

BRANCHVILLE BOROUGH
Regular Meeting
June 1, 2022

MEETING MINUTES

STATEMENT OF PUBLIC NOTICE

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.

FLAG SALUTE was led by Mayor Frato.

ROLL CALL was conducted by Clerk Leissler, Present were Mayor Frato and Councilmembers Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell.

PROCLAMATION – None

APPROVAL OF PREVIOUS MEETING MINUTES

1. April 2022 minutes

Motion to approve April meeting minutes was made by Councilman Orr, seconded by Councilman Van Stone with the removal of Councilman Bellis comment about 2 staff in office at once. With all in favor, motion carried.

Motion made by Councilman Orr, seconded by Councilman Van Stone to get a quote to place audio of minutes on the Branchville Borough website. With all in favor, motion carried.

2. May 2022 minutes

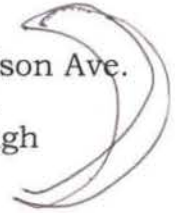
Motion to approve May meeting was made by Councilwoman Whitesell, seconded by Councilwoman Bathgate. With all in favor, motion carried.

CONSENT AGENDA – None

PUBLIC COMMENT

Motion to open to the public by Councilman Orr, seconded by Councilman Van Stone. With all in favor, motion carried.

Steve Leenheer will provide sewer pipe from cleanout to 4 Mattison Ave. The Borough will provide sewer pipe from the main to the curb. Leenheer will bring in a quote for work to be done on the Borough portion.



Motion to close to the public by Councilwoman Bathgate, seconded by Councilman Doremus. With all in favor, motion carried.

EXECUTIVE SESSION

Motion was made by Councilwoman Bathgate, seconded Councilman Doremus to enter into executive session due to litigation. With all in favor, motion carried.

Motion was made by Councilwoman Whitesell, seconded Councilman Van Stone to exit executive session due to litigation. With all in favor, motion carried.

Attorney Valenti stated that the executive session was held due to litigation. Minutes will be available once the item discussed is settled.

Motion was made by Councilwoman Bathgate, seconded by Councilman Bellis to authorize Jim Fox to reach out to 2 suggested appraisers (Integra Realty and Cushman and Wakefield) and ask for quotes. With all in favor, motion carried.

FIRST READING – INTRODUCTION

ORDINANCE # 01-2022 AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF BRANCHVILLE, NJ TO CSC TKR, LLC. Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. Ordinance attached.

SECOND READING - ADOPTION

ORDINANCE # 06-2022 BOND ORDINANCE Motion was made by Councilman Doremus, seconded by Councilman Van Stone to open public hearing. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. No public comment. Motion was made by Councilman Doremus, seconded by Councilwoman Whitesell to close public hearing. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. Motion was made to adopt Ordinance # 06-2022 by Councilman Doremus, seconded by Councilwoman Whitesell. Roll Call Vote:

Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

SECOND READING - ADOPTION

ORDINANCE # 07-2022 AN ORDINANCE AMENDING SECTION 119 OF THE CODE OF THE BOROUGH OF BRANCHVILLE. Motion was made by Councilman Doremus, seconded by Councilman Bellis to open public hearing. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

No public comment. Motion was made by Councilman Doremus, seconded by Councilman Orr to close public hearing. Motion was made to adopt Ordinance # 07-2022 by Councilman Bellis, seconded by Councilwoman Bathgate. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

RESOLUTIONS

RESOLUTION # 17 – 2022 DMHAS YOUTH LEADERSHIP GRANT

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

RESOLUTION # 18 – 2022 REDEMPTION

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

RESOLUTION # 19 – 2022 LIQUOR LICENSES

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

RESOLUTION # 20 – 2022 PURCHASE OF STREET SWEEPER

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

(Resolutions attached)

CORRESPONDENCE

Motion was made by Councilwoman Whitesell, seconded by Councilwoman Bathgate to approve the Farmland Assessment filing (\$360) by Doug Tavella. 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 BHC Raffle application # 03-22 for a raffle to be held at the Annual Beefcake dinner. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

COMMENTS FROM COUNCIL

- Councilman Bellis: Stated the new mower has been delivered.
- Stated he is looking into replacing gas tanks at the Borough garage.
- Stated he is working on having abandoned cars removed.
- Rusty would like to look into having 2 staff at the same time in the office. Further discussion will take place at a personnel meeting.
- Rusty reviewed comments from Caroline Conboy, Statewide Insurance and insurance concerns with BHC.
- Councilman Doremus: Stated that the water meter is installed at 2 Main Street.
- Stated that he would like to hold back Stothoff's bill in the amount of \$6269.00 for sand filter. The voucher is dated Feb 19, 2021 and Councilman Doremus would like to inquire on why this is so late. Mayor Frato stated to hold the payment until next month.
- Stated dog license fees may have to increase.
- Councilman Orr: Stated that he would like to look into another organization that would help keep the Halloween Parade going.
- Mayor Frato: Stated Miss. Branchville contest will be held on June 22.
- Attorney Valenti: Stated that Mike Clune would like him to review section 95-8 of the Branchville Borough code book with the council concerning sewer hookup after 180 days with cost being obligation of applicant or petitioners.
- T Mobile picked up a bid package for cell tower space.

