

**A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON TUESDAY, OCTOBER 13<sup>th</sup>, 2020 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.**

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

**ABSENT:** Mr. Smith

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. This meeting is being held remotely as an electronic public meeting as recommended due to the current situation involving the COVID-19 virus and directives of State and County governments.

**Tom Ferry of Wielkocz & Company, LLC** reviewed the 2019 municipal audit. After his presentation the governing body reviewed and acted upon the resolutions and corrective action plan as reflected below.

**MINUTES:**

A MOTION was made by Mr. Hoag, seconded by Mrs. Delfing to approve the regular and executive session minutes of the meeting held on September 14, 2020. Upon roll call the following votes were cast: Hoag, Pearson, Walter, Delfing. NAYS: None. ABSTAIN: Dennison. Motion carried.

A MOTION was made by Mr. Hoag, seconded by Mrs. Delfing to approve the regular/workshop minutes of the meeting held on September 23, 2020. Upon roll call the following votes were cast: Dennison, Hoag, Pearson, Walter, Delfing. NAYS: None. ABSTAIN: None. Motion carried.

A MOTION was made by Mr. Hoag, seconded by Mrs. Delfing to approve the emergency meeting minutes of the meeting held on October 2, 2020. Upon roll call the following votes were cast: Dennison, Hoag, Pearson, Walter, Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**OFFICIALS REPORTS:**

**A MOTION** was made by Mr. Dennison, seconded by Mr. Hoag to accept the Treasurer's report for August as presented. Upon roll call the following votes were cast: YES: Dennison, Hoag, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

**A MOTION** was made by Mrs. Dennison, seconded by Mr. Hoag to accept the following reports and place on file: Lakeland Emergency Squad August and YTD reports, Joint Court Report for September and YTD, ABFD report for September. Upon roll call the following votes were cast: YES: Dennison, Hoag, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

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

Letter from NJ Courts re: Announcement of new Morris/Sussex Municipal Div. Manager

**AUDIENCE PARTICIPATION:** None.

**REPORTS OF SPECIAL COMMITTEES:** No reports.

**REPORTS OF STANDING COMMITTEES:**

**Administrative & Executive:** Mr. Pearson reported that he will be reaching out to the Fire Inspector, Colin Baker, to discuss his interest in performing LEA duties. Currently the Borough is in a contract with the Sussex County Sheriff's Office.

**Celebration of Public Events:** Mrs. Walter reported that the plan for Halloween are coming together. Pumpkins will be donated by the Sussex County Strawberry Farm. Information was published in the newsletter. No plans have been made yet for a Christmas celebration.

**Finance:** Mr. Dennison had no report.

**Parks & Playgrounds:** Mr. Hoag reported that there was a tractor issue last weekend. Mr. Smith was able to work out the issue with no repairs needed. He continued to discuss that at some point a new tractor will be purchased to replace the Husqvarna. There are some signs that still need to be hung up and a park rules sign will be finalized to be ordered.

**Public Bldgs. & Grounds:** Mr. Smith was absent. It was reported that a County election box has been installed at the front of the building and that Mr. Smith had turned on the heat in the Borough Hall.

**Public Safety:** Mrs. Delfing reported that Engine 62 was repaired. The engine pump had to be fixed. It was also reported that the Fish and Chips dinner went off well despite the limitations on gatherings due to COVID.

**Streets & Roads:** Mr. Hoag began his report by thanking Mr. Dennison for his working with the company hired for the catch basin cleaning. Mr. Dennison confirmed that the work went well. He found that out of 21 basins, two basins need repair as indicated on the inventory list. He continued to report that he took an opportunity to clean out a shut off valve at the intersection of Maple and Brighton that was completely packed. Mr. Mooney later sealed the cap on to try to prevent it happening again. Mr. Hoag continued to report that the work on Old Creamery and Prospect Avenue is in the final stages. Paving has been done, but edges still need to be filled in and grass planted. It was mentioned that the road bed at the intersection of Lenape Road and Old Creamery was raised by 2 ½ feet.

**Water Utility:** Mr. Smith was absent. It was reported that the Water Tower Bid was canceled and a new bid will be prepared by the Municipal Engineer.

