

A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, MARCH 11, 2024 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.

PRESENT: Mayor Morgan

Council Members: Dennison, DiRenzo (7:06 p.m.), Smith, Lane, Mallon, and Webb

ABSENT: None.

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.

MINUTES:

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to approve the minutes of the meeting held on 01/08/2024. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

The minutes of the meeting held on February 12, 2024 was tabled.

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to approve the minutes of the meeting held on 02/22/24. Upon roll call the following votes were cast: AYES: Dennison, Smith, DiRenzo, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: None. Motion carried.

OFFICIALS REPORTS:

CFO: No report.

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to accept the following reports as listed below: Joint Court report for January, ABFD report for February. No Water reports. Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

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

ACO, Alan DeCarolis dated 3/4/24 re: resignation effective 5/31/24.

AUDIENCE PARTICIPATION: None.

REPORTS OF SPECIAL COMMITTEE:

Stormwater Plan: Draft Tree Ordinance as prepared by the Borough Attorney will be reviewed and considered for introduction on this evening under Ordinances within this agenda.

Firefighter Grant: The first quarter report is almost complete.

Cannabis Review Committee: A sample ordinance, adopted by Andover Township, regarding reciprocal gifting transactions was reviewed. The Municipal Clerk will contact the Borough Attorney to review something similar for the governing by to review.

REPORTS OF STANDING COMMITTEES:

Administrative & Executive: Mr. Dennison reported that he will be meeting with her on Friday, 3/15 at 9 a.m. He also reported he would work on salary information with the CFO.

There was some discussion regarding the purchase of a new American Flag and holding bracket from Seely Flag. A MOTION was made by Mr. Dennison, seconded by Mr. Lane to approve an amount not to exceed \$200 for this purchase. Upon roll call the following votes were cast: AYES: DiRenzo, Dennison, Smith, Lane, Mallon, Webb. NAYS: None. ABSTAIN: None. Motion carried.

Celebration of Public Events:

Mr. Dennison reported that the next event is the Easter Egg Hunt scheduled for 10 a.m. on 3/23 at the park. The Municipal Clerk has already purchased the items and has had the eggs stuff so they are ready for the day. There was some discussion regarding the necessity of paying an employee to stuff the eggs. It was stated that the kiosk sign needs to be updated.

Finance:

Mr. Lane deferred to the CFO as it is budget time. The CFO reported that the Annual Financial Statement is done and he will have the budget ready for introduction in April introduction. There was some discussion of the timeline to adopt.

Parks & Playgrounds:

There was some discussion regarding the repair of the retaining wall at the park. The fence work will have to be done separately. The estimate from Herold's was reviewed as well as the fence information. There was some discussion over securing the funds to pay for this project. The CFO prepared ordinance #2024-06 Appropriating the sum of \$10,000 for retaining wall improvement (see below under Ordinances). The discussion continued to include sign installation. A work party, or two, should be organized.

Public Bldgs. & Grounds:

Mr. Smith reported that the roofer finished the work on Borough Hall last Friday. The Mayor reported that it looks like he did a good job. He continued to report that he is seeking estimates for the windows and side door at Borough Hall. The Mayor is working on getting the railing on Borough Hall repaired by a welder.

Public Safety:

Mr. Lane reported that last Sunday the ABFD had a significant accident with the fire truck. The insurance company wants to total the vehicle and settle. The fire department disagrees with appraisals and comparable trucks that compare are being sought. The rig was estimated at \$58,000 to fix. It was towed to Valtek for estimate for repair. The Mayor expressed his concern that the insurance company was pushing to settle and may call Caroline of Statewide about this. Mr. Dennison reported on the status of Lakeland Emergency Squad retaining all properties while they consider the future. The Mayor confirmed that the Right to Know filing responsibility falls under the title of Emergency Management.

Streets & Roads:

Mr. Mallon reported that Smith Street look like it was damaged by the water coming from underground. Mayor Morgan reported that route 517 is scheduled to be paved next year. There was extensive conversation regarding on street parking and parking at intersections. Councilwoman Webb confirmed the State code which prohibits parking within 25 feet nearest of intersections. The code was recorded as Title 39:4-138. The Mayor will review that code.

