

ANDOVER TOWNSHIP COMMITTEE MINUTES

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

MAY 09, 2011

EXECUTIVE SESSION – 6:30 P.M.

REGULAR MEETING – 7:30 P.M.

The regular meeting of the Andover Township Committee was called to order at 6:35 P.M. by Mayor Boyce, followed by a salute to the flag.

ROLL CALL: Present: Mr. Lensak, Ms. Phoebus, Mr. Smith
Mr. Walsh, Mayor Boyce
Also present: Attorney Semrau

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

EXECUTIVE SESSION: Mayor Boyce asked to amend the Executive Session to include V. Thompson under Personnel Matters. On a motion by Mr. Walsh, seconded by Mr. Lensak, the resolution to go into executive session to discuss

Personnel Matters:

1. ***V. Thompson, Clerk/Administrator***

Contract Negotiations:

1. ***St. Paul's Abbey Due Diligence***
2. ***Police Dispatcher's & DPW Union Contracts Status Reports***
3. ***Shared Services Agreement – Fire Code Enforcement Agency Services***
4. ***Position of Land Use Board Administrator/COAH Housing Liaison***

Attorney-Client Privilege:

Potential Litigation:

Pending Litigation:

, was carried unanimously.
(See Insert Attached to These Minutes)

The Committee went into executive session at 6:37 P.M. Mr. Walsh moved to adjourn executive session at 7:35 P.M., seconded by Ms. Phoebus and carried unanimously.

REGULAR MEETING

APPROVAL OF THE GENERAL AGENDA Mr. Walsh moved to approve the agenda as presented, seconded by Mr. Lensak and carried unanimously.

APPROVAL OF CONSENT AGENDA Mayor Boyce asked that Resolution To Appoint County Fire Marshall Joe Inga as the Interim Fire Official effective immediately through June 30, 2011 at which time the County Interlocal Service Agreement will take effect. This is resolution #R2011-79. Mr. Lensak asked that check #434 for further discussion. Mr. Walsh moved the following consent items be approved, as amended, seconded by Mr. Lensak and carried unanimously.

CONSENT AGENDA:**OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT

ACCEPTANCE OF THE MARCH 2011 TREASURER'S REPORT

ACCEPTANCE OF THE TAX COLLECTOR'S APRIL 2011 REPORT - \$1,534,335.66

**OPEN SPACE COMMITTEE APPOINTMENT - RAYMOND AYERS –
REGULAR MEMBER/MEMBER OF THE PUBLIC
TERM TO EXPIRE DECEMBER 31, 2011**

***RESOLUTIONS:**

**#R2011-75 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX, STATE OF NEW JERSEY SUPPORTING THE CLICK IT
OR TICKET MOBILIZATION OF MAY 23 – JUNE 5, 2011**

**#R2011-76 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX AND STATE OF NEW JERSEY APPROVING OF LAKE LAND
EMERGENCY SQUAD TO RECEIVE FINANCIAL ASSISTANCE FROM
THE COUNTY OF SUSSEX AS PER THE CERTIFICATION FOR
RESCUE SQUAD CONTRIBUTION ATTACHED HERETO**

**#R2011-77 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX AND STATE OF NEW JERSEY AUTHORIZING AN
AGREEMENT WITH THE TOWNSHIP OF HARDYSTON PURSUANT
TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT
CONCERNING THE SERVICES OF A LAND USE BOARD
ADMINISTRATOR AND PLANNING SERVICES RELATIVE TO
AFFORDABLE HOUSING REPORT PREPARATION AND FILING**

**#R2011-79 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO
APPOINT JOSEPH C. INGA AS ACTING FIRE OFFICIAL EFFECTIVE
IMMEDIATELY**

(See Inserts Attached to These Minutes)

***APPROVAL OF MINUTES:**

MARCH 28, 2011 EXECUTIVE SESSIONS "A" & "B"

Mayor Walsh stated that Andover has entered into a shared services agreement with Hardyston for the position of Land Use Board Administrator. This arrangement will save the town approximately \$20,000. Anne-Marie Wilhelm comes highly qualified and available two to three days per week. He commended the Clerk/Thompson because there were a number of very important matters before the Land Use Board and she took it upon herself to clerk the last Land Use Board meeting and we are very lucky to have her stepping forward and doing such a great job.

Mayor Boyce stated it was in July 1990 that Gil Tagliatela joined our police force and 21 years later we are privileged tonight to swear him in as our Police Chief. He was appointed as the provisional chief last year and has past the Civil Service examination for this position.

