#### ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

# SEPTEMBER 26, 2011

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 6:30 P.M. by Mayor Boyce, followed by a salute to the flag.

ROLL CALL: Present: Mr. Lensak, Mr. Smith

Mr. Walsh, Mayor Boyce

Also present: Attorney Semrau

Absent: (Excused) Ms. Phoebus

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. Walsh, seconded by Mr. Smith, the resolution to go into executive session to discuss

# Contract Negotiations:

- 1. St. Paul's Abbey Due Diligence
- 2. Police Dispatcher's & DPW Union Contracts Status Reports
- 3. Snow Removal Services Agreement with Byram Township Forest Lakes Section
- 4. Shared Services Opportunities
- 5. Position of Zoning Officer

# Attorney-Client Privilege:

- 1. Solar Project Status Report
- 2. Highland Farms Soil Erosion/Sediment Control Compliance
- 3. Rolling Hills Condominiums Proposed Municipal Services Agreement

# Pending Litigation:

1. Township of Andover vs. Sussex & Warren Holding Corp., etal.

(Life Care Mews)

# 2. Krueger vs. Andover Township

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

The Committee went into executive session at 6:33 P.M. Mr. Walsh moved to adjourn executive session at 7:42 P.M., seconded by Mr. Smith and carried unanimously.

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September 26, 2011

#### REGULAR MEETING

APPROVAL OF AGENDA Mayor Boyce asked that a presentation by Acting County Clerk Jeff Parrott be added to the agenda. Mr. Walsh moved to approve the agenda as amended, seconded by Mr. Lensak and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Mayor Boyce amended the consent agenda under item #3, Report from the Tax Collector's should read Treasurer's Report. Mr. Walsh moved the following consent items be approved, seconded by Mr. Smith and carried unanimously.

# \*CONSENT AGENDA:

#### \*OTHER BUSINESS:

APPROVAL OF VOUCHERS FOR PAYMENT (See Insert Attached to These Minutes)

RELEASE OF VARIOUS CASH BONDS - JOHN CARAFELLO BLOCK 105.05/LOTS 3 & 8

- A. SOIL EROSION & SEDIMENT CONTROL BOND \$1,000 ESCROW #T-13-56-717-176
  - B. LANDSCAPE BOND \$1,000 ESCROW #T-13-56-717-300
  - C. LAND USE BOARD REVIEW ACCOUNT \$1,879.75 ESCROW #T-16-56-717-147

TAX COLLECTOR'S REPORT FOR MONTH ENDING AUGUST 31, 2011

# \*RESOLUTIONS:

#R2011-129 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF

SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX

REFUND TO US BANK
THE REDEMPTION OF TAX

SOLD FOR DELINQUENT TAXES FOR

BLOCK 116, LOT 27

IN THE AMOUNT OF \$106,975.55

(See Insert Attached to These Minutes)

Acting County Clerk Jeff Parrott was present to bring to everyone's attention a problem with a scam with homeowners. There is a company approaching seniors with respect to deed information and charging the homeowners a hefty cost to provide a certified copy of their deed. He said deeds are scanned so if it every misplaced or destroyed they can provide a copy at \$10 for the original page and \$2 for each other page. Deeds are also available online at no cost. National Deed Service also known as National Records Service has targeted homeowners advising them

that they must have a certified copy of the deed. Complaints have been filed with the NJ Attorney General based on the company's pricy practices which fall under the Consumer Fraud Act.

He then informed the public of the County's Military ID card that are now available. He stated he collaborated with Sheriff Strada and Senator Oroho to offer this local courtesy card. As a business owner the card presents the perfect opportunity for them to say thank you to the Veterans by offering them a special discount on various good and services. In cooperation with the Chamber of Commerce, they are asking any business that wishes to participate in the Veteran Discount Program to fill out and return the form to the Clerk's Office. Following a short conversation, Mr. Smith offered any assistance to anyone in attempting to apply for their DD214.

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ANDOVER TOWNSHIP COMMITTEE

#### REGULAR AGENDA

#### AWARDS PRESENTATION - SECOND ANNUAL TOWNSHIP CHARITY SOFTBALL GAME

Mr. Lensak reported on the Charity Softball Game this past Saturday. The following teams played and won donations for their respective teams as listed.

