

BRANCHVILLE BOROUGH
Regular Meeting
April 6, 2022

The Regular Meeting of the Branchville Borough Council was held on Wednesday, April 6, 2022 at 7:00 p.m. at the Branchville Municipal Office, 34 Wantage Ave, Branchville, New Jersey.

Mayor Frato opened the meeting with the flag salute and the reading of the New Jersey Open Public Meetings Act Statement.

The New Jersey Open Public Meetings Act was enacted to ensure the right of the public to have advance notice of and to attend meetings of public bodies at which any business affecting their interest is discussed or acted upon. In accordance with the provisions of this Act, the Branchville Borough Council has caused notice of this meeting to be published by having the date, time and place thereof sent to the New Jersey Herald.

The roll was called. Those present were Mayor Frato, Council Members Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Also present were Jeff Lewis, Jon Frato, Keith Whitehead, Mike Little, Sharon Marino, Randy Morse, Bill Bathgate, Michelle Orr, Nathan Orr, Stanley Van Den Heuvel, 2 Sheriff Officers, various Branchville Borough residents and Branchville Hose Company members.

Motion was made by Councilman Doremus, seconded by Councilman Bellis to place approval of the March 2, 2022 regular minutes on hold until the May 4, 2022 meeting. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to approve the special meeting minutes from March 16, 2022. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Council President Van Stone read two proclamations. The first proclamation was for Child Abuse Prevention Month. The second was for National Donate Life Month. This proclamation was presented to a representative of the NJ Sharing Network and to a Branchville Borough resident, Sharon Marino.

A grievance has been submitted by Jeff Lewis referring to a Facebook post by Councilman Orr. Attorney Valenti asked Councilman Orr if he would like to discuss Jeff Lewis and his position at the current meeting. Mr. Orr suggested that he would like to discuss our OEM's behavior in his Facebook post. Mr. Orr stated he has concerns about Jeff's behavior in relation to his position of OEM. Councilwoman Bathgate, Councilman Doremus, Councilman Bellis and Mayor Frato stated positive remarks about Jeff Lewis and his 24 years of employment. No action taken.

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to open the public comment portion of the meeting. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Bellis, seconded by Councilwoman Whitesell to authorize our CFO, Christine, to contact our bonding attorney to discuss preparation of a bond ordinance for the May meeting. This approval will be for the purchase of the new street sweeper in the amount of \$263,074.58 through the co-op. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to authorize Steve Leenheer to speak to Harold Pellow to discuss the sewer hookup plan for 4 Mattison Ave. and then return to the Branchville Borough council with results. All construction fees and fees charged by Harold Pellow are to be billed to the owner or contractor of 4 Mattison Ave. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Councilman Van Stone will contact Harold Pellow to discuss meeting attendance in regard to the water runoff rectification on Broad St. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Stanley Van Den Heuvel clarified a statement made by Councilman Orr during the March 2022 meeting concerning Branchville Borough mail and William and Beverly Bathgate.

Tara Sapsi and Mr. and Mrs. Doyle expressed frustration with water issue in their area of Wantage Ave. They stated the water runoff is excessive. Councilman Doremus stated that the Borough of Branchville council should do something to help them. Mayor Frato stated the water excess committee could continue discussion with them and that Cory Stoner would be contacted to discuss same.

Motion was made by Councilman Orr, seconded by Councilwoman Whitesell to authorize Mayor Frato to contact an electrician to look at the lights on the municipal building by the parking lot. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Tara Sapsi stated that she would like to resolve the situation that happens in the winter with snow removal from the sidewalks. Ms. Sapsi was asked to return to the July 2022 meeting to discuss same.

Motion was made by Councilman Van Stone, seconded by Councilwoman Bathgate to close public session. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Doremus, seconded by Councilwoman Whitesell to approve the 2022 budget on first reading. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to table Ordinance #01-2022, AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF BRANCHVILLE, NEW JERSEY TO CSC TKR,LLC for further revision including that the cable box fee cost is to be waived. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilwoman Whitesell, seconded by Councilwoman Bathgate to approve Ordinance # 02-2022 AN ORDINANCE AMENDING SECTIONS OF THE CODE OF THE BOROUGH OF BRANCHVILLE INCLUDING SECTIONS RELATING TO: PARKING OF CERTAIN COMMERCIAL VEHICLES; 123-23.3 AND PARKING; 116-8.1 NO PARKING DURING SNOW REMOVAL AND INDEX OF THE CODE OF THE BOROUGH OF BRANCHVILLE on first reading. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Ordinance follows minutes)

The following ordinance was offered for second reading by Councilman Doremus, seconded by Councilman Bellis with all council members present voting affirmatively:

BRANCHVILLE BOROUGH ORDINANCE # 03-2022
COLA

Advertisement has been made according to law.