SWEARING IN CEREMONY**ACHILLE TAGLIALATELA, CHIEF OF POLICE**

Mayor Boyce swore in Chief Tagliatela while his son Brandon _____ held the Bible. Following a round of applause there was a short recess.

Meeting was called back at 8:00.

APPROVAL OF MINUTES

APRIL 25, 2011 REGULAR MEETING Mayor Boyce asked that on page 5 the minutes should read Mr. Walsh recommended we approve his budget of 1.9 cents. Also the Recreation Budget of \$10,500 was restored not \$9000. Mr. Lensak moved to approve the minutes as amended, seconded by Mr. Walsh. Roll call vote:

Mr. Lensak – yes
Mr. Smith – abstain
Mayor Boyce – yes

Ms. Phoebus – yes
Mr. Walsh – yes

REGULAR AGENDA**MAYORAL APPOINTMENT****ENVIRONMENTAL COMMISSION****ERIC DERBY – REGULAR MEMBER – TERM TO EXPIRE DECEMBER 31, 2013**

Mayor Boyce appointed Mr. Derby to the Environmental Commission as a Regular member. He stated he met Mr. Derby who is employed by Edible Jersey Magazine and serves on the Board of Directors for the Food Shed Alliance. He is a former café and small business owner and has been a Sussex County resident for 14 years. He served on the Environmental Commission for Green Township when Rich Vohden served on that same commission. He is the co-founder of Transition Newton, a grass roots movement that provides education through films and workshops. He will be a fine addition to our Environmental Commission.

Mayor Boyce then announced that during the Consent Agenda Raymond Ayers was appointed to the Open Space Committee, filling a vacancy in the position of Member of the Public. He was recommended by the Chair Carla Kostelnik. He thanked both for their willingness to serve.

REPORT FROM THE FIRE CHIEF Ms. Phoebus read the report for the Fire Chief who was not available this evening. She read there was one active fire alarm, one carbon monoxide alarm, one liquid propane gas incident, two regular monthly drills, one landing zone, one regular monthly meeting, one mutual aid drill, one mutual aid, out of town, two motor vehicle accidents, three special work drills, one smoke condition, one downed power line, 18 reported calls for a total of 319.6. Total for the year is 1806.8 hours.

REPORT FROM THE RESCUE SQUAD CHIEF Captain Donna Conklin was present and announced the Chief was not available this evening. She also announced that member Bob Kern left the building following the swearing in of Chief Tagliatela with the monthly report. Mayor Boyce then asked Captain Conklin to step forward and accept a donation given to him by the bride and groom following the wedding in which he officiated.

REPORT FROM THE CHIEF OF POLICE In the Chief's absence, Mr. Lensak reported for the month of May thus far there are 108 calls in Andover Township, 80 in Hamburg, no calls in Green and Andover Borough. The total monthly is 188 and year to date is 5,301 calls.

PUBLIC PORTION Anthony Massaro of Current Drive stated that this Committee made a mistake when changing the zoning on Limecrest Road. He spoke briefly about the idea for a 24/7 operation and the potential noise situation. He then commented on the truck traffic reported at the recent Land Use Board meeting last week. He then stated that Sparta Township has an Ordinance prohibiting 24/7 operations. He said that Andover Township can do the same thing. Attorney Semrau reminded everyone that this is an application currently before the Land Use Board and advised Mr. Massaro that he has every right to express his concerns. He further stated that because the Mayor is a member of the Land Use Board and has the right to make appointments to that Board, he cautioned everyone on the Committee not to respond because of the pending application. He encouraged Mr. Massaro to bring his comments to the Land Use Board where that Board can ask further questions and the applicant has an opportunity to explain.

Stan Christdlous of Wisteria Road stated he understands that the Committee cannot comment on a pending litigation, but he questioned how traffic studies are conducted. He also commented on this Committee considering the possibility of a 24/7 prohibition similar to Sparta's as well as a similar noise ordinance.

Linda Golonski thanked the Township Committee for their hard work in bringing new businesses to Andover Township. Mayor Boyce said that the Economic Development Committee chaired by Rick Melfi is responsible for this. They are a great group of people who work very hard in encouraging businesses to Andover. She then expressed her concerns with Blue Diamond, the new trash and recycling hauler for the Township. She said they leave recycling on the roadways that spills from containers. She also stated that it appears to her that they seem to rush through town missing homes along the way. Ms. Thompson stated that she is one of many complaints and she will be meeting with representatives from Blue Diamond in the next couple of weeks to address all residents' concerns.

Seeing no hands, Mayor Boyce closed the public portion of this meeting.

