

**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 8<sup>th</sup>, 2021 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.**

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

**ABSENT:** Mr. Hoag

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** - Mr. Hoag was absent from this meeting.

**MINUTES:** The approval of the following minutes were tabled until the next regular meeting:

MOTION to approve the minutes of the Mayor & Council meeting held on December 14, 2020.

MOTION to approve the minutes of the Mayor & Council meeting held on January 11<sup>th</sup>, 2021.

MOTION to approve the minutes of the Mayor & Council meeting held on January 27<sup>th</sup>, 2021.

**OFFICIALS REPORTS:** No treasurer's report

A MOTION was made by Mr. Dennison, seconded by Mrs. Delfing to accept the following reports and place on file: Lakeland Emergency Squad report for December & YTD, ABFD report for January, ACO report for Oct-Dec 2020. Upon roll call the following votes were cast: YES: Dennison, Smith, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

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

Statewide Insurance re: Loss Control Service Visit. Mrs. Delfing reported that the railing in the front of the borough hall was high on the list to repair.

NJDEP Water Compliance & Enforcement re: NOV Compliance Evaluation (stormwater). Mayor Morgan reported that there was communication with the Engineer that our Tier B submission will need to be amended to account for the changes which resulted in the notice. Engineer office indicated that this issue will result in no fines and the will address the changes needed.

H.E. Pellow & Assoc re: Proposed Improvements to Prospect Avenue – Section II & Old Creamery

**AUDIENCE PARTICIPATION:** None.

**REPORTS OF SPECIAL COMMITTEES:**

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

**Fire Department Equipment Report:** No report

**Open Space Report:** No report.

**Borough Land Report:** No report.

## **REPORTS OF STANDING COMMITTEES:**

**Administrative & Executive:** Mr. Pearson reported that the new salary payroll schedule is in place to be reintroduced. He continued to report that Mr. Howell, requested a raise in his hourly pay. There was some discussion regarding the labor class rate increase and he concluded his report with information on the status of the legislation on municipal board of health going Council based. The salary ordinance was reintroduced. See action taken below under Ordinances.

**Celebration of Public Events:** Mrs. Walter had no report.

**Finance:** Mr. Dennison had no report. He reported he would not be available for scheduled workshop.

**Parks & Playgrounds:** Mr. Hoag reported that the park is packed with kids sleigh riding on the hill. Lynn Delfing reported that during our insurance compliance inspection, Ivan Cohen, complimented the park.

**Public Bldgs. & Grounds:** Mr. Smith reported that the park building ceiling has tape loosening. He has contacted Blake Williams to take a look and the dehumidifier has been installed in the basement. There was some conversation regarding moisture and separating the garage from storage. It was also mentioned that a shelf built for it. The discussion turned to the large snow fall, the generators need to be cleared to run efficiently. Mr. Delfing asked if the last rental applicant received their refund. She was informed they had not applied, but the clerk would send a message with refund form.

**Public Safety:** Mrs. Delfing reported that the SCBA tanks discussed at last meeting were gone after approval. There is an opportunity for the ABFD to acquire 12 bottles to replace the used ones at \$216 a piece and they will last to 2026 which is 5 years of 15. Mr. Dennison mentioned that the LES will be donating equipment being removed from a truck they are turning in to the ABFD. A MOTION was made by Mrs. Delfing, seconded by Mr. Dennison to approve the purchase. Upon roll call the following votes were cast: YES: Dennison, Smith, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**Streets & Roads:** Mr. Hoag reported that the roads are narrow due to the snow banks. The County Road Supervisor asked if the Borough would like to have a front loader come in to clear out the roads. He continued to express his concern with the fire hydrants that are still covered with snow. There was some mention that the reverse 911 system can be used for outreach. A reminder was given that the NJDOT meeting to discuss the Route 206 tunnel project is schedule for 2/16 at 3 p.m.

**Water Utility:** Mr. Smith reported that during the water outage, ¼ of the town was out of water service for 48 hours. It affected everything North of 189 Main Street. The Mayor discussed that he saw a water tower bid in Hamburg and will be looking closely at that proposal as we will need to do our own. He continued to report that the hydrant by the Forestry Division was frozen and needs to be addressed in Spring. He asked the municipal clerk to order 2 sleeves to replace those used.