Councilman Doremus moved a public hearing be held on the ordinance, seconded by Councilwoman Bathgate with all council members voting affirmatively.

No comments.

On motion of Councilman Bellis, seconded by Councilwoman Bathgate with all council members present voting affirmatively, the public hearing was closed.

Councilman Doremus moved the ordinance be adopted on second reading. The motion was seconded by Councilman Bellis. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Bellis, seconded by Councilwoman Bathgate to approve Ordinance # 04-2022 AN ORDINANCE AMENDING SECTION 95 OF THE CODE OF THE BOROUGH OF BRANCHVILLE on first reading. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Ordinance follows minutes)

Motion was made by Councilman Bellis, seconded by Councilman Orr to approve Ordinance # 05-2022 AN ORDINANCE AMENDING SECTION 119 OF THE CODE OF THE BOROUGH OF BRANCHVILLE on first reading. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Ordinance follows minutes)

Motion was made by Councilman Bellis, seconded by Councilman Orr to approve Resolution # 12-2022, Resolution approving per diem mutual aid agreement for water emergency standbys with Sussex County Fire Coordinator and the Borough of Branchville, County of Sussex, State of New Jersey. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Resolution follows minutes)

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to approve the quote in the amount of \$6,877.00 for Seal Master agreement. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

A letter was received from Montague Tool and Supply concerning the shopping flyers that are being thrown on private property in the Borough of Branchville. Mayor Frato made a phone call to the flyer customer service and spoke to the manager in charge. The Borough of Branchville was told that these flyers would no longer be thrown on private property in the Borough of Branchville. Two phone numbers were collected and can be given to residents if they have any future problems or concerns with the same.

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to approve the facility use form as provided by Justin Bellis for use of the ballfield. A Certificate of Insurance and the \$100 must be received before the group is allowed to use the field. Roll Call Vote: Aye – Bathgate, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – Bellis.

Motion was made by Councilman Doremus, seconded by Councilwoman Whitesell to approve a facility use form from the American Legion. The approval of this event is pending the receipt of the certificate of insurance and \$100. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to approve a donation in the amount of \$350 to the American Legion for assistance in their annual Memorial Day parade. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilwoman Whitesell, seconded by Councilman Doremus to approve the facility use form as provided by Mr. St. Clair. The approval of this event is pending

receipt of a certificate of insurance and the \$100. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to approve a facility use form as provided by Faith Healy. The approval of this is pending a Certificate of Insurance. The \$100 has been submitted. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

The portable generator will not run well pump #1. The startup is the problem. A variable frequency drive is needed for startup. Struck Albert has yet to correct the issue. Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to not accept the project as completed and to not forward payment for the portable generator yet. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Bellis, seconded by Councilwoman Whitesell to approve the project as complete for the generator at the municipal office and well house docking station. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to authorize Attorney Valenti to add in the L shape property in the Mattison area property map (attached). This is in discussion with Green Acres and sale of the property. If the L shape adds more percentage of land the price must reflect same. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to hold off discussion on removing the Reservoir as a diversion source until the next permit application discussion. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Van Stone, Whitesell. Nay – Orr. Absent – None. Abstain – None.

An email was received from Frankford Township concerning the Cerra property. Councilman Van Stone will contact Harold Pellow to discuss same. Attorney Valenti asked that Harold Pellow comment as to whether a basin can be built on the Cerra property. Council would like a copy of the map being used in discussion from Attorney Valenti.

Wielkocz and Company, LLC sent a letter that they are willing to terminate their agreement with Branchville Borough.

A letter was reviewed from Mike Robinson concerning the wall by the Brook at 10 Mill Street. Mayor Frato will contact Mike Robinson and ask him to contact the DEP on same.

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to approve the appraiser as provided by Frankford Township, Norman J. Goldberg, LLC, to appraise the Branchville Property on Mattison Reservoir property. The approval is pending receipt of a facility use and certificates of insurance for same. Also a statement that no current

contact is in place. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Discussion took place concerning pipe replacement on Fox Hill. Councilman Doremus suggested that Mike Little work with Frankford Township DPW in discussion for replacement of the pipe being that it will be a joint venture between municipalities.

