

BRANCHVILLE BOROUGH
Regular Meeting
August 3, 2022

MEETING MINUTES

STATEMENT OF PUBLIC NOTICE

Mayor Frato left the room as directed by Attorney Valenti due to BHC discussion.

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 Councilman Van Stone.

ROLL CALL was conducted by Clerk Leissler, Present were Council members Bathgate, Bellis (via the phone), Doremus, Orr, Van Stone, Whitesell. Also present were Attorney Valenti, George Morville, Dave Simmons, Jeff Lewis, Christine Rolef, Michelle Shelton and BHC members.

PROCLAMATION - None

APPROVAL OF PREVIOUS MEETING MINUTES

1. July 2022 minutes

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

CONSENT AGENDA - None

PUBLIC COMMENT

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

Dave Simmons reviewed:

Bridge D38 that is to be repaired by the County of Sussex include a water transmission main. Replacement of the main may include removal of main, and then relay at proper depth, etc. The State of NJ has water at the reservoir as a backup source in our water permit in the event of a fourth level emergency. Dave Simmons recommends replacement of this pipe. The Sussex County Engineering department is currently working on easement sign offs of properties in the surrounding area. After the easements are received, application will then be submitted to DEP. Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to table further discussion. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Arsenic treatment filtration medium needs to be replaced in the well house for well #2. Dave Simmons will check if the medium can be bought on state contract or co-op and will get back to the Borough of Branchville on same. Septic Care can remove old medium.

Motion was made by Councilman Doremus, seconded by Councilwoman Whitesell to allow Harold Pellow's office to review the PFAS treatment system and to see if it is feasible and not astronomically expensive to put it in the current treatment system that we have at the current well house. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. Dave Simmons will have the report for the next meeting.

Dave Simmons stated that his current T Mobile work (reviewing the plans) is currently on hold as T Mobile still needs to provide a bond, insurance, escrow, and site plan approval at land use. Lease has been signed by T Mobile.

Dave Simmons stated the generator and the variable frequency drive are being looked into. Prices are being obtained for variable frequency drive for Well 1 and will be paid by Struck Albert, Pellow's hired electrical engineer. Dave Simmons suggested the Borough of Branchville purchase one for Well #2 if and when they are available.

George Morville briefed the governing body and the public that attended on current insurance in regard to coverage for Branchville Hose Company. Motion was made by Councilman Orr, seconded by Councilman Van Stone to keep the current resolution in place in regard to children in Branchville Hose Company vehicles, but to continue further discussion at the next council meeting. The firemen were asked to get a list together providing every circumstance where they would like children to be in the vehicles. Mr. Valenti asked that the list be

given to Kate well in advance before the next meeting. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Mayor Frato returned to the meeting at this point.

Discussion will be tabled until the next meeting about the cost for a blower for the tractor for snow side walk removal. Mayor Frato asked Councilman Bellis to look into the blower and include salt and man hours be tabulated.

Motion to close the public portion of the meeting was made 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.

RESOLUTIONS

Motion was made by Councilman Van Stone, seconded by Councilwoman Whitesell to approve a Resolution # 21-2022, Tax Assessor. 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 Councilwoman Whitesell to approve a Resolution # 22- 2022, Third Quarter Tax Due Date. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Resolution Attached)

ORDINANCES

SECOND READING – ADOPTION

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

No public comment.

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

Motion was made by Councilman Van Stone, seconded by Councilman Doremus to pass the ordinance on second reading. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

FIRST READING – INTRODUCTION

Ordinance # 08-2022 AN ORDINANCE OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO AMEND CHAPTER 25 OF THE BOROUGH MUNICIPAL CODE, BEING THE LAND USE PROCUEURES CHAPTER TO INCLUDE AMENDMENTS TO THE ORDINANCE RELATING TO INFORMAL CONCEPT REVIEWS. Motion was made by Councilwoman Whitesell, seconded by Councilman Bellis. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Ordinance follows minutes)

CORRESPONDENCE

Placement of council meeting audio on the Branchville Borough website was discussed. The Clerk is going to look into ways to store the audios from each meeting and the state requirements of the audio on minutes for webpages. Once this information is obtained for the next meeting a quote from BKJ productions will be reviewed again.

Motion was made by Councilman Van Stone, seconded by Councilman Bellis to approve a letter to be sent to Mr. Koppenaar to approve road closures as presented from the Fund Racing Alliance for the 5K. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Van Stone, seconded by Councilman Orr to approve all items received from the Fund Racing Alliance. Items were reviewed by Attorney Valenti. 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 approve the raffle application from BHC pending receipt of a sample raffle ticket. The clerk will forward the application to Trenton. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Van Stone, seconded by Councilwoman Whitesell to approve the increase in the dog license fees by \$5.00 effective 01-

01-2023. 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 Van Stone to adopt Sandyston Township R-51-2022 Resolution, but to amend it by removing complaints from the Borough residents. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

COMMENTS FROM COUNCIL

Councilman Van Stone – Motion was made by Councilman Van Stone, seconded by Councilwoman Bathgate to accept Mike Littles retirement letter effective December 31, 2022. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Councilman Doremus –

Will inquire about Borough tipping fees at SCUMA to help in discussion with apartments and trash pickup.

Inquiry will be made to CFO and other municipalities by Mr. Doremus about increasing water rates.

