

BRANCHVILLE BOROUGH  
Regular Meeting  
May 4, 2022

The Regular Meeting of the Branchville Borough Council was held on Wednesday, May 4, 2022 at 7:00 p.m. at the Branchville Municipal Office, 34 Wantage Ave, Branchville, New Jersey.

Councilman Van Stone 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 Council Members Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Also present were Keith Whitehead, Mike Little, Jim Ayers, Dave Silverthorne, Michelle Shelton, Mike Clune, Bruce Jorritsma, Steve Leenheer and Christine Rolef.

Motion was made by Councilman Doremus, seconded by Councilman Bellis to approve the minutes of March 2, 2022 and minutes of April 6, 2022. 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 Councilman Doremus to open the public portion section of the meeting. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Mike Little was present to discuss his worker's compensation issue. Motion was made by Councilwoman Whitesell, seconded by Councilwoman Bathgate to approve Mike Little's 30% difference between workers compensation and regular pay to be withdrawn from his accumulated sick time balance. Roll Call Vote: Aye – Bathgate, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – Bellis.

Steve Leenheer, representing 4 Mattison Ave owner, asked the governing body about sewer hook ups and a tie in to connect 4 Mattison Ave. to our sewer system. Steve Leenheer was asked to take his plans to review with Harold Pellow and report back to council on same.

Harold Pellow reviewed the Prospect St. water runoff issue with the governing body. Harold stated that the County of Sussex approved the proposed basins. Mr. Cerra has suggested that he can sell his property Block 703 Lot 15 to Borough / Frankford. Motion was made by Councilwoman Bathgate, seconded by Councilman Orr that further discussion be tabled until

later in the meeting during executive session for negotiations. 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 close the public portion of the meeting. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

CFO Christine Rolef and a representative from Nisivoccia presented the proposed budget for 2022. Christine Rolef shared that the water rates need to be increased.

Motion was made by Councilman Doremus, seconded by Councilman Bellis to approve Resolution #15-2022, Self-Examination resolution. 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 open the public hearing for the 2022 Branchville Borough budget. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

No public comment made.

Motion was made by Councilman Bellis, seconded by Councilman Doremus to close the public comment on the budget portion. 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 adopt the 2022 Branchville Borough budget. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Mr. Clune stated that 2 Broad is scheduled to be completed June 22, 2022. Mr. Clune told Selective that the Borough needs projected water consumption before a CO is given.

Mr. Clune was told by SCUMA to expect a proposed sewer line drawing from the County of Sussex to include the Homestead in their sewer system. Mr. Clune expressed the need for the agreement and that further discussion is needed on where allocation will come from.

Councilman Doremus stated that 2 Broad Street may be classified as a boarding house. The Borough is waiting on an engineer estimate on water usage.

Motion was made by Councilman Doremus, seconded by Councilman Bellis to enter into executive session to discuss negotiations. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

The minutes of the executive session will be made available once the items discussed is settled.

On motion of Councilman Doremus, seconded by Councilman Bellis motion was made to end executive session. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

On motion of Councilman Doremus, seconded by Councilman Bellis motion was made to return to the regular meeting. 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 pay 50% on the appraisal provided by Norman J. Goldberg, INC. in regard to the Cerra property. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Orr, seconded by Councilman Doremus to approve resolution as follows:

1. The Council authorizes Rich Van Stone to participate in negotiations with Mr. Cerra for the purchase of Mr. Cerra's property, with the understanding that the Borough will contribute 50% of the purchase price for Mr. Cerra's property if the Borough approves the purchase price for that property.

2. Any Contract of Sale for the purchase of Mr. Cerra's property will contain a contingency in favor of the Borough, which contingency will provide that, if in the Council's determination, the Borough's share of the expenses required for the design, construction, and maintenance of the proposed detention basin on the Cerra property is or will be unacceptable to the Borough, the Borough can terminate the Cerra Contract without any liability to any other parties to the Contract.

