

**A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, MARCH 9<sup>th</sup>, 2015 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.**

**PRESENT:** Mayor Morgan, Council Members: Dennison, Danielson, Figueiredo, Pearson, Smith, and Delfing.

**ABSENT:** None.

Mayor Morgan called the meeting to order with a salute to the flag and in accordance with the Open Public Meetings Act by advertising notice of meeting in the N.J. Herald and posting copy of notice in the Borough Hall.

**OATH OF OFFICE:**

The Municipal Clerk administered the oath of office to Mr. Michael Figueiredo. This seat is an appointment filling the vacancy left by Mrs. McGowan and is for one term to 12/31/15. The seat is eligible to be filled at the next general election for one term to 12/31/16.

**MINUTES:**

A Motion was made by Mr. Smith, seconded by Mrs. Delfing to approve the minutes of the meeting of the Mayor and Council held on January 21<sup>st</sup>, 2015 as per copies furnished to each member. Upon roll call the following votes were cast: AYES: Pearson, Smith, Delfing, Danielson. NAYS: None. ABSTAIN: Dennison & Figueiredo. Motion carried.

A Motion was made by Mr. Smith, seconded by Mrs. Delfing to approve the minutes of the meeting of the Mayor and Council held on February 9<sup>th</sup>, 2015 as per copies furnished to each member. Upon roll call the following votes were cast: AYES: Pearson, Smith, Delfing, Danielson, Dennison. NAYS: None. ABSTAIN: Figueiredo. Motion carried.

**OFFICIALS REPORTS:**

There was no Treasurer's report this meeting.

A MOTION was made by Mr. Dennison, seconded by Mrs. Delfing to accept the following reports and place on file: Lakeland Emergency Squad February Report, Report from Bob Grodeska addressing sampling. Upon roll call the following votes were cast: AYES: Pearson, Smith, Delfing, Danielson, Dennison, Figueiredo. NAYS: None. Motion carried.

**CORRESPONDENCE:**

Sussex Board of Taxation re: Preliminary Equalization Table was reviewed and filed.

NJ Bureau of Water System Engineering re: Inadequate Water Supply was reviewed and filed.

Andover Twp. Assessor re: 2014 Assessment Card blk 166 lot 2 Q0037 was reviewed and filed.

NJDEP Compliance & Enforcement re: Water Quality Compliance Inspection # SCI 150001 was reviewed and filed.

**AUDIENCE PARTICIPATION:** Mr. Stephen Verbesky who is part owner of the Andover Hunt and Fish located at 196 Main Street asked the Council if the water bill could be calculated using the meters. Mr. Smith explained that the water amounts are set by ordinance as a flat rate. He continued to say that of the three existing stores there, two stores were combined so Mr. Verbesky could indicate to the zoning board that he now has two stores instead of three and therefore could reduce the number of commercial water bills down to two. This would be a cost savings of \$420 per year.

### **REPORTS OF SPECIAL COMMITTEE:**

Mr. Jim Landrith reported for SWAC. He reported that Grinnell in Sparta is no longer operating to accept the Sandy Recovery material and is farming it out. He continued to discuss the additional bulk materials they are working to accept in addition to asphalt. SWAC is also review the water quality reporting, by hydro geologist Dave Moskato. Mr. Landrith reported that the DEP deemed development qualifies for 4.5 acres size for septic.

### **REPORTS OF STANDING COMMITTEES:**

**Administrative & Executive:** The Board of Health would like to have a filing cabinet. A cabinet could be moved to a location downstairs for them. The Municipal Clerk is continuing to organize the office. The Mayor asked if the Administrative Committee could start looking at the ordinances and start with the commercial truck /parking ordinances.

**Celebration of Public Events:** The Miss Andover Pageant / Princess Pageant will be held on June 8<sup>th</sup> at a Council meeting if there are any applicants. The Memorial Day wreath ceremony is planned for 10 a.m. and the Easter Egg Hunt is already planned.