Green Acres is currently waiting on survey competition in regard to the sale of property on Mattison Reservoir Ave.

EXECUTIVE SESSION

Motion was made by Councilman Bellis, seconded Councilman Orr by to enter into executive session due to negotiations. With all in favor, motion carried.

Attorney Valenti stated that the executive session was held due to negotiations. Minutes will be available once the item discussed is settled.

Motion was made by Councilwoman Whitesell, seconded Councilman Van Stone to exit executive session due to negotiations. With all in favor, motion carried.

Motion was made by Councilman Bellis, seconded by Councilwoman Bathgate to authorize Councilman Van Stone to continue negotiations with the Cerra property. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

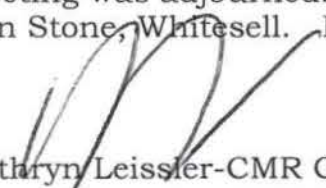
BILL APPROVAL

On motion of Councilman Bathgate, seconded by Councilwoman Whitesell they were ordered paid after being properly audited, paid out of correct account and subject to the availability of funds. All bills are to be paid except Stothoff in the amount of \$6269.00 for sand filter. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(List of bills follows minutes)

ADJOURNMENT

On motion of Councilman Bellis, seconded by Councilwoman Bathgate, 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

ORDINANCE NO. 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

WHEREAS, the governing body of Borough of Branchville (hereinafter referred to as the "Borough") determined that CSC TKR, LLC (hereinafter referred to as "the Company") has the technical competence and general fitness to operate a cable television system in the Municipality (as defined in Section 1 of this Ordinance), and by prior ordinance granted its municipal consent for the Company's predecessor in interest, Service Electric Cable T. V. of New Jersey, Inc. ("SECTV") to obtain a non-exclusive franchise (the "Franchise") for the placement of facilities and the establishment of a cable television system in the Municipality; and

WHEREAS, on or about July 14, 2020; with the prior approval of the Board of Public Utilities of the State of New Jersey (hereinafter the "Board") the Company completed its purchase of the assets of SECTV, including the cable television franchise for, and the cable television system within the territorial limits governed by, the Borough, and

WHEREAS, by application for renewal consent filed with the Borough and the Office of Cable Television on or about June 30, 2021, the Company has sought a renewal of the Franchise; and

WHEREAS, the Borough having held public hearings has made due inquiry to review the Company's performance under the Franchise, and to identify the Borough's future cable-related needs and interests and has concluded that the Company has substantially complied with its obligations under the Franchise and applicable law and has committed to certain undertakings responsive to the Borough's future cable-related needs and interests;

WHEREAS, the Borough has accordingly concluded that the consent should be renewed subject to the requirements set forth below; and that, provided the Company's proposal for renewal embodies the commitments set forth below, the Borough's municipal consent to the renewal of the Franchise should be given; and

WHEREAS, imposition of the same burdens and costs on other competitors franchised by the Borough is a basic assumption of the parties;

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

SECTION 1. DEFINITIONS

For the purpose of this Ordinance the terms defined above shall have the meanings there indicated, and the following additional terms shall have the following meanings:

- (a) "Act" or "Cable Television Act" shall mean that statute of the State of New Jersey relating to cable television, known as the Cable Television Act, N.J.S.A. 48:5A-1 et seq.
- (b) "Application" shall mean the Company's application for Renewal of Municipal Consent, which application is on file in the Borough Clerk's office and is incorporated herein by reference and made a part hereof, except as modified, changed, limited or altered by this Ordinance.
- (c) "Board" shall mean the Board of Public Utilities of the State of New Jersey or its successor agency.
- (d) "Borough" shall mean the governing body of the Borough of Branchville in the County of Sussex, and the State of New Jersey.
- (e) "Company" shall mean CSC TKR, LLC, the grantee of rights under this Ordinance.
- (f) "FCC" shall mean the Federal Communications Commission.
- (g) "Federal Act" shall mean that federal statute relating to cable communications commonly known as the Cable Communications Policy Act of 1984, 47 U.S.C. Section 521 et seq. and the Telecommunications Act of 1996, or as those statutes may be amended.
- (h) "Federal Regulations" shall mean those federal regulations relating to cable television services, 47 C.F.R. Section 76.1 et seq. (and, to the extent applicable, any other federal rules and regulations relating to cable television, including but not limited to, those described in 47 C.F.R. Section 76.3), or as such regulations may be amended.
- (i) "Municipality" shall mean the area contained within the present municipal boundaries of the Borough of Branchville in the County of Sussex, and the State of New Jersey.
- (j) "Standard installation" shall mean the installation of drop cable to a customer's premise where the distance from the point of entry into the building being served is less than 150 feet from the active cable television system plant.

- (k) "State" shall mean the State of New Jersey.
- (l) "State Regulations" shall mean those regulations of the State of New Jersey Board of Public Utilities relating to cable television. N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1 et seq., or as such regulations may be amended.

SECTION 2. STATEMENT OF FINDINGS

A public hearing concerning the consent herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held and fully open to the public, and the Borough having received all comments regarding the qualifications of the Company to receive this consent, the Borough hereby finds the Company possesses the necessary legal, technical, character, financial and other qualifications to support municipal consent, and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 3. GRANT OF AUTHORITY

The Borough hereby grants to the Company its non-exclusive consent to place in, upon, along, across, above, over, and under its highways, streets, alleys, sidewalks, public ways, and public places in the Municipality poles, wires, cables, and fixtures necessary for the maintenance and operation in the Municipality of a cable television system or other communications facility, and for the provision of any communication service over such facilities. Operation and construction, pursuant to said consent, is conditioned upon prior approval of the Board of Public Utilities.

SECTION 4. DURATION OF FRANCHISE

This consent granted herein shall be non-exclusive and shall be for a term of ten (10) years from the date of issuance of a Certificate of Approval by the Board.

SECTION 5. EXPIRATION AND SUBSEQUENT RENEWAL

If the Company seeks successive consent, it shall, prior to the expiration of this consent, apply for a municipal consent and certificate of approval in accordance with N.J.S.A. 48:5A-16, and applicable state and federal rules and regulations. In accordance with N.J.S.A. 48:5A-25.1, both the Borough and the Company shall be bound by the terms of this municipal consent until such time as the Company converts the municipal consent (and any certificate of approval) into a system-wide franchise.

SECTION 6. FRANCHISE TERRITORY

The consent granted under this Ordinance to the Company shall apply to the entirety of the Municipality and any property hereafter annexed.

SECTION 7. SERVICE AREA

The Company shall be required to proffer video programming service along any public right-of-way to any person's residence within the "primary service area," as it exists on the effective date of any written approval order by the Board of this consent, at the Company's schedule of rates for standard and nonstandard installation.

SECTION 8. EXTENSION OF SERVICE

Pursuant to the requirements of the Board, as ordered in its approval of the transfer of the Franchise from SECTV to the Company (Docket No. CM20030211, effective July 6, 2020), upon request, the Company shall extend service along any public right of way outside its primary service area to those residences or small businesses within the franchise territory which are located in areas that have a residential home density of twenty-five (25) homes per mile or greater (as measured from the then existing primary service area), or areas with less than twenty-five (25) homes per mile where residents and/or small businesses agree to share the cost of such extension in accordance with the line extension formula as provided by the Company in its application for municipal consent.

SECTION 9. FRANCHISE FEE

Pursuant to the terms and conditions of the Cable Television Act, the Company shall pay to the Borough, as an annual franchise fee, a sum equal to two percent (2%) of the actual gross revenues received from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception services in the Municipality. In the event applicable law hereinafter permits a larger franchise fee to be collected, but does not fix the amount thereof, the Borough and the Company shall negotiate in good faith with respect to the amount thereof; provided, however, that nothing herein shall be construed to permit the Borough to require payment of a franchise fee by the Company that is higher than the fee paid by all other cable television service providers offering service in the Municipality.

The Company may use electronic funds transfer to make any payments to the Borough required under this Ordinance.

SECTION 10. FREE SERVICE

Subject to applicable FCC regulations, the Company shall, upon written request, provide free of charge, standard installation and monthly cable television reception service to all

State or locally accredited public schools and all municipal public libraries, as well as municipal buildings located within the Municipality, as follows:

- a. One cable connection for the Branchville Fire Department located at 1 Railroad Avenue, Branchville;
- b. Two cable connections for the Branchville Municipal Building located at 34 Wantage Avenue, Branchville; and
- c. One cable connection for the Branchville Borough Garage located at 6 New Street, Branchville.

