

**A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, FEBRUARY 10<sup>th</sup>, 2020 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.**

**PRESENT:** Mayor Morgan, Council Members: Dennison, Hoag, Smith, Walter, and Delfing.

**ABSENT:** Mr. Pearson

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.

**2020 Census:** Marvin J. Joss, Partnership Specialist for the NY Regional Census Center WAH appeared before the governing body and explained the process by which the census affects the municipalities of New Jersey directly. He stated that there are job opportunities paying upwards of \$21 an hour. The census is looking for local people to work in the municipalities they live in.

**MINUTES:**

A MOTION was made by Mr. Smith seconded by, Mrs. Delfing to approve the minutes of the reorganization meeting held on January 2, 2020. There was some discussion to clarify the meaning of the action of Parks and Playgrounds. No change was made to the minutes. Upon roll call the following votes were cast: YES: Hoag, Smith, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Smith seconded by Mrs. Delfing to approve the minutes of the workshop/regular meeting held on January 22, 2020. Upon roll call the following votes were cast: YES: Hoag, Smith, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**OFFICIALS REPORTS:**

A MOTION was made by Mr. Dennison, seconded by Mr. Hoag to approve the treasurer's report dated 2/10/20. Upon roll call the following votes were cast: YES: Hoag, Smith, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to accept the following reports and place on file: Joint Court for January, ACO report for Oct-Dec. Upon roll call the following votes were cast: YES: Hoag, Smith, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**Transfer Resolution:**

A MOTION was made by to approve a transfer resolution for unexpended balances in the amount of \$2000. Upon roll call the following votes were cast: YES: Hoag, Smith, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**CORRESPONDENCE: The following was presented to the governing body and placed on file:**

Letter from Fredon Twp Mayor Flora re: Return of School Elections to April

Letter from NJ Office of Planning Advocacy re: Planners available for Plan Endorsement Assistance

Letter from NJ Dept. of Labor & Workforce Dev. Re: G73-01-018 Water Department

Letter from NJDEP Water Supply re: Monitoring Reduction for 1,2,3 trichloropropane, ethylene dibromide, and 1,2-dibromo-3-chloropropane

## **AUDIENCE PARTICIPATION:**

Mr. Alan DeCarolis, Municipal ACO, appeared before the governing body asking about the direction the borough would like to take regarding salary. He stated he would like to be paid salary and move from an on-call basis. There was a discussion regarding how he is paid by other municipalities and he wanted to come to an agreement with Andover Borough.

## **REPORTS OF SPECIAL COMMITTEES:**

**SWAC & SC Water Quality Management:** Mr. Landrith was absent.

**Fire Department Equipment Report:** Mrs. Delfing reported that the grant is open and they are still working on some details with the Fire Dept. pertaining to the tax filing information. Mr. Hoag will be working on getting the information from the fire department account.

**Open Space Report:** No report. There was some discussion that perhaps an Eagle Scout project can be done at the park

**Borough Land Report:** No new news after reviewing the title and deed info. However, we learned more about the easement through the property. There was a brief discussion regarding the need to clean up the property.

## **REPORTS OF STANDING COMMITTEES:**

**Administrative & Executive:** Mr. Pearson was absent. It was discussed that the salary for the ACO will have to be reviewed as an increase has been requested.

**Celebration of Public Events:** Mrs. Walter reported that the Easter Egg Hunt will be held in April. She requested funds to purchase the eggs and candy needed.

A MOTION was made by Mrs. Walter, seconded by Mrs. Delfing to purchase Easter candy not to exceed \$200. Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

The next celebration will be the wreath ceremony for Memorial Day at 9 a.m.

**Finance:** Mr. Dennison discussed the Election Grants that are available for polling locations. The clerk will forward a copy to him.

**Parks & Playgrounds:** Mr. Hoag reported that he will be purchasing mulch in the Spring and also addressing the following issues: cut and chip the fallen trees in the park as well as to address the fallen wires in the park on old poles which are no longer electrified. He mentioned that no clay is needed on the ball field.

**Public Bldgs. & Grounds:** Mr. Smith reported that the refrigerator in the park building is not working and may need to be replaced. He estimates that the cost is about \$3000.