FIRST PLACE TEAM POWERLESS FOR DYLAN FLINCHUM ROCK ON FOUNDATION - \$700.00

SECOND PLACE DORSET FARMS TEAM FOR GINNIE'S HOUSE - \$500.00

THIRD PLACE FATHERS & SONS TEAM FOR SCARC - \$300.00

FOURTH PLACE POLICE/FIRE TEAM FOR NJ SHARING NETWORK (Brian Kern's memory) \$150.00

FIFTH PLACE TOWNSHIP TEAM FOR BODHI FOOD BANK - \$100.00

SIXTH PLACE LAKE LENAPE TEAM FOR LAKELAND EMERGENCY SQUAD - \$100.00

<u>SEVENTH PLACE</u> CARLEY'S CREW TEAM FOR JUVENILE DIABETES FOUNDATION - \$75.00

<u>EIGHTH PLACE</u> HIDDEN VALLEY TEAM FOR PROJECT SELF-SUFFICIENCY - \$75.00

Mr. Lensak, Mr. Walsh and Mayor Boyce distributed certificates, along with checks to the teams and their charities. Photographs were taken at this time.

**PUBLIC PORTION** Stan Christdlous of Wisteria Road asked Attorney Semrau about the legal requirements for written minutes of meetings. He

responded by saying that they are supposed to be completed as reasonably practicable. Generally speaking they should be completed by the next meeting. Mr. Christdlous stated about a month ago he bought the situation of missing Land Use Board minutes to the attention of the Clerk/Administrator. He said he was given copies of the CD's but there are still no minutes available since February. He stated that he cannot believe we can go six or seven months without minutes.

Mr. Christdlous stated the project in particular that these minutes are reflective of was approved without the citizens of this town having the right to read and review what went on at a particular meeting. Mr. Christdlous stated he knows that Attorney Semrau and Ms. Thompson have interceded to try to get these minutes done but he asked why it isn't the responsibility of the Planning Board to get the minutes. Attorney Semrau stated that it is their responsibility but from the standpoint of the administration, when it was brought to her attention she took action to get those minutes done. For whatever reason this happened, he cannot speak to that but once something like this occurs it will be monitored to make sure it doesn't happen again.

Mr. Walsh commented that our Land Use Board secretary left and it then to our attention that there were missing minutes. He added that the missing minutes could be a reason she isn't here any longer. Mayor Boyce stated that the February minutes were found and given to the Land Use Board for their approval. Mr. Christdlous added that the new Land Use Board Secretary has the minutes done in a timely manner. Mayor Boyce said the previous secretary left on April 7th and there were three meetings in March that she had not been able to do at the time she left. He stated that someone has been tasked to do the outstanding minutes. Mr. Christdlous stated his comments are no reflection on anyone here, just a disappointment in the Land Use Board to allow this to happen.

Mayor Boyce added that this point is well taken and these minutes need to be done and approved and they will be.

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Ben Bensley of Mountainside Drive PUBLIC PORTION (CONTINUED) asked the status of the Goodale Field. Mr. Walsh responded that the fields are closed at this time. He then asked if anyone has been there because it is a mistake. He stated he believes the fields should be mowed. Mr. Walsh stated he leaves that decision to those who are educated field. In addition, Farmside also visited the site instructions were given to leave the grass untouched at this time. said it needs to be left alone and we probably have to top dress the area. We are making application to FEMA for funding. Mr. Walsh stated that he has gone to the school board for use of their fields while this one is drying out. Mr. Walsh said we have members of the department who are certified in this field along with recommendation from Farmside. that we are also waiting for word from FEMA before we do anything more

with this matter.

Diane Gillespie of Andover-Mohawk Road asked about the status of the Land Use Board minutes that are currently missing. She said she read this in the local newspaper and decided to review the law regarding when minutes should be completed and available for approval. She found that a judge's ruling is 30 days or before the next meeting. She said she could not believe that no one on the Board said anything about these missing She stated that it should be the responsibility of the Board and their attorney to mention the fact that minutes have not been approved in quite some time. She added that now we are paying someone else to do something we already paid someone to do. Mr. Walsh replied that we can't go back and take it from someone but to the Committee's credit she is no That is the best we can do. Mr. Walsh there is nothing left longer here. in the municipal building to do what is being asked. There were only two people in the building last week. Attorney Semrau stated a mistake was made and it is being rectified and we do not believe it will happen again. No one is in denial and everything is being done to produce those minutes as expeditiously as possible.