SECTION 11. CONSTRUCTION/SYSTEM REQUIREMENTS

The Company shall perform construction and installation of its plant and facilities in accordance with applicable State and federal law. The Company shall be subject to the following additional construction requirements with respect to the installation of its cable plant and facilities in the Municipality:

(a) In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces, the Company shall at its sole expense restore and replace such disturbances in as good a condition as existed prior to the commencement of said work.

(b) If at any time during the period of this consent, the Borough shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Borough shall remove or relocate its equipment, at its own expense.

(c) Upon request of a person holding a building or moving permit issued by the Borough, the Company shall temporarily move or remove appropriate parts of its facilities so as to permit the moving or erection of buildings or for the performance of other work. The expense of any such temporary removal or relocation shall be paid in advance to the Company by the person requesting the same. In such cases, the Company shall be given not less than fourteen (14) days prior written notice in order to arrange for the changes required.

(d) During the exercise of its rights and privileges under this consent, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires, cables, conduits and fixtures of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company's facilities.

SECTION 12. TECHNICAL AND CUSTOMER SERVICE STANDARDS

The Company shall comply with the technical and customer service standards established for the cable industry under applicable federal and State laws, rules and regulations.

SECTION 13. LOCAL OFFICE OR AGENT

The Company shall establish and maintain during the entire term of this consent a local area business office or agent for the purpose of receiving, investigating and resolving complaints regarding the quality of service, equipment malfunctions and similar matters. Said office shall be open daily during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of holidays.

SECTION 14. DESIGNATION OF COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the complaint officer for the Borough pursuant to the provisions of N.J.S.A. 48:5A-26. All complaints shall be reviewed and processed in accordance with N.J.A.C. 14:17-6.5.

SECTION 15. LIABILITY INSURANCE

The Company agrees to maintain and keep in force and effect at its sole cost at all times during the term of this consent, sufficient liability insurance naming the Borough as an additional insured and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of five-hundred thousand dollars (\$500,000) for bodily injury or death to one person, and one million dollars (\$1,000,000) for bodily injury or death resulting from any one accident or occurrence stemming from or arising out of the Company's exercise of its rights hereunder, and an excess liability (or umbrella) policy in the amount of ten million dollars (\$10,000,000.00).

The contractor building the cable television lines shall file a worker's compensation certificate of insurance with the Borough Clerk prior to commencing any work.

SECTION 16. PERFORMANCE BOND

The Company shall obtain and maintain, at its sole cost and expense, during the entire term of this Agreement, a bond to the Borough in the amount of twenty-five thousand dollars (\$25,000.00). Such bond shall be to insure the faithful performance of its obligations as provided in this Franchise.

SECTION 17. RATES

The rates of the Company for cable television service shall be subject to regulation to the extent permitted by federal and State law.

SECTION 18. EMERGENCY USES

The Company shall be required to have the capability to override the audio portion of the system in order to permit the broadcasting of emergency messages by the Borough pursuant to state and federal requirements. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the Borough is unable to make full use of the cable television system as contemplated herein. The Borough shall utilize the state-approved procedures for such emergency uses.

SECTION 19. EQUITABLE TERMS

In the event that the service of another multi-channel video program provider not subject to the Borough's regulatory authority within the Municipality creates a significant competitive disadvantage to the Company, the Company shall have the right to request from the Borough lawful amendments to its Franchise that relieve it of burdens which create the unfair competitive situation. Should the Company seek such amendments to its Franchise, the parties agree to negotiate in good-faith appropriate changes to the Franchise in order to relieve the Company of such competitive disadvantages. If the parties can reach an agreement on such terms, the Borough agrees to support the Company's petition to the Board for modification of the consent in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7.

If the parties are unable to reach an agreement on appropriate amendments to the franchise, the Borough acknowledges that the Company shall have the right to petition the Board directly for such amendments in accordance with N.J.S.A. 48:5A-47 and N.J.A.C. 14:17-6.7; provided, however, the Borough shall be under no obligation to support the Company's request for such relief from the Board.

In any subsequent municipal consent, Borough shall require, at a minimum, the same terms and conditions of any other provider of multi-channel video programming subject to the Borough's regulatory authority as those contained in the instant consent. In the event such subsequent consent does not contain the same terms and conditions as the instant consent, Borough agrees to support the Company's petition to the Board for modification of the consent in accordance with NJSA 48:5A-47 and NJAC 14:17-6.7 to relieve the Company of competitive disadvantages identified in the Company's petition.

