

A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, SEPTEMBER 9th, 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 8th, 2024 – Regular meeting and executive session

July 25th, 2024 – Special Meeting

August 12th – Regular meeting

OFFICIALS REPORTS:

A MOTION was made by Mr. Smith, seconded by Mr. Lane to accept the following reports as listed below: ABFD July & August report, Joint Court report for July, Water Department Reports: Operator's Report for August, Well #1 & #2 August reports. 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:

Sheriff's Office of Sussex County to NJDOT - dated 8/23/24 re: Route 206 Paving Project

Skoda Contracting Co. dated 9/3/24 re: Denial of 7/3/24 water damage claim for Lindley Court

H.E. Pellow dated 9/4/24 re: Proposed ADA Ramps for Maple Street completed on 8/30/24 by Portofino Builders, LLC with Estimate Certificate No. 1. – was reviewed by the governing body, A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve payment to Portofino Builders, LLC. Upon roll call the following votes were cast: AYES: DiRenzo, Dennison, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

H.E. Pellow dated 9/5/24 re: Proposed Drainage and ADA Ramp Improvements to Smith Street completed through 8/29/24 by Terra Ferma Contracting Corp. with Estimate Certificate No. 1 – was reviewed by the governing body.

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

AUDIENCE PARTICIPATION:

Richard Mooney of Lenape Road asked if he replaces the water line at his house at 47 Lenape Road, which is galvanized, if the town will pay for it. He asked if he can come under the plan for the new grant. He stated his curb valve may be an issue as well.

REPORTS OF SPECIAL COMMITTEE:

Board of Health:

July Activity Report with monthly rabies report, Public Health Nursing July Report.

REPORTS OF STANDING COMMITTEES:

Administrative & Executive: The municipal clerk provided an estimate for website from civic plus. Members of the Council asked to continue to seek estimates.

Celebration of Public Events:

Mr. Dennison reported that the next event is the house decorating contest for Halloween. The municipal clerk is working on a newsletter.

A MOTION was made by Mr. Smith, seconded by Mrs. Webb to approve an amount not to exceed \$100 for gift cards for the house decorating contest. Upon roll call the following votes were cast: AYES: DiRenzo, Dennison, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

Finance:

Mr. Lane reported that the council is reviewing the corrective action plan from the 2023 audit.

Parks & Playgrounds:

Mr. Mallon reported that the mulch was put down on the playground. The dehumidifier still needs to be unplugged in the park building. There was also some discussion regarding the new pavilion which should be installed the last week of October. There is some consideration to use millings from the road projects to put in a pathway. There was also a conversation about signage and whether picnic tables and benches could be donated.

Public Bldgs. & Grounds:

Mr. Smith reported that the window installation should be taking place very soon.

Public Safety:

Mr. Lane reported that the fire truck is back on the road and that his Statewide meeting is this month.

Streets & Roads:

Mr. Mallon reported that the gas main installation was completed this week. There may be some service lines, but the main is in the ground.

Water Utility:

Mr. Smith reported that water usage is good, but he needs to communicate with Mr. R. Mooney about the chlorine level.

BOARD OF HEALTH:

Reporting:

The Council reviewed the July Activity Report with monthly rabies report and the Public Health Nursing July Report.

NEW BUSINESS:

The Mayor cancelled the September 18th workshop as it was not needed.

The Joint Municipal Court memorandum from Andover Township was reviewed. Ordinance #2024-15 and Resolution #R-2024-30 reflect actions taken.

OLD BUSINESS:

The Mayor reported that there is a meeting scheduled with waste management in October to discuss the current bulk pick up situation

The Mayor asked what the situation is with the welcome packet. The municipal clerk reported there is no movement. After some discussion and disagreement how to execute this project that the Mayor has requested, Mr. DiRenzo volunteered. Mr. DiRenzo will organize and implement this project.

Mr. Dennison reported the Lakeland Emergency Squad is in need of the annual payment from the borough. \$4,000 is budgeted.

Mr. Smith reported he is in need of a program for valve exercising and hydrant flushing. Water operator performed last hydrant flushing.

RESOLUTIONS:

R-2024-29

Park Rental Reimbursement

A MOTION was made by Mr. Smith, seconded by Mrs. Webb to approve the reimbursement of rental application deposit to Deana Seely. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

R-2024-29

RESOLUTION AUTHORIZING REFUND

WHEREAS, the Mayor and Council of the Borough of Andover reimburse the deposit amount for rental of park building on 08/10/2024,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Andover, County of Sussex, does hereby authorize the refund a portion of amount of rental escrow due to failure to return building in clean order and leaving side door unlocked:

\$150.00 to Deana Seely, Brighton Avenue, Andover NJ 07821
This Resolution shall take effect immediately.