3. Any Contract of Sale with Mr. Cerra will provide that: (i) the Rain Garden required by the Frankford Township Land Use Board to be installed on property owned by McMahan must be installed with adequate provisions for the installation and perpetual maintenance thereof given to the Borough's satisfaction prior to the closing on the Cerra property; or, (ii) in the alternative, an adequate bond, letter of credit, escrow, lien rights, or other form of surety acceptable to the Borough is posted by McMahan to ensure, at the option of the Borough, either the proper construction and perpetual maintenance of the Rain Garden or, at the Borough's option, to ensure and pay for all additions or renovations to the proposed detention basin required by the Borough if the Rain Garden is not constructed or perpetually maintained properly. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. The clerk was asked to forward this resolution to the Frankford Clerk.

Jim Ayers left plans for Methodist Church parking lot.

Motion was made by Councilman Doremus, seconded by Councilwoman Whitesell to table Ordinance # 01-2022, Altice, until we hear back that the cable box waiver can be added. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

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

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.

Advertisement has been made according to law.

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

No comments.

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

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

The following ordinance was offered for second reading by Councilwoman Whitesell, seconded by Councilwoman Bathgate with all council members voting affirmatively:

ORDINANCE # 04-2022        AN ORDINANCE AMENDING SECTION 95 OF THE CODE OF THE BOROUGH OF BRANCHVILLE

Advertisement has been made according to law.

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

No comments.

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

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

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

ORDINANCE # 05-2022        AN ORDINANCE AMENDING SECTION 119 OF THE CODE OF THE BOROUGH OF BRANCHVILLE

Advertisement has been made according to law.

Councilwoman Bathgate moved a public hearing be held on the ordinance, seconded by Councilwoman Whitesell with all council members voting affirmatively.  
No comments.

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

Councilman Bellis moved the ordinance be adopted on second reading. The motion was seconded by Councilwoman Bathgate. 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 Councilman Doremus to approve Ordinance # 06-2022, Bond Ordinance. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Ordinance attached)

Motion was made by Councilman Doremus, seconded by Councilman Orr to approve Ordinance # 07-2022, An ordinance amending section # 62-10 of the code of the Borough of Branchville. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Ordinance attached)

Motion was made by Councilman Bellis, seconded by Councilwoman Whitesell to pass Resolution #14-2022, Professional Service. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Resolution attached)

Motion was made by Councilwoman Bathgate, seconded by Councilman Bellis to authorize Mayor Frato to sign the agreement with Nisivoccia. 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 two road openings at 24 Mill St. and 2 Mill St. The request was made from Elizabethtown Gas. 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 table action on the quote for the installation of a screen in the finance office as provided by ABCODE. This motion also includes getting a quote for a camera in the clerk's office and the finance office. 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 allow Acorn Landing daycare to place a memorial tree in the backyard of the Branchville Borough municipal office. The placement location of the tree will be approved by the Borough. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Councilman Bellis stated that the road dept. cleaned the reservoir property.

Councilman Bellis stated that the budget includes funding for a new mower. The lawn mower must be one listed on state contract. This was approved by Councilman Bellis, seconded by Councilwoman Whitesell. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Councilman Bellis contacted Petro Mechanics for a quote on readers for the gas tanks located at 6 New Street. Councilman Doremus suggested having the gas tanks inspected. He stated Morville's office should be contacted to see the status of the tanks.

Motion was made by Councilman Bellis, seconded by Councilwoman Bathgate to approve the road department's request to work from 6 am to 2:30 p.m. from Memorial Day to Labor Day. 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 Councilman Van Stone to have the Frank Sutton and the road department look at the sidewalk by Wantage and New Street to discuss correction of lifted sidewalk. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Discussion took place about the need to have an audit and 3 -5-year budget projection finance plan made for the Branchville Hose Company. The audit cost will be covered by the Council. The Council will wait to get a quote from the auditing company before proceeding.

Motion was made by Councilman Bellis, seconded by Councilwoman Bathgate to approve not allowing anyone under 18 and/or non-rostered people in any BHC vehicles limit liability. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

BHC is requested to provide an updated roster for the Main Dept. – Ladies Aux. and First Responders.

BHC will be asked to follow up with Frankford Township on the mutual aid agreement and a \$6,000.00 payment.

Discussion followed to wait on a referendum for a new fire truck. Councilman Bellis stated that other municipalities should be asked to contribute along with Selective and FMI and audit to be done prior to council discussion of the referendum.

