

## ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

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

MARCH 12, 2012

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 Lensak, followed by a salute to the flag.

**ROLL CALL:** Present: Mr. Boyce, Ms. Phoebus, Mr. Smith  
Mr. Walsh, Mayor Lensak  
Also present: Attorney Semrau (arrived at 7:30)  
Gail Magura, Chief Financial Officer

***OPEN PUBLIC MEETING STATEMENT*** Statement of compliance with Chapter 231, P. L. 1975 was made by Mayor Lensak. Mayor Lensak stated we will begin this evening's meeting with a budget workshop. Mayor Lensak also announced a special guest in the room, a Scout who is here to observe the meeting.

### **BUDGET WORKSHOP – 6:30 P.M. – No formal action to take place**

CFO Magura began the session by explaining the she spoke with Auditor Ray Sarinelli earlier and he informed her that the revenues will be basically the same as we budgeted last year. He also told her that our tax point is around \$61,000 so for every \$61,000 we go up in this budget, it is one tax point. Mr. Smith stated the revenues are what they are so our control of this budget is on expenditures. Mr. Walsh said this budget draft we came in at 2.12 cents. She said the Levy Cap is difficult to figure out and until you have everything in place it can't be figured out. It shouldn't bring it up much. Mr. Smith asked CFO Magura that knowing what she knows now, does she feel there is any great jeopardy of us exceeding the CAP and she replied no.

The Township Committee asked questions of CFO Magura and Mr. Walsh regarding various line items in the budget. They provided their input as to where certain cuts could be made. The Committee took the budget page by page addressing questions they have on each one.

The Committee continued to address all line items in the budget, questioning areas where they feel reductions can be made. CFO Magura explained every line item, including shared services contracts which increased by 2% this year.

Following the discussion of the proposed budget Mr. Walsh said we need to consider some capital projects every year because if we wait, these improvements will only cost more. Mayor Lensak said we have been putting projects off for some time and now we need to do something. They discussed putting \$50,000 in the capital improvement fund and by starting to do this will prevent future bonding of projects. Ms. Phoebus said we are paying interest in the amount of \$103,000 which is down from \$113,000. There was a short discussion regarding refinancing which does cost money to do so.

Mr. Boyce asked about the Reserve for Uncollected Taxes and CFO Magura stated that is unknown at this time. She said the reason for the increase is because the collection rate went down. She said the Auditor needs to provide the actual number. If that actual number is lower that will help a great deal.

**BUDGET WORKSHOP (CONTINUED)** Mr. Smith stated that as far as he is concerned, a tax increase is unacceptable. He proposed for a flat budget. He began to speak about residents who aren't working, losing their jobs and they can't pay their taxes. He said to raise taxes one penny is not the right thing to do. Even if the County and School raise their taxes doesn't mean we should.

Mr. Boyce said even if we took \$100,000 off this line, we would still have to raise taxes. Mr. Smith replied that is not true; there is no reason we have to raise taxes. Mr. Boyce said if we took the \$100,000 off and stayed flat year to year, the amount we spent last year and the amount this year, due to declining revenue, we would still have to raise taxes. Mr. Smith said the revenue is not declining, we said at the beginning of the meeting, we are anticipating the revenue to remain the same. Mr. Walsh said we had declining revenue and if this year it is staying the same, it is the first year it is reversing itself. He added that costs have gone up and some we can't control. Mr. Walsh said we are being responsible by paying off our debt.

Mr. Smith stated that our taxes are affecting our real estate value and if you talk to any realtor the position of Andover Township. It is not a desirable place because the taxes are too high. Mayor Lensak stated that conversely if you start cutting services in the town your valuations will go down also. Mayor Lensak then spoke about the State taking the energy taxes and was returning that money to the municipalities. Since 2006 the Sales Tax was raised and that was supposed to give tax relief. In 2009 Corzine signed the Robin Hood Principle and we lost \$32 million and the next year we lost \$272 million. Andover Township was supposed to receive \$365,000 in 2011 from the State which we never received.