ORDINANCES: PUBLIC HEARING

NO. 2011-03 TO ESTABLISH A CAP BANK FOR 2011

“AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2011 PURSUANT TO N.J.S.A. 40A:4-45.14”

Mayor Boyce opened the public hearing and seeing no hands he closed the hearing.

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 April 25, 2011, was advertised according to the law and was brought before the public for final consideration. There being no objections, Mr. Walsh moved the adoption of the above entitled ordinance, seconded by Mr. Lensak. Roll call vote:

Mr. Lensak – yes

Ms. Phoebus – yes

Mr. Smith – no

Mr. Walsh – yes

Mayor Boyce – yes

ORDINANCES: PUBLIC HEARING (CONTINUED)**NO. 2011-04 FOR VARIOUS IMPROVEMENTS*****“AN ORDINANCE TO PROVIDE FOR VARIOUS IMPROVEMENTS TO STICKLES POND ROAD AND ROAD IMPROVEMENTS & OVERLAYS FOR THE TOWNSHIP OF ANDOVER”***

Mayor Boyce opened the public hearing. Ms. Golonski questioned what type of equipment is being purchased. Mr. Walsh explained when putting together the budget, there were quite a number of cuts being made. He said one area reviewed was the balances on old ordinances for completed projects. He said they took all those unused balances to fund this Ordinance. He said they need about \$100,000 to fix Stickles Pond Road. The condition of that road is so poor and the ruts in the roadway when we plow it leaves snow under the plow and creates an unsafe condition. He said the Township received \$165,000 grant to do Goodale Road and we need to provide for some of the funding for about \$50,000. We have 18 months to complete the project and if we don't we could jeopardize further grant opportunities. In total \$170,000 was found for these projects. Stickles Pond Road will be addressed next year.

The other \$50,000 is for trucks. He said we need two trucks but we are only getting one. The bottoms of these trucks have rotted out. A portion of this money is for one truck and two plows. He explained that this money has already been borrowed under other Ordinances. Ms. Golonski asked if this money found can only be spent on other road projects. Mr. Walsh replied it can also be canceled and put back into the General Fund. Mayor Boyce stated seeing no other hands he closed the hearing.

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 April 25, 2011, was advertised according to the law and was brought before the public for final consideration. There being no objections, Mr. Walsh moved the adoption of the above entitled ordinance, seconded by Mr. Lensak. Roll call vote:

Mr. Lensak – yes

Ms. Phoebus – yes

Mr. Smith – no

Mr. Walsh – yes

Mayor Boyce – yes

ORDINANCES: INTRODUCTION**NO. 2011-05 TO AMEND AND SUPPLEMENT CHAPTER 3
“ADMINISTRATION OF GOVERNMENT”*****“AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 3, “ADMINISTRATION OF GOVERNMENT” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ANDOVER WITH THE ADDITION OF ARTICLE XXIX ENTITLED “AWARDING OF PUBLIC PROFESSIONAL SERVICE AND VENDOR CONTRACTS”***

Attorney Semrau explained that this is a Pay to Play Ordinance at the local level. The State has adopted Pay to Play legislation however a number of municipal attorneys and spokespersons for various ethics groups have said there is still room and an ability for local governments to adopt more specific rules. He stated he was asked to put together an Ordinance which will close some of the loopholes. He explained that if someone were to make a contribution to a county official and that county campaign fund were to make a contribution to the local fund, your contribution would count towards Pay to Play. Another example would be if you were to contribute to a political organization that may not be for a particular candidate, but the money still ends up for that particular candidate.

ORDINANCES: INTRODUCTION (CONTINUED)**NO. 2011-05 TO AMEND AND SUPPLEMENT CHAPTER 3
"ADMINISTRATION OF GOVERNMENT"**

He added that it is not illegal to make contributions but only to a certain dollar amount and anything beyond that amount would be considered something that would disqualify you as a vendor before that particular governing body. A number of municipalities have adopted this type of ordinance put together in his office about two years ago has been termed the most balanced and fair.

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2011-05, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on May 23, 2011 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. Lensak – yes	Ms. Phoebus – yes
Mr. Smith – yes	Mr. Walsh – yes
Mayor Boyce – yes	

RESOLUTIONS**#R2011-78 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY ADVISING THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL OF NO OBJECTION TO THE ISSUING OF THE CONFLICT OF INTEREST LICENSE FOR THE FARMSTEAD GOLF AND COUNTRY CLUB FOR THE TERM JULY 1, 2011 THROUGH JUNE 30, 2012**

Mr. Walsh moved to adopt the foregoing resolution as presented, seconded by Mr. Lensak.

