

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

DECEMBER 12, 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 6:32 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 Breen, Attorney Semrau arrived at 8:00PM

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

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

Personnel Matters:

1. D. Dickinson, DPW Supervisor (Executive Session B)
2. V. Thompson, Clerk/Administrator (Executive Session B)

Contract Negotiations:

1. FOP Lodge #177 Union Contract Status Report
2. Extreme Energy Solutions

Attorney-Client Privilege:

1. Highland Farms Soil Erosion/Sediment Control Compliance (Executive Session B)
2. Leenstra Potential Litigation (Executive Session B)
3. Dorset Farm – Phase VI (Brecia Court) (Executive Session B)
4. Rolling Hills Condominiums (Executive Session B)

Pending Litigation:

1. Sussex & Warren Holding – Life Care Mews (Executive Session B)
2. Krueger vs. Andover Township (Executive Session B)
3. Leenstra vs. Then, etal. (Executive Session B)

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

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

REGULAR MEETING

APPROVAL OF AGENDA Mayor Boyce stated that there will be a second executive session following this evening's regular meeting. Mr. Walsh moved to approve the agenda, seconded by Mr. Smith and carried unanimously.

APPROVAL OF CONSENT AGENDA ITEMS Ms. Phoebus 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)

APPROVAL OF TAX COLLECTOR'S NOVEMBER REPORT - \$3,392,824.07

APPROVAL OF THE CHIEF FINANCIAL OFFICER'S REPORT FOR
MONTH ENDING OCTOBER 31, 2011

*RESOLUTIONS:

#R2011-146 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX AND STATE OF NEW JERSEY REQUESTING APPROVAL
OF ITEMS OF REVENUE AND APPROPRIATIONS NJS 40A:4-87 –
BODY ARMOR REPLACEMENT FUND PROGRAM

#R2011-147 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX AND STATE OF NEW JERSEY REQUESTING APPROVAL
OF ITEMS OF REVENUE AND APPROPRIATIONS NJS 40A:4-87 –
CLICK IT OR TICKET GRANT PROGRAM

#R2011-148 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE TAX
COLLECTOR TO ISSUE A REFUND TO CORELOGIC, A TAX
SERVICER, IN THE AMOUNT OF \$2,926.07 FOR OVERPAYMENTS
IN THE THIRD AND FOURTH QUARTER 2011 TAXES FOR
BLOCK 105.04/LOT 1

#R2011-149 2011 BUDGET APPROPRIATIONS TRANSFER

#R2011-150 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE TAX
COLLECTOR TO ISSUE A REFUND TO EILEEN TRUNCELLITO IN
THE AMOUNT OF \$250.00 FOR AN OVERPAYMENT IN THE FOURTH
QUARTER 2011 TAXES FOR BLOCK 111.10, LOT 9

#R2011-151 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX AND STATE OF NEW JERSEY TO APPOINT MATTHEW
PUCCIO TO THE POSITION OF PART-TIME PUBLIC SAFETY
TELECOMMUNICATOR TRAINEE FOR THE ANDOVER TOWNSHIP
POLICE DEPARTMENT

*CONSENT AGENDA: (CONTINUED)

*APPROVAL OF MINUTES:

NOVEMBER 14, 2011 REGULAR MEETING
NOVEMBER 14, 2011 EXECUTIVE SESSIONS "A" & "B"

APPROVAL OF MINUTES

NOVEMBER 28, 2011 REGULAR MEETING
NOVEMBER 28, 2011 EXECUTIVE SESSION

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

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

REPORT FROM THE FIRE CHIEF The Fire Chief was not available this evening.

REPORT FROM THE RESCUE SQUAD CHIEF Chief Allenspach reported for the month of November is 103 calls, 46 in Andover Township. There were two fly outs for the month. Total mileage was 1,334. Total man hours over 416. Year to date total puts the department at a little over 1100 calls of which almost 500 were in Andover Township. So far this year, they have almost 4400 volunteer hours.

REPORT FROM THE CHIEF OF POLICE Chief Tagliatela reported for the month of November there were 735 calls for service, Andover Borough had 12, Hamburg Borough had 420 and Green Township had 19. The total for the month was 1186, and a year to date total of 14,262.