Mr. Smith then referenced the reduction in State Aid for Education. There were three Counties that saw a reduction in aid and they were Cape May, Camden and Sussex. The biggest loser Sussex County lost \$3.5 million. Ms. Phoebus added that one of the biggest issues with taxes is the schools and she believes we lost this money due to enrollment. Obviously the reduction of enrollment questions why we have two separate buildings. This increases the amount of operational costs, doubling everything, including administration. Mr. Boyce agreed saying there are nine people who are elected to the board and this past year there were three incumbents running unopposed and this won't change until certain people are elected that feel a change is needed. Those there think they are doing a good job and they don't want to combine the schools.

Mr. Boyce stated we have been nickel and diming for the last hour and a half talking about expenditures as little as \$100 which does not make much of an impact. He said how badly do you want to hurt. The only place we can cut this budget is in people. Certain increases cannot be controlled. The only thing we can control is people. He said isn't it ironic that here we are talking about the people that are in our community who are hurting. He mentioned when he lost his job for 90 days saying it is tough. He said he also knows we have very good loyal employees here and he is not sure who goes. The services that go with that person, whatever that decline might be will be a decline. We do not have a surplus of people not doing anything. So whatever people there will be a decline in service.

Ms. Phoebus questioned under general income, she asked what we received from other municipalities for the 9-1-1 service. Mr. Walsh said this information is in the revenue. We contract with Hamburg, Andover Borough and Green, the largest is Hamburg where we do police and fire.

Mr. Walsh asked CFO Magura her theory on a zero budget. She replied it's very difficult and she doesn't see how, other than cutting the capital and a better number for the Reserve for Uncollected Taxes, how this is ever going to be a zero budget.

There are big ticket items which are consistently increasing and out of their control. The ones in your control we are keeping down. We can't do anything about the gasoline prices going up or the increase or bond payments. The rest we can control we have kept flat or even reduced. She said if you cut everything else to make a zero budget, all you will do is hurt yourself in the end. If there happens to be an emergency and no money to cover it you will have to do an Emergency Appropriation which means you will have to raise those funds in full in next year's budget inside the CAP.

**BUDGET WORKSHOP (CONTINUED)** Mr. Walsh stated he will look at this budget, make suggestions to CFO Magura and copies of those suggestions will be distributed to everyone and we will see where we go from there. Mr. Smith commented on services in relation to property value and he knows the town is attractive because our services are good but from the real estate market, when someone is looking for a home, he doesn't think they ask about snowplowing services. They ask about the taxes. They will ask about school taxes. Their focus is not on service but taxes and every listing shows that number. He doesn't think that reduction of services will adversely affect property taxes. CFO Magura added that it will affect your citizens. She said if there aren't enough personnel to plow the roads, and those residents can't go to work because they can't leave their homes, that affect them.

Mr. Boyce stated we entered into a new contract with Blue Diamond that was lower by \$150,000 a year. The question is do we want to terminate that contract and make people haul their own trash and then call for a flat budget. He said he personally does not want to do this. Mr. Boyce gave a short accounting of the changes made with municipal personnel that has cut costs in the past year or more.

Mr. Smith said he does not want to see taxes increase. Mr. Boyce is in agreement but he is not sure what more can be done other than this. If there is some other position we don't need, he would like to hear it. Mr. Smith talked about increasing revenue and ratables are one of these but we haven't been very successful in that area. The other thing is what about saleable assets and this building is a valuable asset. With the vacant lower level of the barn, that can serve as town hall facilities. The other thing is real estate assets we can sell. We should look at every piece of that and putting that property back on the tax rolls is important for added revenue.

