

THE REORGANIZATION MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON WEDNESDAY, JANUARY 4th, 2023 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.

PRESENT: Mayor Morgan, Council members: Hoag, Smith, Lane, Mallon and Delfing

ABSENT: Dennison.

Mayor John Morgan brought 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.

Mayor Morgan read the Statement of Election

The Municipal Clerk administered the Oath of Office to Councilman Jason Lane and Randolph Mallon

RESOLUTION #R-01-2023

A MOTION was made by Mr. Smith, seconded by Mr. Hoag to approve resolution **#R-01-2023** approving the 2023 Reorganization. Upon roll call the following vote was cast: AYES: Hoag, Smith, Lane, Mallon, Delfing. NAYS: None. Motion carried.

**RESOLUTION #R-01-2023
REORGANIZATION**

BE IT RESOLVED that the regular meeting of the Mayor and Council be held on the second Monday of each month, except that on Holiday Mondays the meeting be held the next day, Tuesday, at the Borough Hall, beginning at 7:00 p.m.,

BE IT FURTHER RESOLVED that the Borough Attorney shall be Frank McGovern of McGovern & Roseman, and

BE IT FURTHER RESOLVED that the Borough Engineer shall be Harold E. Pellow of Harold E. Pellow & Associates, and

BE IT FURTHER RESOLVED that the Official Newspaper of the Borough shall be the New Jersey Herald and Sunday Herald, and

BE IT FURTHER RESOLVED that Wielkotz & Company be designated as official auditor for the purpose of preparing the 2023 Municipal Budget and auditing the accounts of the Borough,

BE IT FURTHER RESOLVED that Steven Rogut of Rogut McCarthy LLC be designated as official Bond Counsel for the purpose of preparing Bond Ordinances of the Borough,

BE IT FURTHER RESOLVED that Melissa Caton be designated as official Borough Tax Search Officer for the ensuing year, and

BE IT FURTHER RESOLVED that Beth Brothman be designated as official Borough Assessment Search Officer for the ensuing year, and

BE IT FURTHER RESOLVED that Beth Brothman be designated as the person who will perform the Land Use Administrator, Planning Board Secretary and Zoning Officer services under the Shared Service Agreement with Sandyston Township for the year 2023, and

BE IT FURTHER RESOLVED that the Fire Prevention duties are designated through a Shared Service Agreement with the Sussex County Sheriff's Office of Emergency Management

BE IT FURTHER RESOLVED that the interest rate on delinquent taxes shall be 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and a penalty of 6% against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year, and Any balances under \$5.00 to be cancelled.

BE IT FURTHER RESOLVED that a penalty of 10% shall be levied on delinquent water rents for the ensuing year.

AND BE IT FURTHER RESOLVED that the Depositories for Borough funds will be PNC Bank, Lakeland Bank, Provident Bank, New Jersey Cash Management, Bank of New York, First Hope Bank, Valley National Bank and Commerce Bank

A MOTION was made by Mr. Smith, seconded by Mr. Lane to elect Lynn Delfing as **Council President** for the ensuing year. Upon roll call the following vote was cast: AYES: Hoag, Smith, Lane, Mallon, Delfing. NAYS: None. Motion carried.

A MOTION was made by Mrs. Delfing, seconded by Mr. Hoag to appoint Robert Smith to the **Planning/Zoning Board as Class II** member for a 1-year term. Upon roll call the following vote was cast: AYES: Hoag, Smith, Lane, Mallon, Delfing. NAYS: None. Motion carried.

A MOTION was made by Mr. Smith, seconded by Mrs. Delfing to approve the **Mayor's appointments to the following positions for 2023**. Upon roll call the following vote was cast: AYES: Hoag, Smith, Lane, Mallon, Delfing. NAYS: None. Motion carried.

