

ANDOVER TOWNSHIP COMMITTEE MEETING AGENDA

**THOMAS D. WALSH, JR., MAYOR
ERIC KARR, DEPUTY MAYOR
ELLSWORTH E. BENSLEY, JR.,
JOHN CARAFELLO
JANIS MCGOVERN**

MARCH 2, 2023

REGULAR MEETING 7:00PM

This is a hybrid meeting and is being offered in person or remotely by accessing either of the following options:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83261041515?pwd=dkfJOGJRMWc5MjUxcE9UWWxadINRdz09>

Passcode: 100240

Or by telephone:

Dial US: +1 301 715 8592
Webinar ID: 832 6104 1515
Passcode: 100240

CALL TO ORDER:

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN PUBLIC MEETINGS STATEMENT: This meeting is being held in compliance with the provisions of the Open Public Meetings Act, Public Laws of 1975, Chapter 231 and has been properly advertised and certified by the Municipal Clerk.

RULES FOR MEETING: No new business to be brought before the Committee after 8:00PM. The time allotted to the public will be determined by the Committee.

APPROVAL OF THE GENERAL AGENDA

APPROVAL OF CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the Committee and will be approved by one motion. There will be no separate discussion of these items unless a citizen or Committee member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

CONSENT AGENDA

OTHER BUSINESS:

1. Approval of Vouchers for Payment
2. Tax Collector's Statement of Receipts for the Year Ending December 31, 2023

MINUTES:

- February 19, 2023 Executive Session and Regular Meeting Minutes

RESOLUTIONS:

#R2023-54

A RESOLUTION OF THE TOWNSHIP OF ANDOVER, SUSSEX COUNTY, NEW JERSEY
AUTHORIZING AN AGREEMENT WITH THE TOWNSHIP OF LAFAYETTE PURSUANT TO
THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT CONCERNING THE
SERVICES OF A LAND USE BOARD SECRETARY

ORDINANCES
SECOND READING:

ORDINANCE #2023-04

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF
NEW JERSEY, TO ESTABLISH CHAPTER 68A TO REQUIRE LEAD PAINT TESTING AS
MANDATED BY P.L. 2021, C.182

- PUBLIC HEARING

NEW BUSINESS

UNFINISHED BUSINESS

COMMITTEE REPORTS

PUBLIC PORTION

RULES FOR THE PUBLIC PORTION OF THE MEETING

1. Please come forward when recognized and state your name and address, unless you are a registered covered person under Daniel's Law by the Office of Information Privacy.
2. Please direct your comments to the Township Committee.
3. The Committee may comment or respond when you conclude your comments.
4. Normally, each member of the public will be recognized and given the floor. ***There is a five-minute time limit on all public comments.*** When you have concluded, you may be recognized again during that public portion of the meeting upon Committee approval.
5. Anyone that is disruptive and/or speaks when they are not recognized will be considered to be disruptive to the meeting and may be asked to leave.

NEXT SCHEDULED MEETINGS:

MARCH 16, 2023: 6:00PM EXECUTIVE SESSION/7:00PM REGULAR MEETING

APRIL 4, 2023: 6:00PM EXECUTIVE SESSION/7:00PM REGULAR MEETING

EXECUTIVE SESSION:

- Perry vs. Township of Andover
- Woodland Behavioral and Nursing Center
- PACE Glass
- Personnel Matters – Staffing Needs
- Joint Municipal Court

ADJOURN

RESOLUTION
MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Committee of the Township of Andover on the 2nd day of MARCH 2023, that:

1. PRIOR to the commencement of the Regular Meeting, the Township Committee shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-26, sub-section(s):

- () a. Confidential or excluded matters, by Express provision of Federal law or State statute or rule of court.
- () b. A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- () c. Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
- () d. A collective bargaining agreement including negotiations.
- () e. Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- () f. Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (X) g. Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
- (X) h. Personnel matters.
- () i. Deliberations after a public hearing that may result in penalties.
 - 1. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

EXECUTIVE SESSION:

- Perry vs. Township of Andover
- Woodland Behavioral and Nursing Center
- PACE Glass
- Personnel Matters – Staffing Needs
- Joint Municipal Court

