POLICE OFFICER EDWARD J. DIKLICH TO JULY 06, 2010

#R2010-127 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE TO ACCEPT THE LETTER OF RESIGNATION FROM SHAUNA TILLOTSON, DEPUTY COURT ADMINISTRATOR/VIOLATIONS CLERK FOR THE ANDOVER TOWNSHIP MUNICIPAL COURT EFFECTIVE JUNE 21, 2010

***CONSENT AGENDA: (CONTINUED)**

#R2010-128 RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$3,392,000 GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, NEW JERSEY AND PROVIDING FOR THEIR SALE

#R2010-129 RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF ANDOVER, IN THE COUNTY OF SUSSEX, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$3,392,000 IN PRINCIPAL AMOUNT

#R2010-136 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO APPOINT AN INTERIM CHIEF FINANCIAL OFFICER

(See Inserts Attached to These Minutes)

***APPROVAL OF MINUTES**

**MAY 24, 2010 REGULAR MEETING
MARCH 29, 2010 EXECUTIVE SESSION**

REGULAR AGENDA**SWEARING IN CEREMONY**

**POLICE OFFICER JOSEPH INDANO
POLICE OFFICER EDWARD DIKLICH**

Officers Indano and Diklich were sworn in. Officer Indano's fiancé held the Bible and pinned him with the badge of the department. Office Diklich's brother held the Bible and handed him his pin. Office Diklich began the police academy this morning. A round of applause followed. Each officer provided a short autobiography.

PRESENTATION OF PROCLAMATION TO LAUREN ORLEANSKI Mayor Walsh presented Ms. Orleanski with a Proclamation, which he read into the record. He stated that Ms. Orleanski was a runner-up in the Ms. Andover Township contest and through that process he learned that she was instrumental in establishing an organization called Smiles Over Seas. Along with her younger sister, Christina, they recognized the tremendous need of fellow Americans who were suffering from the effects of Hurricane Katrina and, with this in mind put feelings into actions by establishing this organization. The organization's main goal is to assist those in need, particularly addressing housing and education. Mayor Walsh added that the employees at the municipal building collect \$1 every Friday in exchange to dress down and quarterly each employee chooses a charity to donate the money to. Next quarter the organization chosen as recipient of the donation is Smiles Over Seas. A round of applause followed.

REPORT FROM THE FIRE CHIEF Assistant Chief Steinwand reported 10 activated fire alarms, one carbon monoxide alarm, one fast team response, one illegal burn, two special work drills, one regular monthly drill, two mutual aids, out of town, four motor vehicle accidents, two smoke conditions and two downed power lines for a total of 27 reported calls for the month. There are 188 for the year which total 2,513 hours. The Chicken BBQ is July 31st and tickets are \$12 each.

REPORT FROM THE RESCUE SQUAD CHIEF Chief Reidmiller reported a total of \$100 for the month of June, three in Andover Borough, 40 in Andover Township and 37 in Byram. There were 12 mutual aid calls, with total man-hours of 263.30 and traveled a little more than 1800 miles. Total for the year is 607 calls, 216 in Andover Township, with six fly outs for a total 1,900 man-hours and 11,000 miles.

**SHORT PRESENTATION BY SCOTT DANIELSON
REGARDING REHAB TRAILER**

Chief Reidmiller introduced the squad's Rescue Sergeant, Scott Danielson and he will speak about the squad's new initiative they will be putting into practice. He distributed handouts explaining Lakeland's Emergency Responder Rehab Project. The Squad has teamed up with the Sussex County Sheriff's Office, Department of Emergency management to expand their Rehab Team for the County's Firefighters, EMS, Police and OEM personnel during large-scale incidents. The County had a trailer for them to use They have providing this service for a number of years by carrying necessary supplies out of their rescue truck. They provide equipment and supplies in the trailer such as misting fans, heaters, chairs, cases of bottle water, snacks, towels and EZ-UP tents. Now they will use the available trailer. They will be seeking donation for equipment and supplies to outfit the trailer from retailers within the County. They will also seek private donations to purchase advanced medical evaluation equipment. He said their wish list will cost about \$40,000.

REPORT FROM THE CHIEF OF POLICE Chief Tagliatela reported for the month of June there was a total of 1,378 calls for service. As of July 11th there were 260 calls in Andover Township, seven in Andover Borough, 171 in Hamburg and six in Green. The total for the month was 444 and year to date 7,886. He stated that the municipality made good choices in their selection of new personnel for the police department. Mr. Boyce asked if we are still understaffed in the police department. Chief Tagliatela replied the department is short one officer from the normal complement.

OPEN TO THE PUBLIC Jim Woodstrom of 821 Limecrest Road asked how the number of police officers on the force is determined. Chief Tagliatela stated there are regulations set forth by the State Police and FBI. The survey states that this department requires approximately 16 officers. Chief Tagliatela added that we have maintained 13 for the past several years. There were recently three retirements and one death. Based on were we were at 13, we are currently down one from that total.