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to approve an amount not exceed \$3000 for the replacement of this refrigerator. Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

There was also a discussion regarding the new lighting in the borough hall and how much brighter it is.

**Public Safety:** Mrs. Delfing has no report, but did mentioned that replacement of the yield sign is necessary.

A MOTION was made by Mr. Hoag, seconded by Mrs. Delfing to approve the purchase of the yield to pedestrian sign for the cost of \$400. Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**Streets & Roads:** Mr. Hoag reported that snow plowing came in at \$11500 and another one at \$1395. He also reported that Marksmen that a catch basin was repaired by Marksmen. When we know when the street sweeping is going to happen we can arrange the catch basin clean out.



Water Utility: Mr. Smith thanked those who came to help clean out the pump house. He has addressed all PEOSH compliance requirements. There was some conversation regarding the water tower maintenance which will be scheduled and that fence at the pump house needs to be cleared of vegetation. The Mayor stated that organizing a way to find and map out the curb valves is paramount. The Mayor also mentioned that some of the pipes in the pump house need to be painted to prevent rusting.

#### **OLD BUSINESS:**

The Mayor reported that he has met with Harold Pellow and confirmed that the two municipal road projects for Old Creamery and Prospect Ave Phase 2 can have the engineering work and bidding combined.

There was a discussion regarding new businesses coming into the borough. It was mentioned that the Sphere building is now occupied by Superior Electric.

The Mayor reported that Chris Daschko will be servicing the park equipment for \$15 hours.

There was a brief discussion regarding the OEM briefing the Mayor attended. He confirmed at this meeting with the OEM, Mr. Hoag, that the operations plan has been certified.

The Mayor also asked about the FEMA grant status for Fire Equipment. This information was not available.

The Mayor continued to report on MOU with the Red Cross and the potential availability of free smoke detectors as well as his understanding that JCP&L will remove trees that are considered a hazard to power lines. The JCP&L info will be provided to residents.

#### **NEW BUSINESS:**

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to renew the Water Maintenance Operator Service Agreement with Mr. Richard Mooney. Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried

A MOTION was made by Mrs. Delfing, seconded by Mr. Dennison to appoint Clarence Stang as Alternate Crossing Guard. Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried

**PROCLAMATION:** The Mayor read a proclamation which will be provided at the ceremony for Eagle Scout Kevin Kapuscinski

#### **RESOLUTIONS:**

A MOTION was made by Mr. Dennison, seconded by Mrs. Delfing to approve the following Resolution "**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"**". Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried

#### **Recycling Tonnage:**

A MOTION was made by Mrs. Delfing, seconded by Mr. Dennison to adopt a Resolution to approve an agreement between SCMUA and Andover Borough for the services of a Certified Recycling Professional for the purpose of certifying 2019 tonnage report to be prepared by Beth Brothman. Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried

**Tax Appeals:**

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to approve a Resolution authorizing the municipal assessor and municipal attorney to represent the Borough before the Sussex County Board of Taxation for the purpose of defending tax appeals, rollbacks, etc. Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**ORDINANCE:**

A MOTION was made by Mrs. Delfing, seconded by Mr. Hoag to approve the first reading and publication of "BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK". Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2020  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Borough of Andover in the County of Sussex finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$3,574.69 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Andover, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Andover shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$3,574.69, and that the CY 2020 municipal budget for the Borough of Andover be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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**AUDIENCE PARTICIPATION:** None.

**MOTION TO PAY THE BILLS:**

A **MOTION** was made by Mr. Smith, seconded by Mr. Hoag to pass the following Resolution: BE IT RESOLVED by the Governing Body to approve the payment of all vouchers on the bill listed February 10<sup>th</sup>, 2020, submitted by the Chief Financial Officer for payment. Upon roll call the following votes were cast: YES: Dennison, Hoag, Smith, Walter, Delfing NAYS: None. ABSTAIN: None. Motion carried.

**MOTION TO ADJOURN:**

A **MOTION** was made by Mr. Hoag, seconded by Mr. Dennison to adjourn the meeting. AYES: Dennison, Hoag, Walter. NAYS: Delfing and Smith. Motion carried.

Beth Brothman  
Municipal Clerk