**List of Bills - (1910101000001) CASH - FIRST HOPE DEV ESCROW
DEVELOPERS ESCROW FUND**

Meeting Date: 03/02/2023 For bills from 02/17/2023 to 02/24/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
195	990 - DORSEY & SEMRAU				
		PO 14766 JANUARY 2023 PROFESSIONAL SERVICES		115.50	
	19-260-57-100-000	DEVELOPERS AGREEMENTS - OVER \$5,000	115.50		115.50
196	245 - HAROLD E. PELLOW & ASSOC.INC.				
		PO 14758 DECEMBER 2022 ENGINEERING SERVICES		337.50	
	19-260-57-100-000	DEVELOPERS AGREEMENTS - OVER \$5,000	337.50		
		PO 14817 AUGUST 2022 ENGINEERING SERVICES		1,463.13	
	19-260-57-100-000	DEVELOPERS AGREEMENTS - OVER \$5,000	1,463.13		1,800.63
197	601 - VOGEL, CHAIT, COLLINS, SCHNEIDER				
		PO 14818 OCTOBER 2022 BHT CONFLICT COUNSEL		2,024.00	
	19-260-57-100-000	DEVELOPERS AGREEMENTS - OVER \$5,000	2,024.00		
		PO 14820 NOVEMBER 2022 BHT CONFLICT COUNSEL		1,264.00	
	19-260-57-100-000	DEVELOPERS AGREEMENTS - OVER \$5,000	1,264.00		
		PO 14822 DECEMBER 2022 BHT CONFLICT COUNSEL		880.00	
	19-260-57-100-000	DEVELOPERS AGREEMENTS - OVER \$5,000	880.00		
		PO 14823 JANUARY 2023 BHT CONFLICT COUNSEL		1,160.00	
	19-260-57-100-000	DEVELOPERS AGREEMENTS - OVER \$5,000	1,160.00		5,328.00
198	1511 - WEINER LESNIAK LLP				
		PO 14810 JANUARY 2023 PROFESSIONAL SERVICES		64.00	
	19-260-57-100-000	DEVELOPERS AGREEMENTS - OVER \$5,000	64.00		64.00
TOTAL					7,308.13
Total to be paid from Fund 19 DEVELOPERS ESCROW FUND		7,308.13			
		<u>7,308.13</u>			

List of Bills - Clearing Cash

Meeting Date: 03/02/2023 For bills from 02/17/2023 to 02/24/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
10740	2310 - A & S HYDRAULICS				
		PO 14812 BUCKET CYLINDER		335.00	
	01-201-26-290-020 PUBLIC WORKS OTHER EXPENSE		335.00		335.00
10741	67 - AIRGAS USA, LLC				
		PO 14645 2023 DPW TANK RENTAL		19.80	
	01-201-26-290-020 PUBLIC WORKS OTHER EXPENSE		19.80		19.80
10742	2466 - ALL GAS & WELDING SUPPLY CO INC.				
		PO 14788 2023 ANNUAL LEASE - MEDICAL OXYGEN		60.00	
	01-201-25-240-020 POLICE OTHER EXPENSE		60.00		60.00
10743	75 - ALLAN ARMSTRONG				
		PO 14780 2023 VISION REIMBURSEMENT		203.00	
	01-201-23-220-020 GROUP INSURANCE OTHER EXPENSE		203.00		203.00
10744	2468 - ALLIED OIL				
		PO 14782 02/07/23 GASOLINE DELIVERY - 443.00 GALL		1,173.77	
	01-201-31-460-020 UTILITY OTHER EXPENSE		1,173.77		
		PO 14815 02/15/23 GASOLINE DELIVERY - 417.00 GALL		1,141.08	
	01-201-31-460-020 UTILITY OTHER EXPENSE		1,141.08		2,314.85
10745	2262 - AMAZON CAPITAL SERVICES				
		PO 14750 POLICE SUPPLIES		255.94	
	01-201-25-240-020 POLICE OTHER EXPENSE		255.94		
		PO 14774 VARIOUS CLEANING SUPPLIES		28.84	
	01-201-26-310-020 BUILDINGS & GROUNDS OTHER EXPENSE		28.84		
		PO 14799 SINK & FAUCET - HILLSIDE BARN		1,221.98	
	13-260-58-200-000 RECREATION TRUST		1,221.98		
		PO 14800 STEEL TIE DOWNS - NEW TRUCK # 9		60.52	
	01-203-44-000 Appropriation Reserve Sub Control		60.52		1,567.28
10746	857 - AMERIGAS PROPANE LP				

