

A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, MAY 14, 2018 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.

PRESENT: Mayor Morgan, Council Members: Dennison, Pearson, Smith,

ABSENT: Messrs. Hoag and Figueiredo

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.

MINUTES:

A MOTION was made by Mrs. Delfing, seconded by Mr. Dennison to approve the minutes of the meeting held on January 24, 2018. Upon roll call the following votes were cast: AYES: Dennison, Pearson, Smith, Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mrs. Delfing, seconded by Mr. Dennison to approve the minutes of the meeting held on February 21, 2018. Upon roll call the following votes were cast: AYES: Pearson, Smith, Delfing. NAYS: None. ABSTAIN: Dennison. Motion carried.

A MOTION was made by Mrs. Delfing, seconded by Mr. Dennison to approve the minutes of the meeting held on March 12, 2018. Upon roll call the following votes were cast: AYES: Dennison, Pearson, Smith, Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mrs. Delfing, seconded by Mr. Dennison to approve the minutes of the meeting held on March 14, 2018. Upon roll call the following votes were cast: AYES: Dennison, Smith, Delfing. NAYS: None. ABSTAIN: Pearson. Motion carried.

OFFICIALS REPORTS:

A Motion was made by Mrs. Delfing, seconded by Mr. Dennison to approve the Treasurer's Report for May 14, 2018 as presented and waive the reading. Upon roll call the following votes cast: AYES: Dennison, Pearson, Smith, Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Dennison, seconded by Mr. Pearson to accept the following reports and place on file: Lakeland Emergency Squad Report for March & April and YTD, ABFD Report for April, Joint Court Report for March & April. Upon roll call the following votes cast: AYES: Dennison, Pearson, Smith, Delfing. NAYS: None. ABSTAIN: None. Motion carried.

CORRESPONDENCE:

Letter from NJ Dept. of Education re: 2018-2019 Municipal Percentage Shares for Tax Levies for Regional School Districts

Letter from NJDEP Northern Water Compliance & Enforcement re: Notice of Violation

Letter from Tri-Eagle re: Adjustment to Contract Price Under 7.06A of the Agreement between the Andover Borough and Tri-Eagle Energy, LP

Letter from Sussex County Board of Taxation re: 2018 Regular Tax Appeal Listing

Letter from H. E. Pellow re: West High Street Final Paperwork

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REPORTS OF SPECIAL COMMITTEE: None.

REPORTS OF STANDING COMMITTEES:

Administrative & Executive: Mr. Pearson reported that he has reached out to Colin Baker to work as Fire Sub-Code and Fire Prevention at a rate of \$35 per inspection on an as needed basis. Mr. Baker is waiting for his certificate to arrive from the State sometime in September. A MOTION was made to hire Mr. Colin Baker when all paperwork is in order. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

Celebration of Public Events: Mr. Figueiredo was absent. There was some discussion about the monument for Mr. Danielson. The ground has been prepared for it when it is ready. October 20th or 27th are being considered as dates to have the memorial.

Finance: Mr. Dennison was absent. The audit was reviewed this evening.

Parks & Playgrounds: Mr. Figueiredo was absent. Mr. Smith mentioned the fence that was requested by Mr. Delfing. Estimates will be acquired.

Public Bldgs. & Grounds: Mr. Smith reported that two quotes were acquired to convert the boiler in the park building to a natural gas unit. A third quote is pending. A review of estimates will be done again in September once a third estimate is acquired. Mr. Smith asked Mr. Hoag to have the posts removed from the back area of the Municipal Building. Mr. Smith also reported that the shrubbery behind the Borough Hall should be replaced.

Public Safety: Mrs. Delfing reported that a second alternate crossing guard be hired to cover when the crossing guard and first alternate are not available. It was suggested that Mr. Clarence Stang be offered that position. A MOTION was made by Mrs. Delfing, seconded by Mr. Pearson to approve Clarence Stang as secondary alternate crossing guard.

Streets & Roads: Mr. Hoag discussed the installation of signs and suggested September 8th to install the signage. The clerk will be sending an email to all on the date with a rain date of the 9th.

Water Utility: Mr. Smith reported that everything is okay. There is still somewhat of a high usage. There was some discussion about the raising of water rates. The idea will be considered in the next several months. There was then some discussion regarding Water Repair Service contract. The contract will be reviewed. It was also reported that the pump house will have some weed whacking done by Mr. Stang. Trimming of back part of the pump house property on the other side of the fence needs to be done. This matter will be reviewed at another meeting.

OLD BUSINESS: The review of the conversion estimates was discussed during the Public Buildings and Grounds Committee report.

NEW BUSINESS:

Registration for the New Jersey League of Municipalities Conference 11/13-15/2018 was discussed. Mayor Morgan, Mr. Hoag and Mr. Pearson are interested.

A copy of Road Opening Permit from Sussex County Road Dept. for Gristmill Lane was presented.

The Main Street businesses planned Octoberfest weekend 10/5-7/18 was reported.

Sussex County Freeholders Municipal Breakfast Forum – Sept. 7, 2018 @ 9:30 a.m. was reported. The Mayor asked if there were any issues that should be addressed.