Councilwoman Bathgate stated that the shade tree committee removed a tree that was purchased by her and located on her private property. Councilwoman Bathgate would like the shade tree committee to be notified that in the future a homeowner needs to be contacted before removal of personal trees happen. The clerk will send a letter to Shade Tree asking them to notify a homeowner before a tree removal happens.

On motion of Councilwoman Whitesell, seconded by Councilman Bellis, approval was given to the personnel committee to discuss the possible hire of Keith Whitehead to help while Mike Little is out recovering. Motion included authorization to hire Mr. Whitehead if he accepts thru Labor Day. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Attorney Valenti expressed T Mobile's excitement in moving forward. T Mobile is ok with proposed lease and bid specifications.

A meeting with Selective has been set up May 11, 2022 at 10:00 am. The meeting will be Selective Representatives, Richard Valenti, Kate Leissler and Bev Bathgate.

Motion was made by Councilman Bellis, seconded by Councilwoman Bathgate to approve the quote of \$2190.29 from Custom Earth Promos for the purchase of 500 tote bags pending Christine Rolef approval of funds from recycling. 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 Resolution # 16 – 2022, Support Amending Title 35. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

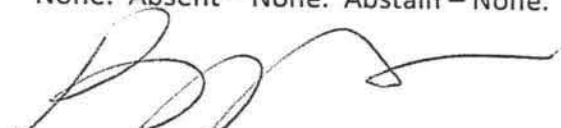
(Resolution attached)

Councilman Orr would like audio of meeting on the website. No action taken.

The following bills were presented for payment. On motion of Councilman Bellis, 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-CMR CTC RMC



BOROUGH OF BRANCHVILLE  
COUTNY OF SUSSEX, STATE OF NEW JERSEY  
RESOLUTION # 15-2022  
SELF-EXAMINATION OF BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Branchville has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Branchville that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

A handwritten signature in black ink, consisting of a large, stylized initial 'P' followed by a long, sweeping horizontal line that curves upwards at the end.

ORDINANCE #06-2022

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW STREET SWEEPER BY THE BOROUGH OF BRANCHVILLE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BRANCHVILLE, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Branchville, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$250,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$12,500 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$250,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$237,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes

of the Borough in a principal amount not exceeding \$237,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the acquisition by purchase of new and additional equipment for use by the Department of Public Works of the Borough, including one (1) street sweeper, together with all equipment, attachments and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$237,500.

(c) The estimated cost of said purpose is \$250,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$12,500 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$237,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$15,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest

from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

BOROUGH OF BRANCHVILLE  
ORDINANCE NO. 07-2022

AN ORDINANCE AMENDING SECTION 62-10 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 62. Fire Prevention

Section 62-10, "Certificate of fire code status" is amended as follows:

a. This Section is revised to state as follows: The application fee for a certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance (CSACMAPFEC) as required by NJAC 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected as follows: (i) Requests for a CSACMAPFEC received more than ten (10) business days prior to the change of occupant: \$45.00; (ii) Requests for a CSACMAPFEC received four(4) to ten (10) business days prior to the change of occupant: \$90.00; and, (iii) Requests for a CSACMAPFEC received fewer than four (4) business days prior to the change of occupant: \$161.00.

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

BRANCHVILLE BOROUGH  
Resolution # 14-2022

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY RATIFYING AND AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES TO BRANCHVILLE BOROUGH

WHEREAS, the Borough Council of the Borough of Branchville will require professional services for auditing, and

WHEREAS the attached certification attests to the availability of funds for these services from general revenues of the Borough; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 50A:11-5 permits a contract for Professional Services be publicly advertised:

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey, as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with Nisivoccia
2. The contract is entered into without competitive bidding as a "Professional Service" contract, pursuant to the Local Public Contracts Law as the borough needs professional services within the meaning of the law,
3. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Branchville within ten (10) days of passage as required by law, pursuant to the Local Public Contracts Law

As required by N.J.S.A. 40A: 4-57, N.J.A.C 5:34-5.1 et seq and any other applicable requirement, I, Christine Rolef, Chief Financial Officer of Branchville Borough in New Jersey, have ascertained that there will be sufficient uncommitted appropriations after the 2022 Municipal Budget is adopted to award contract enter into a contract with Nisivoccia for a period from May 4, 2022 to December 31, 2022. Funds for certification are therefore being made available and certified against the applicable appropriations in the 2022 Municipal Budget.

