

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

JUNE 27, 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: On a motion by Mr. Smith, seconded by Mr. Walsh, the resolution to go into executive session to discuss

Personnel Matters:

1. *V. Thompson, Clerk/Administrator*
2. *D. Dickinson, DPW Supervisor*

Contract Negotiations:

1. *St. Paul's Abbey Due Diligence*
2. *Police Dispatcher's & DPW Union Contracts Status Reports*
3. *Various Shared Services Opportunities*
4. *Tax Revaluation Process*

Attorney-Client Privilege:

1. *Solar Project Status Report*
2. *Asphalt Curbing – Block 29/Lot 3*

Potential Litigation:

Pending Litigation:

, was carried unanimously.

(See Insert Attached to These Minutes)

Mr. Walsh moved to amend the Executive Session by adding Item #4 under Contract Negotiations, seconded by Mr. Smith and carried unanimously.

The Committee went into executive session at 6:36 P.M. Mr. Walsh moved to adjourn executive session at 7:39 P.M., seconded by Mr. Smith and carried unanimously.

REGULAR MEETING

APPROVAL OF AGENDA Mayor Walsh asked that Resolution #R2011-101 be added to the agenda. Mr. Walsh 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, seconded by Mr. Walsh and carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT

(See Inserts Attached to These Minutes)

**ACCEPTANCE OF THE TREASURER’S REPORT FOR MONTH ENDING
MAY 31, 2011**

***RESOLUTIONS:**

**#R2011-100 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX AND STATE OF NEW JERSEY APPOINTING A
MUNICIPAL HOUSING LIAISON**

(See Insert Attached to These Minutes)

APPROVAL OF MINUTES

**JUNE 13, 2011 REGULAR MEETING
JUNE 13, 2011 EXECUTIVE SESSIONS “A” & “B”**

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

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

REGULAR AGENDA

PRESENTATION BY DEBBIE DANIELSON FOR THE LACKAWANNA LITTLE LEAGUE

Mayor Boyce explained that the league has made a decision to build a concession stand at Hillside Park. The stand will be constructed through donations and volunteers. He added that Ms. Danielson has presented this project to the Recreation Committee.

Ms. Danielson introduced Jason Fitzgerald, President of the Lackawanna Little League. She stated Mr. Lensak was present at the meeting when they made their presentation before the Recreation Committee. The support of the Recreation Committee was unanimous. There were questions raised then which were brought to Attorney Semrau. She explained the structure proposed is a two story building with storage on the upper level. The two sheds currently located at the park will be removed and DPW Supervisor Dickinson suggested new homes for these structures.

It was suggested at the Recreation Committee meeting that the storage areas be used by the little league with a locking door. She stated there are large donors willing to give but they need confirmation from the municipality that the little league has their support and permission for the league to pursue donations. Once the president approves the letter it will go to the governing body for approval.

PRESENTATION BY DEBBIE DANIELSON FOR THE LACKAWANNA LITTLE LEAGUE

Ms. Danielson explained that with the Mr. Lensak and Mr. Walsh, liaisons to the Recreation and DPW they will meet periodically to brainstorm ideas and make certain all bases are covered. Mayor Boyce asked about what provisions are being made to safeguard the cash box. Ms. Danielson explained that no funds will be left on site after the event is over. Mr. Lensak explained that this stand will be used by all groups and Mr. Walsh added that the little league will have first right of refusal over other sports groups scheduled at that time.

Mr. Smith asked about food handling issues and Ms. Danielson stated that was covered with Ms. Huelbig as the Board of Health Secretary. She stated there will be no cooking on premises, everything brought in will be packaged. Prepared foods at home and brought in to sell is permissible.

Mr. Walsh stated that Ms. Danielson's position as league secretary will expire on June 30th. He said he wants to make certain that she is the lead on this project from start to finish. Mr. Walsh explained this issue has been discussed many times in the past and it has gone nowhere. He wants to make sure that she is the point person and then he will be on board 100%. She stated that Jason has created a job title for her to remain on the roster. The Committee all agreed that this is a wonderful idea.

Attorney Semrau explained the little league must have approval from Green Acres and they do require a public hearing and to make sure this is consistent with the deed restrictions on the property. He will check further into this and report back. He added that when there is a design for the property you want the governing body and the township engineer to endorse the design because that gives the township Title 59 immunity. As part of the donation to this project, Attorney Semrau stated he will not charge any time. There was consensus to move forward.