Councilman Doremus stated that the sewer user fees may need to be increased. He added that SCMUA's budget is a conflict with the sewer bill timing. Councilman Doremus stated that he was discussing how to approach this with our CFO, Christine, through possibly an ordinance that gives the borough ability to increase same yearly.

Councilman Doremus stated that the sewer committee is working on classification of the new revised Selective building at 2 Broad St. He would like to see a contract amount between the Borough of Branchville and Selective in regard to this building.

Councilman Doremus stated that the water rates have to be increased.

Mayor Frato reminded the governing body that everyone must review and sign the vouchers.

Motion was made by Councilwoman Bathgate, seconded by Councilman Van Stone to have a tree planted in memory of Harold Taylor, a past governing body member. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. Request was made to notify his family of same.

On motion of Councilwoman Whitesell, seconded by Councilwoman Bathgate permission was given to the Mayor and Clerk to discuss a possible playground donation from Selective Insurance with Selective residents. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Bellis, seconded by Councilwoman Whitesell to move Keith Whitehead from 1st alternate to regular member of land use board. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Bellis, seconded by Councilwoman Bathgate to move Brian Bansemer from regular member to 1st alternate member of land use board. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

On motion of Councilman Bellis seconded by Councilwoman Bathgate approval was given to Mayor Frato to hold a meeting with the recreation group and the liaisons to discuss

finances. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Mr. Zipp filed a tax appeal on behalf of Selective Insurance. Mr. Valenti reviewed the process and cost of same. Mr. Valenti suggested discussing this current tax appeal with Selective Insurance. An executive session will be placed on next agenda to discuss status. The clerk will set up a meeting with Mr. Lanza. Motion was made by Councilwoman Whitesell, seconded by Councilman Doremus to approve Attorney Valenti, Mayor Frato, Bev Bathgate and Kate Leissler to meet and discuss tax appeal with Mr. Lanza. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Attorney Valenti stated that T Mobile is actively moving forward with plans for 12 more antennas on the water tower. The lease is a 10-year minimum lease. Motion was made by Councilman Bellis, seconded by Councilwoman Whitesell to pass Resolution # 13-2022, Resolution of the Borough of Branchville. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Resolution # 13-2022 attached)

A reminder was given by the clerk that the annual financial statement instructions are in everyone's packet and it is due April 30, 2022.

The following bills were presented for payment. On motion of Councilwoman Whitesell, seconded by Councilman Doremus they were ordered paid after being properly audited, paid out of correct account and subject to the availability of funds. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(List of bills follows minutes)

On motion of Councilman Bellis, seconded by Councilman Van Stone, the meeting was adjourned. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.



Kathryn Leissler

Borough Clerk

**BOROUGH OF BRANCHVILLE
SUSSEX COUNTY, NEW JERSEY
ORDINANCE # 03-2022**

**CALENDAR YEAR 2022
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Committee of the Borough of Branchville in the County of Sussex finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$35,707.70 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Committee of the Borough of Branchville, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Branchville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$35,707.70 and that the CY 2022 municipal budget for the Borough of Branchville be approved and adopted in accordance with this ordinance; and,


BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

CERTIFICATION

I, Kathryn Leissler, Municipal Clerk of the Borough of Branchville, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of an ordinance duly authorized by the Borough Council on this 6th day of April 2022.



Kathryn Leissler, RMC

PROCLAMATION

NATIONAL DONATE LIFE MONTH


April 1-30, 2022

- Whereas:** Realizing the urgent need for organ and tissue donors across the country, the **NATIONAL DONATE LIFE MONTH** observance promotes a greater understanding about the life-saving benefits of donation and transplantation. Moreover, the need is increasing. NJ Sharing Network is committed to addressing that need through increased awareness; and
- Whereas:** The transplantation of organs and tissue is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year. One organ donor can save eight lives and one tissue donor can restore health to over 75 others. People of all ages, ethnic backgrounds and religions are touched by donation and by the serious shortage of organ donors that exists. Currently, there are nearly 4,000 New Jersey residents and over 100,000 Americans awaiting life-saving transplant operations; and
- Whereas:** Every capable person should support this vital effort by registering as an organ and tissue donor, making their family aware of their wishes and being willing to give the precious gift of health, sight and life to people in need; and
- Whereas:** Registering as an organ and tissue donor at a local Motor Vehicle Agency or online at www.NJSharingNetwork.org signifies our fundamental human responsibility to help others; and
- Whereas:** As Mayor of Branchville Borough, I recognize **NATIONAL DONATE LIFE MONTH** as an opportunity to join NJ Sharing Network in its life-saving mission.