List of Bills - Clearing Cash

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Check#	Vendor	Description	Account	PO Payment	Check Total
		PO 14768 02/11/23 HEATING PROPANE DELIVERY - 889.		1,601.64	
01-201-31-460-020	UTILITY OTHER EXPENSE		1,601.64		1,601.64
10747	91 - ANDOVER BOARD OF EDUCATION				
		PO 14602 2023 SCHOOL TAX PAYMENTS		1,107,955.50	
			1,107,955.50		1,107,955.50
10748	120 - ANTHONY M. ARBORE, ESQ.				
		PO 14787 2023 MUNICIPAL PROSECUTOR		17,250.00	
01-201-42-490-020	SHARED SERVICE - JOINT COURT O/E		17,250.00		17,250.00
10749	318 - APPLIED CONCEPTS, INC.				
		PO 14413 RADAR UNITS - POLICE DEPT		11,274.50	
04-226-55-000-000	IMP AUTHORIZATIONS - FUNDED		11,274.50		11,274.50
10750	2173 - ATLANTIC TOMORROWS OFFICE CORP.				
		PO 14803 11/07/2022 - 02/06/2023 COPIER SERVICE		2,046.44	
01-203-26-310-020	(2022) BUILDINGS & GROUNDS OTHER EXPENSE		192.03		
01-201-26-310-020	BUILDINGS & GROUNDS OTHER EXPENSE		1,854.41		2,046.44
10751	1617 - BLUE DIAMOND DISPOSAL, INC.				
		PO 14736 2023 SOLID WASTE SERVICE		58,500.00	
01-201-26-305-020	GARBAGE REMOVAL OTHER EXPENSE		58,500.00		58,500.00
10752	2857 - BRIGHTSPEED				
		PO 14804 FEBRUARY 2023 LONG DISTANCE PHONE SERVIC		49.22	
01-201-31-460-020	UTILITY OTHER EXPENSE		49.22		49.22
10753	1443 - CAMPBELL SUPPLY COMPANY				
		PO 14792 TRUCK # 11		1,896.08	
01-201-26-290-020	PUBLIC WORKS OTHER EXPENSE		1,896.08		1,896.08

List of Bills - Clearing Cash

Meeting Date: 03/02/2023 For bills from 02/17/2023 to 02/24/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
10754	1498 - CENTURY LINK (1) COMMUNICATIONS				
		PO 14807 FEBRUARY 2023 LONG DISTANCE PHONE SERVIC		31.25	
	01-201-31-460-020 UTILITY OTHER EXPENSE		31.25		31.25
10755	2174 - CINTAS CORPORATION				
		PO 14662 2023 MEDICAL CABINET SUPPLIES		170.91	
	01-201-26-310-020 BUILDINGS & GROUNDS OTHER EXPENSE		170.91		170.91
10756	1619 - CLEARY,GIACOBBE,ALFIERI				
		PO 14764 JANUARY 2023 LABOR ATTORNEY		2,482.00	
	01-201-20-155-020 LEGAL OTHER EXPENSE		2,482.00		2,482.00
10757	1296 - DANIEL M. HENNIGHAN				
		PO 14805 2023 PRESCRIPTION REIMBURSEMENT		44.23	
	01-201-23-220-020 GROUP INSURANCE OTHER EXPENSE		44.23		44.23
10758	990 - DORSEY & SEMRAU				
		PO 14765 JANUARY 2023 PROFESSIONAL SERVICES		9,160.00	
	01-201-20-155-020 LEGAL OTHER EXPENSE		9,160.00		
		PO 14767 JANUARY 2023 PROFESSIONAL SERVICES		247.50	
	13-286-56-700-000 VARIOUS ESCROWS		247.50		9,407.50
10759	202 - DOVER BRAKE & CLUTCH CO., INC.				
		PO 14744 2023 DPW PARTS		14.63	
	01-201-26-290-020 PUBLIC WORKS OTHER EXPENSE		14.63		14.63
10760	213 - ELIZABETHTOWN GAS				
		PO 14772 JANUARY 2023 HEATING GAS		756.39	
	01-201-31-460-020 UTILITY OTHER EXPENSE		756.39		
		PO 14783 JANUARY 2023 HEATING GAS		1,070.43	
	01-201-31-460-020 UTILITY OTHER EXPENSE		1,070.43		1,826.82
10761	1130 - FAMILY FORD, INC.				

