

ANDOVER TOWNSHIP COMMITTEE MEETING MINUTES

TOM WALSH, MAYOR
MICHAEL LENSAK, DEPUTY MAYOR
DOLORES BLACKBURN
PHIL BOYCE
JANIS Mc GOVERN

JANUARY 28, 2013

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

ROLL CALL: Present: Ms. Blackburn, Mr. Boyce, Mr. Lensak
Ms. Mc Govern, Mayor Walsh
Also present: Attorney Semrau

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

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

Personnel Matters:

Contract Negotiations:

1. *St. Paul's Abbey Due Diligence/Renewal of Lease Agreement*
2. *S. Murrell, Police Sergeant*

Attorney-Client Privilege:

1. *Old Creamery Property*

Potential Litigation:

1. *SMAC Corporation*

Pending Litigation:

1. *Leenstra vs. The County of Sussex, etal.*
, was carried unanimously.

(See Insert Attached to These Minutes)

The Committee went into executive session at 6:33 P.M. Mr. Boyce moved to adjourn executive session at 7:30 P.M., seconded by Mr. Lensak and carried unanimously.

REGULAR MEETING CALLED TO ORDER AT 7:35 p.m.

APPROVAL OF AGENDA Ms. Blackburn moved to approve the agenda as presented seconded by Mr. Boyce and carried unanimously. Mayor Walsh asked that the agenda be amended under New Business to include discussion regarding Service Electric Cable TV and Superstorm Sandy.

APPROVAL OF CONSENT AGENDA ITEMS Mr. Woodstrom asked to have Resolution #R2013-33 pulled for further explanation. Mr. Boyce asked to pull Resolution #R2013-34.

Mr. Lensak moved the following consent items be approved, seconded by Ms. Mc Govern and carried unanimously.

***CONSENT AGENDA:**

***OTHER BUSINESS:**

APPROVAL OF VOUCHERS FOR PAYMENT

(See Insert Attached to These Minutes)

**ACCEPTANCE OF THE TAX COLLECTOR'S DECEMBER 2012 REPORT
\$369,113.73 – YEAR TO DATE TOTAL \$20,150,927.01**

ACCEPTANCE OF THE POLICE CHIEF'S REPORT

***RESOLUTIONS:**

#R2013-35 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO US BANK CUST FOR CRESTAR CAPITAL, LLC IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE # 12-00007 SOLD FOR DELINQUENT TAXES FOR BLOCK 111.02, LOT 4 IN THE AMOUNT OF \$23,832.17

#R2013-36 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ISSUE A TAX REFUND TO US BANK CUST FOR CRESTAR CAPITAL, LLC IN REGARDS TO THE REDEMPTION OF TAX SALE CERTIFICATE # 12-00006 SOLD FOR DELINQUENT TAXES FOR BLOCK 109, LOT 4.01, C0120 IN THE AMOUNT OF \$1,426.66

#R2013-37 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 \$1,531.85 FOR OVERPAYMENT IN THE FOURTH QUARTER 2012 TAXES FOR BLOCK 105.04, LOT 1

#R2013-38 RESOLUTION OF THE TOWNSHIP OA ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY REVISING THE APPROVED QUANTITIES FOR THE ROSEVILLE ROAD RECONSTRUCTION PROJECT

#R2013-39 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE CHANGE ORDER NO. 1 TO THE EXISTING CONTRACT FOR THE ROSEVILLE ROAD RECLAMATION PROJECT AWARDED TO RECLAMATION, LLC FOR A TOTAL DECREASE OF \$466.39

APPROVAL OF CONSENT AGENDA ITEMS (CONTINUED)*CONSENT AGENDA: (CONTINUED)*RESOLUTIONS: (CONTINUED)

#R2013-40 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE CHANGE ORDER NO. 1 TO THE EXISTING CONTRACT FOR THE ROSEVILLE ROAD RECONSTRUCTION PROJECT AWARDED TO LAKESIDE CONSTRUCTION FOR A TOTAL DECREASE OF \$148.80

#R2013-41 A RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT THROUGH THE NON FAIR AND OPEN PROCESS, WITHOUT COMPETITIVE BIDDING TO J. CALDWELL & ASSOCIATES LLC AS SPECIAL PROJECTS PLANNER

(See Inserts Attached to These Minutes)

*APPROVAL OF MINUTES:

JANUARY 04, 2013 REORGANIZATION MEETING

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

#R2013-33 RESOLUTION OF TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE ADOPTION OF THE TOWNSHIP OF ANDOVER CAFETERIA PLAN

James Woodstrom asked for an explanation for Resolution #R2013-33. It was explained that employees have been contributing to their health benefits and in order to do so pre-tax, Section 125 has to be put in place by the government entity. A resolution must be passed annually. Mr. Lensak explained the term "cafeteria" meaning that each employee can pick and choose additional coverage at their own cost in order to customize their policy. He added that in doing this pre-tax, it saved the municipality seven percent on the social security.