PUBLIC PORTION

Joe Steinwand of Stickles Pond Road came before the Committee to discuss an item beyond the scope of the Land Use Board. He stated he received a Notice of Violation for an accessory structure on the front setback of his property. He said this is a steel carport that has been on the property for five years. When having the carport installed he stated he asked Mr. Cutler and asked if there was any problem with this and his response was no. Since he received the letter he has been doing his research to determine what he needs to do to obtain permission for this carport. He was informed he needed a bulk variance. He then stated he met with Mr. Cutler and asked about their conversation to which he had no recollection. He stated that Mr. Cutler provided him with the variance application, obtained all the required information, and went to see the Land Use Board Administrator who informed him that he needs to post \$2000 in escrow to proceed.

Mr. Steinwand stated he couldn't seem to justify \$2000 escrow on a structure that cost him \$700 to build and place there. Attorney Semrau stated one thing that can be done is to inquire as to how much time is really needed for this project, get an estimate and ask that only that portion of the escrow be posted. He stated he will contact Attorney Briigliadoro about this application to determine what he thinks the estimate would be. Mr. Steinwand stated that in order to have his application heard he needs \$2000 which he doesn't have.

Dan Freed of Lawrence Road asked about the status of the restoration of the Life Care Mews property. Attorney Semrau stated he was authorized to draft a complaint to seek the bonding company to come out and do the restoration in accordance with the plan of restoration designed by Engineer Golden. At this point they are matching up the correct bond to this project.

Diane Gillespie of Andover-Mohawk Road asked about the solar panel ordinance which she inquired about two meetings ago. Ms. Thompson stated in January 2010 this issue was discussed and Mr. Lensak mentioned that Newton had adopted their ordinance. A note was sent to the former secretary of the Land Use Board for discussion by that board and its recommendation. She had heard nothing in response.

PUBLIC PORTION (CONTINUED) Ms. Phoebus stated she read an article recently stating that municipalities should not adopt these type of ordinances just yet because this is all changing. Ms. Gillespie asked if a permit is required to install solar panels and the response was yes. Mr. Lensak explained it is an electrical system and a permit is required. Attorney Semrau stated he will reach out to Planner McGroarty regarding this matter. Mr. Walsh also warned that our budget is very tight and we should only entertain the most important items. He added it can be quite costly to create such an ordinance. Attorney Semrau stated he will ask Mr. McGroarty to circulate what he already has.

Ms. Gillespie then referred to the latest edition of the Township Journal reading a quote from Mayor Boyce regarding an additional tax burden for the residents regarding the water main incident. She asked if our insurance company paying for this incident. Mayor Boyce explained that the question asked that evening was wanting to know if we would have to raise taxes because of this, and it doesn't mean that there might not be some costs that we have to incur. Attorney Semrau stated it is his understanding thus far that if there is responsibility to the town, that the JIF claims investigator is of the opinion that it would be covered. By law, for any affected businesses that had insurance, they have to first exhaust their own insurance because it is a governmental agency that is involved. That is an added benefit which is good policy. He believes the exposure to the township would be minimal if any at all.

Ms. Gillespie then asked about the "Call before Dig" regulation. Attorney Semrau explained that because it is a claim that is being investigated and we have received a great deal of support from the JIF. They are evaluating all the claims that are involved, he said it is something he advised the entire committee not to discuss or respond to until it is resolved. She then asked when this is completely resolved, will all the facts be made public, and Attorney Semrau replied yes.

She then read another quote from the newspaper in answer to the question, "Residents questioned if the amount of employees on staff is necessary." His response in the paper was \$.12 a day. She asked how he came up with this figure. Mayor Boyce explained the 2011 budget was approved at a rate of increase of \$43 a year for the average homeowner. He said that comes to \$.12 a day. She then asked what the money she pays for a permit does for her as a resident of Andover. Mr. Walsh explained that these permits protect the homeowner that the work is being done properly. He also added that on the permit it states, do not pay until all inspections are done and the work is complete. Ms. Gillespie said the problem is that no one has come out to inspect and she called and asked. She said she was told I have to schedule you for an inspection. She said no one has come as yet. She said the roof is done, the siding is done and she wants to know how anyone know that it was done correctly. That is what she paid for. Mr. Lensak stated that the permit process also allows for an increase in your tax assessment depending on the type of improvement being done.