Chief Tagliatela reported that he, Det. Mosner and Sgt. Danielson put in a request last year for security camera system but due to budgetary reasons they could not proceed. In researching further, a security company, Alarm One wants to donate equipment and installation services that cost about \$12,000. We are fortunate to be the beneficiaries of this service and equipment. This service will upgrade what we have and give us the capability to monitor the park across the street. We can place a camera on a pole at the park and it has zoom capability to view the Hillside Barn, House and playground areas.

REGULAR AGENDA

PUBLIC PORTION Diane Gillespie wished everyone a Happy Holiday. There were thanks from all.

ORDINANCES: PUBLIC HEARING

NO. 2011-12 2011 SALARY ORDINANCE

“AN ORDINANCE TO PROVIDE AND DETERMINE RATES OF COMPENSATION FOR OFFICIALS, OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY”

ORDINANCES: PUBLIC HEARING (CONTINUED)NO. 2011-12 2011 SALARY ORDINANCE

“AN ORDINANCE TO PROVIDE AND DETERMINE RATES OF COMPENSATION FOR OFFICIALS, OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY”

Mayor Boyce explained the purpose of this ordinance and then opened it to the public. Seeing no hands, the 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 November 26, 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 Ms. Phoebus. Roll call vote:

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

OLD BUSINESS

CONTINUED DISCUSSION REGARDING THE STEEP SLOPES ORDINANCE PROPOSED AMENDMENTS

Mr. Walsh said that Planner McGroarty was to be here this evening and he wasn't available. He suggested this matter be placed on the back burner for a while. Ms. Phoebus explained in January 2011 the Committee asked the Planning Board to look at this ordinance because it was difficult for some residents to install pools without a hardship. They spent time on it and Engineer Golden reviewed the ordinance and drafted amendments. The Land Use Board sent that amended version to the Township Committee.

Ms. Phoebus continued to explain that at this point Attorney Semrau, because of several litigations filed because of this ordinance and he had to defend it, suggested that the Planner review the amendments. Planner McGroarty had informed Attorney Semrau there were some issues with the draft.

She said that earlier today there was a subcommittee meeting of the Planning Board to discuss other housekeeping issues and they discussed the fact that this ordinance seems to be going nowhere at this time. She said all that we wanted to do is make it so that residents who have existing lots that conform, without huge steep slopes issues, can build their pools. She said either we have Planner McGroarty come before the Committee or she recommended that this be sent back to the Planning Board subcommittee to have Planner McGroarty and Engineer Golden sit down and devise the best course of action for this ordinance. Mr. Smith stated that was a good suggestion. Mayor Boyce also agreed. The purpose of these amendments is to streamline the variance process which is quite costly.

Ms. Phoebus moved to send the ordinance draft back to the Land Use Board and their subcommittee to send to Engineer Golden and Planner McGroarty for them to review what would work best in this case. Mr. Walsh seconded the motion and it was carried unanimously.

COMMITTEE REPORTS:

MR. SMITH. He reported the Seniors celebrated Christmas on December 5th at the Andover Inn with a luncheon. On December 19th the FOP has volunteered to come to their meeting and bring lunch. There will also be entertainment in the form of music. Last week, several members of the Seniors assisted with the folding and labeling of the Fall Newsletters. This is a small gesture but it saves the town some monies since we don't have to use a professional service.

COMMITTEE REPORTS (CONTINUED)

MR. SMITH. He further reported that on February 6th, the Sheriff's Office is coming to a meeting with their K-9 Unit with a presentation to show the Seniors what they do with their unit. Anyone is invited to attend.

With regard to SWAC, the SCMUA proposed a \$36 a ton increase in tipping fees. There was a public hearing on Thanksgiving Eve. He stated he was leaving town and Ms. Thompson volunteered to attend. They trumped up a bit of activity on this issue. The final vote brought that rate to \$7 increase which will be consideration in the 2012 budget. The complaint log with Blue Diamond shows an average of 16 complaints a month. This past month we received 13 complaints. We also get compliments and this month we received two. The highest month with complaints was February with 30 and the lowest was August with five. Every complaint is tracked and we try to resolve each one. Sometimes they are not totally legitimate. He also stated that Ms. Hattersley spends a great deal of time investigating these complaints to make certain they are resolved and we don't have a repeat.