Registered Municipal Clerk, Beth Brothman
Chief Finance Officer / Treasurer, William Eagen
Tax Collector, Melissa Caton
Tax Clerk, Beth Brothman
Assessor, Joe Ferraris
Borough Hall Custodian & Caretaker, Terry Casella
Police Commissioner, Robert Smith
Fire Commissioner, Lynn Delfing
Deputy Fire Commissioner, Robert Smith
Animal Control Officer, Alan DeCarolis
Registrar of Vital Statistics, Beth Brothman
Deputy Registrar of Vital Statistics, Amanda Lobban
Coordinator of Aging, John A. Morgan
Joint Insurance Fund Commissioner, Beth Brothman
Alternate Joint Insurance Fund Commissioner, William Eagen
Sustainable New Jersey, open
Emergency Management Coordinator (2022-2024 -3-year appointment), John Hoag
Deputy Emergency Management Coordinator, Jessica Casella
911 Coordinator, John Hoag
Right to Know Coordinator, John Hoag
Crossing Guard (end June 2023), Terry Casella
Deputy Crossing Guard (end June 2023), open
Small Cities Grant Administrator, Jessica Caldwell
Economic Development Committee (council), Mel Dennison
Economic Development Committee (business), Sherry Arnold

Fire Sub-Code Official, Colin Baker
Deputy Fire Safety Inspection Official, Jessica Casella
Zoning Officer & Code Enforcement Officer, Jessica Casella
Construction Official, Building Inspector, Building Sub-Code Official - Rodney Schmidt

Permit Control Official, Beth Brothman
Electrical Inspection, Kurt Decker
Plumbing Inspection, Rich Beard
Community Building Custodian, Terry Casella
Community Building Scheduling Coordinator, Beth Brothman
Director of Welfare, Beth Brothman
Dog License Clerk, Beth Brothman
Public Agency Compliance Officer, Beth Brothman
Clean Communities Coordinator, Beth Brothman
Municipal Recycling Professional, Beth Brothman
Stormwater Coordinator, Beth Brothman
Pensions and Benefits Certifying Officer, William Eagen
Pensions and Benefits, Supervising Certifying Officer, Beth Brothman
Land Use Administrator, Beth Brothman

Board of Health Members:

Vacancy, Term Expires 12/31/24
Vacancy, Term Expires 12/31/24
Vacancy, Term Expires 12/31/25
Vacancy, Term Expires 12/31/26
Bob Mooney, Term Expires 12/31/23

Water Utility:

Licensed Operator, Timothy Hess
Assistant Water Operator, Robert Olivo
Water Collector, Beth Brothman
Water Meter Reader, Open
Water Superintendent, Robert Smith
Water Administrator, Michelle LaStarza

Mayor's Appointments to Planning/Zoning Board:

Beth Brothman, Class II, term expires 12/31/23
Jim Walter, Class IV, term expires 12/31/26
Joanne Wojcik, Class IV, term expires 12/31/25
Peter Pearson, Class IV Alt #, term expires 12/31/25

Sussex County Water Quality PAC & Sussex County Solid Waste Advisory Committee: open

RESOLUTION #R-02-2023

A MOTION was made by Mr. Hoag, seconded by Mrs. Delfing to approve Resolution **#R-02-2023** adopting the amended Rule of Order & Council Committees for 2023 with changes as approved. Upon roll call the following vote was cast: AYES: Hoag, Smith, Lane, Mallon, Delfing. NAYS: None. Motion carried.

RESOLUTION #R-02-2023
Rules of Order 2023

Each year approaching Reorganization, the Mayor and Council determine how they wish to proceed for the coming year. The *Rules of Order* to be passed by resolution for the year 2023, which include amendments from the previous year, are as follows:

Agenda/Meeting Packages

Items may be added to the agenda by the Mayor or any member of the Council up to 9:00 AM of the Wednesday preceding the meeting (for a Monday meeting).

The Borough Clerk will prepare a complete preliminary agenda based on the "Order of Business" outlined below and will attach thereto a complete package of supporting documentation for the listed agenda items. The complete agenda and

package is to be prepared and available to the Mayor and Council by the close of business on the Wednesday preceding the meeting date.

Minutes of Completed Meetings

The *Open Public Meetings Act* requires that minutes of completed Council meetings be made "...promptly available to the public." In order to ensure compliance, the Council hereby instructs the Borough Clerk to make preliminary transcript of said minutes available to the general public no later than two weeks subsequent to the meeting date to which the minutes apply. These preliminary minutes are to be stamped "Not Formally Approved." Upon approval by the Council at the next meeting of the Mayor and Council, the minutes will be designated as "Approved" and any modifications made by the governing body incorporated therein.

Meetings

Meetings shall be conducted in accordance with to NJSA 10:4-6 to NJSA 10:4-21.

