

**A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, JANUARY 8<sup>TH</sup>, 2024 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.**

**PRESENT:** Mayor Morgan, Council Members: Dennison, Smith, DiRenzo, Lane and Webb

**ABSENT:** Mr. Mallon.

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, posting copy of notice in the Borough Hall and on the Borough website.

The Municipal Clerk administered the Oath of Office to: Councilwoman Erin Webb

**MINUTES:**

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve the minutes of the meeting held on 12/11/2023. Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve the minutes of the year end meeting held on 12/27/2023. Upon roll call the following votes were cast: AYES: Smith and Lane. NAYS: None. ABSTAIN: Dennison, Webb and DiRenzo. Motion carried.

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve the minutes of the meeting held on 01/03/2024. Upon roll call the following votes were cast: AYES: Dennison, Lane, and Webb. NAYS: None. ABSTAIN: Dennison and DiRenzo. Motion carried.

**OFFICIALS REPORTS:**

*CFO:* No report.

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to accept the following reports and place on file: ABFD report for November, Zoning/Code yearend report, Joint Court report for November 2023. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Dennison, seconded by Mr. Smith to accept the Water Operator Report for November 2023 with well 1 and 2 report. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

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

NJDEP Div. of Water Supply dated 12/11/23 re: Notice of Proposed USEPA Drinking Water Regulations for Per- and Polyfluoroalkyl Substances (PFAS). The Municipal Clerk was asked to contact the water operator, Tim Hess, to attend the February 12<sup>th</sup> meeting.

**AUDIENCE PARTICIPATION:** None.

**REPORTS OF SPECIAL COMMITTEES:**

**Board of Health:** A letter from the New Jersey Legislature pertaining to the proposed A-117 bill was presented to the Council. The meeting will be held on 12/13/23. The BOH November 2023 Activity Report was also placed on file.

**Stormwater Plan:** No report.

**Firefighter Grant:** No report.

**Cannabis Review Committee:** No report.

## **REPORTS OF STANDING COMMITTEES:**

### **Administrative & Executive:**

Mr. Dennison reported the Edmunds software is being taken care of. There was some discussion regarding the new locking door system. There needs to be a way for the door to remain open for meetings. Mr. Smith recommended that a solution be found. Mr. Lane will get an estimate from original installer Flying Locksmith.

Mr. Dennison asked the committee if they could meet later to go over the salary ordinance. Mr. Dennison stated that nights are better for him. He will meet with Beth to get the additional information for salaries on Stormwater, Recycling and Clean Communities as well as discuss the matter of coverage for her position as municipal clerk. He also reported that he will look into the OEM salaries and inquire as to the appointment of the deputy OEM.

The Municipal Clerk provided the Council with invoice for General Code #PG000034715 seeking approval.

A MOTION was made by Mr. Dennison, seconded by Mr. Smith to approve the estimate from General Code. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

The Council was also provided the Statewide Insurance Fund A&S Renewal for review.

### **Celebration of Public Events:**

Mr. Dennison reported on the events held each year starting with Egg Hunt, Miss Andover, and the Community Christmas Breakfast. The next event will be the Easter Egg Hunt. This will be held on March 23rd at 10 a.m. This will be updated in the Spring Newsletter and the sign board.

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to approve an amount not to exceed \$200 for Egg Hunt. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

There was some discussion regarding hold a senior citizen of the year award.

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to appoint Peter Pearson as senior citizen of the year 2024. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

### **Finance:**

Mr. Lane deferred to the CFO who reported that 2023 is being closed out and temporary budget passed to continue to pay the bills. The Mayor asked the CFO asked if the software platform to accept online payments would be ready for the new billing cycle in July. The CFO reported that could be possible, one would have to be selected first. There was some discussion regarding the 2024 budget. Mel will inquire with a contact regarding a business to handle this online payment transaction.

**Parks & Playgrounds:**

Mr. Smith reported that he was asked if the person who purchased block 1 lot 1 could install a retention pond. That could be likely if a development application is submitted. Mrs. Webb provided a contact who may be able to provide an estimate to repair the borough hall roof. Justin Koenig Contractors. It was continued to be reported that the park was very busy over the weekend and the plowing was good. The Mayor reported that the County Supervisor called and told him that there were cars on the roads.

**Public Bldgs. & Grounds:**

Mr. Mallon was absent. Mr. Smith reviewed and denied the quote from Genserve to replace batteries on generators.

**Public Safety:**

Mr. Lane reported that the installation of fire department officers will be held on Sunday, January 14<sup>th</sup> at 1 p.m. and reported there is a new member application for Travis Berry.