NOW, THEREFORE, I, Anthony Frato Sr. do hereby proclaim April as:

DONATE LIFE MONTH

I urge all residents to join me in promoting organ and tissue donor education throughout **NATIONAL DONATE LIFE MONTH**.

SIGNED:  _____

Child Abuse Prevention Month Proclamation

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Sussex County; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

WHEREAS, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems, and risky behavior;

WHEREAS the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community;

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community;

NOW THEREFORE, be it resolved that the Borough of Branchville does proclaim April as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.



BOROUGH OF BRANCHVILLE

Ordinance #02-2022

An ordinance amending sections of the Code of Branchville including sections relating to: Parking of certain commercial vehicles; 123-23.3. and Parking; 116-8.1 No parking during snow removal and index of the code of the Borough of Branchville

BE IT ORDAINED by the Mayor and Council of the Borough of Branchville, in the County of Sussex, and the State of New Jersey that the following Sections of the Code of the Borough of Branchville are amended as follows:

Chapter 123. Zoning

Article VI. Supplemental Regulations

§ 123-23.3. commercial vehicles size – This section is revised to state as follows:

No commercial vehicle with six or more road wheels, weighing 27,000 lbs or more, shall be permitted to park between the hours of 8:00 p.m. and 7:00 a.m. on borough owned streets, in residential zone districts and residential areas. This prohibition includes, without limitation, trucks, tractor-trailers, and other commercial vehicles. In addition to all penalties and fines available against the vehicle owner under the Borough's Ordinances, any vehicle which is parked in violation of this section may be towed at the owner's expense.

Chapter 116. Vehicles and Traffic – The following new Section is added to this Chapter:

Article II. Parking

§ 116-8.1. No parking during snow removal.- Ice storm and towing

Whenever snow or ice has fallen and the accumulation is such that it covers the public streets, no vehicle shall be parked on the public streets in the Borough of Branchville from 10:00 p.m. to 6:00 a.m. The above parking prohibition shall remain in effect beyond that time period until the streets have been plowed sufficiently and until that parking will not interfere with the normal flow of traffic. In addition to all penalties and fines available against the vehicle owner under the Borough's Ordinances, any vehicle which is parked in violation of this section may be towed at the owner's expense.

BOROUGH OF BRANCHVILLE
ORDINANCE NO. 04-2022

AN ORDINANCE AMENDING SECTION 95 OF THE CODE OF THE BOROUGH OF
BRANCHVILLE

BE IT ORDAINED by the Mayor and Council of the Borough of Branchville, in the County of Sussex, and State of New Jersey that the following Sections of the Code of the Borough of Branchville are amended as follows:

Chapter 95. Sewers

Section 95-4, "Application for Connection" is amended as follows:

a. The following additional language is added to Subsection 95-4A of this Section: Sewer connection permits will expire 52 weeks after the date of issue. Expired permits will be subject to renewals for a further period of 52 weeks each; however, a new application fee for each renewal must be paid based on the application fees in effect when each renewal application is received. Also, if a connection fee was paid with prior applications, the applicant must also pay, with each renewal application, the difference between the connection fee in effect when the renewal application is submitted and the total connection fee paid with the prior applications.

All other Sections in the Code of the Borough of Branchville shall remain in full force and effect.

Effective Date. This Ordinance shall become effective upon passage and publication as required by law.