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to approve Councilman Doremus and Mike Clune to work with Attorney Valenti on a sewer agreement for 2 Broad Street. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Mayor Frato –

Would like to change the facility use form to state that the \$100 will be kept by Branchville Borough after an event takes place. Further thought is to include when an event is multi day, etc.

Attorney Valenti – Reviewed the land outlined in the provided map that Green Acres is purchasing. Attorney Valenti is hopeful payment will be made this year.

T – Mobile signed the new lease. Escrow for site plan, bond, insurance, site plan is still needed.

Attorney Valenti's office hired the appraiser for Selective assessment. Motion was made by Councilman Bellis, seconded by Councilman Orr to allow Jim Fox to meet with the appraiser to tour Selective Insurance and to discuss same. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

An email from a law firm, Christopher Edwards, about the PFAS situation was received. The letter states Branchville may be able to recover funds from well installation mishaps. Motion was made by Councilwoman Whitesell, seconded by Councilman Doremus to allow attorney Valenti to look into the contact. Roll Call Vote: Aye - Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay - None. Absent - None. Abstain - None.


BILL APPROVAL

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

(List of bills follows minutes)

ADJOURNMENT

On motion of Councilman Van Stone, seconded by Councilman Orr, 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

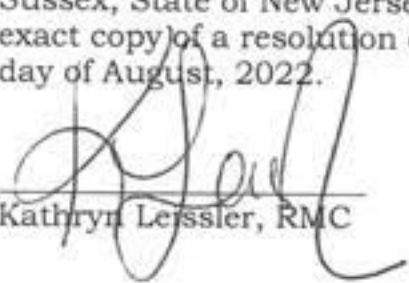
Branchville Borough Resolution # 21-2022

BE IT RESOLVED that the Branchville Borough Mayor and Council, County of Sussex, State of New Jersey, does hereby appoint Kristy Lockburner to the position of municipal tax assessor for the Borough of Branchville, effective July 1, 2022.

BE IT FURTHER RESOLVED that the appointment shall be for a four-year term, ending June 30, 2026.

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 3rd day of August, 2022.


Kathryn Leissler, RMC

BRANCHVILLE BOROUGH
Ordinance # 08-2022

**AN ORDINANCE OF THE BOROUGH OF
BRANCHVILLE, COUNTY OF SUSSEX, STATE OF
NEW JERSEY TO AMEND CHAPTER 25 OF THE
BOROUGH MUNICIPAL CODE, BEING THE LAND
USE PROCUEDURES CHAPTER TO INCLUDE
AMENDMENTS TO THE ORDINANCE RELATING TO
INFORMAL CONCEPT REVIEWS.**

BE IT ORDAINED by the Council of the Borough of Branchville, County of Sussex and State of New Jersey that Chapter 25 of the Code of the Borough Branchville be known now as the Land Use Procedures Ordinance be and is hereby amended as follows:

SECTION 1

Section 25 -30 (c) 1 is amended to read as follows:

C. Informal Concept Review.

The Applicant may by written request to the Board Secretary obtain an informal concept review of a subdivision tentative plat or map or a site plan tentative plat or map. However, if the developer requests a review of same, by the Planning Board Engineer, or Planning Board Attorney, or other Borough Officials, prior to the hearing on the informal review before the Branchville Planning/Zoning Board of Adjustment, the Applicant shall pay 100% of the estimated cost of the review fees of the Borough Professionals and other personnel in reviewing the tentative plat. The Applicant shall be advised that the escrow fee for said review is \$350.00 for the Planning/Zoning Board Of Adjustment Attorney and \$250.00 for the Planning Board Engineer and \$200.00 for the Borough Planner. The Applicant shall pay the same in

advance of the meeting of the Board, but before any discussion is held on the matter. The Borough Professionals who may review the Application would include without limitation, the Planning Board Engineer, Planning Consultant and the Board Attorney. Any portion of the estimated fees or deposit paid by the Applicant which is unexpended by the reviewing board shall be returned to the Applicant.

C. Informal Concept Review (2).

In addition to the reimbursement to the Borough for the cost of review by the professionals, the Applicant shall pay to the Borough the sum of \$100.00 which shall be used to defray the administrative costs of processing the informal review.

SECTION 2

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such provisions shall be deemed severable, and the remaining portions of the Ordinance shall remain in full force and effect.

SECTION 3

All Ordinances or parts of Ordinances for Resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION 4

The Borough Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. On adoption of this Ordinance, after public hearing, the Borough Clerk is further directed to publish

notice of the passage to file a copy of the Ordinance, as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

SECTION 5

This Ordinance shall take effect after publication and passage according to Law.

BOROUGH OF BRANCHVILLE

ATTEST:

Kathryn L. Leissler
Borough Clerk

Dated: _____,

NOTICE

The Borough Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Notice to the County Planning Board and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). Upon adoption of this Ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Borough Council of the Borough of Branchville held on August 3, 2022 and was passed on first reading and will be considered for final passage and adoption after a public hearing on the second reading at a regular meeting on Septemeber 7, 2022 at 7:00 p.m. at the Municipal Building, 34 Wantage Avenue, Branchville, New Jersey. Published by order of the Branchville Borough Council.

Kathryn Leissler RMC CMR CTC

Branchville Borough