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to approve the membership of Travis Berry into the A.B.F.D. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried

There was some discussion regarding the auction/sale of the Hahn fire truck. There has been no word from the fire department as to when that will take place. Mr. Lane reported that the fire chief has been meeting with ISO for their inspection. He mentioned that ISO recommends two engines be in service and perhaps the Hahn should be kept if our insurance may be affected. Mr. Dennison confirmed that Rourke Day is the Chief of the LES.

**Streets & Roads:**

Mr. Mallon was absent. The Mayor reported the plowing and salting have been okay. There was some discussion regarding the parking ordinance and perhaps doing a study to record the intersections so that enforcement could take effect on vehicle ignoring the parking ordinance. Enforcement needs to do whatever they can to prevent the reoccurring parking problem. There was also some discussion regarding the roadway washing out along Brighton Road.

**Water Utility:**

Mr. Smith reported he ordered the new chlorinator and pump which should be delivered soon. The Mayor asked the Municipal Clerk to invite the Water Operator, Tim Hess, to the next regular meeting in February so that he can advise the Council on the potential PFAS mandate.

**OLD BUSINESS:**

The Mayor reported that bulk pick up costs are increasing. The Council discuss options for bulk removal that they have seen work in other municipalities. The result may be to charge each resident for removal.

The Mayor also reported that there has been no word from H.E. Pellow's office concerning the Stormwater Management Plan.

**NEW BUSINESS:** None.

**RESOLUTIONS:**

**R# 2024-03**

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve a Resolution establishing the 2024 Temporary Budget. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

**R# 2024-03**

**Approving Temporary Budget for 2024**

**WHEREAS**, N.J.S.A. 40A:4-19, Local Budget Law, provides that temporary appropriations may be made prior to the adoption of the **2024** 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

<b>Current Fund</b>	\$753,296.53
<b>Water Operating Fund</b>	\$146,340.00
<b>Open Space Trust</b>	\$ 20,289.00

**WHEREAS**, **26.25%** of the total appropriations in the **2024** Budget (Debt Service, Pension & Insurances excluded per Statute) are as follows:

<b>Current Fund</b>	\$242,515.44
<b>Water Operating Fund</b>	\$ 38,414.25
<b>Open Space Trust</b>	\$ 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 2024 temporary budget be adopted in the amount of \$242,515.44 or \$80,838.48 per month until such time as the 2024 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 2024 temporary Water Utility budget be adopted in the amount of \$38,414.25 or \$12,804.75 per month until such time as the 2024 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 2024 temporary Open Space budget be adopted in the amount of \$5,325.86 or \$1,775.29 per month until such time as the 2024 budget is finally adopted.

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**R# 2023-71**

A MOTION was made by Mr. Lane, seconded by Mr. Smith to approve a Resolution for Appropriation Transfer. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

**R# 2023-71**  
**APPROPRIATION TRANSFER**

**WHEREAS**, N.J.S.A. 40A:4-58 permits appropriation transfers to be made during the last two months of the fiscal year and the subsequent three months, and

**WHEREAS**, it is necessary to transfer appropriations between line items presently located in the 2023 Budget 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 following transfers be made:

<b>APPROPRIATION TRANSFER - 2023 BUDGET</b>		
<b>FOR JANUARY 03, 2024 COUNCIL MEETING</b>		
	<u><b>CURRENT FUND</b></u>	
<b>FROM:</b>	<b>ACCOUNT No.</b>	<b>AMOUNT:</b>
COMPUTER SERVICES OE	01-201-20-140-020	3,000.00
		<b>3,000.00</b>
<b>TO:</b>	<b>ACCOUNT No.</b>	<b>AMOUNT</b>
MUNICIPAL CLERK OE	01-201-20-120-020	3,000.00
		<b>3,000.00</b>

***R-06-2024 Tax Appeals***

A MOTION was made by Mr. Smith, seconded by Mr. Lane 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: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

**R# 2024-06**  
**TAX APPEALS**

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.

**R 2024-07 EEO Compliance:**

A MOTION was made by Mr. Dennison, seconded by Mr. Lane 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: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

**R# 2024-07  
EEO COMPLIANCE**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply 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,” as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Andover, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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**ORDINANCE:** None.

**AUDIENCE PARTICIPATION:** None.

**MOTION TO PAY THE BILLS:**

**A MOTION** was made by Mr. Dennison, seconded by Mr. Lane to approve the following Resolution: BE IT RESOLVED by the Governing Body to approve the payment of all vouchers on the bill listed January 8, 2024, submitted by the Chief Financial Officer for payment. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

**MOTION TO ADJOURN:**

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

Beth Brothman  
Municipal Clerk