Attest:

BOROUGH OF BRANCHVILLE

Kathryn Leissler, Clerk

Anthony Frato, Mayor

BOROUGH OF BRANCHVILLE
ORDINANCE NO. 05-2022

AN ORDINANCE AMENDING SECTION 119 OF THE CODE OF THE BOROUGH OF
BRANCHVILLE

BE IT ORDAINED by the Mayor and Council of the Borough of Branchville, in the County of Sussex, and State of New Jersey that the following Sections of the Code of the Borough of Branchville are amended as follows:

Chapter 119. Sewers

Section 119-1, "Establishment of Water Rates" is amended as follows:

The following new subsection is added to Section 119-1, "Establishing of Water Rates:

c. The approval issued by the Borough for connection to the Borough water supply will expire 52 weeks after the Borough's issuance of the approval letter. Expired approvals will be subject to renewal for a period of 52 weeks each; however, a new connection fee for each renewal must be paid based upon the connection fee in effect when each renewal request for water connection is received. If a connection fee was paid with prior requests for a connection, the applicant must also pay, with each renewal application, the difference between the connection fee in effect when the renewal request is submitted and the total connection fees paid with the prior requests.

All other Sections in the Code of the Borough of Branchville shall remain in full force and effect.

Effective Date. This Ordinance shall become effective upon passage and publication as required by law.

Attest:

BOROUGH OF BRANCHVILLE

Kathryn Leissler, Clerk

Anthony Frato, Mayor

BOROUGH OF BRANCHVILLE
COUNTY OF SUSSEX, STATE OF NJ

Resolution # 12-2022

"RESOLUTION APPROVING PER DIEM MUTUAL AID AGREEMENT FOR WATER EMERGENCY STANDBYS WITH SUSSEX COUNTY FIRE COORDINATOR AND THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY"

WHEREAS, the Borough of Branchville provides fire protection resources for ordinary emergency response requirements within its jurisdiction; and

WHEREAS the Fire Departments in Sussex County have a day-to-day responsibility to provide for the safety and security of lives and property; and

WHEREAS, local resources can become exhausted during the small percentage of large magnitude fire or disaster occurrences; and

WHEREAS, mutual aid is the most cost-effective method of providing sufficient resources to a local jurisdiction for those extraordinary occurrences including water emergency standby; and

WHEREAS, it is of mutual benefit for fire agencies located within the County of Sussex to provide supplemental resources to each other in the event of a local emergency or disaster; and

WHEREAS, the Sussex County Fire Coordinator is requesting a Per Diem Mutual Aid Agreement for Water Emergency Standbys will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of fire department personnel and equipment whenever a local fire agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of a fire or emergency; and

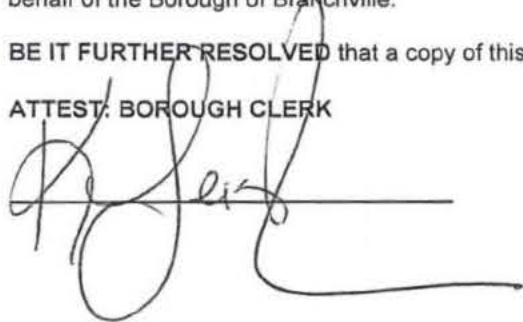
WHEREAS, it is the desire of the Governing Body of the Borough of Branchville to participate in the Sussex County Fire Coordinator Per Diem Mutual Aid Agreement for Water Emergency Standbys in accordance with the agreement as plan as submitted by the Sussex County Fire Coordinator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Branchville, Sussex County, New Jersey, the Mayor and Borough Clerk are hereby authorized to execute the Per Diem Mutual Aid Agreement for Water Emergency Standbys on behalf of the Borough of Branchville.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Sussex County Fire Coordinator.

ATTEST: BOROUGH CLERK

MAYOR OF THE BOROUGH OF BRANCHVILLE:



PER DIEM MUTUAL AID AGREEMENT
FOR WATER EMERGENCY STANDBYS

THIS AGREEMENT made on this _____ day of _____, 2022, upon notice and request for mutual aid for a non-fire water emergency with the request being made by _____, to the Sussex County Fire Coordinator, 135 Morris Turnpike, Newton, New Jersey with then a request to provide for the requesting agency made through the Sussex County Fire Coordinator to _____ to provide mutual aide water tender standby services for a water emergency to _____ and _____ having advised that it has appropriate water tender apparatus and personnel available to provide the aforesaid standby request.