SECTION 20. REMOVAL OF FACILITIES

Upon expiration, termination or revocation of this Ordinance, the Company at its sole cost and expense and upon direction of the Board, shall remove the cables and

appurtenant devices constructed or maintained in connection with the cable services authorized herein, unless the Company, its affiliated entities or assignees should, within six (6) months after such expiration, termination or revocation obtain certification from the FCC to operate an open video system or any other federal or state certification to provide telecommunications.

SECTION 21. PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS

The Company shall continue to make available non-commercial public, educational and governmental (PEG) access services available to the residents of the Municipality as described in the Application for municipal consent. All the Company support for PEG access shall be for the exclusive benefit of the Company's subscribers.

SECTION 22. EMPLOYEE IDENTIFICATION

A. Each employee of the Company who routinely comes into contact with members of the public at their places of residence must wear a picture identification card clearly indicating his or her employment with the Company. The photograph on the identification card shall prominently show the employee's name and/or identification number. Such employee shall prominently display such identification card and shall show it to all such members of the public. Each employee of any contractor or subcontractor of the Company who routinely comes into contact with members of the public at their places of residence must wear a picture identification card clearly indicating his or her name, the name of such contractor or subcontractor and the name of the Company.

B. Notwithstanding any other provision of law regulating door-to-door solicitation or other sales activities undertaken on public or private property within the Municipality, including any licensing or permit obligations required for such activities, the obligations set forth in this Section 22 of this ordinance shall be the sole conditions governing the authorization and identification required for the entrance onto public or private property imposed upon Company or its employees, agents, contractors or subcontractors for the purpose of selling, marketing or promoting services offered by the Company to residents of the Municipality.

SECTION 23. INCORPORATION OF APPLICATION

All of the commitments contained in the Application and any amendment thereto submitted in writing to the Borough by the Company except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and any other written amendments thereto submitted by the Company in connection with this consent are incorporated in this Ordinance by reference and made a part hereof, except as specifically modified, changed, limited, or altered by this Ordinance, or to the extent that they conflict with State or federal law.

SECTION 24. CONSISTENCY WITH APPLICABLE LAWS

This consent shall be construed in a manner consistent with all applicable federal, State and local laws; as such laws, rules and regulations may be amended from time to time.

SECTION 25. BOROUGH REMEDIES.

A. In the event the Company breaches its responsibilities herein, the Borough reserves the right to seek redress administratively through the Board of Public Utilities, or at law in a court of competent jurisdiction.

B. The Company will restore any Borough property damaged by the installation of its wires or facilities to its original condition at its own cost and expense, and in any event, within 30 days of receiving written notice of such damage from the Borough.

SECTION 26. SENIOR CITIZENS DISCOUNT.

A. The Company shall implement a senior citizen discount in the amount of ten percent (10%) off the monthly broadcast basic level of cable television service rate to any person sixty-two (62) years of age or older, who subscribes to cable television services provided by the Company, subject to the following:

(i) Such discount shall only be available to eligible senior citizens who do not share the subscription with more than one person in the same household who is less than sixty-two (62) years of age; and,

(ii) In accordance with N.J.S.A. 48:5A-11.2, subscribers seeking eligibility for the discount must meet the income and residence requirements of the Pharmaceutical Assistance to the Aged and Disabled program pursuant to N.J.S.A. 30:4D-21; and,

(iii) The senior discount herein relates only to the broadcast basic level of cable television service, and shall not apply to any additional service, feature, or equipment offered by the Company, including any premium channel services and pay-per-view services; and,

(iv) Senior citizens who subscribe to a level of cable television service beyond expanded basic service, including any premium or per channel a la carte service, shall not be eligible for the discount; and,

B. The Company shall have no further obligation to provide the senior discount herein in the event that (a) the Company converts the municipal consent granted herein to a system-wide franchise in accordance with N.J.S.A. 48:5A-25.1; or (b) upon Board

approval of a certification that another cable television service provider offering services to residents of the Municipality files, in accordance with N.J.S.A. 48:5A-30(d), is capable of serving sixty percent (60%) or more of the households within the Municipality. In the event the Company does cease providing a senior discount pursuant to this provision, it shall comply with all notice requirements of applicable law.

SECTION 27. FILING WITH BOROUGH ENGINEER.

The Company shall cause all construction plans relating to work on any extensions of its plant, or work which could have significant impact on public works within the Borough, to be filed with the Borough Engineer's Office, provided that any review or approval of, or the issuing of required permits for, such construction plans, shall not be unreasonably denied or delayed by the Borough.