#R2013-34 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY REQUESTING THAT THE NEW JERSEY BOARD OF PUBLIC UTILITIES AND THE NEW JERSEY STATE LEGISLATURE CONDUCT A FULL INVESTIGATION OF INFORMATION MANAGEMENT, COMMUNICATIONS, EMERGENCY PREPAREDNESS AND RESPONSE CAPABILITIES OF NEW JERSEY PUBLIC UTILITIES

Mr. Boyce stated he pulled this Resolution to read certain sections into the record which urges the Board of Public Utilities to charge all the public utilities to give government entities information we need when a disaster occurs. He said it is about being better prepared but also letting people know what they can expect, including close estimates which can help everyone take better care of their family.

Mr. Boyce moved to adopt the foregoing resolutions as presented, seconded by Mr. Lensak and carried unanimously.

(See Inserts Attached to These Minutes)

Mayor Walsh stated for the record on #R2013-41 he amended that resolution to read Jessica Caldwell of Caldwell Associates.

APPROVAL OF MINUTES**DECEMBER 10, 2012 REGULAR MEETING
DECEMBER 10, 2012 EXECUTIVE SESSION**

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

Ms. Blackburn – yes
Mr. Lensak – yes
Mayor Walsh – yes

Mr. Boyce – yes
Ms. Mc Govern – abstain

PRESENTATION OF CERTIFICATES OF APPRECIATION

Due to the inclement weather the presentations are tabled for the next meeting, February 11th.

PROCLAMATION BY THE OFFICE OF THE MAYOR**IN CELEBRATION OF THE ANDOVER TOWNSHIP VOLUNTEER
FIRE DEPARTMENT'S 60TH ANNIVERSARY**

Mayor Walsh stated that the Fire Department held their annual Installation Dinner this past Saturday night and during that event, this Proclamation was read and presented to the Fire Department through their Chief Joe Steinwand. Mayor Walsh added reading this Proclamation Saturday night was especially significant because one of the founding members, Jose Richards was present and stood with the Chief and President Melfi during the reading. He added that the new officers were sworn into office. Mayor Walsh said it was a great night and he thanked them for everything they do.

REPORT FROM THE FIRE CHIEF Chief Steinwand was present and provided a partial report for the month of January.

REPORT FROM THE RESCUE SQUAD CHIEF Captain Rourke Day announced that he will serve as the Liaison to the squad. He also gave his partial report for the month. He informed everyone that the total list of calls can be found on their website. Mayor Walsh stated that at the Lakeland Emergency Squad Dinner Captain Day made over 500 calls in 2011. He added that this is the type of dedication and volunteerism we have in this area. Captain Day stated that we are very fortunate that we answer 100% of our calls to date and close to 99.5% last year.

REPORT FROM THE GREEN TEAM David Kolstad was present and there is a meeting this Thursday night at 7:30. On February 24th is the annual Winter Farmers' Market at Hillside Barn from 10AM to 3PM.

REGULAR AGENDA

PUBLIC PORTION Chris Rozak identified himself as a resident of Andover Township and a life long scout and Eagle Scout candidate. He presented his project before the Committee for approval. The project consisted of two information boards to be placed on either end of the new bike/walking trail. The information boards will contain carry in/out trash bags in order to keep the trail clean of debris and litter. He showed his sketch to the Committee. Mayor Walsh stated that help will be provided through the DPW Supervisor Darren Dickinson. He stated that he will have Mr. Dickinson reach out to him to discuss the project. Mr. Boyce asked about maintenance of the project and Mayor Walsh explained that once it is turned over to the Township the DPW will maintain the boards and replenish the trash bags. Attorney Semrau stated that the Township Engineer will sign off on the project and the governing body will then approve it. This action will give the Township the protection it may need when they take over the project.