In accordance with the rate for compensation for such services for apparatus and personnel have been approved by FEMA as follows:

- | | | |
|---|----|----------------------------------|
| a) Truck, Fire, Support Water Tender
300 GPM/4,000 + gallons S1 | \$ | 114.50 per hour (FEMA Code 8687) |
| b) Truck, Fire, Support Water Tender
200 GPM, 2,500 + gallons S2 | \$ | 103.50 per hour (FEMA Code 8688) |
| c) Truck, Fire Support Water Tender S3 | \$ | 79.00 per hour (FEMA Code 8689) |

Accordingly, the requesting agency (Fire Department, Municipality or Office of -----) of _____ shall compensate the agency to provide mutual aid standby water tender of _____ at the rate of \$ _____ per hour for the standby services of water tender apparatus _____ that shall be paid to the governing body of the agency providing standby services (Municipality, Fire District or Department)

Further, in accordance with the FEMA Administratively Determined (AD) Pay Plan for Emergency Workers the following rates of pay, per diem, shall be paid by _____ (requesting agency) to the governing body or to _____ (Agency to Provide Mutual Aid Standby) for the use of Fire Department personnel for the standby at the following rates:

AD-1 (For Fire Officers) \$32.64 per hour
AD-F (Firefighters) \$24.16 per hour

Following the incident response, the responding agency of _____ (Agency to Provide Mutual Aid Standby) shall through the officer of the Sussex County Fire Coordinator, submit to the requesting agency of _____ for payment which shall be made to the responding agency's governing body of _____ (Governing Body of Responding Agency)

Office of Sussex County Fire Coordinator

Date:

Responsible Officer of Responding Agency

Date:

Governing Body Representative of Responding Agency

Date:

Authorized Representative of Requesting Agency

Date:

WATER TENDER MUTUAL AID AGREEMENT

This agreement is for the response of fire service water tenders to a municipality for fire protection that is experiencing a water emergency.

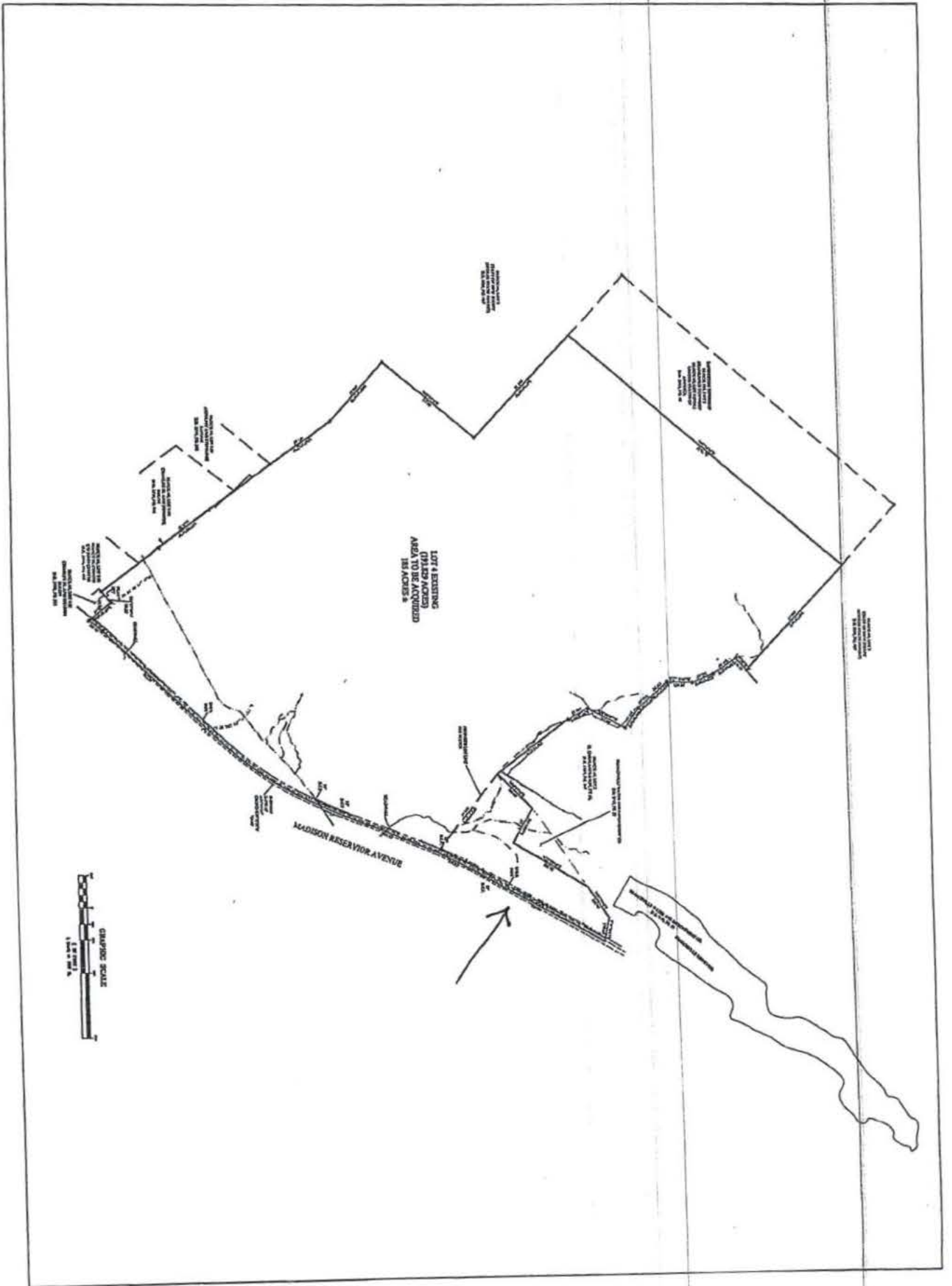
If you are an agency that has a Fire Service Water Tender and would normally respond to these incidents you would need to first have your municipal officials pass a resolution authorizing you to do so. Exception - if you are not affiliated in any way with the municipality, self-insured and self-governed.

