

**A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, AUGUST 12<sup>th</sup>, 2024 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.**

**PRESENT:** Mayor Morgan and Council Members:  
Dennison, DiRenzo, 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: The following minutes were tabled.**  
July 8<sup>th</sup>, 2024 – Regular Meeting and executive session  
July 25<sup>th</sup>, 2024 – Special Meeting

**OFFICIALS REPORTS:**

A MOTION was made by Mr. Smith, seconded by Mr. Lane to accept the following reports as listed below: Joint Court Report for May, ABFD June report. Joint Court report for June, Operator’s Report for June, Well #1 & #2 July reports, Agra Analytical Results for June. Upon roll call the following votes were cast: AYES: DiRenzo, Dennison, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

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

Borough of Montvale dated 7/8/24 re: Affordable Housing Mandate  
Sussex County Chamber of Commerce dated 6/18/24 re: Sussex County Day– complimentary space  
NJAFM dated 7/15/24 re: NJA for Floodplain Management Conference.

**AUDIENCE PARTICIPATION:**

Richard Mooney of Lenape Road asked for an update on the LSL replacement project. He explained a process by which Newton Water Department was taking and asked why we are not doing it that way.

**REPORTS OF SPECIAL COMMITTEE:**

**Board of Health:**  
The Mayor and Council reviewed the June activity report and August SCBOH newsletter.

**REPORTS OF STANDING COMMITTEES:**

**Administrative & Executive:** Mr. Dennison reported that the municipal clerk will be on vacation for several days. The office will be opened only for limited hours while she is gone. Coverage for her while she is out on a regular basis has not yet been determined. The website contract is expiring soon. The municipal clerk provided estimate from civic plus. There was also a discussion regarding an agreement from Municipay for online tax payments.

**Celebration of Public Events:**

Mr. Dennison reported that the Halloween House decorating contest will be the next event. The flag in the mini park needs to be replaced. Fred will take the lead and get the materials needed to replace the flag.

**Finance:**

Mr. Lane reported that the 2023 audit has been completed and will be reviewed this evening.

**Parks & Playgrounds:**

Mr. Mallon reported that the port-o-john was turned over, but he took care of it. The mulch will be ordered and put in. He may need some help with that.

**Public Bldgs. & Grounds:**

Mr. Smith reported that the estimate for borough hall windows on first floor and basement is \$13,404.00. A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve this work. Upon roll call the following votes were cast AYES: Dennison, Smith, DiRenzo, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

Mr. Smith also reported that the vegetation at the pump house needs to be trimmed.

**Public Safety:**

Mr. Lane reported that there were no issues reported from the recent storm(s). The municipal clerk provided an estimate to replace the pedestrian crossing sign that was recently destroyed. Mr. Dennison recommended a local company to provide another estimate. Mr. Lane reported the ABFD truck will be ready to pick up on the 15<sup>th</sup>.

**Streets & Roads:**

Mr. Mallon reported that they are waiting on the road work for Smith and Maple to begin. There was some discussion regarding street /signs for Station Road to indicate “Do Not Enter”. This will be discussed as pre con meeting scheduled for 8/14 at 10 and 10:30 a.m.

**Water Utility:**

Mr. Smith reported that the gas line installation work along route 517 is good so far. Fred will help with a pipe delivery to the pump house.

**BOARD OF HEALTH:**

*Reporting:*

*The Council reviewed the June Activity Report and August newsletter*

**NEW BUSINESS:**

There was a brief discussion regarding the needs to implement certain project requirement for the LSL inventory. A letter must be sent to all lead and galvanized pipe homes within 30 days of 7/31/24.

Concerning monthly bills, a detailed accounting of salaries in park accounts and in miscellaneous Labor accounts should be kept. To include, custodian, building grounds and parks.