She then asked about the status of the solar project. Mr. Lensak stated that we are giving them until October 31st to complete the project including all testing, benchmarking, emergency training and all other mandates as specified in the contract. Ms. Gillespie stated that the demand for solar credits is dropping and asked if this will have a negative impact on the project. He said that the government initiative was to give 100% write off this year. That will go away. The credits were figured over 15 years. They took all these credits and over 15 years that would be the anticipated growth. Then the Federal Government came in and said any business can write off this capital improvement. Every business decided to do solar, creating an abundance of solar. With these credits, they are still good for four years. In 2017 these credits will be cut back. Ms. Gillespie had read that they already have reached capacity. Mr. Walsh added that means we won't need those large towers they are designing. Mr. Lensak said are electric savings is going to be enough to pay off this project. We based it on 7% and we got the interest rate at 5.1%. He said if the credits increase next year we will be making He said they went from 600 to 275 and we have no control over the SRECs.

She then spoke about the Interchargers that are currently being tested and researched. She asked if we have received any feedback from any other community that has used this device. Mr. Lensak replied that the fuel tanks experienced a lightning strike that resulted in skewed He said we are doing additional research. He reminded everyone that this testing and pilot program have cost the town nothing in an attempt to reduce costs and energy. He also stated that Attorney Semrau wrote into the contract that if the device was not purchased it will be removed from the test vehicles and these vehicles will be returned to their original equipment manufacturer There was status. short discussion regarding the Date Line episode regarding the device.

Ms. Gillespie stated she hasn't seen any discussion in the Executive Session relating to the water main break in June. Mr. Walsh explained that this matter is under investigation by the insurance company. He said any claim needs to go to the property owner's insurance carrier before being submitted to the Township's carrier for review and consideration. Attorney Semrau said the JIF is handling the administration of the claim and he said that thus far he hasn't heard anything regarding a dispute.

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September 26, 2011

# ORDINANCES: PUBLIC HEARING

# NO. 2011-11 TO AMEND CHAPTER 10 "VEHICLES AND TRAFFIC"

"AN ORDINANCE OF THE ANDOVER TOWNSHIP COMMITTEE TO AMEND CHAPTER 10 ENTITLED "VEHICLES AND TRAFFIC", BY

#### ADDING A

#### NEW SECTION 10-23 "NO PARKING WHEN SNOW COVERED"

Mayor Boyce opened the public hearing. Based on the recommendation of Attorney Semrau the wording "This parking prohibition shall remain in effect for an eight-hour period following the cessation of such snowfall." Attorney Semrau explained this wording was added to address concerns by the DPW and police. There was some discussion regarding when a storm is considered over and when the eight hour clock begins ticking. is in support of this ordinance only concerned over creating an undue hardship to those who do not have off street parking. Mr. Walsh stated he thinks the problem may only occur in the Lake Lenape section, and it may be inconvenient to about four to five homeowners. It may be inconvenient for some residents but it will also be inconvenient when we can't get a fire truck or ambulance through the street. Attorney Semrau stated with any new legislation questions like this do arise. He recommended that following the first couple of storms we could ask Chief Taglialatela for a report to see if there were tickets issued or any other issues.

A reporter for WRNJ questioned the wording in the ordinance and offered an amendment to perhaps make it a bit clearer. Attorney Semrau agreed to an amendment and the Committee moved on this Ordinance as amended to Section A to identify the eight-hour period at the conclusion of the storm. Also, in Section A, to include town owned and operated parking lots. These amendments are not substantial and therefore adoption can be held tonight.