Contact award date: 05-04-22

Contract Period: 2022  
Christine Rolef CFO  
Branchville Borough



BOROUGH OF BRANCHVILLE  
COUNTY OF SUSSEX, STATE OF NEW JERSEY

RESOLUTION # 16-2022

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY IN SUPPORT OF AMENDING TITLE 35 OF THE NEW JERSEY REVISED STATUTES TO PERMIT THE PUBLICATION OF LEGAL NOTICES BY GOVERNMENT ENTITIES ON OFFICIAL GOVERNMENT WEBSITES INSTEAD OF IN NEWSPAPERS

WHEREAS, Title 35 of the New Jersey Revised Statutes establishes that, wherever publication of a legal notice of any kind is authorized by or required of a governmental entity, said notice must be published in the 'official newspaper' of the governmental entity; and

WHEREAS, permitting the publication of legal notices on the Internet instead of in newspapers will make these notices more easily accessible to the public, thereby promoting transparency and increased public participation in government; and

WHEREAS, permitting the publication of legal notices on the Internet instead of in newspapers will save government entities significant sums of money; and

WHEREAS, the Borough is aware of legislative efforts to amend Title 35 of the New Jersey Revised Statutes to permit governmental entities to publish legal notices on official government notice websites instead of in newspapers; and

WHEREAS, the Borough fully supports these legislative efforts and wishes to formally express this support.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Branchville, in the County of Sussex, and State of New Jersey as follows:

1. The Borough of Branchville hereby urges members of the New Jersey Assembly and Senate to support, co-sponsor, and adopt legislation that would permit governmental entities to publish legal notices on official government notice websites instead of in newspapers.

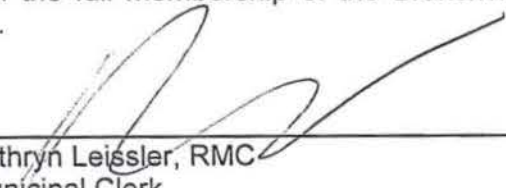
2. The Borough of Branchville hereby urges the Governor of the State of New Jersey to sign any legislation adopted by the State Assembly and Senate which legislation would permit governmental entities to publish legal notices on official government notice websites instead of in newspapers.

3. A certified true copy of this Resolution upon its adoption shall be furnished to State Senator Steven V. Oroho, State Assemblyman Parker Space, and State Assemblyman Harold J. Wirths.

4. A certified true copy of this Resolution upon its adoption shall be furnished to the Governor of the State of New Jersey.

#### CERTIFICATION

I, Kathryn Leissler, Municipal Clerk of the Borough of Branchville, 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 Branchville Borough Council at its regular meeting on May 4, 2022.

  
\_\_\_\_\_  
Kathryn Leissler, RMC  
Municipal Clerk

# Check Register - (0110101001000) Cash Checking

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
5/04/2022	3773	151 Airgas USA, LLC	220.75			
5/04/2022	3774	11 Allied OIL, LLC	817.82			
5/04/2022	3775	519 BKJ Productions, LLC	1,320.00			
5/04/2022	3776	15 Century LINK	1,685.93			
5/04/2022	3777	468 Cintas	233.58			
5/04/2022	3778	59 DOLAN & DOLAN P.A.	640.61			
5/04/2022	3779	425 Elizabethtown Gas	889.45			
5/04/2022	3780	101 FRANKFORD BOARD OF EDUCATION	103,527.08			
5/04/2022	3781	2 HAROLD E. PELLOW & ASSOC INC.	226.75			
5/04/2022	3782	2 HAROLD E. PELLOW & ASSOC INC.	418.00			
5/04/2022	3783	2 HAROLD E. PELLOW & ASSOC INC.	170.00			
5/04/2022	3784	502 HBCBS of NJ	132.84			
5/04/2022	3785	62 HIGH POINT REGIONAL HIGH SCHOOL	70,529.50			
5/04/2022	3786	51 JCP&L	2,851.96			
5/04/2022	3787	205 Lowe's	125.56			
5/04/2022	3788	389 Marguerite Nemeth	2,550.00			
5/04/2022	3789	64 MONTAGUE TOOL & SUPPLY CO.	24.29			
5/04/2022	3790	65 NEWTON TROPHY & SPORT CENTER	300.00			
5/04/2022	3791	200 Optimum	9.95			
5/04/2022	3792	69 STAPLES ADVANTAGE	150.04			
5/04/2022	3793	86 Sussex County Muni. Utilities Autho	2,908.56			
5/04/2022	3794	91 SUSSEX COUNTY TREASURER	177,826.51			
5/04/2022	3795	91 SUSSEX COUNTY TREASURER	12,675.57			
5/04/2022	3796	91 SUSSEX COUNTY TREASURER	721.49			
5/04/2022	3797	91 SUSSEX COUNTY TREASURER	1,780.50			
5/04/2022	3798	279 T&R Alarm Systems, Inc	92.04			
5/04/2022	3799	75 VERIZON WIRELESS	60.78			
5/04/2022	3800	418 Viking Termite & Pest Control, Inc	54.46			
5/04/2022	3801	6 WASTE MANAGEMENT OF NJ, INC.	9,726.16			
5/04/2022	3802	78 WILLCO AIR/CON/REF/HEAT INC.	150.00			
5/04/2022	3803	157 Cerbo's HAMPTON NURSERY LLC	1,075.00			
			-----			
			393,895.18			
			=====			
			393,895.18			