Mayor Boyce stated every fee is categorized and we can then compare those fees collected against what it costs to run that office. The idea is that he should be bringing in as much as he is costing us. These fees, while they may seem like a nuisance it is important that the permit process is followed and it is one way we try to balance our budget. Mr. Smith also agrees that the whole philosophy is to protect the homeowner. He mentioned his own personal experience in asking the contractor if he filed for a permit and that contractor was never heard from again.

Jim Woodstrom of Limecrest Road stated whoever applies for the permit is the one who notifies the building inspector the project is ready for inspection. He also stated that no building inspector will climb a ladder to inspect a roof. He then referenced Mr. Steinwand and his experience with the construction office, stating he has been through that the same experience for five years, eventually paying \$100 for a violation and \$75 permit fee. Mr. Woodstrom stated that Mr. Cutler did not remember any of those conversations with him when he told him he did not need a permit for the shed.

He then questioned how they arrived at \$.12 a day, \$43 per average household asking how many households are there. Mr. Smith remembered the number being between 2,000 and 3,000. Mr. Lensak referred to his notes where it was indicated that Andover Township's taxable properties totals 2,428.

PUBLIC PORTION (CONTINUED) Mr. Woodstrom remarked that five jobs costing the taxpayers' \$12 per day since that isn't what those employees were making. Mr. Walsh explained that we are already halfway through the budget year when the budget was adopted. He added when you factor in the unemployment, and benefits they have already received, in addition to calculating the layoff procedure deadlines, so by the time the layoffs become effective, we were only saving about \$60,000 for 2011.

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

ORDINANCES: (PUBLIC HEARING)

NO. 2011-07 TO AMEND CHAPTER 51
"SECTION 51-28 "NON-LIFE HAZARD USES"

"AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 51, "FIRE PREVENTION", SECTION 51-28 "NON-LIFE HAZARD USES" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ANDOVER"

Mayor Boyce opened the ordinance for public hearing and seeing no hands, he closed the public 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 June 13, 2011, 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. Walsh. Roll call vote:

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

ORDINANCES: (INTRODUCTION)

NO. 2011-08 TO AMEND CHAPTER 51 "FIRE PREVENTION"
COUNTY FIRE MARSHAL AS ENFORCING AGENCY

"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 51, "FIRE PREVENTION" OF THE REVISED GENERAL ORDINANCES TO NAME THE FIRE MARSHALL/ OFFICIAL OF THE OFFICE OF THE FIRE MARSHALL OF THE COUNTY OF SUSSEX AS THE LOCAL ENFORCING AGENCY"

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2011-08, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on July 11, 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 | |

ORDINANCES: (INTRODUCTION) (CONTINUED)**NO. 2011-09 TO AMEND CHAPTER 55 "FLOOD DAMAGE PREVENTION"*****"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 55 "FLOOD DAMAGE PREVENTION" OF THE REVISED GENERAL ORDINANCES"***

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2011-08, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on July 11, 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**#R2011-101 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE CHANGE ORDER NO. 1 TO THE EXISTING CONTRACT FOR THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT REBATE PROGRAM TO DONNELLY INDUSTRIES, INC. IN THE AMOUNT OF \$2900**

Mr. Lensak moved to adopt the resolution with the amendment to the project description, seconded by Mr. Walsh and carried unanimously.
(See Insert Attached to These Minutes)

OLD BUSINESS**APPROVAL OF VOUCHERS – BILL NO. 1-01-01-31-460-073 IN THE AMOUNT OF \$725 TO THE LAKE LENAPE WATER COMPANY**

Ms. Thompson reported that Fire Official Inga had informed her he has not received the information he requested and recommends we do not pay this bill until such time. Ms. Phoebus added Mr. Inga informed her that he contacted Mr. Fuller from the water company telling him he is not happy with the condition of these hydrants. Until they operate properly, we are not to pay this bill. Mr. Walsh added he read the letter Mr. Inga sent in response to Mr. Fuller's statement that the town cannot use the hydrants until the bill is paid and he remarked he will not be threatened, that you will get these hydrants inline.

Attorney Semrau added that he will get in touch with the lake association's attorney because they are not moving on the township's request to takeover this responsibility. The township could take this expense and see if there is a way to place it on the homeowner's in the lake area as a utility charge. As a community association, they can see this as a public safety concern. That association needs to step forward for this is their residence. Attorney Semrau will write to Attorney Born regarding this matter.