Water Utility:

Mr. Smith reported that we are pumping 61,000-62,000 gallons a day. The chlorinator has been installed. He confirmed with the Municipal Clerk that the request for maps from Elizabethtown Gas cannot be fulfilled.

BOARD OF HEALTH:

The following report was presented: Sussex County January 2024 Activity Report

Board of Health Reorganization:

Resolution R-2024-09 – Reorganizing Board of Health for 2024 was reviewed by the governing body.

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve a Resolution Establishing Regular Meeting Dates and Designating Official Newspapers for the Andover Borough. Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

RESOLUTION #R-2024-09

**ESTABLISHING REGULAR MEETING DATES AND DESIGNATING OFFICIAL
NEWSPAPERS FOR THE ANDOVER BOROUGH BOARD OF HEALTH**

BE IT RESOLVED, by the Mayor and Council of the Borough of Andover, County of Sussex, State of New Jersey, that:

1. The regular meetings of the Andover Borough Board of Health shall be at the same time as and coincide with the regular meetings of the Mayor and Council of the Borough of Andover for calendar year 2024 starting and effective March 11, 2024.
2. The official newspapers for the Andover Borough Board of Health shall be the same as the official newspapers designated for the Andover Borough Mayor and Council for the year 2024.
3. This Resolution shall be effective immediately.

OLD BUSINESS:

- The Mayor confirmed Mr. Dennison will be reviewing the Municipal Clerk's coverage when he meets with her next.
- The Mayor provided information on a workshop pertaining to Revaluation/Reassessment to be held on 4/12. He thinks we may start to prepare.
- The Mayor reported he has been in communication with a group called NJ Futures to help the water department devise a project to remove the lead/galvanized water service lines that were identified through survey. They will attend our workshop meeting scheduled for 3/28/24.
- The Mayor asked if the letter regarding Old Creamery Road being used by Elizabethtown Gas has been sent yet. It has not, it is in process.
- There was some discussion regarding the visual inspection of residential units for lead paint. The Municipal Clerk is working on an ordinance with the Borough Attorney that can be effectively implemented.

NEW BUSINESS:

- The Mayor reported that a billboard on the south end of town had a portion of the "Welcome to Andover Boro" sign come off. It was determined that the municipality was not responsible to repair this.

RESOLUTIONS:

Transfer Resolution

Resolution R-2024-10 – 2023 Budget Appropriation - Codification Supplement #5.

A MOTION was made by Mr. Lane, seconded by Mr. Dennison to approve Resolution #R-2024-10 for appropriation transfer from 2023 budget. Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

R-2024-10

TRANSFER RESOLUTION

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:

| APPROPRIATION TRANSFER - 2023 BUDGET | | |
|---|---------------------|----------------|
| FOR MARCH 11, 2024 COUNCIL MEETING | | |
| | | |
| | CURRENT FUND | |
| | | |
| FROM: | ACCOUNT No. | AMOUNT: |
| COMPUTER SERVICES OE | 01-201-20-140-020 | 465.88 |
| | | 465.88 |
| | | |
| TO: | ACCOUNT No. | AMOUNT |
| MUNICIPAL CLERK OE | 01-201-20-120-020 | 465.88 |
| | | 465.88 |

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Redemption Resolution

Resolution R-2024-11 – Resolution Authorizing Refund for Redemption of Tax Sale Certificate block 18 lot 16 for Certificate #2022-003

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to approve Resolution #R-2024-11 authorizing refund for Redemption of Tax Sale Certificate #2022-003. Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

R-2024-11

**RESOLUTION AUTHORIZING REFUND FOR REDEMPTION
OF TAX SALE CERTIFICATE
BLOCK 18 LOT 16
CERTIFICATE # 2022-003**

WHEREAS, the Tax Collector has recommended the Mayor and Council of the Borough of Andover reimburse funds for redemption of a tax sale certificate and return of premium paid.