In this resolution you would need to have your municipality give the fire department officers the ability to sign the agreement on their behalf so as to not to delay the deployment. Also, in the resolution a statement needs to be included that any and all monies collected are to go directly into the fire department budget.

This document will utilize the FEMA fee schedules for apparatus and manpower so if for some reason there is a state of emergency and FEMA funds are available, these monies can be recouped by all parties.

If anyone has any questions please contact:

Sussex County Fire Coordinator
Virgil Rome
vrome@sussexcountysheriff.com
973-579-0380, ext 2207



**RESOLUTION OF THE BOROUGH COUNCIL
OF THE BOROUGH OF BRANCHVILLE**

WHEREAS, the Borough Council of the Borough of Branchville has determined that certain space on the existing Borough water storage tank for approximately twelve (12) antennas and related materials, is not needed for public use and that a portion of the land abutting said water storage tank consisting of approximately 720 square feet is not necessary for public use; and

WHEREAS, the Borough Council has determined that an opportunity exists for the Borough to generate revenues by leasing the aforesaid space and land to the highest bidder;


NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Branchville:

- A. That the aforesaid space and land be and are hereby determined by the Council to be not needed for public use;
- B. That a lease for the aforesaid space and land be offered to private persons or entities following the submission of sealed bids wherein said lease shall be made to the highest bidder; however, the Council hereby reserves the right to reject all bids where the highest, complying bid is not accepted. Upon the completion of all bidding, the highest bid may be accepted, or all the bids may be rejected.
- C. That the Clerk of the Borough is directed to make such advertisement for the submission of sealed bids for the space to be leased in accordance with N.J.S.A. 40A:12-14. Said advertisement shall provide that the Borough reserves the right to reject all bids where the highest bid is not accepted, and that the tenancy shall be subject to the conditions, restrictions and limitations stated in the attached form of Lease which attached form is hereby approved by the Borough Council.

CERTIFICATION

I, Kathryn L. Leissler, Borough Clerk of the Borough of Branchville, hereby certified that the above is an accurate memorialization of a Resolution adopted by the Borough Council of the Borough of Branchville at its public meeting on April 6, 2022.

Dated: 4-6-2022


Kathryn L. Leissler, R.M.C.