WALL PLAQUES FOR THE MEETING ROOM

Ms. Phoebus asked Ms. Gillespie for assistance in her quest to find the proper wall décor for the meeting room. She agreed to help.

NEW BUSINESS**NOTICE OF INTENT TO RENEW AN AERONAUTICAL FACILITY LICENSE FOR THE NEWTON AIRPORT FOR THE PERIOD AUGUST 01, 2011 THROUGH JULY 01, 2012**

Following reading of the notice and a brief discussion the Committee had no comments to offer to the Division of Aeronautics on the renewal of this license.

OTHER BUSINESS**APPROVAL OF OFF PREMISE 50/50 RAFFLE LICENSE – RL #972 – MARQUETTE COUNCIL #588, KNIGHTS OF COLUMBUS TO BE HELD AT THE ROLLING GREENS GOLF COURSE ON SEPTEMBER 10, 2011**

Mr. Walsh moved to approve the foregoing license, seconded by Mr. Smith. Roll call vote:

Mr. Lensak – yes

Ms. Phoebus – abstain

Mr. Smith – yes

Mr. Walsh – yes

Mayor Boyce – yes

COMMITTEE REPORTS:

MR. LENSAK. The Economic Development Committee did not meet. The Recreation Committee met and there was discussion regarding the softball tournament. They will like to assist with the game, by combing the event with a family fun day, with a bbq and games for the children.

He also reported that the solar system has produced about \$4,000 for the month, though the project hasn't been completed, we are working on them diligently.

MS. PHOEBUS. She reported that the fire department will host their annual chicken bbq on Saturday, July 30. Tickets are available.

She then reported that she talked to Mr. Walsh about Andover Day and we were successful in obtaining donations from all area businesses. She said that because of this economy she does not believe we will have that success again. She suggested creating a committee for this purpose instead of tasking the Recreation Committee with this event. This event will require a budget for it to be successful. Mr. Walsh said a subcommittee is an excellent idea and this group could try to find companies to donate their services. Mayor Boyce suggested reaching out to our businesses asking them if they feel they would be in a position to donate for this event in 2012. All agreed.

Ms. Phoebus stated that there will be a conference call regarding the affordable housing and following it there will be an update on how we are moving forward with the Abbey project.

MR. SMITH. He reported the Seniors next meeting will be on Wednesday, July 6 instead of the Monday due to the holiday. The Board of Health did not meet.

SWAC met on June 14th where there were two presentations, one by Jason Fisher of Agchoice, an Andover Township resident. He came to propose a business for recycling of various types of plastics that are not accepted by SCMUA. His concept is to have a recycling facility where it is shredded down and converted for various building products and agricultural uses. He may be appearing before the Land Use Board with a proposal.

He then mentioned the presentation by CGI and their concept is converting waste into some type of usable byproduct. He stated that our landfill will close in 2017 and at that point we need to do something with waste materials and this option is one. They have a process called gasification it breaks down the molecular structure of various waste materials and converts it into diesel fuel. What they think it can produce is up to 1 million gallons of fuel we can use. There is currently only one plant in the US.

COMMITTEE REPORTS (CONTINUED)

MR. SMITH. He said he made the motion to go ahead and it was approved for them to go and analyze it. There are many questions about it but a very interesting concept. One issue is mercury as a byproduct and disposal function for that.

Mr. Smith stated that he, the Clerk/Administrator and the Recycling Coordinator met with Blue Diamond Management and it was a very productive meeting. He stated that they discussed what some of the issues were and narrowed down the complaints to three types. One is missed pickup completely, the second is debris left behind and the third is inconsistency on time schedule. They assured us that the time schedule would be improving and it might be an hour one way or the other of the normal pickup time. He then reported that he created a log and every complaint has been listed and tracked and we followed up with their management. He said through June there have been 112 complaints and some are duplicate complaints from the same household. In January, there were 25 complaints, in February 30, 24 in March 13 in April 8 in May, and 12 this month. Mr. Smith stated he would continue to chart the complaints on the log.

Blue Diamond has also indicated that they have situations they run into such as the cans not being placed out properly, or the wrong commodity is out. They will continue to report those issues to us. He did state that there were two compliments this month that they were pleased with the service. They also agreed to accommodate a 97-year-old woman living alone.