#### **OLD BUSINESS:**

There was a brief conversation regarding a water issue had by a resident. It was reported that the municipality reached out to that person and resolved the problem.

#### **NEW BUSINESS:**

It was reported that the tax sale is scheduled for December 14, 2020 at 10 a.m.

The Mayor clarified with the CFO the process by which the old extra generator can be sold.

#### **ORDINANCES:**

##### **Old Creamery/Prospect Ave:**

A MOTION was made by Mr. Hoag, seconded by Mr. Pearson to approve the second reading and adoption of "**ORDINANCE APPROPRIATING THE SUM OF \$32,000.00 FOR IMPROVEMENTS TO OLD CREAMERY ROAD AND PROSPECT AVENUE**". Upon roll call the following votes were cast: YES: Dennison, Hoag, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

##### **Purchase of Computer:**

A MOTION was made by Mr. Dennison, seconded by Mrs. Delfing to approve the second reading and adoption of "**ORDINANCE APPROPRIATING THE SUM OF \$1,293.00 FOR PURCHASE OF COMPUTER**". Upon roll call the following votes were cast: YES: Dennison, Hoag, Pearson, Walter and Delfing. NAYS: None. ABSTAIN: None. Motion carried.

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**EXECUTIVE SESSION:**

A MOTION was made by Mrs. Delfing, seconded by Mr. Hoag to adopt the following Resolution. Upon roll call the following vote was cast: AYES: Dennison, Hoag, Pearson, Delfing, Walter. NAYS: None. Motion carried

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss: Any material which would constitute an unwarranted invasion of individual privacy if disclosed

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Andover will go into closed session: 7:53 p.m. for reasons of: potential litigation / contract negotiation.

A MOTION was made by Mr. Dennison, seconded by Mr. Pearson to resume the public portion of the meeting. Upon roll call the following vote was cast: AYES: Dennison, Hoag, Pearson, Delfing, Walter. NAYS: None. Motion carried. 8:14 p.m.

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**RESOLUTIONS:**

**Forest Lakes:**

A MOTION was made by Mrs. Delfing, seconded by Mr. Pearson to approve a resolution in connection with a proposed Memorandum of Understanding between Andover Borough, Andover Township, Byram Township, IAT Reinsurance Inc., and the Forest Lakes Club pertaining to the Entrance to Forest Lakes, whereas a site plan and subdivision application will be required to be submitted by IAT Reinsurance Inc. in accordance with NJSA 40:55D and whereas IAT Reinsurance has requested that escrow fees pertaining to such application should be waived. Upon roll call the following votes were cast: AYES: None. NAYS: Dennison, Hoag, Pearson, Walter, Delfing. ABSTAIN: None. Motion failed to carry.

**Audit:**

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

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

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A MOTION was made by Mr. Dennison, seconded by Mr. Pearson to accept the Corrective Action Plan as submitted by the CFO. Upon roll call the following vote was cast: AYES: Dennison, Hoag, Pearson, Delfing, Walter. NAYS: None. Motion carried.

**Tax Collector:**

A MOTION was made by Mrs. Delfing, seconded by Mr. Hoag to approve a Resolution to Refund Lienholder for Redemption of Tax Sale Certificate Block 24 Lot 44 – Certificate #2018-011. Upon roll call the following vote was cast: AYES: Dennison, Hoag, Pearson, Delfing, Walter. NAYS: None. Motion carried.

**WHEREAS**, the Tax Collector recommends the Mayor and Council of the Borough of Andover reimburse funds for the redemption of Certificate # 2018-011.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Andover, County of Sussex, State of New Jersey does hereby authorize the refund of \$24,432.19, NJSL 301, LLC

**AUDIENCE PARTICIPATION:** None.

**MOTION TO PAY THE BILLS:**

**A MOTION** was made by Mr. Dennison, seconded by Mr. Pearson to pass the following Resolution: BE IT RESOLVED by the Governing Body to approve the payment of all vouchers on the bill listed October 13, 2020, submitted by the Chief Financial Officer for payment. Upon roll call the following votes were cast: YES: Dennison, Hoag, Pearson, Walter and 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. Upon roll call the following votes were cast: AYES: All in favor. NAYS: None. ABSTAIN: None. Motion carried.

Beth Brothman  
Municipal Clerk