Mr. Smith reported that the Free Rabies Clinic will be January 6th with dogs from 5:00 to 7:00 and cats from 7:00 to 8:00 at the DPW Garage. The license renewals are due the month of January in order to avoid a late fee.

MR. WALSH. He stated that at the last meeting there were questions regarding the amount of brush in the township. He reported that brush pick up will be done six days per week until it is all picked up. There is an unbelievable amount of brush out there. Each day, there is at least four tandems of chips.

Reporting on the Environmental Commission he stated that Eagle Scout candidate Marshall Chudley who is building bat houses as his project, has all the materials and he is working in the lower level of the Barn constructing and assembling these houses.

Mr. Walsh stated he has begun working on numbers for the 2012 municipal budget.

MR. LENSAK. He reported on the FOP Toys for Tots Dinner Dance which was a huge success and a great time had by all. He commented that the FOP put together one of the best fundraisers he has ever attended. He applauded their hard work and congratulated them on a job well done.

He then read a letter from the Dorset Farm Homeowners Association thanking the Township on another outstanding Charity Softball Tournament. This year their team played for Ginnie's House and on behalf of their softball team they asked them to accept an additional donation of \$250 for Ginnie's House bringing the total to \$750. The letter was signed by Matt Lally. He commended the Dorset Farms Homeowners' Association for their generosity.

MS. PHOEBUS. She reported the Open Space meeting is scheduled for tomorrow night at 7:00 and they are working on the Lake Iliff Access. They will be working on the parking area which was approved by the DEP to be able to put 10 parking spaces at that location, but they think they will only have six. The area will consist of a bird sanctuary and provide fishing.

Reporting on the Fire Department, they voted for their slate of officers and their new Chief is Joe Steinwand. The Executive Committee is unchanged with Rick Melfi as President, Debbie Danielson as Treasurer, Steve Dugan as Secretary and Eric Danielson is Vice-President.

Ms. Phoebus reported that Lori Grifa is no longer the Director of the DCA and Governor Christie has not appointed a new commissioner as yet. They did come out with a new State Plan which is 40 pages. There will be six seminars and hearings across the State and they plan to adopt the new plan by March 2012. Plan Endorsement has been eliminated. Affordable Housing is still a big issue with the Third Round still undecided. She said she will keep everyone informed of the hearings as she will be attending at least one.

COMMITTEE REPORTS (CONTINUED)

MAYOR BOYCE. He read a letter from Greg and Peggy Agen from Lake Lenape. He read that they are quite pleased and shocked they were to how the DPW removed and cleaned out their small driveway of some very large tree limbs from the October snowstorm. The DPW deserves high praise for their prompt and unsolicited service to the community.

He also received a letter from Jeff Haynes, Scoutmaster Troop 85 with regard to another Eagle Scout candidate, Matthew Gramco from Sussex Avenue. He asked Ms. Thompson to prepare a Proclamation from the Mayor to Matthew for presentation on January 7th.

Mayor Boyce further stated that he is the liaison for Personnel and one of the things they do that he is proud of is that every Friday they have a pay to dress casual day and everyone who pays \$1 can wear jeans. They aim to help community based charitable organizations or individuals in need. The employees in the municipal building have been doing this since 2005. This quarter they raised \$187 which was donated to the Susan G. Komen for the Cure. He read that the Township Administrator Vita Thompson has a cousin Tony Alessandra who lost his wife Tina to breast cancer in 2003. Their daughter Amanda Lee was only 13 at the time. Amanda has now formed the Tina Louise Carrigan BRCA, Team fighting genetic breast cancer. Amanda not only lost her mom to genetic breast cancer but also her grandmother and great-grandmother. When Amanda was informed that we were making the donation in her mother's memory, she asked that we make the donation directly to the Susan G. Komen for the Cure, North Jersey Foundation. Mayor Boyce said that the employees have been doing this since 2005 and since that time they have donated \$2,639 to charity. There was a round of applause.