Check Register - (0110101001000) Cash Checking

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
3/02/2022	3709	543 Legion Fireworks Co., Inc.		5,000.00	4/06/2022	Lost in mail
4/06/2022	3734	11 Allied OIL, LLC	1,580.35			
4/06/2022	3735	147 American HOSE & HYDRAULICS	1,344.58			
4/06/2022	3736	161 American Legion	350.00			
4/06/2022	3737	550 American Rock Salt Co. LLC	2,651.60			
4/06/2022	3738	15 Century LINK	1,698.29			
4/06/2022	3739	468 Cintas	467.16			
4/06/2022	3740	128 Crystal MOUNTAIN SPRINGS	52.50			
4/06/2022	3741	59 DOLAN & DOLAN P.A.	43.75			
4/06/2022	3742	59 DOLAN & DOLAN P.A.	537.25			
4/06/2022	3743	425 Elizabethtown Gas	1,431.33			
4/06/2022	3744	101 FRANKFORD BOARD OF EDUCATION	103,527.08			
4/06/2022	3745	101 FRANKFORD BOARD OF EDUCATION	103,527.08			
4/06/2022	3746	32 GENERAL CODE, LLC	1,195.00			
4/06/2022	3747	2 HAROLD E. PELLOW & ASSOC INC.	15,138.08			
4/06/2022	3748	502 HBCBS of NJ	132.84			
4/06/2022	3749	62 HIGH POINT REGIONAL HIGH SCHOOL	70,529.50			
4/06/2022	3750	45 HOME DEPOT CREDIT PLAN	279.00			
4/06/2022	3751	51 JCP&L	2,626.97			
4/06/2022	3752	50 JESCO INC.	306.99			
4/06/2022	3753	543 Legion Fireworks Co., Inc.	5,000.00			
4/06/2022	3754	534 McNeil & Company, Inc	4,835.28			
4/06/2022	3755	80 MITCHELL HUMPHREY and Co.	1,090.00			
4/06/2022	3756	64 MONTAGUE TOOL & SUPPLY CO.	77.33			
4/06/2022	3757	65 NEWTON TROPHY & SPORT CENTER	119.00			
4/06/2022	3758	97 NJ DCA ELSA	1,656.00			
4/06/2022	3759	200 Optimum	9.95			
4/06/2022	3760	320 R&L Data Centers Inc	640.00			
4/06/2022	3761	320 R&L Data Centers Inc	640.00			
4/06/2022	3762	69 STAPLES ADVANTAGE	276.56			
4/06/2022	3763	86 Sussex County Muni. Utilities Autho	3,386.24			
4/06/2022	3764	71 Sussex County Treasury	372.48			
4/06/2022	3765	1 Times Herald-Record	40.50			
4/06/2022	3766	243 TRI STATE RENTALS	43.56			
4/06/2022	3767	75 VERIZON WIRELESS	60.63			
4/06/2022	3768	418 Viking Termite & Pest Control, Inc	54.46			
4/06/2022	3769	76 Vital Communications INC	61.77			
4/06/2022	3770	156 WANTAGE TOWNSHIP	10,824.25			
4/06/2022	3771	156 WANTAGE TOWNSHIP	732.25			
4/06/2022	3772	6 WASTE MANAGEMENT OF NJ, INC.	10,009.40			
			347,349.01			
			347,349.01			
			-5,000.00	** Voided checks issued in an earlier period		
			342,349.01			

Check Register - (0710101001000) Cash Checking

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
4/06/2022	1000	226 FOLEY, INC.	134.34	134.34	4/06/2022	Wrong amount
4/06/2022	1239	51 JCP&L	226.64			
4/06/2022	1240	392 Kieffer Electric, Inc	187.40			
4/06/2022	1241	86 Sussex County Muni. Utilities Autho	142,000.50			
4/06/2022	1242	86 Sussex County Muni. Utilities Autho	12,794.25			
4/06/2022	1243	226 FOLEY, INC.	2,162.10			

			157,505.23			
			-134.34	**	Voided	
			=====			
			157,370.89			

Check Register - (0910101001000) CASH CHECKING

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
4/06/2022	1931	546 American Aquatic Testing Inc.	900.00			
4/06/2022	1932	31 GARDEN STATE LABS INC.	3,310.00			
4/06/2022	1933	51 JCP&L	2,263.64			
4/06/2022	1934	100 MAIN POOL & CHEMICAL CO.	473.60			
4/06/2022	1935	273 NJ Dept. Treasury	2,300.00			
4/06/2022	1936	273 NJ Dept. Treasury	500.00			
4/06/2022	1937	526 North Jersey Pump & Controls, LLC	1,325.00			
4/06/2022	1938	66 ONE CALL CONCEPTS	37.53			
4/06/2022	1939	107 STATE OF NEW JERSEY-PWT	52.63			
4/06/2022	1940	72 Sussex Rural Electric	67.42			

			11,229.82			
			=====			
			11,229.82			

Check Register - (1210101001000) CASH-DOG LICENSE

DATE CHECK # PAID TO AMOUNT VOID AMOUNT VOID DATE REASON

4/06/2022	1097	102 NEW JERSEY STATE DEPT. OF HEALTH	52.80			

			52.80			
			=====			
			52.80			