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 September 12, 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 as amended, seconded by Mr. Smith. Roll call vote:

Mr. Lensak- yes Ms. Phoebus - absent Mr. Smith - yes Mr. Walsh - yes

Mayor Boyce - yes

#### OLD BUSINESS

#### ORDINANCE PREPARED BY THE LAND USE BOARD

# ORDINANCE SUBCOMMITTEE FOR REVIEW AND CONSIDERATION

Attorney Semrau explained there was an ordinance from another municipality circulated and the Committee had a discussion in August. said there are a number of different aspects of a property maintenance ordinance, some maybe a priority of the Committee and some may be phased in and others may not be considered at all. He said he listed various categories that the Committee may want to consider. He asked if the Committee was interested in particular items as opposed to a boilerplate overhaul of the property maintenance code. Mayor Boyce mentioned the unregistered cars on property which we currently have such an ordinance. Mr. Walsh said his concern is a site similar to that on Route 206 and Brighton Road. There was discussion regarding limiting this ordinance strictly to commercial/industrial zones.

Following a short discussion the Committee decided to table this Ordinance until the next meeting and perhaps Land Use Board Chair O'Connell will be available to attend the next meeting.

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# OLD BUSINESS (CONTINUED)

# CONTINUED DISCUSSION REGARDING THE STEEP SLOPES ORDINANCE PROPOSED AMENDMENTS AND POSSIBLE INTRODUCTION

Mr. Walsh asked for additional time to review comments provided by Planner McGroarty regarding this amendment. Attorney Semrau stated his concern was to why we are considering such an amendment. He asked Mr. McGroarty to take a look at this draft to let us know what this is addressing. Mr. Walsh said when he supported the original draft ordinance we were told this ordinance would not affect residents installing swimming pools and it has become a hardship. He asked that the process be streamlined and make it inexpensive to get a variance. Mr. Smith agreed. The Committee received the memo this evening with no time to digest the information provided and ask Mr. McGroarty to supply a determination in more layman's terms.

# OTHER BUSINESS

#### APPROVAL OF RAFFLE LICENSES

- A. ROTARY CLUB OF HAMPTON TWP.
  RL #981 OFF PREMISE 50/50
  TO BE HELD ON MAY 1, 2012 AT NEWTON COUNTRY CLUB
- B. ANDOVER REGIONAL PTA RL #982 ON PREMISE 50/50

TO BE HELD ON OCTOBER 21, 2011 AT LONG POND SCHOOL

RL #983 ON PREMISE 50/50

RL #984 ON PREMISE MERCHANDISE

TO BE HELD ON NOVEMBER 19, 2011 AT LONG POND SCHOOL

Mr. Walsh moved to approve the foregoing licenses, seconded by Mr. Smith and carried unanimously.

# **COMMITTEE REPORTS:**

MR. LENSAK. He reported on the Recreation Committee commending the work on the Charity Softball Game and thanks to Ms. Thompson for help in flipping burgers. At their last meeting they discussed goody bags for certain events, ordering from Oriental Trading Company. He suggested that as a town we should do what we can do buy American. There was also discussion regarding the purchase of goods and services from good standing Andover businesses. Attorney Semrau said we could put together a policy to buy local and American. He commented he had put something together and he will circulate the suggestions he had made.

Reporting on the police department he stated we received an email from a resident with thanks for assistance following a burglary of their home. She commended Sgt. Danielson and Detective Mosner for their efforts praising them in working diligently in detaining the parties responsible for the crime. Both these officers were willing to work their off time. Detective Mosner was willing to delay his vacation and Sgt. Danielson came in on his day off to assist the detective in order to finish solving the case.

Mr. Lensak further referenced the discussion regarding the Date Line investigation and the Interchargers. He then mentioned the School Board meeting he attended where they are giving raises where the town hall has been cut to the bone. He said he had to wait until 10PM to be heard by the Board. He said they passed contract renewals at rates of 2.5, 3.5 and 3.65% increases with step increases. He asked them about the 2% CAP and have they expected to fund these increases.