List of Bills - Clearing Cash

Meeting Date: 03/02/2023 For bills from 02/17/2023 to 02/24/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
		PO 14791 POLICE A-08		85.79	
01-201-25-240-020	POLICE OTHER EXPENSE		85.79		85.79
10762	2015 - GLASSCAR AUTO GLASS				
		PO 14796 TRUCK # 3 AND TRUCK # 5 - WINDSHIELD REP		650.00	
01-201-26-290-020	PUBLIC WORKS OTHER EXPENSE		650.00		650.00
10763	259 - HAMBURG PLUMBING SUPPLIES, INC.				
		PO 14726 DPW TOILET		349.87	
01-201-26-310-020	BUILDINGS & GROUNDS OTHER EXPENSE		349.87		349.87
10764	245 - HAROLD E. PELLOW & ASSOC. INC.				
		PO 14346 NEW ZONING MAP		2,545.95	
			2,545.95		
		PO 14714 MASTER PLAN RE-EXAMINATION & PREPARATION		6,025.15	
01-203-21-180-020	(2022) PLANNING BOARD OTHER EXPENSE		6,025.15		
		PO 14757 DECEMBER 2022 ENGINEERING SERVICES		405.00	
01-203-20-165-020	(2022) ENGINEERING OTHER EXPENSE		108.60		
01-201-20-165-020	ENGINEERING OTHER EXPENSE		296.40		
		PO 14759 DECEMBER 2022 ENGINEERING SERVICES - STO		67.50	
01-201-20-165-020	ENGINEERING OTHER EXPENSE		67.50		
		PO 14760 DECEMBER 2022 ENGINEERING SERVICES		67.50	
01-201-20-165-020	ENGINEERING OTHER EXPENSE		67.50		
		PO 14761 DECEMBER 2022 ENGINEERING SERVICES		263.40	
02-213-40-000-000	APPROPRIATED RESERVES		263.40		
		PO 14762 DECEMBER 2022 ZONING OFFICER		5,128.21	
01-203-21-186-020	(2022) ZONING OFFICER OTHER EXPENSE		5,128.21		
		PO 14763 DECEMBER 2022 ENGINEERING SERVICES		70.00	
01-203-44-000	Appropriation Reserve Sub Control		70.00		14,572.71
10765	693 - HOME DEPOT CREDIT SERVICES				
		PO 14565 SUPPLIES FOR HILLSIDE BARN UPGRADES		35.50	
13-260-58-200-000	RECREATION TRUST		35.50		
		PO 14741 2023 DPW SUPPLIES		55.96	
01-201-26-290-020	PUBLIC WORKS OTHER EXPENSE		55.96		
		PO 14775 2023 BUILDINGS & GROUNDS SUPPLIES		19.83	

List of Bills - Clearing Cash

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Check#	Vendor	Description	Account	PO Payment	Check Total
01-201-26-310-020		BUILDINGS & GROUNDS OTHER EXPENSE	19.83		
		PO 14808 TRUCK # 9		54.34	
01-201-26-290-020		PUBLIC WORKS OTHER EXPENSE	54.34		
		PO 14816 TRUCK # 11		8.25	
01-201-26-290-020		PUBLIC WORKS OTHER EXPENSE	8.25		173.88
10766	288 - JCP&L				
		PO 14771 FEBRUARY 2023 MASTER BILL		1,742.63	
01-201-31-460-020		UTILITY OTHER EXPENSE	1,742.63		
		PO 14802 FEBRUARY 2023 STREET LIGHTING		644.97	
01-201-31-000		EXPENDITURE CAFR TOTAL	644.97		
		PO 14806 FEBRUARY 2023 LAKE ILIFF ROAD		1,006.30	
01-201-31-460-020		UTILITY OTHER EXPENSE	1,006.30		3,393.90
10767	1081 - KIMBALL MIDWEST				
		PO 14794 VARIOUS DPW SUPPLIES		139.10	
01-201-26-290-020		PUBLIC WORKS OTHER EXPENSE	139.10		139.10
10768	1188 - KOCH AUTO PARTS, INC.				
		PO 14795 ELGIN SWEEPER		21.60	
01-201-26-290-020		PUBLIC WORKS OTHER EXPENSE	21.60		21.60
10769	1930 - LANGUAGE LINE SERVICES				
		PO 14785 MUNICIPAL COURT INTERPRETER SERVICES		564.00	
01-201-42-490-020		SHARED SERVICE - JOINT COURT O/E	158.90		
01-203-43-490-020		(2022) MUNICIPAL COURT OTHER EXPENSE	405.10		564.00
10770	1260 - LOWE'S				
		PO 14776 2023 BUILDINGS & GROUNDS SUPPLIES		192.36	
01-201-26-310-020		BUILDINGS & GROUNDS OTHER EXPENSE	192.36		
		PO 14777 HILLSIDE BARN FLOOR SUPPLIES		32.29	
13-260-58-200-000		RECREATION TRUST	32.29		224.65
10771	2037 - MATTHEW PUCCIO				