He then stated he received a letter from the State of NJ, Attorney General, Department of Law and Public Safety, Division of ABC stating they have received an application for a new instructional wine making facility, Perfect Wine, LLC. doing business as Vitner's Circle. This operation will be at 227 Newton-Sparta Road.

He then read a letter from Dr. Baggs, Superintendent of Schools, addressing the snowstorm on October 31st and they were closed that day and the next. He wanted to give their heartfelt thanks to the Andover Township Committee for any and all of the efforts made to restore the township and reopen our schools on November 2nd.

REPORT FROM THE CLERK/ADMINISTRATOR She distributed a memo from the Recreation Director to the Committee with regard to the Schedule of Fees for the Hillside Park Barn and the Hillside House. The figures collected were provided and at the last Recreation Committee meeting they voted to recommend to the Committee to keep the rates unchanged at this time. Mr. Lensak commented on the Out of Town rate at \$1100 and there were no reservations. He suggested reducing that amount to \$1000. Following a short discussion based on the fact that the Out of Town rates take into consideration there are no taxes monies being used to subsidize the facilities and therefore the higher rate is recommended. Mr. Smith added that competes with our own residents and it is fine to discourage the non-residents. The Committee was in agreement and she will let Ms. Huelbig know.

She then reported on a meeting at Newton High School addressed to Friends of Newton Athletics. She said that EI Associates will make a presentation at the Newton Board of Education meeting tomorrow night at 7PM. Several plans for best utilization and improvement of the Newton High School fields will be addressed. She will attend the meeting and she did attend past meetings along with Mr. Walsh. He commented that we know what they are looking for.

The County Board of Chosen Freeholders has invited the Township Committee to their Annual Reorganization on Monday January 2, 2012 at 12 noon. The event will be held at the old historic Court House.

She then reported that she and CFO Magura have been working on Requests for Proposals for IT services. There is a list of six companies and the proposals are due January 6th at 3PM.

REPORT FROM THE MUNICIPAL ATTORNEY He stated that the fire department has asked about having a cost recovery ordinance for situations when the township has emergency response and there are costs incurred caused by individuals who act in a negligent manner and individuals who do not control their land and creates hazardous material that is deposited, released or discharged. The Township is called for these types of events. They could be auto accidents as well. There is a cost for time, use of equipment and other various items. The law provides that a municipality has an opportunity to recoup that cost.

He said he looked at the State Statute and put together an Ordinance. The State Statute talks about the County having this jurisdiction. He said he spoke to the County Health Officer as well as his assistant. He also spoke to the NJDEP and the County has no objection to the Township adopting a local Ordinance. He said he was provided by the fire department with an Ordinance from another municipality. The department did ask if they could take a look at the Ordinance before its adoption.

He suggested that the Ordinance be introduced this evening by Title so the governing body this document and give the fire department a copy of the Ordinance. If there are any comments between now and final adoption, he will take those comments to the governing body or answer any questions from the fire department. Some of the changes made is when you charge fees for certain services, individuals who have to pay those fees may not know. These other Ordinances just say you will be assessed a fee. The fire department gave an hourly rate and fee schedule. So unlike other municipalities, the fire department will place a copy of the fee schedule on file in the Clerk's office. There were some other minor changes made.

Attorney Semrau received approvals from the County Health Department last Friday and copies of a draft ordinance were distributed to the Township Committee earlier this evening. Mr. Walsh asked if President Melfi read the Ordinance draft and he did. He has one or two questions but generally he is happy with this. Mr. Smith asked Attorney Semrau if he has any experience defending such an Ordinance. He said he thinks it's a good idea and likes the concept. Attorney Semrau said when he met with the fire department he had many questions and what he came to conclude is, in another municipality he had some experience with it and he believes having a fee schedule and documenting the incident, which they always do, puts the Township in a position where if someone does not make appropriate reimbursement, he believes the Township is in a position to pursue that. Any violation of this ordinance would be handled in Municipal Court.