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# COMMITTEE REPORTS: (CONTINUED)

MR. LENSAK. They told him they have no idea where they will get the money because they didn't budget for it. He said the municipal tax is a quarter of the taxes and they are 50% and growing. He asked Ms. Thompson to OPRA from the Board of Education the salaries for the teachers, the custodians and the administration going back to 2007. He said he would like to compare that with what we have done with town hall. Mr. Lensak said he and Mr. Walsh sat with two bargaining units and those departments received zero increases for three years. He urged all to attend Board of Education meetings

Ms. Donnelly from the audience asked to speak. The Committee agreed to hear her comments. She informed the Committee that last year following one of the budget meetings, she and Ms. Gillespie were the only two individuals in the audience. Superintendent Baggs came to them impressed with their comments and opinions and asked them to be a part of their community group. She said she has yet to hear anything from him. Boyce said we will never get a handle on what is going on there as long as the public continues to pass their budget. Mr. Walsh said 55 cents of every dollar goes to the school and that is fine if they are doing the best they can but he doesn't think they are. Mayor Boyce said he believes they see their job as protecting as much money as they can and protecting the taxpayers second. He added that the Committee sees it the other way, taxpayer first. The School Board is just agreeing with what they are being told by the administration. Mr. Lensak then spoke about minutes. The school doesn't record their meetings and the secretary is Ms. Van Auken. He said the written word can be adjusted if they aren't recorded. It was mentioned that meetings do not have to be recorded. He said he respects everyone who comes to the meeting, he may not agree with everything said but he will listen and take everything into consideration. Ms. Gillespie then addressed comments raised by Mr. Lensak.

Mayor Boyce stated that the school employees did receive zero percent this year to the teachers, custodians, paraprofessionals and secretaries. Administrators this year will receive around 3 point something percent increase. The reason they gave is the administrators took a voluntary pay freeze last year so they didn't want them to hurt two years in a row. Next year the teachers get 2.45, custodians get 3.45, paraprofessionals get 3.25 and the secretaries will get 2.5. Everyone gets a raise next year. Mr. Christdlus asked about increases for the administrators. Mayor Boyce responded that they haven't approved their deal as yet. They suspect they administrators will get some kind of raise next year.

He said that salaries represent 50% of the budget and you take 50% of the budget and give 3% raise and you are in a mandatory 2% CAP by the State, the other 50% can only increase 1%. They will have to take from the non-salaried items to cover the remainder of the budget. The nonsalaried items are either fixed costs or costs they can't control, such as maintenance and utilities. Many of those costs are State mandated costs. The question is if they can only go up 1%, we are they going to find the money. He said it will come from the taxpayers. Mr. Walsh added that the Township has cut spending three years in a row. The municipal employees feel they are paying for the raises to the school. Mr. Walsh said we don't want to see tax increases and therefore consistently cut. municipal tax so low and there is so much higher, the increase doesn't appear so bad. If the town were to increase the tax as high as they did, the tax bill would be astronomical. They cut supplies and increase salaries. Mayor Boyce said when we hired the consultant they found about \$500,000 in miscellaneous in that budget and that is how they will fund the increases, along with raising the budget for the coming school year.

Mr. Walsh spoke to those individuals who are raising money to provide

supplies for the schools because the budget had been cut. He said they told him they do not want to get involved in politics. He told them they can't have their heads in the sand. They should join in as our employees have and say we understand it's tough times and we'll wait until things improve. Mr. Walsh told them they shouldn't have to do a fundraiser. He said if they continue to do this they will provide them with a crutch to keep doing this. That's when Mr. Walsh was told the teachers aren't even on their side because they are making them look bad. They are doing the fundraiser for the right reasons but they will have to continue this practice because that is the are they will cut.

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# COMMITTEE REPORTS: (CONTINUED)

MR. SMITH. Mr. Smith reported on the seniors stating at their last meeting they had a Zumba class tailored for the seniors and it was well They are looking for a facility to hold a class before each senior meeting. They are negotiating with the Borough questionable if they will allow them to do this. The next meeting will have a program on Stroke Recognition and Prevention. On October 19th he has organized a special tour of the landfill facility. There is limited capacity so let him know as soon as they can. It is a two hour beginning with a presentation. On October 25<sup>th</sup> Lafayette House has a special fall luncheon for seniors for \$11.95. October 16<sup>th</sup> is the senior luncheon They do a phenomenal job every provided by the Recreation Committee. The luncheon is open to anyone 55 and over living in Andover Township, reservations are required.

He reported that the last SWAC meeting was on September  $13^{\rm th}$  and no resolutions were passed. There was a report that 74 solid waste containers were investigated and 15% failed. The next meeting is October  $11^{\rm th}$ .