List of Bills - Clearing Cash

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Check#	Vendor	Description	Account	PO Payment	Check Total
		PO 14770 2023 VISION REIMBURSEMENT		154.97	
01-201-23-220-020	GROUP INSURANCE OTHER EXPENSE		154.97		154.97
10772	379 - NEWTON WATER & SEWER UTILITY				
		PO 14786 NOVEMBER 2022 - JANUARY 2023 WATER BILLI		1,099.65	
01-203-31-460-020	(2022) UTILITY OTHER EXPENSE		733.10		
01-201-31-460-020	UTILITY OTHER EXPENSE		366.55		1,099.65
10773	518 - NJ DEPT OF LABOR AND				
		PO 14753 4TH QTR 2020 UNEMPLOYMENT COMPENSATION F		0.75	
			0.75		0.75
10774	392 - NJ STATE DEPT OF HEALTH/SR SVS				
		PO 14756 JANUARY 2023 DOG LICENSES		724.80	
12-290-56-000-000	DUE TO THE STATE - DOG LICENSE FEES		724.80		724.80
10775	396 - NORTH JERSEY COURT ADMIN ASSN				
		PO 14784 Court Admin Meeting		30.00	
01-201-42-490-020	SHARED SERVICE - JOINT COURT O/E		30.00		30.00
10776	1230 - NORTH JERSEY MUNICIPAL,EMPLOYEE				
		PO 14683 2023 DENTAL INSURANCE		2,908.00	
01-201-23-220-020	GROUP INSURANCE OTHER EXPENSE		2,908.00		2,908.00
10777	2389 - OCA BENEFIT SERVICES				
		PO 14769 2023 FLEXIBLE SPENDING		50.00	
01-201-23-220-020	GROUP INSURANCE OTHER EXPENSE		50.00		50.00
10778	2664 - OPTIMUM				
		PO 14790 2023 CABLE & INTERNET SERVICE		131.63	
01-201-31-460-020	UTILITY OTHER EXPENSE		131.63		131.63

List of Bills - Clearing Cash

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Check#	Vendor	Description	Account	PO Payment	Check Total
10779	2768 - PLANET NETWORKS, INC.				
		PO 14677 2023 PHONE SERVICE		5,441.40	
	01-201-31-460-020 UTILITY OTHER EXPENSE		5,441.40		5,441.40
10780	433 - R.S. PHILLIPS STEEL, LLC				
		PO 14754 NEW TRUCK # 9		252.20	
	01-203-44-000 Appropriation Reserve Sub Control		252.20		252.20
10781	2870 - ROADRUNNER EQUIPMENT LLC				
		PO 14473 MULTI TASK SKID STEER MOUNT TRENCH PAVER		2,445.00	
			2,445.00		
		PO 14473 MULTI TASK SKID STEER MOUNT TRENCH PAVER		2,445.00	
	18-260-05-900-000 OPEN SPACE - RESERVE FOR EXPENSES		2,445.00		4,890.00
10782	466 - RUTGERS,CTR FOR GOV'T SERVICES				
		PO 14779 MUNICIPAL CLERKS COURSE REGISTRATION		653.00	
	01-201-20-120-020 CLERK - OTHER EXPENSE		653.00		653.00
10783	494 - SHERWIN WILLIAMS,CORP.				
		PO 14773 HILLSIDE BARN/HOUSE SUPPLIES		357.68	
	13-260-58-200-000 RECREATION TRUST		357.68		
		PO 14797 HILLSIDE BARN/HOUSE SUPPLIES		168.41	
	13-260-58-200-000 RECREATION TRUST		168.41		526.09
10784	1116 - SPACE WILD ANIMAL FARM, INC.				
		PO 14742 2023 DEER REMOVAL		29.00	
	01-201-26-290-020 PUBLIC WORKS OTHER EXPENSE		29.00		29.00
10785	138 - SPARKLE BLINDS PLUS, INC.				
		PO 14365 FLOOR CARE		1,450.00	
	13-260-58-200-000 RECREATION TRUST		1,450.00		1,450.00
10786	516 - STAPLES				