Roll call vote:

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

(See Insert Attached to these Minutes)

OTHER BUSINESS**APPROVAL OF RAFFLE LICENSES**

1. RL #964 – LAFAYETTE AMATEUR ATHLETICS – ON PREMISE 50/50 TO BE HELD ON MAY 26, 2011 AT FARMSTEAD GOLF & COUNTRY CLUB
2. RL #965 – FIRST PRESBYTERIAN CHURCH AT CALDWELL – ON PREMISE 50/50 TO BE HELD ON JUNE 1, 2011 AT FARMSTEAD GOLF & COUNTRY CLUB
3. RL #966 – ST. CATHERINE OF SIENNA SCHOOL – ON PREMISE 50/50 TO BE HELD ON MAY 23, 2011 AT FARMSTEAD GOLF & COUNTRY CLUB
4. RL #967 – ST. CATHERINE OF SIENNA SCHOOL – ON PREMISE MERCHANDISE TO BE HELD ON MAY 23, 2011 AT FARMSTEAD GOLF & COUNTRY CLUB
5. RL #968 – UNITED WAY OF NORTHERN NEW JERSEY – OFF PREMISE 50/50 TO BE HELD ON SEPTEMBER 12, 2011 AT FARMSTEAD GOLF & COUNTRY CLUB

Mr. Walsh moved to adopt the foregoing resolution as presented, seconded by Mr. Lensak.

Roll call vote:

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

COMMITTEE REPORTS

MR. LENSAK. He reported that the solar panels went live last Friday so we are now producing solar electricity, saving the town electric costs and getting SREC credits also. He said we are looking at a two to three year payback on bonds that were issued for this project. He mentioned the 42 inch monitor at the end of the hallway and soon it will be hooked up to the system to indicate the amount of electricity that has been generated, how much carbon we saved and other vital information.

Regarding the Intercharger units that were placed on the trucks and police vehicles he stated the numbers were varied and they feel they were comparing fuel consumption rates based on plowing needs and having salt brine on the trucks. He stated he did not feel it was a true comparison. After a meeting with some employees of the DPW, Intercharger will continue to let the town use the products for another 60 days and we'll have a better determination at that time.

Mr. Walsh moved to direct Attorney Semrau to send a letter to Intercharger extending the trial period an additional 60 days at no cost to the municipality. At that time a review and determination will be made and the cars will be returned to their original condition if the municipality opts not to proceed with the system. Ms. Phoebus seconded the motion and it was carried unanimously.

MS. PHOEBUS. She reported that the fire department is getting ready for their chicken bbq which is the last Saturday in July. Tickets will go on sale next month. She said there was nothing to report from the Open Space Committee. With regard to the affordable housing we are moving along RPM with their plans for the site.

MR. SMITH. He said he will suspend comments on the seniors, SWAC and Board of Health this evening to spend time talking about the budget. He read his statement into the record, first apologizing for his absence at the last meeting which was unavoidable. He listened to the recording and read the minutes. He said he was disappointed in the tone and comments of some of his fellow committeemen. He said it was irresponsible to spend money you do not have and to raise taxes when many people are having difficulty paying their current taxes. He said we have an unprecedented number of tax appeals, people are being forced to sell their dream homes and some are going bankrupt and in foreclosure. Some people cant sell their homes because the taxes are too high. He continued to read that the proposed budget will cost the average home owner \$43 a year. He said that is a small part of the picture, saying add to that \$68 a year for schools and \$48 for the County for a total of \$158 for the average home. He added, theoretically, half the homes are higher than the average. He rejects this budget because he thinks many people in this town cannot afford this increase. Mr. Smith said he has heard people say don't cut services but he hasn't heard any of them say, please raise my taxes. He said the only complaint he hears from taxpayers is that they are too high and we need to listen and stop before it's too late.

Mr. Smith then read Mr. Walsh was responsible for the Capital portion of this budget from the beginning and he applaud him for finding the \$170,000. He said he only wished he would have found that money before he submitted his information to the budget committee in the first place. He then said it was Mr. Walsh who recommended layoffs. He said he recommended two police, one dpw and dispatch. Mr. Smith added that it was interesting to him that after Mr. Walsh was asked to takeover the budget, he found that \$170,000 and changed his recommendations to no layoffs. Mr. Smith further read that Mr. Walsh failed to mention that he also added back into the budget, health benefits for the committee and increased the original proposal by almost three points.