The Board of Health held their first meeting since summer recess. There are a number of inspections that the Health Department has and complete reports are available if anyone is interested. Five food establishments received inspections, there were 62 septic inspections, and six dog bite investigations. Their next meeting is October 19<sup>th</sup>.

He then reported on his meeting with Chief Taglialatela regarding certain suggestions for the police report to the Committee. He was informed that a new computer assisted CAD system is being installed Countywide through a grant. He said there will be consistently with the new report. Due to this change, Mr. Smith stated it makes no sense to reinvent the wheel now. They agreed to see what the new system report looks like and see if it will satisfy some of the things he is looking for.

MR. WALSH. Reporting on the DPW, they are still taking the list of complaints they have compiled from the flood events. They will be going house to house to review these complaints, calling these residents

individually to determine if the issue is a result of drainage or roadway. Goodale fields are closed but the front part may be opened in a few weeks for some practice.

Reporting on contract negotiations, he stated we are waiting for the DPW and Dispatchers contracts to be ratified, both at zero increases for the terms of the contracts. Reopening of the contracts is only for salary and only if the economy turned for the better.

Last Thursday the Green Team met and he is awaiting a report from Eric Olsen.

Mr. Walsh wanted everyone to know that Andover Township is not apathetic. He said the homeowner had complained that no Committee member stopped by the house. He said he did stop, looked around and left. We having feeling for them but there isn't a lot we can do. He explained there is a pipe under Limecrest Road which is a certain size. They are saying the pipe should be bigger. The County would have to replace that pipe but once they do, the pipe from there to Howell's Pond through all yards in between would have to be changed at the expense of the town, which was figured between \$300,000 and \$500,000. That has been an issue with them for quick sometime and will continue to be because the house was built where it was.

MAYOR BOYCE. Mayor Boyce read the Proclamation declaring October 10, 2011 as Put The Brakes On Fatalities Day® as requested by Sgt. Murrell.

He then reported on the waste disposal at Long Pond School stating that the UV light system has been using and they have passed for the last five months. If they are successful one more month, they can go to quarterly testing.

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ANDOVER TOWNSHIP COMMITTEE

**REPORT FROM THE CLERK/ADMINISTRATOR** She had no report at this time.

REPORT FROM THE MUNICIPAL ATTORNEY

He reported on Krueger vs. Andover will proceed on October 12th in Superior Court. Reporting on Life Care Mews he stated they posted an escrow and it is his understanding that they intend to make the restoration in accordance with the Engineer's report. If it doesn't happen, their time to file an answer will shortly expire and the litigation will proceed.

NEXT SCHEDULED MEETINGS: Regular Meeting October 24, 2011

Regular Meeting November 14, 2011

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

<u>ADJOURNMENT</u> No further business appearing before the Committee at this time, Mr. Walsh moved the meeting be adjourned at 9:35 P.M., seconded by Mr. Smith and carried unanimously.

Respectfully submitted,

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Phil Boyce, Mayor R.M.C.

Vita Thompson,

Clerk/Administrator

#### TOWNSHIP OF ANDOVER

# **MOTION FOR EXECUTIVE SESSION**

BE IT RESOLVED by the Township Committee of the Township of Andover on the 26<sup>th</sup> day of September 2011, that:

- 1. Following the commencement of this <u>Regular Meeting</u>, 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. Snow Removal Services Agreement with Byram Township Forest Lakes Section
- 4. Shared Services Opportunities
- 5. Position of Zoning Officer

#### Attorney-Client Privilege:

- 1. Solar Project Status Report
- 2. Highland Farms Soil Erosion/Sediment Control Compliance
- 3. Rolling Hills Condominiums Proposed Municipal Services Agreement

# Pending Litigation:

1. Township of Andover vs. Sussex & Warren Holding Corp., etal.

(Life Care Mews)

- 2. Krueger vs. Andover Township
- (x) a. (8) Personnel matters.
- ( ) 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: September 26, 2011

Moved: Walsh Seconded: Smith Voted Aye: Voted Nay: Lensak, Smith, Walsh, Boyce

None Absent: Phoebus

Resolution adopted. September 26, 2011