SECTION 28. ACTIVITIES PROHIBITED.

The Company shall not allow its cable or other operations to interfere with television reception of persons not served by the Company, nor shall the system interfere with, obstruct or hinder in any manner, the operation of the various utilities serving the residents of the Borough.

SECTION 29. SEPARABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

SECTION 30. NOTICE

Notices required under this Ordinance shall in writing and shall be mailed, first class, postage prepaid, to the addresses below. Either party may change the place where notice is to be given by providing such change in writing at least thirty (30) days prior to the time such change becomes effective. The time to respond to notices under this Ordinance shall run from receipt of such written notice.

Notices to the Company shall be mailed to:

Altice USA
1 Court Square West, 49th Floor
Long island City, NY 11101
Attention: Senior Vice President for Government Affairs
With a copy to:

CSC TKR, LLC
c/o Altice USA
1 Court Square West
Long island City, NY 11101
Attention: Legal Department

Notices to the Borough shall be mailed to:

Borough of Branchville
34 Wantage Avenue
Branchville, NJ 07826
Attention: Borough Manager

Notwithstanding anything herein to the contrary, regulatory notices from Cablevision to the Borough which are required pursuant to State and federal rules and regulations may be served electronically upon the Borough, instead of by first class mail as described above, to an email address provided by the Borough.

SECTION 31. EFFECTIVE DATE AND BOARD OF PUBLIC UTILITY APPROVAL

This Ordinance shall take effect upon issuance of a Certificate of Approval as issued by the Board of Public Utilities that incorporates the material terms of this Ordinance. Nothing herein shall alter the right of the Company to seek modification of this Ordinance in accordance with N.J.S.A 48:5A-47 and N.J.A.C. 14:17-6.7. In accordance with N.J.S.A. 48:5A-25.1, the terms of this Ordinance will no longer be in effect upon The Company converting the municipal consent (and any certificate of approval) into a system-wide franchise.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon the passage, and publication as required by law.

Signed this day of _____, 2022.

Mayor

Attest: _____
Clerk

Governor's Council on Alcoholism and Drug Abuse

Resolution # 17-2022

FORM 1B – DMHAS Youth Leadership Grant

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, The Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Branchville, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for DMHAS Grant funding for the Central Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:

DMHAS Grant Funding \$1,486.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:

Anthony Frato Sr

Anthony Frato, Sr., Mayor

CERTIFICATION

I, Kathryn L. 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 a resolution duly authorized by the Borough Council on this *15th* day of *June* 20*22*

Kathryn L. Leissler

Kathryn L. Leissler, Municipal Clerk

FORM 1A

DMHAS YOUTH LEADERSHIP GRANT - MUNICIPAL ALLIANCES

Year One Grant Term: 7/1/22 – 3/14/23

APPLICANT MUNICIPALITY/IES: Branchville, Frankford, Lafayette	COUNTY: Sussex
ALLIANCE NAME: Central	ALLIANCE WEBSITE:
ALLIANCE STREET ADDRESS: 151 State Highway 206 TOWN: Augusta STATE: NJ ZIP: 07822	
TELEPHONE: (973) 948-5566 Ext.	FAX: ()
ALLIANCE CHAIRPERSON: Jessica Imhof STREET ADDRESS: 299 Pidgeon Hill Road TOWN: Sussex STATE: NJ ZIP: 07461 EMAIL: jimhof@hpregional.org	ALLIANCE COORDINATOR: Gerard Fazzio STREET ADDRESS: 178 Beaver Run Road TOWN: Lafayette STATE: NJ ZIP: 07848 EMAIL: gfazzio@ltes.org
DATE OF RESOLUTION AUTHORIZING THE DMHAS Grant Application (MM/DD/YYYY): / /	

DMHAS Grant Allocation \$ 1,486.00

No Cash Match or In-Kind Match is required to accept DMHAS Grant.