# Check Register - (0710101001000) Cash Checking

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
5/04/2022	1244	51 JCP&L	221.18			
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			221.18			
			=====			
			221.18			

# Check Register - (0910101001000) CASH CHECKING

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
5/04/2022	1941	61 FRANKFORD TOWNSHIP	270.27			
5/04/2022	1942	31 GARDEN STATE LABS INC.	467.55			
5/04/2022	1943	2 HAROLD E. PELLOW & ASSOC INC.	4,149.35			
5/04/2022	1944	51 JCP&L	1,055.54			
5/04/2022	1945	66 ONE CALL CONCEPTS	56.84			
5/04/2022	1946	72 Sussex Rural Electric	67.42			
5/04/2022	1947	74 USA BLUEBOOK	324.28			
5/04/2022	1948	146 WINGLE SUPPLY COMPANY INC.	405.00			
			-----			
			6,796.25			
			=====			
			6,796.25			

# Check Register - (1210101001000) CASH-DOG LICENSE

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
5/04/2022	1098	102 NEW JERSEY STATE DEPT. OF HEALTH	10.80			
5/04/2022	1099	156 WANTAGE TOWNSHIP	60.00			
			-----			
			70.80			
			=====			
			70.80			

Branchville Borough  
Executive Session Minutes  
May 4, 2022

Motion was made by Councilman Doremus, seconded by Councilman Bellis to enter into executive session to discuss negotiations. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

The follows items were discussed. No action was taken in executive session.

1. The Borough will pay 50% of the \$1,500.00 fee for the appraisal obtained by Frankford Township for the Cerra property.

2. The Council authorizes Rich Van Stone to participate in negotiations with Mr. Cerra for the purchase of Mr. Cerra's property, with the understanding that the Borough will contribute 50% of the purchase price for Mr. Cerra's property if the Borough approves the purchase price for that property.

3. Any Contract of Sale for the purchase of Mr. Cerra's property will contain a contingency in favor of the Borough, which contingency will provide that, if in the Council's determination, the Borough's share of the expenses required for the design, construction, and maintenance of the proposed detention basin on the Cerra property is or will be unacceptable to the Borough, the Borough can terminate the Cerra Contract without any liability to any other parties to the Contract.

4. Any Contract of Sale with Mr. Cerra will provide that: (i) the Rain Garden required by the Frankford Township Land Use Board to be installed on property owned by McMahon must be installed with adequate provisions for the installation and perpetual maintenance thereof given to the Borough's satisfaction prior to the closing on the Cerra property; or, (ii) in the alternative, an adequate bond, letter of credit, escrow, lien rights, or other form of surety acceptable to the Borough is posted by McMahon to ensure, at the option of the Borough, either the proper construction and perpetual maintenance of the Rain Garden or, at the Borough's option, to ensure and pay for all additions or renovations to the

proposed detention basin required by the Borough if the Rain Garden is not constructed or perpetually maintained properly.

On motion of Councilman Doremus, seconded by Councilman Bellis motion was made to end executive session. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van-Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

  
Kathryn Leissler  
RMC CMR CTC