GIS Proposal for Water Hydrant and Valve and Stormwater – See resolution of approval below #R-2024-28

**OLD BUSINESS:**

LEW Environmental Services review proposal / contract – See resolution of approval below #R-2024-27

**RESOLUTIONS:**

**R-2024-24**

Tax Collection:

A MOTION was made by Mr. Smith, seconded by Mr. Dennison to approve a resolution extending The grace period for payment of 3<sup>rd</sup> Qtr. 2024 taxes”. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

R-2024-24  
RESOLUTION EXTENDING GRACE PERIOD  
FOR PAYMENT OF 3<sup>RD</sup> QTR 2024 TAXES

WHEREAS, N.J.S.A. 54:4-64 provides that third quarter tax bills were to be mailed at least 47 days prior to the due date of August 1, 2024; and

WHEREAS, because of delays outside of the Borough’s control, the bills could not be mailed prior to this deadline; and

WHEREAS, N.J.S.A. 54:4-66.3d provides that when third quarter tax bills cannot be mailed by June 14, taxes shall not be subject to interest until at least 25 days after the tax bills are mailed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Andover that the grace period for payment of 3<sup>rd</sup> Qtr 2023 taxes be extended to August 26, 2024. Any payments not made within this time shall be charged interest from the State set due date of August 1, 2024.

**R-2024-25**

***Audit 2023***

A MOTION was made by Mr. Smith, seconded by Mr. Mallon to approve the publication of the summary or synopsis of audit report as presented. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

R-2024-25  
RESOLUTION OF THE BOROUGH OF ANDOVER  
COUNTY OF SUSSEX, STATE OF NEW JERSEY

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year **2023** has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S.52:27BB-34 authorizes The Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, The Local Finance Board has promulgated N.J.A.C.5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “General Comments and Recommendations” as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit pursuant to N.J.A.C.5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Andover, hereby states that it has complied with N.J.A.C.5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**R-2024-26**

A MOTION was made by Mr. Lane, seconded by Mr. Dennison to authorize to submit certified copy of resolution and required affidavit showing evidence of compliance”. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

Attention is directed to the fact that a summary of the audit report, together with the recommendations, is the minimum required to be published pursuant to N.J.S. 40A : 5 - 7.

Summary or Synopsis of the 2023 Audit Report of the Borough of Andover,  
County of Sussex, as required by N.J.S. 40A : 5 - 7.

<u>ASSETS</u>	<u>December 31 Year 2023</u>	<u>December 31 Year 2022</u>
Cash, Investments and Prepaid Debt Service	2,377,525.01	1,490,814.77
Taxes, Assessments, Liens and Utility Charges		
Receivable	101,510.46	105,683.04
Property Acquired for Taxes - Assessed Value	391,400.00	391,400.00
Accounts Receivable ( and Inventory )	503,780.96	309,934.20
General Fixed Assets	2,821,830.32	3,020,859.52
Fixed Capital Authorized and Uncompleted - Utility	58,928.40	192,628.40
Fixed Capital - Utility	649,715.75	519,579.41
Deferred Charges to Future Taxation -		

General Capital	60,000.00	85,000.00
Deferred Charges to Revenue of Succeeding Years	-	-
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TOTAL ASSETS	<u>6,964,690.90</u>	<u>6,115,899.34</u>

LIABILITIES, RESERVES AND FUND BALANCES

Bond and Notes Payable	-	-
Improvement Authorizations	42,452.92	107,941.83
Other Liabilities and Special Funds	1,446,580.02	1,091,863.78
Investment in General Fixed Assets	2,821,830.32	3,020,859.52
Amortization of Debt for Fixed Capital		
Acquired or Authorized	708,644.15	712,207.81
Reserve for Certain Assets Receivable	605,044.68	609,398.21
Fund Balance	<u>1,340,138.81</u>	<u>573,628.19</u>
TOTAL LIABILITIES, RESERVES AND SURPLUS	<u>6,964,690.90</u>	<u>6,115,899.34</u>

**BOROUGH OF ANDOVER, N.J.**

**COMPARATIVE STATEMENT OF OPERATIONS AND**

**CHANGE IN SURPLUS - CURRENT FUND**

	<u>2023</u>	<u>2022</u>
<u>Revenue and Other Income Realized</u>		
Fund Balance Utilized	68,200.00	68,000.00
Miscellaneous - From Other Than Local		
Property Tax Levies	377,450.67	235,985.95
Collection of Delinquent Taxes and Tax		
Title Liens	59,068.02	73,662.25
Collection of Current Tax Levy	2,141,979.23	1,995,378.23
Other Credits to Income	<u>896,551.58</u>	<u>146,731.61</u>
Total Income	<u>3,543,249.50</u>	<u>2,519,758.04</u>

Expenditures

Budget Expenditures:

Municipal Purpose	796,707.72	632,550.70
Local and Regional School Taxes	1,359,643.00	1,238,933.00
County Taxes	435,315.35	423,335.34
Municipal Open Space Taxes	20,333.33	20,292.26
Other Expenditures	<u>111,814.93</u>	<u>659.43</u>
Total Expenditures	<u>2,723,814.33</u>	<u>2,315,770.73</u>
Excess in Revenue over Expenditures	819,435.17	203,987.31
Fund Balance January 1	<u>455,551.26</u>	<u>319,563.95</u>
	1,274,986.43	523,551.26
Less:		
Utilized as Anticipated Revenue	<u>68,200.00</u>	<u>68,000.00</u>
Fund Balance December 31	<u><u>1,206,786.43</u></u>	<u><u>455,551.26</u></u>

**BOROUGH OF ANDOVER, N.J.**

**COMPARATIVE STATEMENT OF OPERATIONS AND  
CHANGE IN SURPLUS - WATER UTILITY FUND**

	<u>2023</u>	<u>2022</u>
<u>Revenue and Other Income Realized</u>		
Fund Balance Utilized	28,300.00	24,540.00
Collection of Water Rents	138,400.43	108,635.89
Miscellaneous - From other than Water Rents	6,596.77	1,514.45
Other Credits to Income	<u>16,618.25</u>	<u>6,711.11</u>
Total Income	<u>189,915.45</u>	<u>141,401.45</u>

Expenditures

Budget Expenditures:

Operating	119,800.00	102,000.00
Capital Improvements	22,500.00	22,500.00
Deferred Charges and Statutory Expenditures	<u>4,040.00</u>	<u>4,040.00</u>

Total Expenditures	146,340.00	128,540.00
Statutory Excess to Surplus	43,575.45	12,861.45
Fund Balance January 1	98,140.90	109,819.45
	141,716.35	122,680.90
Less:		
Utilized as Anticipated Revenue	28,300.00	24,540.00
Fund Balance December 31	113,416.35	98,140.90

**RECOMMENDATIONS**

1. That the Borough consider strengthening internal control in the treasury and payroll departments.
2. That all requisitions be properly approved and encumbered prior to purchase.
3. That outstanding checks over 1 year old be cancelled and/or reissued.
4. That support be obtained for the balance in the Cash Management account.
5. That DCA fees be turned over in accordance with State guidelines.
6. That capital expenditures be appropriated in accordance with State statutes.

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**R-2024-27                      LEW Environmental Services review proposal / contract**

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

**R-2024-28                      GIS Proposal for Water Hydrant and Valve and Stormwater**

A MOTION was made by Mr. Dennison, seconded by Mrs. Webb to approve the agreement as presented. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

**ORDINANCES:**

**2024-13 Fee Amendment – Fire “Smoke” Inspections**

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve the second reading and adoption of **“AN ORDINANCE TO AMEND SECTION 66-4, ENTITLED “MISCELLANEOUS FEES AND CHARGES”, OF CHAPTER 66, ENTITLED “FEES”, 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, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

**AN ORDINANCE TO AMEND SECTION 66-4, ENTITLED “MISCELLANEOUS FEES AND CHARGES”, OF CHAPTER 66, ENTITLED “FEES”, OF THE CODE OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY.**

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

SECTION 1. Section 66-4, entitled “Miscellaneous Fees and Charges”, of Chapter 66, entitled “Fees”, of the Code of the Borough of Andover, County of Sussex, State of New Jersey, is amended to add paragraph H, which shall read as follows:

H. CSACMAPFEC fee. The fees for the issuance of a certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC) pursuant to N.J.A.C. 5:70-2.3 shall be \$75.00. The fee for Reinspection shall be \$40. The same fee shall apply for each additional re-inspection.

The property owner is responsible for applying for each inspection.

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION 3. All ordinances or parts of ordinances inconsistent with or contrary to the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or contrariness.

SECTION 4. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey following the required twenty-day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

**2024-14 New Jersey’s Updated Flood Damage Prevention Ordinance Model**  
**AN ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT**  
**REGULATIONS OF ANDOVER BOROUGH**

This ordinance review was tabled.

**AUDIENCE PARTICIPATION: None.**

**MOTION TO PAY THE BILLS:**

**A MOTION** was made by Mr. Lane, seconded by Mr. Mallon to approve the following Resolution: BE IT RESOLVED by the Governing Body to approve the payment of all vouchers on the bill listed August 12, 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:**

Mayor Morgan adjourned the meeting.

Beth Brothman  
Municipal Clerk