Mr. Smith asked who would be the enforcing officer. Attorney Semrau stated it would be the fire department. We are establishing a new section under the Fire Department. Mr. Smith stated his concern that the Committee hasn't had time to read the Ordinance. Mr. Lensak asked in the past year how many incidents has the department had where such an ordinance would be a factor. President Melfi replied at least 20. He asked if there was any urgency to introduce tonight. Following a short discussion it was decided to introduce this evening with an opportunity to address concerns and comments for the next 30 days before the public hearing date. The committee decided that this is a pressing issue and should be introduced this evening with a public hearing on January 23, 2012.

Mr. Smith had several questions regarding the issue of Definitions within the Ordinance as well as the issue of the enforcing agency. Attorney Semrau explained that those four statements are definitions as to who would be the responsible party.

ORDINANCES: (INTRODUCTION)

ORDINANCE NO. 2011-13

"AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND CHAPTER 51, "FIRE CODE", ARTICLE II, "FIRE DEPARTMENT", TO ADD SECTION 51-22.1 ENTITLED "ANDOVER TOWNSHIP EMERGENCY RESPONSE RECOVERY OF COSTS ORDINANCE"

ORDINANCES: INTRODUCTION: (CONTINUED)ORDINANCE NO. 2011-13

“AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND CHAPTER 51, “FIRE CODE”, ARTICLE II, “FIRE DEPARTMENT”, TO ADD SECTION 51-22.1 ENTITLED “ANDOVER TOWNSHIP EMERGENCY RESPONSE RECOVERY OF COSTS ORDINANCE”

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2012-13, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on January 23, 2012 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	

Mr. Walsh moved to cancel the December 26th meeting, seconded by Mr. Smith and carried unanimously. Mayor Boyce asked if we could extend invitations to the Freeholders and Legislature to attend our Reorganization meeting as we did last year. All were in agreement. He then wished everyone a Merry Christmas and Happy New Year and he has loved serving as this Town’s Mayor. It’s been made more enjoyable due to the people to his right and left who have helped make him look good.

NEXT SCHEDULED MEETINGS:

- Regular Meeting December 26, 2011 (cancelled)
- Executive Session - 6:30 p.m.
- Regular Meeting - 7:30 p.m.

2012 Reorganization Meeting
Monday, January 02 @ 7:30 p.m.

EXECUTIVE SESSION: On a motion by Ms. Phoebus, seconded by Mr. Walsh, the resolution to go into executive session to discuss the following matters. Mayor Boyce stated there may be action taken following that session.

Personnel Matters:

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

Contract Negotiations:

1. FOP Lodge #177 Union Contract Status Report
2. Extreme Energy Solutions

Attorney-Client Privilege:

1. Highland Farms Soil Erosion/Sediment Control Compliance
2. Leenstra Potential Litigation
3. Dorset Farm – Phase VI (Brecia Court)
4. Rolling Hills Condominiums

Pending Litigation:

1. Sussex & Warren Holding – Life Care Mews
2. Krueger vs. Andover Township
3. Leenstra vs. Then, etal.

, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 8:29 P.M. Mr. Walsh moved to adjourn executive session at 9:10 P.M., seconded by Mr. Smith and carried unanimously.

REGULAR MEETING RESUMED

RESOLUTION:#R2011-152 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX,
STATE OF NEW JERSEY ADDRESSING THE SALARY ADJUSTMENT OF
THE TOWNSHIP ADMINISTRATOR

Mr. Smith moved with a second by Mr. Walsh. Mayor Boyce stated he believed the Township Committee addressed this issue and it was explained that what was adopted was the amendment to the Salary Ordinance which addressed the ranges. He then said this is a pay raise and Mr. Walsh replied yes. Mayor Boyce then asked if we are in a position to do this since we are not giving anyone else a raise. Mr. Walsh explained that at the last meeting it was discussed that when Ms. Thompson was appointed to fill this position, she had asked for a certain amount and it was decided to give \$20,000. This matter was going to be reevaluated in six months in order to determine how much work this combined position would entail. Since that time, changes have been paid to the municipal building, adding more to the job responsibilities. He added that he feels she has done a great deal more than past administrators had done and they were paid a great deal more. Mayor Boyce stated his concern this action will have on future negotiations.