Branchville

*MUNICIPALITY

Anthony Fruto
 NAME/MAYOR/Head of Governing Body

Anthony Fruto
 SIGNATURE

Frankford

*MUNICIPALITY

NAME/TITLE OF GOVERNING BODY REPRESENTATIVE

SIGNATURE

Lafayette

*MUNICIPALITY

NAME/TITLE OF GOVERNING BODY REPRESENTATIVE

SIGNATURE

ALLIANCE CHAIRPERSON

SIGNATURE

DATE

*** If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirements.**

Resolution # 18-2022

Redemption Block 503 Lot 20

WHEREAS, the property owned by Red Dog Properties, LLC, known as block 503 lot 20 located at 2 Hillside Ave. had unpaid 2021 property taxes and was sold at a Tax Sale held on 04-27-2022 by the Tax Collector; and

WHEREAS, Envolve Bank and Trust was the successful bidder of the above stated property. The amount of the Tax Sale consisted of unpaid 2021 sewer charges, interest, cost of sale, mailing cost and a premium that totaled \$9413.11,

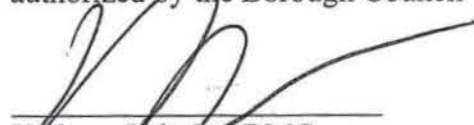
WHEREAS, Red Dog Properties, LLC, the supposed owner of the property, paid \$1413.11 to the Branchville Borough Tax Collector to satisfy the outstanding 2021 sewer charge, interest, cost of sale and mailing cost. The premium (\$8,000) will be refunded from the Borough of Branchville,

WHEREAS, Red Dog Properties, LLC, paid the amount due before a tax sale certificate was created,

NOW, THEREFORE BE IT RESOLVED by the Branchville Borough Council on this 1st day of June, 2022 that the Chief Financial Officer be authorized to draw a check payable to Envolve Bank and Trust in the amount of \$9413.11.

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 a resolution duly authorized by the Borough Council on this 1st day of June 2022.



Kathryn Leissler, RMC

BOROUGH OF BRANCHVILLE
CURRENT ACCOUNT
34 WANTAGE AVENUE
BRANCHVILLE, NJ 07826

Lakeland Bank
BRANCHVILLE, N.J. 07826 55-537/212

No. 3813

VOID AFTER 90 DAYS

PAY

DATE

AMOUNT

6/01/2022

***9,413.11

NINE THOUSAND FOUR HUNDRED THIRTEEN and 11/100

TO THE
ORDER
OF

Envolve Bank and Trust
6070 Poplar Ave., STE 200
Memphis TN 38119

[Signature]
MAYOR
[Signature]
BOROUGH CLERK
[Signature]
BOROUGH TREASURER



THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. FROOT, OR PRESS HERE. RED IMAGE DISAPPEARS WITH HEAT.

⑈003813⑈ ⑆021205376⑆ 160111 3⑈

BOROUGH OF BRANCHVILLE, 34 WANTAGE AVENUE, BRANCHVILLE, NJ 07826

No. 3813

Check #3813 \$ ***9,413.11
VENDOR: 556 - Envolve Bank and Trust

PO/Invoice #	Description	Amount	PO/Invoice #	Description	Amount
	Tax sale redemption Block 503 Lot 20	9,413.11			

09/20 820SF011481M

BRANCHVILLE BOROUGH
LIQUOR LICENSE RESOLUTION
RESOLUTION # 19-2022

BE IT RESOLVED that, as no objections have been received, the renewal application for a Plenary Retail Consumption License, NO. 1903-33-002-005, from Dave's Tavern INC., Price Street, Branchville, NJ and a Plenary Retail Distribution License No. 1903-44-001-003 from George's Wine and Spirits Gallery Co. be approved as presented.

A Plenary Retail Consumption License, No. 1903-33-003-005 from AG Pizzeria and restaurant, INC. be approved pending receipt of a tax clearance form by June 30, 2022.

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 a resolution duly authorized by the Borough Council on this 1st of June, 2022.



Municipal Clerk

**Borough of Branchville
County of Sussex, State of New Jersey**

Resolution 20 - 2022

Award Contract – Purchase of Street Sweeper

WHEREAS, the Borough of Branchville wishes to purchase an Elgin Model Pelican Street Sweeper and

WHEREAS, Timmerman Equipment Company is an approved dealer for ESCNJ Cooperative for the purchase of an Elgin Model Pelican Street Sweeper, Contract # BD-395 for a total purchase price not to exceed \$264,000.00; and

WHEREAS, this purchase is permitted under N.J.A.A. 40a:11-11, the New Jersey State Cooperative Purchasing Program. The Chief Financial Officer has certified that funds are available thru Bond Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Branchville, County of Sussex, and State of New Jersey authorize the purchase of an Elgin Model Pelican Street Sweeper valid under the ESCNJ Cooperative for the total purchase price not to exceed \$264,000.00 is awarded to Timmerman Equipment Company PO Box 71 Whitehouse, New Jersey 08888

A handwritten signature in black ink, consisting of stylized initials and a long horizontal stroke extending to the right.