List of Bills - Clearing Cash

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Check#	Vendor	Description	Account	PO Payment	Check Total
		PO 14609 2022 WATER DELIVERIES		519.35	
01-203-26-310-020	(2022) BUILDINGS & GROUNDS OTHER EXPENSE		519.35	519.35	519.35
10787	539 - SUSSEX COUNTY DETECTIVES ASSOC				
		PO 14811 2023 MEMBERSHIP DUES		175.00	
01-201-25-240-020	POLICE OTHER EXPENSE		175.00	175.00	175.00
10788	87 - TCTASW				
		PO 14781 SUSSEX AND WARREN TCTA CEU CLASS AND MEE		30.00	
01-201-20-145-020	TAX COLLECTOR - OTHER EXPENSE		30.00	30.00	
		PO 14801 2023 ASSOCIATION DUES - GRISAFFI		30.00	
01-201-20-130-020	FINANCE - OTHER EXPENSE		30.00		60.00
10789	1291 - THE STANDARD INSURANCE CO.				
		PO 14598 2023 LONG TERM DISABILITY		2,949.26	
01-201-23-220-020	GROUP INSURANCE OTHER EXPENSE		2,949.26	2,949.26	2,949.26
10790	1511 - WEINER LESNIAK LLP				
		PO 14809 JANUARY 2023 PROFESSIONAL SERVICES		1,264.00	
01-201-20-155-020	LEGAL OTHER EXPENSE		1,264.00	1,264.00	
		PO 14814 JANUARY 2023 PROFESSIONAL SERVICES		528.00	
01-201-20-155-020	LEGAL OTHER EXPENSE		528.00		1,792.00
10791	609 - WELDON QUARRY CO., INC.				
		PO 14793 01/19/23 COLD PATCH		606.00	
01-201-26-290-020	PUBLIC WORKS OTHER EXPENSE		606.00	606.00	606.00
10792	2891 - WITMER PUBLIC SAFETY GROUP, INC				
		PO 14778 ATFD HELMETS		682.00	
01-201-39-000	EXPENDITURE CAFR TOTAL		682.00	682.00	682.00
TOTAL					1,264,351.25

List of Bills - Clearing Cash

Meeting Date: 03/02/2023 For bills from 02/17/2023 to 02/24/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
		Total to be paid from Fund 01 CURRENT FUND			1,246,129.44
		Total to be paid from Fund 02 FEDERAL & STATE GRANT FUND			263.40
		Total to be paid from Fund 04 CAPITAL			11,274.50
		Total to be paid from Fund 12 DOG TRUST			724.80
		Total to be paid from Fund 13 OTHER TRUST			3,513.36
		Total to be paid from Fund 16 SUI			0.75
		Total to be paid from Fund 18 OPEN SPACE			2,445.00
		=====			
					1,264,351.25

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

RESOLUTION #R2023-54

**A RESOLUTION OF THE TOWNSHIP OF ANDOVER, SUSSEX COUNTY, NEW JERSEY
AUTHORIZING AN AGREEMENT WITH THE TOWNSHIP OF LAFAYETTE PURSUANT TO
THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT CONCERNING THE
SERVICES OF A LAND USE BOARD SECRETARY**

WHEREAS, the Township of Andover is seeking to continue the shared services agreement with the Township of Lafayette for the services of a Land Use Board Secretary; and

WHEREAS, both parties have the authority to enter into the attached Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. Seq.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Andover, Sussex County, New Jersey, as follows:

- a. The Township of Andover hereby authorizes the Mayor and Township Administrator/Municipal Clerk to execute the attached Agreement with the Township of Lafayette concerning the services of a Land Use Board Secretary.
- b. A copy of this Resolution and Agreement shall be forwarded to the Municipal Clerk of the Township of Lafayette.

BE IT FURTHER RESOLVED, that this agreement shall commence on January 1, 2023 and this Resolution shall take effect immediately.

CERTIFICATION

I, Patricia L. Bussow, Municipal Clerk of the Township of Andover, in the County of Sussex in the State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Andover Township Committee at its meeting on March 2, 2023.

Patricia L. Bussow, RMC
Administrator/Municipal Clerk

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

ORDINANCE #2023-04

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF
SUSSEX, STATE OF NEW JERSEY, TO ESTABLISH CHAPTER 68A TO
REQUIRE LEAD PAINT TESTING AS MANDATED BY P.L. 2021, C.182**

WHEREAS, N.J.S.A. 52:27D-437.1 established the Lead Hazard Control Assistance Act lead-based testing program for residential rental properties; and

WHEREAS, N.J.S.A. 52:27D-437.16 now requires all municipalities to inspect every single-family, two-family and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards; and

WHEREAS, the Township Committee of the Township of Andover has determined that it is in the best interest of the Township to amend the Township Code to require such inspections to conform with State law.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Andover, County of Sussex, State of New Jersey, as follows:

SECTION 1. Part 1, General Legislation, of the Township of Andover Code is hereby amended to establish Chapter 68A, Inspections, Lead-Based Paint, to read as follows:

§ 68A-1 Inspections, Lead-Based Paint

- A. Definitions. The following term shall have the meanings indicated below pursuant to N.J.S.A. 52:27D-437.16 as may be amended and which is incorporated by reference.