Mr. Boyce said he doesn't see any big ratable waiting to come into town. There was one that was approved and they are sitting there not doing anything. Ms. Phoebus said she believes we have a future if we continue with doing a Master Plan with the Newton-Sparta Road area and consider this the Town Center. She said we have been approved to be in the State's Sewer Service Area. If we continue with this plan, this is what we need in order to be able to bring in substantial size ratables. We have to move forward and it will take time to accomplish.

At this time Mayor Lensak suggested the Committee continue with the Regular Meeting.

## **REGULAR MEETING**

**APPROVAL OF AGENDA** Ms. Phoebus moved to approve the agenda as presented, seconded by Mr. Boyce and carried unanimously.

**APPROVAL OF CONSENT AGENDA ITEMS** 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)

**ACCEPTANCE OF TAX COLLECTOR'S FEBRUARY 2012 REPORT - \$3,037,431.00**

**ACCEPTANCE OF TAX COLLECTOR'S 2011 STATEMENT OF RECEIPTS REPORT**

**\*CONSENT AGENDA: (CONTINUED)****\*RESOLUTIONS:**

**#R2012-44 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 \$1,457.19 FOR AN OVERPAYMENT IN THE FIRST QUARTER 2012 TAXES FOR BLOCK 105.04, LOT 1**

**#R2012-45 2011 BUDGET APPROPRIATIONS TRANSFER RESOLUTION**

(See Inserts Attached to These Minutes)

**REGULAR AGENDA**

**REPORT FROM THE FIRE CHIEF** Chief Steinwand reported calls from February 2012 as follows: there were five activated fire alarms, three brush fires, one team response, one special firematic drill, two hazardous materials conditions, one mutual aid out of town and two motor vehicle accidents. There were a total of 17 reported calls, 76 calls for the year for 192 man hours. On Saturday, February 24<sup>th</sup>, the Fire Department will host their largest fundraiser of the year, the Venison Dinner.

Mayor Lensak asked for Chief Steinwand to incorporate the status of the Fire Department's Ordinance regarding the emergency response recovery of costs into his monthly report to the Township. He didn't see any problem in getting a report from that Committee.

**REPORT FROM THE RESCUE SQUAD CHIEF** There was no one present this evening.

**REPORT FROM THE CHIEF OF POLICE** Chief Tagliatela reported for the month of February there were 649 for the Police Department, there were 15 to the Fire Department, Lakeland Emergency Squad responses in Andover Township were 30 for the month. Fire Department calls for Andover Borough was one, and for Lakeland Squad there were nine. For Hamburg Borough for police service there were 338, Hamburg fire service there were 12 and first aid squad 44. For Green Township fire there were three, Allamuchy-Green Rescue, there were six calls, for a total of 1,107 reported calls through dispatch.

Under the new Spillman system we have the capability to print out graphs and charts and make comparisons in the call rates in regards to the police service. Chief Tagliatela stated they now have the ability to give each Committee member password access to this system. With this access they can go in and compare calls and see increases and decreases in the activity. This access pertains only to the statistics portion of the system.

Mr. Smith said he spent time with the Chief and Sgt. Danielson and they looked at the system. They gave him access and he was very impressed. One thing he wasn't comfortable with is that the comparatives still aren't very good. The only thing that can be done at this time is put a day parameter in. You can't get a report that compares this month to last year. The system is user friendly and intuitive. You can see anything you want to know about what is going on in the police department.

**PUBLIC PORTION** John Carafello of Eileen's Way stated he agrees with Mr. Smith for a zero budget, adding that taxes do not have to go up. He suggested removing the Open Space Tax which is inequitable; people with larger homes are paying more than those with smaller homes for the same open space. He said that is a luxury we can't afford. He also suggested putting a subcommittee together to look at the municipal building and the feasibility of relocating the employees and selling the building. He said he would be happy to be a part of that study.

**PUBLIC PORTION (CONTINUED)** In conjunction with that we may want to look at the school piece Newton-Sparta Road where they put \$7 million in that building about seven years ago when it was suggested that not be done. He suggested another feasibility study on that building and combine the two schools. He stressed we need to deal with the issues now. He then spoke about purchasing new trucks that instead we should look at hiring vehicles from local companies that are without work.