**Finance:** Mr. Dennison reported that the budget introduction is scheduled for this evening.

**Parks & Playgrounds:** Mr. Danielson reported that the fields use requests are scheduled.

**Public Bldgs. & Grounds:** Mr. Smith reported that the roof of park building is being checked. The property owned by Andover Borough will be leased again to the farmer from last year. That paperwork is with the Borough Attorney.

**Public Safety:** Mrs. Delfing reported that the inspection of the ABFD is still planned.

**Streets & Roads:** Mr. Danielson reported that there are some roads which are caving and heaving from the temperatures this winter. He will call the County to review possible ways to fix. Old Creamery still needs to be reviewed for widening and repair.

**Water Utility:** Mr. Smith reported that he would like to purchase a backup chlorinator. The water softener from Culligan may also need to be reviewed for replacement. He also reported that a number of heaves in the roads and tunnel were noticed after this winter.

**2015 Municipal Budget:** A MOTION was made by Mr. Pearson, seconded by Mr. Figueiredo to table the introduction and the open space tax amount resolution until the next regular meeting. Upon roll call the following votes were cast: AYES: Dennison, Danielson, Figueiredo, Pearson, Smith and Delfing. NAYS: None. Motion carried.

### **OLD BUSINESS:**

It was reported that the LOI was sent for the Sussex County Hazard Mitigation Plan Update.

Mr. Danielson reported that there is no news on the Engineers review of the water runoff on Morris Sussex Trnpg.

### **NEW BUSINESS:**

The Council discussed the need to move the workshop meeting from March 18<sup>th</sup> to March 25<sup>th</sup> at 7 p.m. A MOTION was made by Mrs. Delfing, seconded by Mr. Pearson to cancel the meeting of March 18<sup>th</sup> and advertise the new workshop/regular meeting date of March 25<sup>th</sup> at 7 p.m. Upon roll call the following votes were cast: AYES: Dennison, Danielson, Figueiredo, Pearson, Smith, Delfing. NAYS: None. Motion carried.

Mayor Morgan reported to the Council that former Mayor Shirlee Bollard was in the hospital and that we should keep her in our thoughts.

A review of the Estimate from General Code for Supplement #20 was tabled until the meeting of March 25<sup>th</sup>.

A review of Laboratory Services Quotation from QC Laboratories was tabled until the regular April meeting.

A review of Laboratory Services Quotation from Agra Environmental & Laboratory Svcs. was tabled until the regular April meeting.

A request from Great Andover Seniors to use park building one extra day per month was considered. A MOTION was made by Mr. Smith, seconded by Mr. Danielson to approve an additional day per month for use by the Greater Andover Seniors meetings. The day is to be arranged with the municipal clerk and kept consistent. Upon roll call the following votes were cast: AYES: Dennison, Danielson, Figueiredo, Pearson, Smith, Delfing. NAYS: None. Motion carried.

**ORDINANCE:**

A MOTION was made by Mrs. Delfing, seconded by Mr. Danielson to approve the introduction and publication of **“AN ORDINANCE TO AMEND CHAPTER 66, ENTITLED “FEES”, OF THE CODE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY, ESTABLISHING FEES FOR VITAL RECORDS”**. Upon roll call the following votes were cast: AYES: Dennison, Danielson, Figueiredo, Pearson, Smith, Delfing. NAYS: None. Motion carried.

**AN ORDINANCE TO AMEND CHAPTER 66, ENTITLED “FEES”,  
OF THE CODE OF THE BOROUGH OF ANDOVER,  
COUNTY OF SUSSEX, STATE OF NEW JERSEY,  
ESTABLISHING FEES FOR VITAL RECORDS**

**BE IT ORDAINED** by the Borough Council of the Borough of Andover, County of Sussex, State of New Jersey, that Chapter 66 of the Code of the Borough of Andover, entitled “Fees”, be and is hereby amended as follows:

**Section 1.** Section 66-4, entitled “Miscellaneous fees and charges” of Chapter 66 of the Code of the Borough of Andover, entitled “Fees”, be and is hereby amended to add new subparagraph F as follows:

F.	Vital records fees are as follows:	
	Marriage license application	\$28
	Domestic partnership application	\$28
	Civil union license application	\$28
	Remarriage license application	\$28
	Certified copy of vital record	\$10
	Certification for burial permit	\$ 5
	Correction of vital record	\$25

**Section 2.** Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

**Section 3.** Repealer. All ordinances or parts of ordinances or resolutions inconsistent with or contrary to the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or contrariness. . All provisions of Chapter 66 of the Code of the Borough of Andover, entitled “Fees”, not amended hereby shall remain in full force and effect.

**Section 4.** This Ordinance shall take effect immediately on its final passage and publication as required by law.

**BOND ANTICIPATION RESOLUTION:**

A MOTION was made by Mr. Smith, seconded by Mrs. Delfing to adopt the following **Resolution of the Borough Council of the Borough of Andover, in the County of Sussex, New Jersey , Covenanting to comply with the provisions of the Internal Revenue Code of 1986, as amended, applicable to the exclusion from gross income for federal income tax purposes of interest on obligations issued by the Borough Clerk, Chief Financial Officer and other Borough Officials to take such action as they may deem necessary or advisable to effect such compliance and designating a \$360,000 Bond Anticipation Note, dated, March 3, 2015, payable March 3, 2016, as a “Qualified Tax Exempt Obligation” pursuant to Section 25 (b)(3) of the Internal Revenue Code of 1986, as amended.** Upon roll call the following votes were cast: AYES: Dennison, Danielson, Figueiredo, Pearson, Smith, Delfing. NAYS: None. Motion carried.

**RESOLUTIONS:**

A MOTION was made by Mr. Dennison, seconded by Mr. Danielson to adopt a Resolution redeeming tax sale certificate 2012-06 for block 23 lot 9. Upon roll call the following votes were cast: AYES: Dennison, Danielson, Figueiredo, Pearson, Smith, Delfing. NAYS: None. Motion carried.

WHEREAS, the Borough Tax Collector, Jessica M. Caruso, advises that she has received \$2,335.15 for the redemption of Tax Sale Certificate #2012-06 on Block 23 Lot 9 and is requesting that \$2,335.15 be refunded to the lien holder, US Bank/Cust for Pro Capital I, LLC 50 S 16<sup>th</sup> Street – Suite 1950 Philadelphia, PA 19102.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Andover to authorize the Tax Collector to refund \$2,335.15 for the redemption of Tax Sale Certificate #2012-06 on Block 23 Lot 9 to the lien holder, US Bank/Cust for Pro Capital I, LLC 50 S 16<sup>th</sup> Street – Suite 1950 Philadelphia, PA 19102.

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A MOTION was made by Mr. Dennison, seconded by Mr. Danielson to adopt a Resolution redeeming tax sale certificate 2011-02 for block 25 lot 3.02. Upon roll call the following votes were cast: AYES: Dennison, Danielson, Figueiredo, Pearson, Smith, Delfing. NAYS: None. Motion carried.

WHEREAS, the Borough Tax Collector, Jessica M. Caruso, advises that she has received \$2,310.27 for the redemption of Tax Sale Certificate #2011-02 on Block 25 Lot 3.02 and is requesting that \$2,310.27 be refunded to the lien holder, M and V Liens 23 Irving Place Newton, New Jersey 07860.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Andover to authorize the Tax Collector to refund \$2,310.27 for the redemption of Tax Sale Certificate #2011-02 on Block 25 Lot 3.02 to the lien holder, M and V Liens 23 Irving Place Newton, New Jersey 07860.

**AUDIENCE PARTICIPATION:** None.

**MOTION TO PAY THE BILLS:** There was no bills list at this meeting.

**MOTION TO ADJOURN:**

A MOTION was made by Mr. Smith, seconded by Mr. Danielson to adjourn the meeting. AYES: All in favor. NAYS: None. Motion carried.

Beth Brothman, RMC  
Borough Clerk