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

\$16,846.50 to M and V Liens for tax sale certificate 2022-003

FY2022 AFG Contract Award

Resolution R-2024-12 - Contract Award to ESI Equipment Inc. in the amount of \$38,315.25 – State Contract #17-Fleet-00820 for FY2022 Assistance to Firefighters Grant
A MOTION was made by Mr. Lane, seconded by Mr. Dennison to approve Resolution #R-2024-12 authorizing contract award to ESI Equipment Inc. in the amount of \$38,315.25. Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

R-2024-12

**FY2022 Assistance to Firefighters Grant
Awarding Contract to ESI Equipment, Inc.
State Contract #17-Fleet-00820 in the amount of \$38,315.25**

WHEREAS, the Department of Homeland Security announced effective 8/25/2023, the Borough of Andover was awarded grant funds for submission of FY2022 Assistance to Firefighters Grant (AFG) in the amount of \$107,171.19; and

WHEREAS, as a condition of this grant, the Borough of Andover must contribute \$5,358.56 for a total approved budget of \$112,529; and

WHEREAS, the Borough of Andover is awarding to ESI Equipment, Inc., 119 Keystone Drive, Montgomeryville, PA 18936 a contract under their New Jersey State Contract #17-fleet-00820 in the amount of \$38,315.25; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Andover, County of Sussex, State of New Jersey formally approves the contract award as per the bid proposal submitted entitled "Holmatro CORE/Battery Rescue Systems Bid Proposal".

FY2022 AFG Contract Award

Resolution R-2024-13 - Contract Award to FFI Firefighter One in the amount of \$8,224.64 – State Contract #17-Fleet-00811 – Fire Dex for FY2022 Assistance to Firefighters Grant

A MOTION was made by Mr. Lane, seconded by Mr. Dennison to approve Resolution #R-2024-12 authorizing contract award to FF1 Firefighter One in the amount of \$8,224.64. Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

R-2024-13

**FY2022 Assistance to Firefighters Grant
Awarding Contract to FF1 Firefighter One
State Contract #17-Fleet-00811-Fire Dex in the amount of \$8,224.64**

WHEREAS, the Department of Homeland Security announced effective 8/25/2023, the Borough of Andover was awarded grant funds for submission of FY2022 Assistance to Firefighters Grant (AFG) in the amount of \$107,171.19; and

WHEREAS, as a condition of this grant, the Borough of Andover must contribute \$5,358.56 for a total approved budget of \$112,529; and

WHEREAS, the Borough of Andover is awarding to Firefighter One, 34 Wilson Drive, Sparta, NJ 07871 a contract under their New Jersey State Contract #17-fleet-00811-Fire Dex in the amount of \$8,224.64; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Andover, County of Sussex, State of New Jersey formally approves the contract award as per the bid proposal submitted for two custom Fire Dex Turnout Gear protective clothing.

ORDINANCE:

This adoption of this ordinance was tabled.

Ordinance #2024-01 - second reading and adoption – amending Chapter 15

Board of Health – amending to permit the governing body to act as local board of health.

“AN ORDINANCE TO AMEND CHAPTER 15, ENTITLED “HEALTH, BOARD OF” OF THE CODE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY”

Ordinance #2024-02 – 2nd reading and adoption – amending Chapter 66

Water Rate Fees – amending to correction CPI increase information

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve the reintroduction and publication of **“AN ORDINANCE TO AMEND SECTION 66-1, ENTITLED “FEES”, OF CHAPTER 66, ENTITLED “FEES”, AS TO “CHAPTER 130, WATER”, OF THE CODE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY.”** Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

AN ORDINANCE TO AMEND SECTION 66-1, ENTITLED “FEES”, OF CHAPTER 66, ENTITLED “FEES”, AS TO “CHAPTER 130, WATER”, OF THE CODE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

BE IT RESOLVED by the Borough Council of the Borough of Andover in the County of Sussex, as follows:

SECTION 1. The portion of Section 66-1, entitled “Fees” of Chapter 66, entitled “Fees” pertaining to “Chapter 130, Water”, which reads as follows:

Notwithstanding any inconsistent terms in this chapter, water rental fees for residential and nonresidential users shall be subject to an annual increase based on the consumer price index (CPI) using 2011 as the base year. The fee shall be rounded to the nearest \$5 increment.