Diane Gillespie of Andover-Mohawk Road stated she agrees with Mr. Carafello and also agrees with Mr. Smith and she is shocked to learn that the Summer Recreation Program costs the township \$4500 for only eight days. She didn't realize that the township was subsidizing the program that much. Ms. Gillespie also stated that one of the things that our school system is so proud of is the extracurricular activities for the students. She believes our children are getting more than enough activities. There are also other organizations such as boy and girl scouting. Ms. Gillespie said she does not know if that \$4500 is being spent wisely. She then asked the cost of maintaining our fields. Mr. Walsh explained we have used much of the Open Space Tax to maintain all the fields because they are Green Acres. We have been paying the salaries of those who are taking care of the fields through that Tax. We are trying to wean ourselves off of that Tax but it is difficult because of the economy.

Rick Melfi of Park View Road asked about information from the State regarding the duplication of municipalities and possible consolidation and merging. Mayor Lensak stated that Senator Sweeney just announced that municipalities considering consolidation will now be penalized on what they feel would be the value of a consolidation. We can make an offer to another municipality and if they say no, the State can come in and penalize you for that doing it. Mr. Walsh said the municipalities are doing a great job in keeping costs down but it is the Schools, Counties and State that need with this. Ms. Phoebus added that in order to consider consolidation it has to be placed on a referendum which is a difficult and costly process. It's not something that has worked out well, but shared services, on another hand has worked out extremely well. She then asked the Committee if she can join Mr. Carafello and Mr. Smith on this subcommittee for the feasibility study and add the review of the entire Newton-Sparta Road corridor and see where we can go with ideas on how to progress this area into a Town Center. Mr. Melfi asked if there is any action that can be taken to consolidate the two schools. Mr. Smith said we have no control and we can't dictate to them what they can do but if we did a study to present to them what the advantageous might be, that would be a powerful tool. Mayor Lensak added that if it does come back that it would be a positive move, place the issue on the ballot as a referendum. Attorney Semrau added that it might not be binding on them, but let's see what the people do.

Attorney Semrau explained that a referendum can be placed on the ballot with that question which would be non-binding. There is no additional cost to add a referendum to a General Election. Ms. Phoebus then mentioned the Long Pond School and the waste water treatment plant stating that if they had more students using that building, the plant would operate more effectively. Mr. Smith asked the Committee for a consensus that they approve of this subcommittee. Attorney Semrau asked if he could volunteer his services to this subcommittee. Mr. Melfi will also join this committee. Mayor Lensak suggested Mike Morel.

Janis McGovern of Lawrence Road and a resident for 25 years thanked the Committee for their diligence in trying to keep the taxes down because she knows that is not easy. She referenced the Town Center concept and she brought up the problem with Andover Township is its lack of identity because we don't have a post office. She added that from what she has learned we never will. She said we lose a great deal of money because we don't have our own zip code. In doing the Census 10 years ago she realized this problem, she herself has a Lafayette mailing address. This is confusion with Lafayette and Newton. We probably miss population numbers because these people are residents in Andover Township and some don't realize it because of their mailing address.

She said she loves the idea of a Town Center. She also mentioned that she served on the Board of Education for nine years until 2003. She said the issues raised tonight were the same issues she was faced with then on the school board. She stressed the need for people to go to the school board meetings and question them about these issues. She spoke about top heavy administration as well.

**PUBLIC PORTION (CONTINUED)** Representatives were present from Save the Homestead, the Sussex County nursing home. Following his report he distributed information to the governing body. The Committee will review the documents requesting letters be sent to the Freeholders to stop the sale and another to put this matter on the ballot for a referendum vote. The Committee agreed to review the matter for the next meeting. Mr. Smith stated he believed the Freeholders passed a resolution for sale of the property. Ms. Phoebus stated they are looking into it and they will hold two public hearings on the matter.