PUBLIC PORTION (CONTINUED) James Woodstrom asked if any of those members listed beside Ms. Huelbig receive any compensation from the town. Mayor Walsh said the Board of Health members receive \$2 per meeting and there are nine meetings per years. He then asked about the Recreation Committee and Mayor Walsh responded there is no compensation.

He then asked about the sale of the Cell Tower Lease bids and the award to Nextel for \$317,000. He stated that if you do the math it makes more sense to keep the leases. Mayor Walsh explained the a resolution to award one alternative to Landmark Dividend for the Nextel lease was adopted but the company is currently doing their 90 day due diligence. Mayor Walsh added that these leases are not guaranteed. There is a 90 termination clause in each of the contracts. Nextel has backed out of a few leases around the County. Mayor Walsh stated that by selling that particular lease, we can get something for that lease before we lost the entire revenue stream. Mr. Boyce added that it makes financial sense to take the money up front when it is not guaranteed on the backside. Mr. Woodstrom then referenced the current court case in Stillwater over the new cell tower and why would so much money be expended if they will become obsolete. Mr. Boyce stated there is new technology taking place that will replace these cell towers. He said he cannot say when it will happen here but that it is being looked at.

Attorney Semrau stated there were two other bidders that did not bid on the Nextel bidder. There was another potential bidder with interest in the tower who did not want to bid on the Nextel lease.

Linda Golonski asked about the Roseville Road resolutions and the projects connection to the new train station. Mayor Walsh stated that the road improvements were done with a \$250,000 grant from the State Department of Transportation. Byram also did Roseville Road through the same grant program. The grant was awarded mainly because of the train station project. He added that perhaps the property values will see an increase due to the train station.

Ms. Golonski stated that the last time she attended a meeting she commented on a letter received from Service Electric Cable TV they will not be issuing credits due to the storm. She said that we are all "stuck" with SECTV and when they come before the Committee again for franchise renewal, we should let them know how much we appreciate them. Mayor Walsh stated that he added to the agenda this evening a discussion regarding this matter. He said he called Attorney Semrau and he drafted a resolution demanding 10 days credit to the customers due to the storm. She then complimented the DPW for their work during the recent storms. She commented on the salt brine pre-treatment and how well it works. She then asked about the Marlboro Township shop credit for taxes issues. Attorney Semrau stated he will comment during his report.

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

ORDINANCES: INTRODUCTION

NO. 2013-01 2013 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"

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2013-01, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on February 11, 2013 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:

Ms. Blackburn – yes
Mr. Lensak – yes
Mayor Walsh – yes

Mr. Boyce – yes
Ms. Mc Govern – yes

RESOLUTIONS**#R2013-42 2013 SALARY RESOLUTION**

Ms. Thompson explained that all positions include an increase of 1.65%, consistent with those of the bargaining units' contracts. She explained that all salaries listed are in line with the 2012 Salary Ordinance and only the Deputy Clerk/Deputy Registrar – Full-Time, Animal Control Clerk, Recycling Coordinator and Tax Collector Shared Services positions are new positions and any compensation in those positions will be following formal adoption of the 2013 Salary Ordinance.

Following questions from Ms. Mc Govern and a short discussion, Mayor Walsh moved to adopt the foregoing resolution as presented, seconded by Ms. Mc Govern and carried unanimously.
(See Insert Attached to These Minutes)

NEW BUSINESS**DISCUSSION AND REVIEW OF PROPOSED FEE SCHEDULE FOR HILLSIDE PARK BARN AND HILLSIDE HOUSE**

Ms. Thompson explained there was a meeting of office officials from the DPW, Recreation, and Finance Departments to discuss the current fee structure and proposed increases and changes in the rental process. Ms. Thompson explained that under the current setup, the clean up following a rental is covered under Salary and Wages and impacting the budget. Under the new scenario, a portion of the rental fee will be set aside for those services and products. Additional fee will be set aside for holiday weekends due to double pay compensation for the holidays. Following a short discussion the following resolution was considered.

RESOLUTIONS**#R2013-43 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AMEND THE FEE SCHEDULE FOR THE HILLSIDE HOUSE AND THE HILLSIDE PARK BARN EFFECTIVE FEBRUARY 1, 2013**

Mr. Boyce moved to adopt the foregoing resolution, seconded by Ms. Blackburn and carried unanimously.
(See Insert Attached to These Minutes)

NEW BUSINESS: (CONTINUED)**SERVICE ELECTRIC CABLE TELEVISION AND SUPERSTORM SANDY**

Mayor Walsh stated he received numerous calls from residents and in turn he called Attorney Semrau today and he drafted a resolution which Mayor Walsh read into the record. The resolution demands 10 days credit to be awarded to customers for loss of service due to Superstorm Sandy.