MR. WALSH. He reported that the ball fields are being taken care of and the roadways are being swept along with regular road maintenance is being done. On the Environmental Commission meeting they are putting together a tour of the Cambridge Paver Plant and making suggestions to the applicant on how they can stay "green." Reporting on contract negotiations, they are finished with the dispatchers contract and we are scheduling meetings next week with the DPW. He then commented on Mr. Smith's report saying that one thing that he did say is that people are struggling and he wished that those struggling 80% would have gone out to vote on the school budget.

COMMITTEE REPORTS (CONTINUED)

MR. WALSH. He said if things are that tough, they should have been out there voting on over 50% of their taxes. He said this Committee does a great job with the 25% of the taxes.

MAYOR BOYCE. He reported that the school budget passed 316 to 254 which represents a 20% voter turnout. He said that is a typical school election. He said looking across the State of New Jersey, 80% of the school budgets passed, this in comparison when a year ago only 40% passed. He said there was a general mood in the State that was somewhat more positive to the schools this time. He said in our school district, there were three incumbents running for re-election with no opposition. There was one item on a number of ballots in some other communities having to do with how many communities would be allowed to raise their property taxes by more than 2%. There were 14 municipalities who attempted to do so and 12 of the 14 failed.

He added that the budget that Mr. Walsh put together was very responsible. He said he does agree with Mr. Smith, they do not say please raise my taxes, but they also say please don't cut my services. Mayor Boyce said if we were to reduce our budget we wreak havoc on town hall and lay people off. As Mr. Smith pointed out earlier, it still would not have lowered anybody's taxes in this town. If you take our \$43 off the \$158, there is still an increase of about \$120 a year for the average homeowner. He said what good would it be to be the only town in the County to cut our budgets at a time when everybody else is increasing theirs slightly. Mayor Boyce said all the other towns he looked at were increasing their taxes by more than we were and some of them significantly more. He said this Committee has done an outstanding job managing expenses. He said we have made over \$400,000 in cuts in our budget by doing shared services, sometimes internal shared services.

REPORT FROM THE CLERK/ADMINISTRATOR She reported that the majority of her time the past couple of weeks was working on finalizing the shared services agreement with Hardyston regarding the Land Use Board Secretary and with the County for the fire official.

REPORT FROM THE MUNICIPAL ATTORNEY Attorney Semrau reported on the Abbey project and the ongoing efforts to try to make a recommendation as to a developer to assist in going forward with the project. He said it was in January 2007 when then Mayor Phoebus appointed a subcommittee to begin the efforts to try and solve the affordable housing crisis in the township. For a period of almost 17 years, there were no affordable housing units. The township had a deficient in meeting its obligation from the years past into the future. He said we all know that with the benefit of third round affordable housing plan, albeit, Andover Township is one of the 18 municipalities to receive this certification. He said over the past several months we have been discussing with a developer the possibility of moving forward, coming before the Township Committee, seeking approval to contract with the township and the Abbey to construct affordable housing units. There is going to be some minor changes to the affordable housing ordinance recommended by the planner and also an evaluation of the Abbey site to see if it can be designated as an area to encourage redevelopment. Over the next several months there will be a great deal of activity if this were to go forward. He said there have been two very energetic meetings and at this point in time there is no potential cost to the town, just the benefit.

Due to a meeting with the County officials regarding the Newton-Sparta Road expansion, Ms. Phoebus moved to have the Executive Session for the May 23rd meeting following the regular meeting, seconded by Mr. Lensak and carried unanimously.

NEXT SCHEDULED MEETINGS: **Regular Meeting May 23, 2011 beginning at 7:30 with
Executive Session to follow
Regular Meeting June 13, 2011
Executive Session - 6:30 p.m./Regular Meeting - 7:30 p.m.**

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Walsh moved the meeting be adjourned at 8:52 P.M., seconded by Mr. Lensak and carried unanimously.

Respectfully submitted,

Phil Boyce, 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 09TH day of MAY 2011, 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):

- (x) 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.
- (x) b. (4) A collective bargaining agreement including negotiations.
- (x) 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**
- 2. Police Dispatcher's & DPW Union Contracts Status Reports**
- 3. Shared Services Agreement – Fire Code Enforcement Agency Services**
- 4. Position of Land Use Board Administrator/COAH Housing Liaison**

Attorney-Client Privilege:

Pending Litigation:

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

1. V. Thompson, Clerk/Administrator

- () 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: MAY 09, 2011

Moved: Walsh Seconded: Lensak
Voted Aye: Lensak, Phoebus, Smith, Walsh, Boyce
Voted Nay: None
Abstained: None
Resolution adopted. MAY 09, 2011