IS HEREBY REPLACED WITH THE FOLLOWING:

Notwithstanding any inconsistent terms in this chapter, water rental fees may be increased once each calendar year by resolution of the Governing Body.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication according to law.

DRAFT ORDINANCE REVIEW:

The Council reviewed the draft ordinance pertaining to the Stormwater Tier A requirements.

Ordinance #2024-05 – 1st reading and introduction – amending Chapter 124A

Stormwater Tier A – addressing tree removal

A MOTION was made Mrs. Webb, seconded by Mr. Dennison to approve the introduction and publication of “AN ORDINANCE TO AMEND CHAPTER 124A, ENTITLED “TREES AND SHRUBS” OF THE CODE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY.” Upon roll call the following votes were cast: AYES: Dennison, Smith, Lane, Mallon, and Webb. NAYS: None. ABSTAIN: DiRenzo. Motion carried.

ORDINANCE #2023-05

AN ORDINANCE TO AMEND CHAPTER 124A, ENTITLED “TREES AND SHRUBS” OF THE CODE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY.

BE IT ORDAINED by the Borough Council of the Borough of Andover in the County of Sussex, as follows:

SECTION 1. Section 124A-1, entitled “Definitions” of Chapter 124A, entitled “Trees and Shrubs” of the Code of the Borough of Andover is amended to add the following definitions:

CRITICAL ROOT RADIUS (CRR)

The zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

DIAMETER AT BREAST HEIGHT (DBH)

The diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

HAZARD TREE

A tree or limbs thereof that meet(s) one or more of the criteria:

1. Has an infectious disease or insect infestation;
2. Is dead or dying;
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).
6. Is required to be removed in accordance with Section 124A-7.2.

Trees that do not meet any of the above criteria and are proposed to be removed solely for development purposes are not hazard trees.

PLANTING STRIP

The part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

RESIDENT

An individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this Chapter is removed or proposed to be removed.

STREET TREE

A tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

TREE

A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

TREE CALIPER

The diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

TREE REMOVAL

To kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION 2. Section 124A-1, entitled “Definitions” of Chapter 124A, entitled “Trees and Shrubs” of the Code of the Borough of Andover is amended to replace the definition of “Person” with the following:

PERSON

Any individual, resident, corporation, utility, company, partnership, firm, or association.

SECTION 3. Section 124A-6, entitled “Interference with lawful work prohibited” of Chapter 124A, entitled “Trees and Shrubs” of the Code of the Borough of Andover shall be amended to read:

§ 124A-6 Interference with lawful work prohibited.

No person shall prevent, delay or interfere with any lawful work on a tree in or along a road or Borough-owned lands undertaken at the direction of the governing body or public officer.

SECTION 4. Section 124A-7, entitled “Removal.” of Chapter 124A, entitled “Trees and Shrubs” of the Code of the Borough of Andover is hereby redesignated as 124A-7.1 and renamed “Removal of Dangerous Trees”.

SECTION 5. Chapter 124A, entitled “Trees and Shrubs” of the Code of the Borough of Andover is hereby amended to add Section 124A-7.2, entitled “Removal, Replacement, Exemptions.” which shall read as follows:

§ 124A-7.2 Removal, Replacement, Exemptions.

- A. Applicability. Section 124A-7.2 shall apply to:
1. Any person who removes one or more street tree(s) with a DBH of 2.5” or more, unless exempt under Paragraph F of this Section, shall be subject to the requirements of the Tree Replacement Requirements Table.
 2. Any person who performs tree removal of a tree with a DBH of 6” or more that does not qualify for an exemption under Paragraph F of this Section, shall be subject to the requirements of the Tree Replacement Requirements Table.
- B. Replacement trees. The species type and diversity of replacement trees shall be in accordance with Paragraph C hereof. Each removed tree shall:
1. Be replaced in kind with a tree that has an equal or greater DBH than the removed tree or meet the Tree Replacement Requirements of Paragraph D of this Section.
 2. Be planted within 12 months after the date of removal of the original tree(s) or at an alternative date as may be specified by the Borough;