The SCLOM general membership meeting on Thurs., September 20th at Mohawk House was mentioned. The Council were asked if they were attending. Unfortunately, no member can attend.

ORDINANCE: Review of Amended Commercial Vehicle Ordinance.

A MOTION was made by Mr. Smith, seconded by Mrs. Delfing to approve the first reading and publication of "AN ORDINANCE TO AMEND SECTION 134-6, ENTITLED "PROHIBITED USES", OF ARTICLE II, ENTITLED "GENERAL PROVISIONS", OF CHAPTER 134, ENTITLED "ZONING", OF THE CODE OF THE BOROUGH OF ANDOVER," COUNTY OF SUSSEX, NEW JERSEY with the amendment to remove "EMS" and replace with "Emergency Services. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Hoag, seconded by Mr. Smith to forward to Planning Board for review. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

RESOLUTIONS:

AUDIT:

A MOTION was made by Mr. Pearson, seconded by Mrs. Delfing to approve the publication of Summary or Synopsis of Audit Report. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Smith, seconded by Mr. Pearson to pass Resolution to submit a certified copy of Resolution and required Affidavit showing evidence of compliance. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mrs. Delfing, seconded by Mr. Hoag to accept the Corrective Action Plan as submitted by the CFO. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

Statewide Insurance Fund Renewal Schedule – Fund Year 2019

After review of the schedule the Council requested Mr. Morville to come in to the next meeting to discuss it and see if there were any changes needing to be made.

Reimbursement:

A MOTION was made by Mr. Smith, seconded by Mrs. Delfing to approve a resolution to reimburse rental escrow for Eigner. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Smith, seconded by Mrs. Delfing to approve a resolution to reimburse rental escrow for Greame. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

Tax Collector:

A MOTION was made by Mrs. Delfing, seconded by Mr. Pearson to approve a resolution extending the tax due date for 3rd quarter 2018 to 8/13/18. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mrs. Delfing, seconded by Mr. Pearson to approve a resolution to refund the lienholder for redemption of tax sale certificate # 2016-002 in the amount of \$20,034.00 for block 18 lot 8 to Skyview Investors, LLC. Upon roll call the following votes were cast: AYES: Hoag, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

OLD BUSINESS: Commercial Vehicle on residential properties was reviewed. The governing body made some changes which will be provided to the Borough Attorney and a revised amended ordinance will be provided for the August agenda.

NEW BUSINESS: Review of Shared Service Agreement - Sussex County for Public Works

A MOTION was made by Mr. Pearson, seconded by Mr. Smith to approve the shared service agreement with Sussex County for Public Works Services. Upon roll call the following votes were cast: AYES: Dennison, Hoag, Figueiredo, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

The Mayor asked Mr. Hoag to add the "leaving Andover" sign to the list of signs to install. He also reported that the tree near the intersection of Railroad Avenue and Brighton Avenue is dead and the owner should be notified. Lastly, the Mayor asked if Mrs. Casella's landscaping schedule changed. The Clerk didn't know if Mrs. Casella was aware that she had additional work.

ORDINANCE:

A MOTION was made by Mr. Smith, seconded by Figueiredo to approve the second reading and adoption of **"AN ORDINANCE TO AMEND SECTION 134-41, ENTITLED "OTHER PERMITTED USES", OF ARTICLE VIII, ENTITLED "C-1 COMMERCIAL ZONE", OF CHAPTER 134, ENTITLED "ZONING", OF THE CODE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, NEW JERSEY"**. Upon roll call the following votes were cast: AYES: Dennison, Hoag, Figueiredo, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

RESOLUTIONS:

Tax Collector:

A MOTION was made by Mrs. Delfing, seconded by Mr. Pearson to approve a Resolution to refund lienholder FWDSL & Associates LP for redemption of tax sale certificate #2015-006 for block 23 lot 18 in the amount of \$30,596.46. Upon roll call the following votes were cast: AYES: Dennison, Hoag, Figueiredo, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Pearson, seconded by Mr. Figueiredo to approve a Resolution to refund lienholder FWDSL & Associates LP for premium at tax sale on certificate #2015-006 for block 23 lot 18 in the amount of \$8500.00. Upon roll call the following votes were cast: AYES: Dennison, Hoag, Figueiredo, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

In Rem Foreclosure:

A MOTION was made by Mrs. Delfing, seconded by Mr. Figueiredo to approve a Resolution authorizing the Tax Collector and all other officials of the Borough of Andover to take the necessary steps to effectuate an In Rem Foreclosure on the following blocks and lots: block 24 lot 25, block 24 lot 27, block 24 lot 36.03, block 24 lot 37, block 26 lot 25. Upon roll call the following votes were cast: AYES: Dennison, Hoag, Figueiredo, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

AUDIENCE PARTICIPATION: None.

PAY THE BILLS:

A MOTION was made by Mr. Dennison, seconded by Mrs. Delfing to pay the bill on the list dated 7/9/2018. Upon roll call the following votes were cast: AYES: Dennison, Hoag, Figueiredo, Pearson, Smith and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

ADJOURN:

A MOTION was made by Mr. Dennison, seconded by Mr. Hoag to adjourn the meeting. AYES: All in Favor. NAYS: None. Motion carried.