Mr. Woodstrom began to provide examples of municipalities with a larger population that have less officers per resident than Andover Township. He also mentioned municipalities that are serviced by the State Police. He said that those larger municipalities in Sussex County don't have police departments so they have zero police officers, zero cars and zero insurance, zero fuel for cars, no building necessary for the department, and no maintenance of a building. He added that Andover Township has roughly one police officer for 500 residents. Newton and Sparta have one police officer for about 325 residents. Randolph Township has a population of 39,000 with a police force of 37, one for about 1,100 residents. He said that is why he is questioning the staffing of a department. He stated in his opinion a municipality like Andover does not warrant all these police officers. He stated that he does appreciate the job that these officers do.

Mr. Woodstrom took a statement made by CFO Day at the last meeting that our revenues are down \$15,000. He asked why we have a full time building inspector with no building going on. Most towns have a part time inspector. Until recently, that department had two full time employees.

Mr. Boyce replied he does not know about Wantage, but he knows that are governed by the State Police. He added he does not know if our residents are ready to give up their police department.

OPEN TO THE PUBLIC (CONTINUED) Mr. Woodstrom then added that if the Committee is looking to cut expenses, he asked that they look at the number of paid holidays received by municipal employees. Mr. Boyce stated he makes a good point and we should look at the number of holidays we are giving. Mr. Woodstrom then asked to see copies of union contracts and Mr. Boyce gave him instructions on how to do that. Mr. Woodstrom asked why this information can't be posted on the website. That will be investigated.

Ben Bensley of Mountainside Drive asked why the municipal offices are being painting. The project was started two years ago and was never completed. Mayor Walsh explained we are finishing what was started. In defense of the police department Mr. Bensley stated that residents wanted their own department due to the poor response from the State Police. He added that everyone he speaks to is very satisfied with our department. Mr. Boyce said next year will be a very tough budget year and with a 2% cap, he is worried about many things, and the police department is one. He said that the law will require that if we wish to exceed that 2% we have to take that to the voters for their permission.

Diane Gillespie, questioned the item under Old Business for Computer Services and she voiced her dissatisfaction with either company that has serviced the municipality. Mayor Walsh stated he was going to ask the Township Committee to table this item. We are trying to look in another direction for service. Ms. Gillespie added that in looking for another vendor she thinks we should someone in the office can has some background in computers and not just handing the information to the vendor.

She then stated she agrees with Mr. Woodstrom, saying months ago she asked why we have a full time Planning/Zoning Board Secretary when the Land Use Board wasn't even having meetings due to lack of applications. She said she still thinks we have to re-examine whether we do need that position. Mayor Walsh clarified again we cannot discuss personnel tonight, but he does know that there are plans being discussed. She then added that she was disappointed that the Open Space Committee had a clean-up scheduled for Lake Iliff and invitations were distributed but there were only three women were present. She said they worked for three hours.

Seeing no other hands, Mayor Walsh closed the public portion.

RESOLUTIONS

#R2010-130 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE ISSUANCE OF A FIREWORKS DISPLAY PERMIT TO APPLICANT "CELEBRATION FIREWORKS" ON THE PERONA FARMS PROPERTY FOR SATURDAY, AUGUST 21, 2010

#R2010-131 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE (WITH HOTEL/MOTEL EXCEPTION) #1902-36-002-004 FOR SOMERSET INVESTORS, INC. T/A BELLA ITALIA FOR THE TERM JULY 1, 2010 THROUGH JUNE 30, 2011

#R2010-132 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-004-006, FOR LARRY L. SNOVER, INC. T/A THE CELLAR FOR THE TERM JULY 1, 2010 THROUGH JUNE 30, 2011

RESOLUTIONS (CONTINUED)

#R2010-133 RESOLUTION OF THE ANDOVER TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #1902-33-012-007 FOR RAY C. INC. T/A RAY'S INN FOR THE TERM JULY 1, 2010 THROUGH JUNE 30, 2011 WITH CERTAIN CONDITIONS

#R2010-135 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE (WITH BROAD PACKAGE PRIVILEGE) #1902-32-011-002 FOR THE CORNER RESTAURANT, INC. T/A THE CORNER RESTAURANT FOR THE TERM JULY 1, 2010 THROUGH JUNE 30, 2011

Mr. Lensak moved to approve the foregoing resolutions as presented, seconded by Mr. Boyce. Mr. Boyce asked about Resolution #R2010-133. He stated that the resolution is being renewed with the same conditions which means voting yes to this resolution is with conditions. Attorney Semrau added that if you vote no the license is not renewed. From a legal prospective, his recommendation would be that the renewal application is all in order, all has been provided, notwithstanding that there was the death of the principal. Under the circumstances he recommends the renewal but with the same conditions applying.