Mr. Smith asked for a show of hands of all those who would like to see the Committee attempt for a zero increase in the budget. Mayor Lensak then asked for a show of hands of those who feel it is actually possible to do a zero budget. There were the same amount of hands for both questions, most of the room. Mr. Walsh then asked who thinks it is practicable. Same number of hands was raised.

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

### **ORDINANCES: INTRODUCTION**

#### **NO. 2012-03 "TO AUTHORIZE THE PURCHASE OF SOFTWARE FOR THE FINANCE DEPARTMENT FROM MUNICIPAL SOFTWARE, INC."**

***"AN ORDINANCE TO PURCHASE SOFTWARE FOR THE FINANCE DEPARTMENT FROM MUNICIPAL SOFTWARE, INC. FOR THE TOWNSHIP OF ANDOVER AND TO PROVIDE FOR THE FUNDING THEREOF"***

***BE IT RESOLVED*** by the Mayor and Committee of the Township of Andover, that Ordinance #2012-03, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on March 26, 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. Boyce – yes

Ms. Phoebus – yes

Mr. Smith – yes

Mr. Walsh – yes

Mayor Lensak – yes

### **ORDINANCES: PUBLIC HEARING**

#### **NO. 2012-02 TO CREATE CHAPTER 68 "PROPERTY MAINTENANCE CODE"**

***"AN ORDINANCE TO CREATE CHAPTER 68 OF THE ANDOVER TOWNSHIP CODE TO BE KNOWN AS "MINIMUM PROPERTY MAINTENANCE CODE FOR THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ANDOVER"***

Mayor Lensak stated that the public hearing was carried to this evening for minor changes in the Ordinance to include residential properties in addition to commercial and industrial. Mayor Lensak opened the public hearing to the public.

Mayor Lensak gave a quick overview of this Ordinance. Stan Christdlous asked how this Ordinance would work regarding a building on Newton-Sparta Road, a residential property in true need of repair. Mr. Smith said that efforts are being made to make necessary repairs to the house. Mr. Walsh said they just resided the house and put in new windows. If a home got to that level of disrepair, we would have the teeth in this ordinance to force repairs. Mr. Christdlous asked about enforcement of this Ordinance and in his experience, it is almost impossible.

**ORDINANCES: PUBLIC HEARING (CONTINUED)****NO. 2012-02 TO CREATE CHAPTER 68 "PROPERTY MAINTENANCE CODE"*****"AN ORDINANCE TO CREATE CHAPTER 68 OF THE ANDOVER TOWNSHIP CODE TO BE KNOWN AS "MINIMUM PROPERTY MAINTENANCE CODE FOR THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ANDOVER"***

Attorney Semrau replied that it is not easy to enforce because a mess to most is art to others. He explained that this is the minimum standard. He continued to read the items in the Ordinance that would be addressed. Mayor Lensak closed the public hearing.

Mr. Smith stated that previously we agreed to have this Ordinance pertain to all properties including residential. He outlined some areas in the Ordinance that needed to be addressed to be consistent with what the Committee asked for. These changes were made and because they were minor, there is no need to reintroduce the Ordinance.

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 March 12, 2012, was advertised according to the law and was brought before the public for final consideration. There being no objections to the amendments made, Mr. Walsh moved the adoption of the above entitled ordinance, seconded by Mr. Boyce. Roll call vote:

Mr. Boyce – yes

Ms. Phoebus – yes

Mr. Smith – yes

Mr. Walsh – yes

Mayor Lensak – yes

**NEW BUSINESS****DISCUSSION WITH PHIL DEACON REGARDING A GROUP HOME PROJECT**

Phil and Maryann Deacon were present and he spoke before the Committee regarding a group home they built that contributed six COAH credits to the Township. He said there is a great need for group homes in New Jersey. There are around 800,000 children looking for a home and they have been working on this throughout the State for years. He said the problem is cost because the State doesn't subsidize the program. They try to keep their costs down as best they can. Mr. Deacon stated that developed a prototype home on Ballantine Road. There is a constant maintenance program for all their homes and they thought it would be possible to add another group home in Andover Township for an additional six COAH credits. The only way to accomplish this is to keep the cost in line and they have been able to do a few around the County such as Montague because they have been able to purchase properties for about \$30,000. Other municipalities have approached them to build these homes and they would subsidize the lots to bring them to an affordable range.