## **OLD BUSINESS:**

The 2021 Municipal Budget review was tabled until the next meeting.

There was some discussion regarding the Covid vaccination process and difficulty accessing vaccination appointments.

The Mayor confirmed with the Municipal Clerk that a letter of response regarding the Center of Place designation must be sent to the State to confirm that Andover Borough is not interested.

**NEW BUSINESS: Proclamation for Eagle Scout Emily Brothman**

The Mayor read a proclamation for Eagle Scout Emily Brothman

**WHEREAS**, on November 27, 2020, Scout Emily M. Brothman from Troop 81, was recognized by the Boy Scouts of America for successfully completing all requirements for Scouts BSA's highest rank; and,

**WHEREAS**, on February 8, 2021 Scouting's 111<sup>th</sup> birthday, Emily will officially be recognized as a member of the inaugural class of female Eagle Scouts in a historic national and collectively commemorated celebration.

**WHEREAS**, we are gathered here on this occasion, as friends, family and neighbors of Emily to support her on her attainment of the rank of Eagle Scout and to recognize the faithful and steady path taken within the Scouting organization; and

**WHEREAS**, Scouting, for both boys and girls, has been an integral part of our community for many years, and we note that the Boy Scouts of America has been teaching patriotism, courage and self-reliance for more than 100 years within the United States of America; and

**WHEREAS**, we commend Emily on her Eagle project, which was planning and executing the restoration and renovation of a meeting and social room for the Andover Borough Fire Department and which is just one example of the many contributions she has made to our community; and

NOW, THEREFORE, I, JOHN MORGAN, MAYOR OF THE BOROUGH OF ANDOVER, SUSSEX COUNTY, NEW JERSEY, AND REPRESENTING THE MEMBERS OF THE BOROUGH COUNCIL, DO HEREBY RECOGNIZE AND CONGRATULATE:

**Emily M. Brothman, Eagle Scout**

FOR THIS OUTSTANDING ACCOMPLISHMENT AND EXTENDING TO HER OUR DEEPEST APPRECIATION FOR ALL OF HER DEDICATED WORK AND WISHING HER THE BEST IN ALL OF HER FUTURE ENDEAVORS.

**RESOLUTIONS:**

**Tax Appeals:**

A MOTION was made by Mrs. Delfing, 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, Smith, Pearson, Walter, Delfing NAYS: None. ABSTAIN: None. Motion carried.

BE IT RESOLVED by the governing body of the Borough of Andover, that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Borough of Andover tax list including but not limited to rollback complaints, added and omitted assessment complaints, and such other appeals as are necessary to correct the assessments for the Borough of Andover; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Borough of Andover for the purpose of signing settlements of the foregoing matters by stipulation.

**ORDINANCES:**

A MOTION was made by Mr. Smith, seconded by Mr. Pearson to approve the re-introduction and publication of "AN ORDINANCE TO AMEND AN ORDINANCE FIXING THE SALARIES OF THE MAYOR, COUNCIL, OFFICERS AND EMPLOYEES OF THE BOROUGH OF ANDOVER, IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE YEAR 2021". Upon roll call the following votes were cast: YES: Dennison, Smith, Pearson, Walter, Delfing NAYS: None. ABSTAIN: None. Motion carried.

**AN ORDINANCE TO AMEND AN ORDINANCE FIXING THE SALARIES OF THE MAYOR, COUNCIL, OFFICERS AND EMPLOYEES OF THE BOROUGH OF ANDOVER, IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE YEAR 2021**

BE IT ORDAINED by the Mayor and council of the Borough of Andover, in the County of Sussex and State of New Jersey, that the salaries established for 2021 are as follows:

Position	Hourly/Salary	Pay Period	Amount
Mayor	S	Q	\$ 4,261.00
Council	S	Q	2,486.00
CFO/Treasurer	S	M	17,340.00
Tax Assessor	S	M	12,412.00
Tax Assessor Sec.	H	Q	12.00 (f)
Tax Collector	Paid through shared service agreement		
Tax Search Officer	Each	Annual	12.00 (g)
Assessment Search Officer	Each	Annual	12.00 (g)
Asst. Tax Collector / Tax Clerk	S	M	1,700.00
Borough Clerk	S	M	49,721.00
Clerk Typist	H	M	12.00 (f)
Registrar	S	M	609.00
Licensed Water Operator	S	M	5,513.00
Asst. Licensed Water Operator	S	M	1,592.00
Water Supervisor	S	Q	2,815.00
Water Collector	H	M	5,875.00
Water Meter Reader	H	Q	0.00 (f)
Well Monitor	H	M	18.00
Mark Out Turn On/Shut Off	H	M	25.00
Board of Health Sec.	S	M	563.00
Animal Control Officer	S	M	3060.00
Planning/Zoning Secretary	S	M	7,077.00
Construction Official	S	M	6,371.00
Permit Control Officer	S	M	3,821.00
Zoning/Code Officer	H	M	30.00
Shared Service – Land Use	S	M	13,796.00
Fire Prevention	As per shared service agreement		
Fire Sub Code/Smoke Inspector	Each Inspection	M	35.00
Plumbing Inspector	Each Inspection	M	35.00
Electrical Inspector	Each Inspection	M	35.00
Emerg. Mgmt. Coord.	S	Q	672.00
Dog License Clerk	each license	A	0.25
Borough Hall Caretaker	S	M	2,219.00
Crossing Guard	H	M	13.00
Alternate Crossing Guard	H	M	12.00
Alternate Deputy Crossing Guard	H	M	12.00
Labor Class I	H	M	16.00
Labor Class II	H	M	14.00
Labor Class III	H	M	12.00 (f)

Notes:

(f) or minimum wage, whichever is greater

(g) \$200 annual maximum

*\*readvertised*

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

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2021  
(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 2021 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 \$3,624.21 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 2021 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 \$3,624.21, 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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A MOTION was made by Mr. Dennison, seconded by Mr. Pearson to approve the first reading and publication of "AN ORDINANCE AMENDING CHAPTER 115 STORMWATER CONTROL OF THE BOROUGH OF ANDOVER CODE". Upon roll call the following votes were cast: YES: Dennison, Smith, Pearson, Walter, Delfing NAYS: None. ABSTAIN: None. Motion carried.

**AN ORDINANCE AMENDING CHAPTER 115 STORMWATER CONTROL  
OF THE BOROUGH OF ANDOVER CODE**

Be It Ordained by the governing body of the Borough of Andover, County of Sussex, State of New Jersey, that Chapter 115, entitled "Stormwater" to provide as follows:

- 115-1. Policy statement.
- 115-2. Purpose.
- 115-3. Applicability.
- 115-4. Compatibility with other permit and ordinance requirements.
- 115-5. Definitions.
- 115-6. Design and performance standards for stormwater management measures.
- 115-7. Stormwater management requirements for major development.
- 115-8. Green infrastructure standards.
- 115-9. Groundwater recharge standards.
- 115-10. Stormwater runoff quality standards.
- 115-11. Stormwater runoff quantity standards.
- 115-12. Calculation of stormwater runoff and groundwater recharge.
- 115-13. Sources for technical guidance.
- 115-14. Solids and floatable materials control standards.
- 115-15. Safety standards for stormwater management basins.
- 115-16. Requirements for a site development stormwater plan.
- 115-17. Maintenance and repair.

**The purpose of this ordinance** is to amend the existing Stormwater Control Ordinance to address the New Jersey Department of Environmental Protection's adopted amendments to the New Jersey Stormwater Management Rules at N.J.A.C. 7:8. A complete copy of this Ordinance is available at the Office of the Municipal Clerk.

**AUDIENCE PARTICIPATION:** None.

**MOTION TO PAY THE BILLS:**

A **MOTION** was made by Mr. Smith, seconded by Mr. Dennison to pass the following Resolution: BE IT RESOLVED by the Governing Body to approve the payment of all vouchers on the bill listed February 8<sup>th</sup>, 2021, submitted by the Chief Financial Officer for payment. Upon roll call the following votes were cast: YES: Dennison, Smith, Pearson, Walter, Delfing NAYS: None. ABSTAIN: None. Motion carried.

**MOTION TO ADJOURN:**

A **MOTION** was made by Mr. Smith, seconded by Mr. Dennison to adjourn the meeting. AYES: Dennison, Smith, Pearson, Delfing, Walter. NAYS: None. Motion carried.

Beth Brothman  
Municipal Clerk