Order of Business

- Pledge of Allegiance
- Roll Call
- Read advertised notice of meeting
- Approval of minutes
- Reports from Officials
- Audience Participation
- Correspondence
- Reports of Special Committees and Liaisons
- Reports of Standing Committees
- Administrative/Executive
- Celebration of Public Events
- Finance
- Parks and Playgrounds
- Public Buildings & Grounds
- Public Safety
- Streets and Roads
- Water Utility
- Old Business
- New Business
- Audience Participation
- Approval of Bills for Payment
- Adjournment

Audience Participation

Members of the audience may be allowed to ask questions of the Mayor and Council or offer comments regarding pertinent issues. The Mayor shall be the deciding authority as to the propriety of questions asked or comments offered. Audience members who wish to speak should first state their name and address for the record. Questions and comments are to be addressed to the Mayor and Council as a whole. The Mayor will direct a question to individual council members as he/she decides is in order.

Motions

In order for discussion, a member of the council must second all motions made. The Mayor will recognize who has the floor. Once seconded, discussion is limited to debate on the motion on the table and no other business may be discussed until the motion has been voted upon by the council and either passed, rejected or tabled.

Resolutions

All Resolutions are to be by roll call vote.

Presiding Officer

The Mayor is the presiding official at meetings of the Mayor and Council and shall have final authority to decide points of order.

Payment of Bills

The bill list is to be closed six (6) business days prior to the next regularly scheduled council meeting. The completed treasurer's report shall be reviewed by the Chairman of the Finance Committee and included with the meeting packets.

Purchasing Policy

As detailed in Chapter Five of the Borough Code, the procedure for purchases is as follows:

- Clerk to list approved spending after each meeting and provide to Treasurer so that funds will be encumbered.
- Treasurer will prepare purchase order, committee chair to provide any necessary information.

Schedule of 2023 Meetings:

(All dates are the second Monday of the month unless otherwise indicated)

January 4 (Wednesday)
January 9
January 25 – Workshop (Wednesday)
February 13
February 22 - Budget workshop (Wednesday)
March 13
March 22- Workshop (Wednesday)
April 10
May 8
June 12
June 21 – Workshop (Wednesday)
July 10
August 14
September 11
September 20 -Workshop (Wednesday)
October 10 (Tuesday)
November 13
December 11
December 27 -Year End

2023 Council Committees:

- | | |
|--------------------------------|---------------------------------|
| • Administrative/Executive | <u>Delfing</u> , Lane, Dennison |
| • Celebration of Public Events | <u>Lane, Delfing</u> , Dennison |
| • Finance | <u>Dennison</u> , Delfing, Lane |
| • Parks and Playgrounds | <u>Hoag</u> , Lane, Mallon |
| • Public Buildings and Grounds | <u>Smith</u> , Hoag, Mallon |
| • Public Safety | <u>Delfing</u> , Dennison, Lane |
| • Street and Roads | <u>Hoag</u> , Smith, Mallon |
| • Water Utility | <u>Smith</u> , Hoag, Mallon |
- (Underline indicates Chairperson)*

Spending Authority of Council Committee Chairperson shall be \$300 monthly except for

water operator, water administrator, water collector, well monitor, water service on/off labor, water mark-out labor)

Special Committees:

Municipal Court Committee

Administrative Committee Chair and Second and Mayor responsible for attending meetings of the Joint Court Committee and for approval of the annual court budget.

Salary Review Committee

Finance Committee Chairman, Administrative Committee Chairman, Mayor prepare salary recommendations for all municipal employees for council review and inclusion in the annual budget.

Planning/Zoning Board Representative

Attend meetings of the Planning/Zoning board and report to the council as needed on pertinent issues.

Open Space Council Representative

Attend meetings of the Open Space and report to the council as needed on pertinent issues

Economic Development Committee Representative

Report to the council as needed on pertinent issues.

Historical Society Liaison

Report to the council as needed on pertinent issues.

Police Commissioner

Liaison with State Police/Community Police Officer.
Report to the safety committee and council as needed on pertinent issues.

Borough Property Management

Report to the council as needed on pertinent issues.