DUST WIPE SAMPLING

A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

TENANT TURNOVER

the time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

VISUAL ASSESSMENT

A visual examination for deteriorated paint or visible surface dust, debris, or residue.

- B. Inspections by Township.

The Construction Code Official, a designee, or a certified lead evaluation contractor hired by the Township shall inspect every single-family, two-family, and multiple rental dwelling located within the Township at tenant turnover for lead-based paint hazards or by July 22, 2024, whichever is earlier. Thereafter, all such units shall be inspected for lead-based paint hazards the earlier of every three years or upon tenant turnover, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification. The owner of any such rental dwelling shall not permit any tenant turnover without first complying with this section. The Township shall charge the dwelling owner or landlord, and the dwelling owner or landlord shall pay the Township in advance of any inspection, a fee sufficient to cover the cost to the Township of the inspection, which shall be dedicated to meeting the costs of implementing and enforcing this section.

C. Option for Owner/Landlord to Hire Lead Evaluation Contractor.

The dwelling owner or landlord may directly hire a lead evaluation contractor who is certified to provide lead paint inspection services by the New Jersey Department of Community Affairs to satisfy the requirements of § 68A-1B instead of the Township conducting the inspection. In the event that a dwelling owner or landlord directly hires such a lead evaluation contractor, the term "Construction Code Official" shall also mean and include such lead evaluation contractor for purposes of this section (except for the purposes of § 68A-1M).

D. Consultation with Local Health Board.

The Construction Code Official, designee, or certified lead evaluation contractor responsible for inspecting single-family, two-family, and multiple rental dwellings pursuant to this section may consult with the local health board, the State of New Jersey Department of Health, and/or the State of New Jersey Department of Community Affairs concerning the criteria for the inspection and identification of areas and conditions involving a high risk of lead poisoning in dwellings, methods of detection of lead in dwellings, and standards for the repair of dwellings containing lead paint.

E. Exceptions for Inspections.

Notwithstanding any language in § 68A-1B to the contrary, a dwelling unit in a single-family, two-family, or multiple-rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:

- (1) has been certified to be free of lead-based paint;
- (2) was constructed during or after 1978;

- (3) is in a multiple dwelling that has been registered with the State of New Jersey Department of Community Affairs as a multiple dwelling for at least 10 years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A-1, et seq.);
- (4) is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals;
or
- (5) has a valid lead-safe certification issued in accordance with this section.

F. Remediation.

If the Construction Code Official, designee, or certified lead evaluation contractor finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to § 68A-1B, then the owner of the dwelling unit shall remediate the lead-based paint hazard by using abatement or lead-based paint hazard control methods approved in accordance with the provisions of the Lead Hazard Control Assistance Act (N.J.S.A. 52:27D-437.1 et al.). Upon the remediation of the lead-based paint hazard, the Construction Code Official, designee, or certified lead evaluation contractor shall conduct an additional inspection of the unit to certify that the hazard no longer exists. The Construction Code Official shall charge an additional fee sufficient to cover the cost to the Township for such additional inspection.

G. Lead-Safe Certification.

If the Construction Code Official, designee, or certified lead evaluation contractor finds that no lead-based paint hazards exist in a dwelling unit upon conducting an inspection pursuant to § 68A-1B or following remediation of a lead-based paint hazard pursuant to § 68A-1F, then the Construction Code Official, designee, or certified lead evaluation contractor shall certify the dwelling unit as lead-safe on a form prescribed by the New Jersey Department of Community Affairs as provided for in regulations or guidance promulgated pursuant to N.J.S.A. 52:27D-437.20. The lead-safe certification provided to the property owner by Construction Code Official, designee, or certified lead evaluation contractor shall be valid for two years.

H. Production of Lead-Safe Certification.

Beginning on July 22, 2024, property owners shall:

- (1) Provide evidence of a valid lead-safe certification obtained pursuant to this section as well as evidence of the most recent tenant turnover at the time of the cyclical inspection carried out under the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A1, et seq.), unless not required to have had an inspection by the Construction Code Official,

designee, or certified lead evaluation contractor pursuant to paragraph (1), (2), or (3) of § 68-1E;

- (2) Provide evidence of a valid lead-safe certification obtained pursuant to this section to new tenants of the property at the time of tenant turnover unless not required to have had an inspection by the Construction Code Official, designee, or certified lead evaluation contractor pursuant to paragraphs (1), (2), (3), and (4) of § 68A-1E, and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease; and
- (3) Maintain a record of the lead-safe certification which shall include the name or names of the unit's tenant or tenants, if the inspection was conducted during a period of tenancy, unless not required to have had an inspection by the Construction Code Official, designee, or certified lead evaluation contractor pursuant to paragraphs (1), (2), (3), and (4) of § 68A-1E.