Mayor Walsh asked if we voted no then this renewal would go to the State and they could approve this renewal without the conditions. Attorney Semrau replied that is correct. Mr. Boyce then outlined the conditions set forth in the renewal application. Attorney Semrau provided a short history on this liquor license. Mr. Boyce asked if the ABC in October change the municipal conditions on this liquor license. Attorney Semrau replied it could. The applicant is seeking to having those conditions removed and we are seeking to have them upheld.

Mayor Walsh asked for a roll call:

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

(See Inserts Attached to These Minutes)

OLD BUSINESS**COMPUTER NETWORK AND WEBSITE MANAGEMENT PROPOSAL FOR THE MUNICIPAL BUILDING AND POLICE DEPARTMENT**

Mr. Lensak asked that this matter be tabled for the next meeting, seconded by Mr. Boyce and carried unanimously.

NEW BUSINESS**REVIEW AND CONSIDERATION OF BID AWARD FOR THE SOLAR PROJECT**

Attorney Semrau reported that he received the bids for the project and they were reviewed by Engineer Golden's office to determine if the actual lowest bidder qualities. He further stated that the bids were reviewed by his office for legal compliance and everything is in order. The Clerk read into the record the information from the lowest bidder, SMAC Corporation in the amount of \$146,375. She read the second and third bidders also. There were six bidders in total.

RESOLUTION**#R2010-134 A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF THE CONTRACT FOR THE DESIGN-BUILD PERFORMANCE SPECIFICATION - PHOTOVOLTAIC SYSTEM AT THE ANDOVER TOWNSHIP MUNICIPAL COMPLEX TO SMAC CORP**

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

2010 NEW JERSEY LEAGUE OF MUNICIPALITIES CONFERENCE ATTENDANCE

Following a short discussion it was decided that only those individuals holding State certification should be attending the conference,. Any other employee, volunteer or committee member choosing to attend will do so at their own cost.

CORRESPONDENCE FROM ENGINEER GOLDEN REGARDING HIGHLAND FARMS SUBDIVISION, BRESCIA COURT & LAKEVIEW RIDGE

Attorney Semrau stated this project is where the developer did not complete certain improvements and we moved on the bonds. Engineer Golden used the funding set aside to complete the outstanding punch list items. Now there are certain funds available to complete certain tasks to bring this to completion. Engineer Golden in correspondence to the Township Committee asked if they would like him to proceed with the suggested items. These items are consistent with what was approved. There was a consensus of the governing body to have Engineer Golden proceed with this Highland Farms.

Regarding Brescia Court there is some minor ponding at the intersection but aside from that everything is in order. Engineer Golden is recommending we move forward with acceptance of the roadway. Attorney Semrau explained this is another example where a developer did not finish his project. He asked that we double check with DPW Dickinson to make certain he is comfortable with the roadway acceptance. It was decided that we hold off on this until such time we can speak to Mr. Dickinson.

With Lakeview Ridge, Engineer Golden mentioned in his memo that this project hasn't been inspected in over two years and he recommends a final inspection in order to generate a punch list. There is a \$4700 cash bond on this project. There was concern by one resident and when responding to this concern Mr. Golden found some minor cracking. There was a consensus for the Engineer to conduct a final inspection on Lakeview Ridge.

COMMITTEE REPORTS:

MS. PHOEBUS. Regarding COAH, she reported that the moratorium placed by Governor Corzine on commercial contribution of 2.5% terminated beginning the end of June. This will hurt any type of commercial growth. On Land Use issues Wawa was given approval by the DEP.

The Fire department is having their annual chicken bbq and tickets are \$12. The event is being held on July 31st. The golf outing is the last Wednesday in August. Mr. Boyce asked if the decision of the DEP on Wawa was before or after the lawsuit was filed against the County. Ms. Phoebus said it had nothing to do with the lawsuit, citing only that the DEP is under new leadership and they would like to get these permits out.

COMMITTEE REPORTS (CONTINUED)

MR. LENSAK. He apologized for being late. He attended a golf outing fundraiser for Newton Memorial Hospital as he sits on the committee for this event. He congratulated the new officers sworn in this evening. He understood that the presentation by the Lakeland Squad went well. He asked if anyone has any connections with a corporation to lend assistance to the squad to outfit their new trailer to please contact them.

MR. SMITH. Reporting on the Senior Citizens, the new bylaws were finally adopted on June 21st. The major change was to relax restrictions on members living in surrounding areas. The next meeting is July 19 at the Senior Center in the Borough.

The June SWAC meeting was canceled due to Election Day and the next meeting is tomorrow night. There is a new recycling logo that was designed and it will be unveiled at the Sussex Skylands game this Saturday, June 17th. Mayor Walsh will be attending representing Andover Township. He added that he will be working with the County Recycling Coordinator to prepare a presentation to the Seniors on the value and benefits of recycling.