He said he has the list of all the towns' COAH funds and how the State will take these funds if they are not used. He said building a group home is an easy way to accomplish this obligation and this doesn't add any students to the school system. He showed a map of Ballantine Woods showing the existing home.

Attorney Semrau asked Mr. Deacon that for this project to work he still has a gap of about \$120,000 which is statistically what all the COAH studies say units are. He then said if the Township were to obtain that contribution from the State but can only get that contribution over that 20 year period in increments. He asked Mr. Deacon if that would be something he would be willing to discuss. Mr. Deacon replied they are open to discussion.

Mayor Lensak suggested that due to the late hour and Executive Session yet to follow, that we forego all reports this evening.

Mr. Boyce announced that on March 20<sup>th</sup> is the next school board meeting and on March 26<sup>th</sup> is the public hearing on their budget. They will vote that night. It is going to be very close to a 2% CAP. He informed the public that if they want to contribute their opinion to be there on March 26<sup>th</sup>.

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

**Personnel Matters:**

1. *Daryn Cashin, Tax Collector*
2. *Interlocal Agreement with Lafayette re Tax Collector*
3. *Position of Zoning Officer*

**Contract Negotiations:**

1. *St. Paul's Abbey Due Diligence*
2. *Police Dispatcher's & DPW & FOP Lodge #177 Union Contracts Status Reports*

**Attorney-Client Privilege:**

1. *Tax Revaluation*
2. *Rolling Hills Condominiums*

**Potential Litigation:**

1. *SMAC Corp.- Solar Project*

**Pending Litigation:**

,was carried unanimously. Formal action will not be taken.  
(See Insert Attached to These Minutes)

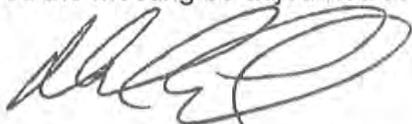
Before the commencement of Executive Session, the Committee recessed for five minutes.

The Committee went into executive session at 9:50 P.M. Mr. Smith moved to adjourn executive session at 11:24 P.M., seconded by Mr. Walsh and carried unanimously. For the record, Mr. Boyce left the Executive Session at about 10:45 PM.

**NEXT SCHEDULED MEETINGS:** Regular Meeting March 26, 2012  
Regular Meeting April 9, 2012

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 11:24 P.M., seconded by Mr. Smith and carried unanimously.



Michael Lensak, Mayor

Respectfully submitted,



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 12<sup>TH</sup> day of **MARCH 2012**, 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 & FOP Lodge #177 Union Contracts Status Reports***

**Attorney-Client Privilege:**

- 1. *Tax Revaluation***
- 2. *Rolling Hills Condominiums***

**Potential Litigation:**

- 1. *SMAC Corp. – Solar Project***

**Pending Litigation:**

- (x) a. (8) Personnel matters.
  - 1. *Daryn Cashin, Tax Collector***
  - 2. *Interlocal Agreement with Lafayette re Tax Collector***
  - 3. *Position of Zoning Officer***
- ( ) b. (9) Deliberations after a public hearing that may result in penalties.
  - 1. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: March 12, 2012

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Moved: Walsh      Seconded: Smith  
Voted Aye: Boyce(left the meeting at about 10:45), Phoebus, Smith, Walsh, Lensak  
Voted Nay: None  
Abstained: None  
Resolution adopted. MARCH 12, 2012

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