R-2024-30

Joint Court Agreement Extension

A MOTION was made by Mr. Smith, seconded by Mrs. Webb to authorize the extension of the expiration date of the joint municipal court agreement. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

R-2024-30

AUTHORIZING EXTENSION OF EXPIRATION DATE OF JOINT MUNICIPAL COURT AGREEMENT

BE IT RESOLVED by the Borough Council of the Borough of Andover that the Borough of Andover, County of Sussex, State of New Jersey, that extension of the expiration of the Agreement to form a joint municipal court with the Townships of Andover, Hampton, Byram and Fredon and the Borough of Andover (together with the Boroughs of Stanhope and Hopatcong) to December 31, 2028 is approved; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to sign such documents as they deem necessary and appropriate to carry out the decision set forth herein.

R-2024-31

AUDIT 2023 – Corrective Action Plan

A MOTION was made by Mr. Smith, seconded by Mrs. Webb to approve the corrective action plan for the 2023 Municipal Audit. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

R-2024-31

**RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR
THE 2023 MUNICIPAL AUDIT**

WHEREAS, the Borough of Andover has received a report of audit for the year ending December 31, 2023; and

WHEREAS, New Jersey Budget and Fiscal Affairs Laws require that the Chief Financial Officer submits a Corrective Action Plan for all findings in the audit within 60 days of receipt of the Report of Audit; and

WHEREAS, the Chief Financial Officer has prepared a Corrective Action Plan relating to the findings of the 2023 Audit.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Andover, in the County of Sussex, New Jersey, does hereby approve the Corrective Action Plan for the year 2023 as submitted by the Chief Financial Officer.

BE IT FURTHER RESOLVED that the Borough Clerk and Chief Financial Officer are hereby directed to forward a copy of this resolution and the Corrective Action Plan to the Director of the Division of Local Government Services.

R-2024-32

Tax Collector

A MOTION was made by Mr. Smith, seconded by Mrs. Webb to approve a resolution to refund water payment by lienholder for block 14 lot resolution authorizing refund for redemption of tax sale certificate for block 14 lot 1.02 – certificate #2022-002 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-2024-32

**RESOLUTION AUTHORIZING REFUND FOR REDEMPTION
OF TAX SALE CERTIFICATE
BLOCK 14 LOT 1.02
CERTIFICATE # 2022-002**

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

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

\$2,314.08 to Pro Cap 8 FBO Firstrust Bank for tax sale certificate 2022-002

R-2024-33

Tax Collector

A MOTION was made by Mr. Smith, seconded by Mrs. Webb to approve a resolution authorizing refund for redemption of tax sale certificate block 14 lot 3. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

R-2024-33

**RESOLUTION TO REFUND WATER PAYMENT
BY LIENHOLDER
BLOCK 14– LOT 3**

WHEREAS, the Tax Collector recommends the Mayor and Council of the Borough of Andover reimburse the payment made by lienholder for water account after the lien was redeemed.

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

\$159.95 to Pro Cap 8 FBO Firstrust Bank (Water)

R-2024-34

Municipal Road Project – Maple Street

A MOTION was made by Mr. Smith, seconded by Mrs. Webb to approve a resolution to recommend award of State Aid Project from NJDOT Division of Local Aid and Economic Development to National Hwy Products for Maple Street - \$89.45. Upon roll call the following votes were cast: AYES: Dennison, DiRenzo, Smith, Lane, Mallon and Webb. NAYS: None. ABSTAIN: None. Motion carried.

R-2024-34

BE IT RESOLVED that the Andover Borough Council hereby recommends to the New Jersey Department of Transportation that the contract for Proposed Improvements to Maple Street – Traffic Sign Materials in the Borough of Andover, County of Sussex, be awarded to National Highway Products, Inc., 301 Riverside Drive, Millville, NJ 08332 in the amount of \$89.45 subject to the approval of the Department.

ORDINANCES:

2024-15 Joint Court Amendment

A MOTION was made by Mr. Smith, seconded by Mr. Lane to approve the second reading and adoption of **“AN ORDINANCE TO AMEND CHAPTER 6, ENTITLED “COURT, JOINT MUNICIPAL”, 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.

Ordinance #2024-15

**ANDOVER BOROUGH
SUSSEX COUNTY, NEW JERSEY**

AN ORDINANCE TO AMEND CHAPTER 6, ENTITLED “COURT, JOINT MUNICIPAL”, 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. Chapter 6, entitled “Court, Joint Municipal”, of the Code of the Borough of Andover, County of Sussex, State of New Jersey, is amended to add Section 6-5, entitled “Joint Municipal Court Committee”, which reads as follows:

Section 6-5. Joint Municipal Court Committee.

A Joint Municipal Court Committee shall be formed for the Andover Joint Municipal Court (Andover, Hampton, Fredon and Byram Townships and Andover, Hopatcong and Stanhope Boroughs) consisting of the Administrators of each member municipality, the Joint Municipal Court Liaison for each member municipality and the Court Administrator. In those municipalities that do not have an Administrator, the Clerk shall serve as the Committee member.

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 upon its passage and publication as provided by law.

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. Mallon, 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 September 9, 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