RESOLUTIONS**#R2013-44 RESOLUTION OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY DEMANDING TEN (10) DAYS CREDIT TO BE AWARDED BY SERVICE ELECTRIC CABLE TV AND COMMUNICATIONS TO THE TOWNSHIP OF ANDOVER FOR LOSS OF SERVICE DURING SUPERSTORM SANDY**

Me. Boyce moved to adopt the foregoing resolution, seconded by Mr. Lensak and carried unanimously.
(See Insert Attached to These Minutes)

OLD BUSINESS

CONTINUED DISCUSSION REGARDING PROPOSED ZONING FEE SCHEDULE

Ms. Thompson explained that this request came from the Zoning Officer/Code Enforcement Official in August for consideration by the Committee. In the past eight months the department has collected almost \$1900 in zoning fees. The fee schedule hasn't been reviewed in over 17 years. Ms. Thompson stated as with the barn rental, everything not covered by the fee must be absorbed by the budget. The increases are minimal and the zoning officer has inserted additional steps in the schedule to allow a more gradual increase as the project cost increases.

ORDINANCES: INTRODUCTION (CONTINUED)

NO. 2013-02 TO AMEND FEE SCHEDULE FOR ZONING PERMIT APPLICATION

"AN ORDINANCE AMENDING CHAPTER 190 "ZONING", SECTION 190-9 "ZONING PERMIT", K. "FEE SCHEDULE FOR APPLICATION FOR ZONING PERMIT" OF THE CODE OF THE TOWNSHIP OF ANDOVER"

BE IT RESOLVED by the Mayor and Committee of the Township of Andover, that Ordinance #2013-02, entitled as above, be passed on first reading, to be published in the New Jersey Herald and the public hearing to be held on February 11, 2013 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:

- | | |
|---------------------|---------------------|
| Ms. Blackburn – yes | Mr. Boyce – yes |
| Mr. Lensak – yes | Ms. Mc Govern – yes |
| Mayor Walsh – yes | |

COMMITTEE REPORTS

MR. BOYCE. He reported on the Municipal Court system stating that it has been a very good system for the past several years, but hasn't always been that way. He explained that Diana Francisco is a good candidate to fill the position of deputy clerk/deputy registrar and he will be reaching out to Judge Devine to begin the search for the proper person for the court office. He explained that a retired court administrator will fill in and perhaps provide some training to a candidate interested in the position. He added that the Administrative Office of the Courts must interview and approve the candidate as well.

MS. MC GOVERN. She reported on the Board of Education meeting on January 15th. During the Superintendent's Report, it was said they are taking part in a statewide forum for safe and secure schools. Also stated he is putting together his own security plan update for the schools. They are also interested in upgrading their camera systems and keyless form of entry. They also spoke about the capability of interior doors being able to lock from the inside.

She added the bidding will begin in February for the conversion to natural gas. She stated she asked the Board about the insurance coverage for the basketball program. She said they told her that December 4th was the first time they were asked. They do have a policy in place not to insure outside groups. Reasons for this were given. They also said their insurance is through the NJ School Board Insurance Group and their agent, George Morville and through his recommendation not to assume that coverage. The Board agreed with his recommendation. If they did, they would be assuming liability for a non school group. Mayor Walsh explained George Morville approved the rider and one of the members spoke to him and the decision was reversed.

She said they mentioned when the school is opened to outside groups, there is a cost involved because the utilities are on and custodians need to be there monitoring the building. I

COMMITTEE REPORTS (CONTINUED)

MS. MC GOVERN. She reported that the new superintendent is Vickie Pedee and will begin in the next couple of months.

She also reported she is a member of the Senior Citizens and attended their meeting on January 7th. She asked the Mayor if he would like her to report back to the Committee on their meetings she would be happy to do so. Mayor Walsh stated he would greatly appreciate that. He then congratulated her as Vice-President of the Senior Citizens. Meetings are the first and third Mondays of the month.

MS. BLACKBURN. She reported on the Environmental Commission meeting held two weeks ago. The commission discussed the meeting calendar for the year. There was also discussion regarding the Green Team's meeting and the Farmers' Market on February 24th. They spoke about the proposed rain garden at the Hillside Park Barn. That program will take place this spring.