RESOLUTION #R-03-2023

A MOTION was made by Mr. Smith, seconded by Mrs. Delfing to approve Resolution **#R-03-2023** approving the temporary budget. Upon roll call the following vote was cast: AYES: Hoag, Smith, Lane, Mallon, Delfing. NAYS: None. Motion carried.

**Resolution #R-03-2023
APPROVING TEMPORARY BUDGET FOR 2023**

WHEREAS, N.J.S.A. 40A:4-19, Local Budget Law, provides that temporary appropriations may be made prior to the adoption of the **2023** Budget for the purposes and amounts required in the manner therein provided; and

WHEREAS, the total appropriations in the **2023** Adopted Budget are as follows; and

Current Fund	\$715,326.18
Water Operating Fund	\$128,540.00
Open Space Trust	\$ 20,140.00

WHEREAS, 26.25% of the total appropriations in the **2023** Budget (Debt Service, Pension& Insurances excluded per Statute) are as follows:

Current Fund	\$219,977.53
Water Operating Fund	\$ 33,741.25
Open Space Trust	\$ 5,286.75

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Andover, County of Morris, State of New Jersey, that the following temporary appropriations be made and a copy of this shall be transmitted to the Chief Financial Officer for his/her records.

WHEREAS, N.J.S.A. 40A:4-1 et seq. deals with state regulation of local budget matters and these regulations require a temporary budget be adopted covering the first quarter of the fiscal year, and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Andover, County of Sussex, State of New Jersey, that the 2023 temporary budget be adopted in the amount of \$219,977.53 or \$73,325.84 per month until such time as the 2023 budget is finally adopted.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Andover, County of Sussex, State of New Jersey that the 2023 temporary Water Utility budget be adopted in the amount of \$33,741.75 or \$11,247.25 per month until such time as the 2023 budget is finally adopted.

BE IT FURTHER RESOLVED, by the governing body of the Borough of Andover, County of Sussex, State of New Jersey that the 2023 temporary Open Space budget be adopted in the amount of \$5,286.75 or \$1,762.25 per month until such time as the 2023 budget is finally adopted.

RESOLUTION #R-04-2023

A MOTION was made by Mr. Lane, seconded by Mrs. Delfing to approve *Resolution #R-04-2023 approving the 2023 Cash Management Plan*. Upon roll call the following vote was cast: AYES: Hoag, Smith, Lane, Mallon, Delfing. NAYS: None. Motion carried.

RESOLUTION #R-04-2023
RESOLUTION APPROVING 2023 CASH MANAGEMENT PLAN

WHEREAS, the Local Fiscal Affairs Law (N.J.S.A. 40A:5-14 et seq.) requires that counties, municipalities, and authorities annually adopt a Cash Management Plan designed to assure the investment of local funds in interest bearing accounts and other permitted investments.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Andover, County of Sussex, State of New Jersey, approves the Cash Management Plan for the Borough of Andover for the period **January 1, 2023 to December 31, 2023.**

1. CASH MANAGEMENT AND INVESTMENT OBJECTIVES

The Borough of Andover objectives in this area are:

- A. Preservation of capital.
- B. Adequate safekeeping of assets.

C. Maintenance of liquidity to meet operating needs.

D. Diversification of the Borough's portfolio to minimize risks associated with individual investments.

E. Investment of assets in accordance with State and Federal Laws and regulations.

2. DESIGNATION OF OFFICIAL DEPOSITORIES

A. The following Government Unit Depository Protection Act approved banks are authorized depositories for deposit funds:

- Provident Bank
- Lakeland Bank
- TD Bank
- Valley Bank
- NJ Cash Management Fund
- or an institution insured by the G.U.D.P.A.

B. The funds of said Borough of Andover deposited in said banks shall be subject to withdrawal upon checks, notes, drafts, bills of exchange acceptances, undertaking or other orders for the payment of money when made, signed drawn, accepted or endorsed on behalf of said Borough of Andover by the Mayor, Municipal Clerk and Chief Financial Officer.

C. Designated official depositories are required to comply with the Governmental Unit Deposit Protection Act (GUDPA) Notification requirements, which include filing notifications quarterly. Quarterly GUDPA certificates are available at https://www.state.nj.us/dobi/division_banking/depositories/gudpa/gudpacertlist.htm.

D. Designated official depositories shall make available a copy of the institution's "Annual Report" via its official website.