I. Notification to Commissioner of Community Affairs.

If the Construction Code Official, designee, or certified lead evaluation finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to this section, then the inspector shall notify the Commissioner of Community Affairs, who shall review the findings in accordance with the Lead Hazard Control Assistance Act (N.J.S.A. 52:27D- 437.8).

J. Inspection of Two- or Three-Dwelling Units.

If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two- or three-dwelling units, then the Construction Code Official, designee, or certified lead evaluation contractor shall inspect the remainder of the building's dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint. The inspector may charge an additional fee sufficient to cover the cost to the Township of the inspection.

K. Fees.

In addition to the fees charged for inspection of rental housing as set forth in this ordinance, the Township shall assess an additional fee of \$20.00 per unit inspected for the purposes of the Lead Hazard Control Assistance Act (N.J.S.A. 52:27D437.1, et seq.) concerning lead hazard control work, unless the unit owner demonstrates that the Department of Community Affairs already has assessed an additional inspection fee of \$20.00 pursuant to the provisions of N.J.S.A. 52:27D-437.10. In a common interest community, any inspection fee charged pursuant to this section shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit. The fees collected pursuant to this section shall be deposited into the "Lead Hazard Control Assistance Fund" established pursuant to N.J.S.A. 52:27D-437.4.

L. Inspections as a Result of Testing of Children of Six Years of Age or Younger.

- (1) If less than three percent (3%) of children tested in the Township, six years of age or younger, have a blood lead level greater than or equal to five ug/dL, according to the central lead screening database maintained by the State of New Jersey Department of Health pursuant to N.J.S.A. 26:2-137.6, or according to other data deemed appropriate by the commissioner (as such term is used in and for the purposes of N.J.S.A. 52:27D-437.16), then the Construction Code Official, designee, or certified lead evaluation contractor may inspect a dwelling located therein for lead-based paint hazards through visual assessment.
- (2) If at least three percent (3%) of children tested, six years of age or younger, have a blood lead level greater than or equal to five ug/dL, according to the central lead screening database maintained by the State of new Jersey Department of Health pursuant to section 5 of P.L.1995, c.328 (C.26:2-137.6), or according to other data deemed appropriate by the commissioner, then the Construction Code Official, designee, or certified lead evaluation contractor shall inspect a dwelling located therein through dust wipe sampling.
- (3) If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two- or three- dwelling units, then the Construction Code Official, designee, or certified lead evaluation contractor shall inspect the remainder of the building's dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint. The inspector may charge fees in accordance with this section for such additional inspections

M. Penalties.

The Township and the Construction Code Official, designee, or certified lead evaluation contractor shall be authorized to conduct investigations and issue penalties to enforce a property owner's failure to comply with N.J.S.A. 52:27D-437.16 or this section. If the Township or the inspector determines that a property owner has failed to comply with a provision of N.J.S.A. 52:27D-437.16, et seq. or this section regarding a rental dwelling unit owned by the property owner, the property owner shall first be given thirty (30) days to cure any violation by conducting the required inspection or initiate any required remediation efforts. If the property owner has not cured the violation after thirty (30) days, the property owner shall be subject to a penalty not to exceed \$1,000.00 per week until the required inspection has been conducted or remediation efforts have been initiated.

SECTION 2. This ordinance may be renumbered for the purposes of codification.

SECTION 3. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

ORDINANCE #2023-04

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX,
STATE OF NEW JERSEY, TO ESTABLISH CHAPTER 68A TO REQUIRE LEAD PAINT
TESTING AS MANDATED BY P.L. 2021, C.182**

Summary of Ordinance #2023-04

This Ordinance amends the Municipal Code of the Township of Andover, adding Chapter 68A, which Chapter establishes requirements for the inspection and remediation of lead-based paint in certain residential dwellings, and establishes fees, penalties, and exceptions in connection with same.

Introduced: 2/2/23

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on February 2, 2023. A public hearing regarding same will be held at a hybrid meeting scheduled for March 2, 2023, beginning at 7:00PM, to be held both in person and virtually via Zoom, which details for accessing the meeting are as follows:

Webinar ID: 832 6104 1515

Passcode: 100240

Join Zoom Meeting with browser:

<https://us02web.zoom.us/j/83261041515?pwd=dktJOGJRMWc5MjUxcE9UWWxadlNRdz09>

or

Join Zoom Meeting by Phone:

+ 1 301 715 8592

All persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Patricia L. Bussow, RMC
Administrator/Municipal Clerk