Attorney Semrau explained this was an evaluation. When the administrator was appointed at the Reorganization Meeting, the Committee did not know what would be an appropriate salary. The salary was set at a certain rate and the Committee agreed to evaluate the position, not the performance as to what would be the appropriate salary structure because it was unknown what all the responsibilities and time would be. That was in 2010. This would not be considered a pay raise but appropriate allocation of the position itself and not of the performance. Ms. Phoebus stated that this adjustment is still lower than what most administrators are receiving. Mayor Boyce stated that he feels this action is contradictory to him to what has been discussed in Executive Session. Ms. Phoebus disagreed and Mr. Smith stated he believes it is compensating people appropriately for the value they provide. Ms. Phoebus stated this Committee agreed to do this in 2010. Mr. Smith stated this is a unique situation and show me someone else who has done what Ms. Thompson has, working longer hours, available at all times to make certain this building is open to the public and we can talk about increases for them. Mr. Walsh said administrators are receiving over \$100,000 and we have one for \$40,000. Ms. Thompson stated that her position mandates working from home, checking emails, receiving and making calls every day. Mayor Boyce asked about the Clerk's salary which is about \$67,500 which is low for a 15 registered clerk. We had a new CFO with certification a few years back receiving higher compensation than the clerk's salary. Mayor Boyce stated he agrees Ms. Thompson is underpaid and we have an opportunity to correct this and are we willing to take the heat for this action. The Committee said yes.

Mr. Walsh also spoke about another salary adjustment due to the addition of responsibilities which will be addressed at the Reorganization meeting. This matter is separate and not part of this motion.

Following a short discussion, there was a roll call vote which was carried unanimously.
(See Insert Attached to These Minutes)

ADJOURNMENT No further business appearing before the Committee at this time, Mr. Walsh moved the meeting be adjourned at 9:22 P.M., seconded by Mr. Smith and carried unanimously.

Respectfully submitted,

Phil Boyce, Mayor

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

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION "A"

BE IT RESOLVED by the Township Committee of the Township of Andover on the 12TH day of December 2011, that:

- a. 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.

Personnel Matters:

- 1. D. Dickinson, DPW Supervisor (Executive Session B)
- 2. V. Thompson, Clerk/Administrator (Executive Session B)

Contract Negotiations:

- 1. FOP Lodge #177 Union Contract Status Report
- 2. Extreme Energy Solutions

Attorney-Client Privilege:

- 1. Highland Farms Soil Erosion/Sediment Control Compliance (Executive Session B)
- 2. Leenstra Potential Litigation (Executive Session B)
- 3. Dorset Farm – Phase VI (Brecia Court) (Executive Session B)
- 4. Rolling Hills Condominiums (Executive Session B)

Pending Litigation:

- 1. Sussex & Warren Holding – Life Care Mews (Executive Session B)
- 2. Krueger vs. Andover Township (Executive Session B)
- 3. Leenstra vs. Then, etal. (Executive Session B)
- () 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).
 - 2.

Adopted: December 12, 2011

Moved: Walsh Seconded: Smith
Voted Aye: Lensak, Phoebus, Smith, Walsh, Boyce
Voted Nay: None
Abstained: None
Resolution adopted. December 12, 2011

TOWNSHIP OF ANDOVER

MOTION FOR EXECUTIVE SESSION "B"

BE IT RESOLVED by the Township Committee of the Township of Andover on the 12TH day of December 2011, that:

- b. 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.

Personnel Matters:

- 1. D. Dickinson, DPW Supervisor (Executive Session B)
- 2. V. Thompson, Clerk/Administrator (Executive Session B)

Contract Negotiations:

- 1. FOP Lodge #177 Union Contract Status Report
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- 1. Highland Farms Soil Erosion/Sediment Control Compliance (Executive Session B)
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- 4. Rolling Hills Condominiums (Executive Session B)

Pending Litigation:

- 1. Sussex & Warren Holding – Life Care Mews (Executive Session B)
- 2. Krueger vs. Andover Township (Executive Session B)
- 3. Leenstra vs. Then, etal. (Executive Session B)

- () 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: December 12, 2011

Moved: Walsh Seconded: Smith

Voted Aye: Phoebus, Smith, Walsh

Voted Nay: None

Absent: Lensak

Resolution adopted. December 12, 2011