3. CASH MANAGEMENT

A. All funds shall be deposited within 48 hours of receipt in accordance with N.J.S.A. 40A:5-15.

B. The Chief Financial Officer shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

C. The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

D. Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer.

4. PERMISSIBLE INVESTMENTS

A. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America.

B. Government money market mutual funds.

C. Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.

D. Bonds or other obligations of the local unit or school districts of which the local unit is a part.

E. Any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments.

F. Local government investment pools.

G. New Jersey State Cash Management Fund.

H. Repurchase agreements of fully collateralized securities.

5. AUTHORITY FOR INVESTMENT MANAGEMENT

A. It is desirable that idle funds of the Borough of Andover be invested in legal investment vehicles at all times. The Chief Financial Officer is authorized and directed to make investments on behalf of the Borough. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

B. The Borough Council of the Borough of Andover does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institutions; and

C. Be it further resolved that the Chief Financial Officer is hereby authorized to transfer funds solely by wire for the following purposes and subject to all pertinent regulations.

1. To or from Andover Borough checking or savings accounts to other Borough accounts.

2. To or from Andover Borough checking or savings accounts specified by the banks or the State of New Jersey Cash Management Funds solely for the purpose of investing for the account of the Borough of Andover.

6. SAFEKEEPING

A. Securities purchased on behalf of the Borough shall be delivered electronically or physically to the Borough's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Borough.

7. REPORTING

A. The Chief Financial Officer shall report to the Borough Council all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.

8. AUDIT

A. The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A: 5-14.

RESOLUTION #R-05-2023

A MOTION was made by Mr. Smith seconded by Mr. Hoag to approve Resolution **#R-05-2023** *Authorizing Prior Claims of Payment*. Upon roll call the following vote was cast: AYES: Hoag, Smith, Lane, Mallon, Delfing. NAYS: None. Motion carried.

#R-05-2023

RESOLUTION AUTHORIZING PRIOR CLAIMS OF PAYMENT

WHEREAS, all claims of payment by the Borough of Andover, County of Sussex, State of New Jersey, are required to be first submitted to the Borough Council for consideration before payment is made; and

WHEREAS, due to the nature of certain claims and the timing of the particular meeting involved, certain accounts should be paid when claims are presented which are statutory and regular in nature, rather than held for the next meeting of the Borough Council.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Andover, County of Sussex and State of New Jersey, as follows:

1. That payments for enumerated claims may be made between meetings to those accounts as listed below when the same are presented to the Borough Council and Chief Financial Officer (CFO) of the Borough.
2. That the CFO be and he is hereby authorized and directed to prepare the proper vouchers for payment of the below recited accounts when the same is properly presented to him for payment, and that thereafter said claim shall be listed on the List of Bills to be approved by the Borough Council.
3. That a certified copy of this resolution be forwarded to the CFO of the Borough of Andover.

ACCOUNTS

- Borough of Andover payroll accounts,
- Andover Board of Education
- Green Township (Taxes), Andover Township (Shared Services)
- Sussex County/County Treasurer (County Taxes/Escrow Payments/Elections Payments/Shared Services)
- Sussex County – Permit Fees and Application Fees/Sussex County MUA
- Banks for investment purposes/Interfund Transfers/Debt Service Payment/Inspection fee Transfers
- Optimum, PenTeleData
- Jersey Central Power & Light, Elizabethtown Gas
- Recycling and garbage contractors, monthly contract only *
- Statewide Insurance Fund
- State of New Jersey – Application Fees, Permit Fees, DEP, Public Water Tax, License Fees, State Surcharges, Marriage License Fees, Rabies Control Fee
- Miscellaneous disbursements approved by specific resolutions
- Reissue of checks after a stop payment has been enforced
- Post Office
- Payments necessary to all vendors requiring compliance with Prompt Payment Laws, Chapter 96, whereby the Borough of Andover shall pay the bill not more than (thirty) 30 calendar days after the billing date to avoid billable late charges

ANY OTHER BUSINESS:

It was asked if confirmation of finalization of Recreation grant submission had been received.
No word from NJ State since final submission.

A MOTION was made by Mr. Mallon, seconded by Mr. Lane, to adjourn the meeting. AYES:
All in favor. Motion carried.

Beth Brothman
Municipal Clerk