The Board of Health is on summer schedule and the next meeting is September 15th. He reported on the available health screenings available to the public.

MR. BOYCE. He stated that at the last meeting he expressed optimism and hope that our teachers would agree to givebacks in their contracts to contribute to the \$200,000 reduction to the budget. He was disappointed to learn there was no agreement. There was apparently an offer by the teachers but it was conditional. He is not aware of the offer or conditions.

MAYOR WALSH. He reported that many of our roads are being oiled and stoned. We can oil/stone $\frac{3}{4}$ of the town's roads for \$200,000 and to do the same amount of miles with asphalt could cost in the neighborhood of \$1 million. This process can give us eight to ten years. When the stone is swept in a few months the DPW will reuse this material as grit for the winter.

Mayor Walsh then asked the Attorney for information he requested on Current Drive. The DPW also asked him whether the road should be oiled and stoned or just have the potholes filled. The consensus was to fill potholes within the six foot from center. Attorney Semrau spoke of the litigation years ago and Judge Stanton's decision. This is a private roadway but one that is traveled and one that the township does have discretion to do some maintenance to the road within that 12 feet. He asked that we keep in mind it is a private road and the township is not obligated to do this again. The Committee's discretion is to do something and the DPW will.

Mayor Walsh asked for consensus to have the Clerk speak to the DPW bargaining unit for some framework on their upcoming contract. He wants to put contract together as soon as possible in order to begin negotiations prior to the beginning of the year. Consensus was given.

REPORT FROM THE CLERK/ADMINISTRATOR She reported on July 1st the public bidding threshold was increased from \$21,000 to \$26,000 with the quotation threshold at \$3900.

The Freeholders are considering adoption of their budget on July 28th which means the County rate has not been struck, delaying the tax bills. If the budget is adopted at that time it will take about a week to certify the tax rate. Messages have been placed on the board outside and on our website. The Tax Collector has included a message on her phone as well.

She then referenced the new OPRA Alert advising of the new \$.05 and \$.07 copy fee to be charged in 90 days from July 1st. This applies to all public agencies.

REPORT FROM THE CLERK/ADMINISTRATOR (CONTINUED) She then spoke about the continuation of the painting of the municipal building that was begun two years ago.

Sustainable Jersey is hosting a free event through the NJ Mayors' Committee for a Green Future in Sparta on August 4th. If anyone is interested in attending they should contact her for a copy of the email. A copy was sent to the Environmental Commission Chair. They will talk about training and grants.

Sussex County Department of Human Services announced this year's theme for Senior Day at the Fair is USO Variety Show at the Canteen. All seniors are encouraged to audition for a spot in the show. Additional information is available in the Clerk's office.

The County is repeating their free produce for eligible seniors at the Farmers' Markets. Available to all seniors, age 60 plus who meet financial criteria, they will receive \$20 worth of vouchers to spend on NJ grown fruits and vegetables available at participating stands.

REPORT FROM THE MUNICIPAL ATTORNEY He reported that the Land Use Board litigation regarding Testa was scheduled for this Friday but has been postponed at the request of the plaintiff. He will report back once they have a new date or a result from that matter.

The sanitation specifications are being drafted because the current contract ends this December 31st. We will be working with various alternatives to bid, trying to find ways to save costs.

He then referenced discussion in Executive Session regarding a personnel matter. He has a resolution he will read into the record.

RESOLUTION

#R2010-137 RESOLUTION TO AUTHORIZE THE ADMINISTRATOR TO TAKE CERTAIN PERSONNEL ACTION

Following the reading of this resolution into the record, Mr. Boyce moved to adopt as presented, seconded by Ms. Phoebus and carried unanimously.
(See Insert Attached to These Minutes)

NEXT SCHEDULED MEETINGS: August 09, 2010
September 13, 2010

Executive Session - 6:30 p.m.
Regular Meeting - 7:30 p.m.

ADJOURNMENT No further business appearing before the Committee at this time, Ms. Phoebus moved the meeting be adjourned at 8:47 P.M., seconded by Mr. Lensak 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 12th day of July 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 Due Diligence***

Attorney-Client Privilege:

1. ***T. Sugar, Court Administrator***
2. ***Abandoned Properties List – Block 145/Lot 5***

Potential Litigation

Pending Litigation

1. ***Krueger vs. Andover Township***
2. ***Andover Township vs. Roberts (Construction Board Appeal)***

- (X) a. (8) Personnel matters.

1. ***Position of Chief Financial 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: July 12, 2010

Moved: Boyce Seconded: Smith
Voted Aye: Boyce, Phoebus, Smith, Walsh
Voted Nay: None
Absent: Lensak (arrived at 8:00PM)
Resolution adopted. July 12, 2010