MAYOR LENSAK. He reported on the police department, reading a letter of appreciation from a resident regarding assistance from Lt. Danielson. Regarding the Lakeland Emergency Squad, following the lost of a member due to an accident, they were also without an ambulance. Lakeland offered their ambulance to Stillwater until their rig is repaired and available. He said that the Committee's thoughts and prayers go out to the Stillwater and the Martin family.

MR. WALSH. He reported on the auction for surplus equipment. In the past we have done this through another municipality, with the lead municipality taken a percentage of the profits. This year DPW Supervisor Dickinson contacted Alfred's Auction and through an online auction, all surplus equipment was sold, we paid a four percent commission and walked away with almost \$14,000.

The budget is being reviewed and meetings are scheduled for departments. He said that cuts have been made but we did use \$100,000 from reserves last year and first of all, we need to make that up this year. It will be another tough year. We are doing what we can working with full timers, partimers and shared services, retirements and layoffs. He said he and Mr. Lensak had meeting with Mr. Chisiano and before that Mayor Walsh met with Senator Oroho. They agreed to support the energy tax receipts coming back to the towns as long it is tied to tax relief. He said they had a very good meeting and Ms. McHose always agreed with them.

REPORT FROM THE CLERK/ADMINISTRATOR One item to report, she mentioned her dialogue with Betsy Towle from Project Self Sufficiency. They have been selected for a pilot program in Sussex and Warren Counties. She asked for the Committee to consider endorsing this campaign. There is no cost to do so only that we are saying that we support the Enough Abuse Campaign. That information will be on their website and in all the publications regarding the program. They are also looking for volunteers for this program and they will provide the appropriate training. A release form was given to Attorney Semrau for his review.

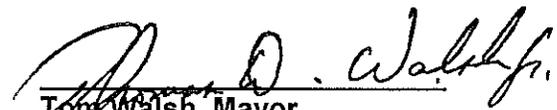
Mr. Lensak moved to approve this action, subject to review by the Attorney, seconded by Mayor Walsh and carried unanimously.

REPORT FROM THE MUNICIPAL ATTORNEY He reported further on Marlboro who implemented a campaign with an incentive for residents to receive reductions on their taxes. He put together all information available. He explained the program includes the use of a card that is received once you make application with Fin Credit at no cost. They produce a card for vendors that are registered in the municipality. When you buy something at a participating vendor and you swipe your card a certain percentage of that purchase is credited to your property tax account. The cost is borne by the participating vendors but it encourages residents to buy local. The only other cost is the cards and registration, but in Marlboro's case, the local bank sponsored the cards so there was no cost.

REPORT FROM THE MUNICIPAL ATTORNEY (CONTINUED) He did say that the program can also be adjusted for vendors outside the municipality who choose to participate with the taxpayer still receiving a credit for a purchase. He then stated that the downside is that the vendor does have an expense but overall, he has heard positive feedback. The packet included the steps involved and each municipality can model the program anyway they wish. He said there is no contract with the municipality but there has to be something for the agency for each transaction. The representatives will be happy to meet and discuss the program further. Mayor Walsh stated that this would be a great program for the Economic Development Committee to investigate further. Past Chair Melfi was present and he voiced his opinion adding that Freeholder Gail Phoebus is heading up the County's Economic Development Committee so he would like to extend this program through the entire County. Mr. Lensak recommended John Drake also.

NEXT SCHEDULED MEETINGS: February 11 & 25, 2013
 6:30PM Executive Session
 7:30PM Regular Meeting

ADJOURNMENT No further business appearing before the Committee at this time, Ms. Blackburn moved the meeting be adjourned at 8:59 P.M., seconded by Ms. Mc Govern and carried unanimously.


 Tom Walsh, 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 28TH day of January, 2013, that:

1. Before 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. 10:4-26, 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/Renewal of Lease Agreement*
2. *S. Murrell, Police Sgt.*

Attorney-Client Privilege:

1. *Old Creamery Property*

Potential Litigation:

1. *SMAC Corporation*

Pending Litigation:

1. *Leenstra vs. Andover Township, etal.*

(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: January 28, 2013

Moved: Boyce Seconded: Lensak
Voted Aye: Blackburn, Boyce, Lensak, Mc Govern, Walsh
Voted Nay: None
Abstained: None
Resolution adopted. JANUARY 28, 2013