Report Printed 2022-06-15 12:28:12

Borough of Branchville

Check Register - (0110101001000) Cash Checking

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
6/01/2022	3806	11 Allied OIL, LLC	565.62			
6/01/2022	3807	504 Campbells Small Engine Sales & Service	12.74			
6/01/2022	3808	15 Century LINK	2,046.42			
6/01/2022	3809	157 Cerbo's HAMPTON NURSERY LLC	175.00			
6/01/2022	3810	468 Cintas	311.44			
6/01/2022	3811	515 Custom Earth Promos	1,052.70			
6/01/2022	3812	425 Elizabethtown Gas	1,230.21			
6/01/2022	3813	556 Envolve Bank and Trust	9,413.11			
6/01/2022	3814	101 FRANKFORD BOARD OF EDUCATION	103,527.10			
6/01/2022	3815	557 Frankford Township PTA	100.00			
6/01/2022	3816	32 GENERAL CODE, LLC	3,752.60			
6/01/2022	3817	36 HAMBURG PLUMBING SUPPLY	209.49			
6/01/2022	3818	502 HBCBS of NJ	132.84			
6/01/2022	3819	62 HIGH POINT REGIONAL HIGH SCHOOL	70,529.50			
6/01/2022	3820	51 JCP&L	2,337.26			
6/01/2022	3821	205 Lowe's	117.91			
6/01/2022	3822	321 Michael Clune	610.17			
6/01/2022	3823	247 MOBILITY ELEVATOR & LIFT CO.	1,295.00			
6/01/2022	3824	64 MONTAGUE TOOL & SUPPLY CO.	71.62			
6/01/2022	3825	555 Mulch Concepts	136.00			
6/01/2022	3826	164 NJLM	267.00			
6/01/2022	3827	554 Norman J Goldberg, INC.	750.00			
6/01/2022	3828	200 Optimum	9.95			
6/01/2022	3829	320 R&L Data Centers Inc	800.00			
6/01/2022	3830	381 SeptiCare	116.00			
6/01/2022	3831	122 SK PAPER SHRED	1,000.00			
6/01/2022	3832	69 STAPLES ADVANTAGE	434.56			
6/01/2022	3833	269 State of NJ Dept of Labor Workforce	1,455.88			
6/01/2022	3834	149 STATEWIDE INSURANCE FUND	15,968.00			
6/01/2022	3835	86 Sussex County Muni. Utilities Autho	2,193.28			
6/01/2022	3836	86 Sussex County Muni. Utilities Autho	783.52			
6/01/2022	3837	1 Times Herald-Record Localiq	80.55			
6/01/2022	3838	243 TRI STATE RENTALS	19.58			
6/01/2022	3839	75 VERIZON WIRELESS	60.53			
6/01/2022	3840	418 Viking Termite & Pest Control, Inc	54.46			
6/01/2022	3841	76 Vital Communications INC	6.82			
6/01/2022	3842	6 WASTE MANAGEMENT OF NJ, INC.	9,726.16			
6/03/2022	3843	535 E M Electrical	74,519.52			

			305,872.54			
			=====			
			305,872.54			

Report Printed 2022-06-15 12:28:46

Borough of Branchville

Check Register - (0710101001000) Cash Checking

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
6/01/2022	1245	51 JCP&L	143.21			
6/01/2022	1246	527 Richard Gottemoller	120.00			

			263.21			
			=====			
			263.21			

Report Printed 2022-06-15 12:29:04

Borough of Branchville

Check Register - (0910101001000) CASH CHECKING

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
6/01/2022	1949	7 Coyne CHEMICAL COMPANY	1,237.66			
6/01/2022	1950	226 FOLEY, INC.	479.61			
6/01/2022	1951	31 GARDEN STATE LABS INC.	1,737.45			
6/01/2022	1952	2 HAROLD E. FELLOW & ASSOC INC.	130.00			
6/01/2022	1953	51 JCP&L	4,315.35			
6/01/2022	1954	66 ONE CALL CONCEPTS	218.79			
6/01/2022	1955	72 Sussex Rural Electric	47.28			
6/01/2022	1956	74 USA BLUEBOOK	1,941.62			
6/01/2022	1957	98 WILLIAM STOTHOFF CO.	6,269.00			
6/01/2022	1958	146 WINGLE SUPPLY COMPANY INC.	98.00			

			16,474.76			
			=====			
			16,474.76			

Report Printed 2022-06-15 12:29:15 Borough of Branchville

Check Register - (1210101001000) CASH-DOG LICENSE

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
6/01/2022	1100	102 NEW JERSEY STATE DEPT. OF HEALTH	7.80			
6/01/2022	1101	525 Michelle Shelton	252.00			

			259.80			

			259.80			