He stated that one issue discussed was the lack of communication between the Recycling Coordinator and her counterpart at Blue Diamond. He said he believes that has also been resolved. Mayor Boyce added that Linda Gianni, President of the School Board also told him Blue Diamond is doing a good job.

MR. WALSH. He reported he received a letter from the girls' softball league, which he read complimenting the DPW for taking good care of the field, grooming it in perfect condition for their games. They formed a travel softball team and played in summer and fall leagues. They improved so much in the fall league that they found the 12-year championship division. They stated they could not have done it without DPW Supervisor Dickinson and the Department of Public Works. They played their home games at FMB during the summer and fall. Parents did the necessary work on the field, creating the mounds and the DPW provided their support and removed the materials that they no longer needed. They received many compliments on the condition of their field. They presented their trophy to the Andover Township DPW along with a card of thanks.

Mayor Boyce stated he and Mr. Lensak had a chance to watch them play and they are good.

Reporting on the Environmental Commission he spoke with Diane Gillespie earlier regarding the wildlife in the area and while working, he noticed where there are normally 3000 bats, there are now two. He spoke about the white nose syndrome and he will try to find out from the Environmental Commission if there something that can be done to bring the bats back. Mr. Phoebus stated she is experiencing the same thing. The insects have increased due to the lack of bats.

Reporting on finance, he stated that unless we start to bring in ratables, next year's budget will be very difficult. We have to continue to invite businesses into the municipality because next year will be much tighter than this.

MAYOR BOYCE. He reported on the eighth grade graduation this past Tuesday. The next Board of Education meeting is this Wednesday, June 29 at FMB School. He stated he spoke to Superintendent Baggs about the Capital Improvement Projects.

REPORT FROM THE CLERK/ADMINISTRATOR Donnelly Energy began work today removing the old heating and cooling system on the second floor and replacing it with a new energy efficient system. Tomorrow they will begin on the first floor. The light switches will be replaced with motion sensor fixtures. She reported the total amount of the contracted work is \$51,648.14, we received two grants one for \$30,988.88 and the second for \$20,000. The township's cost is \$659.26 plus tonight's change order for a total of \$3559.

She then reported receiving letters from New Jersey Clean Energy that we were granted funding for energy upgrades for the Hillside Barn and Hillside House. She reported on the Hotel/Motel Occupancy Tax received for the month of May totaled \$2,432.29 from the three establishments in town.

REPORT FROM THE MUNICIPAL ATTORNEY He reported that the litigation pertaining to the rezoning which is now an application for a concrete plant, Krueger vs. Andover Township, the matter is prepared to go to trial and the Planner has completed an expert's report. Cambridge, who is the applicant for the property, their Planner has also submitted an expert's report. Mr. Krueger had hired an expert who submitted a report from a planning prospective indicating why they felt the zoning should be overturned. The matter is scheduled to go to trial in September before the new assignment judge. The only deposition that he planned to take is that of Mr. Krueger, just to find out how this ordinance affects him. The rest of the case everyone feels we are ready to proceed. We are not going to incur the costs to take depositions. Mr. Krueger's planner appeared here the night the Committee adopted the ordinance and he submitted a report. He stated that he feels it is more cost efficient to proceed to trial.

Mr. Walsh asked that the schedule to cancel meetings be reversed. Mr. Walsh moved to cancel the meetings of July 25 and August 22 and keep the first meeting of each month, seconded by Ms. Phoebus and carried unanimously.

NEXT SCHEDULED MEETINGS: **Regular Meeting July 11, 2011 (Possible Cancellation)**
 Regular Meeting July 25, 2011
 Regular Meeting August 08, 2011 (Possible Cancellation)
 Regular Meeting August 22, 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 9:09 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 27th day of June 2011, that:

1. Following 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. Various Shared Services Opportunities**
- 4. Tax Revaluation Process**

Attorney-Client Privilege:

- 1. Solar Project Status Report**
- 2. Asphalt Curbing – Block 29/Lot 3**

Pending Litigation:

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

- 1. V. Thompson, Clerk/Administrator**
- 2. D. Dickinson, DPW Supervisor**

- () 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: JUNE 27, 2011

Moved: Smith Seconded: Walsh
Voted Aye: Lensak, Phoebus, Smith, Walsh, Boyce
Voted Nay: None
Abstained: None
Resolution adopted. JUNE 27, 2011