3. Be monitored by the owner for a period of two years to ensure survival and be replaced as needed within 12 months after determination that the replacement tree shall not survive; and
 4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.
- C. Approved Replacement Trees Species and Planting Standards. Replacement trees shall be either Oak or Dogwood and shall be planted at such times and in such manner as fall within accepted horticultural practices for those trees.
- D. Tree Replacement Requirements Table:

| Category | Tree Removed (DBH) | Tree Replacement Criteria (See Paragraph C of §124A-7.2) |
|----------|---|--|
| 1 | DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99" | Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed |
| 2 | DBH of 13" to 22.99" | Replant 2 trees with minimum tree calipers of 1.5" for each tree removed |
| 3 | DBH of 23" to 32.99" | Replant 3 trees with minimum tree calipers of 1.5" for each tree removed |
| 4 | DBH of 33" or greater | Replant 4 trees with minimum tree calipers of 1.5" for each tree removed |

- E. Replacement Alternatives. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the owner shall do one of the following:
1. Plant replacement trees in a separate area(s) approved by the municipality; or
 2. Pay a fee of \$250 per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.
- F. Exemptions: All persons shall comply with the tree replacement standard outlined in this Section, except as follows:
1. Residents who remove less than four trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period.

[The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
 2. Tree farms in active operation, nurseries, fruit orchards, and garden centers;

3. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
4. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
5. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
6. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
7. Hazard trees may be removed with no fee or replacement requirement.

In order to receive the benefit of an exemption set forth in this Paragraph F, documentary proofs shall first be provided to the municipal Clerk and shall require a determination by the municipality that the exemption applies.

SECTION 6. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 7. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. This Ordinance shall take effect upon its passage and publication as provided by law.

Ordinance #2024-06 – 1st reading and introduction

Appropriating \$10,000 for Retaining Wall Improvement

A MOTION was made by Mr. Mallon, seconded by Mr. Smith to approve the first reading and introduction of “**ORDINANCE APPROPRIATING THE SUM OF \$10,000.00 FOR RETAINING WALL IMPROVEMENT**”. Upon roll call the following votes were cast: AYES: DiRenzo, Dennison, Smith, Lane, Mallon, Webb. NAYS: None. ABSTAIN: None. Motion carried.

ORDINANCE #2024-06

**ORDINANCE APPROPRIATING THE SUM OF \$10,000.00
FOR RETAINING WALL IMPROVEMENT**

**BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Andover,
County of Sussex, State of New Jersey as follows:**

SECTION 1: The sum of ten thousand dollars (\$10,000.00) presently located in the General Capital Fund is hereby appropriated for retaining wall improvement from the Capital Improvement Fund, Reserve for Improvement to Parks, General Capital Fund:

Reserve for Improvement to Parks: \$10,000.00

SECTION 2: In connection with the amount authorized in Section 1 hereof, the Borough makes the following determinations:

- 1) The purpose described in Section 1 hereof is not a Current Operating Expense and is a purchase the Borough of Andover may lawfully make as a capital purchase.
- 2) The period of usefulness of the purpose described in Section 1 hereof is not in the limitation of said Local Bond law and according to the aggregate reasonable life thereof is five (5) years or longer.

The budget discussion was tabled until the 3/28 workshop meeting.

PREPARATION OF THE 2024 MUNICIPAL BUDGET:

- *Salary 2024 Ordinance Review*
- *Cap Bank 2024 Ordinance Review*

AUDIENCE PARTICIPATION: None.

MOTION TO PAY THE BILLS:

A MOTION was made by Mr. Lane, seconded by Mrs. Webb to approve the following Resolution: BE IT RESOLVED by the Governing Body to approve the payment of all vouchers on the bill listed March 11, 2024, submitted by the Chief Financial Officer for payment. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

MOTION TO ADJOURN:

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


Beth Brothman
Municipal Clerk