

Branchville Borough Council Meeting Minutes

August 2, 2023

Regular Meeting

7:00 P.M.

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 Council Members Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Also present were Cynthia Collins, Keith Whitehead, Kaitlyn Frato, Jon Frato, Chris Fazio, Chris Carney, Dave Silverthorne, Doris Wood, Buck Reper, Kristy Reper, Tom Drongoski, Amanda Bellis and Melinda Tanzola.

PROCLAMATION

None.

Executive Session

Motion was by Councilman Bellis, seconded by Councilman Doremus to alter the agenda so the portion concerning negotiation and attorney-client privilege will be first. The minutes for this executive session will be made available once the negotiation and attorney - client privilege matters have been settled. 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 enter executive session for the portion of discussion concerning negotiation, and attorney - client privilege. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

At this point, Mayor Frato expressed 0 interest in having to leave this portion of the meeting. Attorney Valenti requested that Mayor Frato excuse himself from this portion of the meeting. Tony did excuse himself.

Minutes of this session will be made available once matter is discussed.

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

BHC 2021 Audit/Financial Report

Motion was made by Councilman Orr, seconded by Councilman Bellis to authorize a list of questions concerning items of concern as a result of a BHC 2021 audit/financial report. This list of questions will be sent to the auditor and to the attorney for BHC. The auditor will be asked to attend the September 6, 2023 meeting to discuss the status of each of his concerns listed from previous executive sessions. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Resolution #26-2023

Motion was made by Councilman Orr, seconded by Councilman Bellis to approve Resolution # 26-2023, Branchville Borough Council to pay bills owed by BHC to third-party vendors upon presentation of the bill from BHC. The bill will be paid directly by the Borough of Branchville Council to the third-party vendor and will come out of the allocated donation amount. The amount will not exceed budgeted amount for the first through and including third quarter donation amounts. The Borough can decide to stop this procedure at any time at their

sole discretion. We request that bills be submitted Fridays to be paid the following Wednesdays. This procedure will be done from August 2, 2023 to September 6, 2023. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Approval of Minutes

July 5, 2023

Motion to approve July 5, 2023 meeting minutes was made by Councilman Doremus, seconded by Councilman Van Stone. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

CONSENT AGENDA

None

Public Session

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

Tom Drongoski

Tom Drongoski introduced himself to the governing body. He works for Edward Jones in his office located near Frankford School.

Website

Melinda Tanzola had website proposal questions.

Exhaust Fan

Mike Clune stated that the sewer operator requested the need for an exhaust fan in the amount of \$200. Motion was made by Councilman Van Stone, seconded by Councilwoman Bathgate to approve the purchase of an exhaust fan not to exceed \$200. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Resolution #26-2023 Request

Cynthia Collins, BHC lawyer, would like a copy of the resolution that was passed upon exit of the executive session. The number assigned to this resolution will be #26-2023.

Public Session Closed

Motion was made by Councilwoman Bathgate, seconded by Councilman Doremus 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.

Gazebo

Motion was made by Councilman Doremus, seconded by Councilwoman Whitesell to approve the facility use agreement for use of the gazebo on August 18, 2023. Payment has been made yet approval is pending on correct insurance to be provided before the event. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Ballfield

Motion was made by Councilman Orr, seconded by Councilman Doremus to approve a facility use agreements for use of the ballfield. Bill Olmsted's facility use agreement was approved pending his agreement to allow Justin Bellis's tournament to be held on one of the Sundays that Mr. Olmsted requested. The date that we will allow Justin Bellis to use the field is October 15, 2023. Roll Call Vote: Aye – Bathgate, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – Bellis.

Elizabethtown Gas

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to approve Elizabethtown Gas installation at 6 Morris Avenue. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Public Works Building

Motion was made by Councilman Doremus, seconded by Councilman Bellis, to approve the correction of all items needed in the notice of order to comply regarding POSHA concerns at the department of public works building. Roll Call

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

Website

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to approve the quote of \$1100 as provided by Jean Perlee for website maintenance from August 1, 2023 until December 31, 2023, pending availability of budget funds. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

ORDINANCES

Ordinance #04-2023

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

Ordinance # 04-2023

AN ORDINANCE FOR THE PURCHASE OF COMPUTER EQUIPMENT WITHIN THE BOROUGH OF BRANCHVILLE AND TO PROVIDE FOR THE FUNDING THEREOF

Advertisement has been made according to law.

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

No comments.

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

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

Motion was made Councilman Doremus, seconded by Councilwoman Bathgate to open the public hearing on Ordinance # 04-2023, An ordinance to provide for storage tank upgrade at the department of public works within the Borough of Branchville, and to provide the funding there of. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Ordinance to be attached)

Credit Card Payments

Amanda Bellis expressed interest in Borough payments permitted to be made by credit cards.

Ordinance #05-2023

Motion was made by Councilman Doremus, seconded by Councilman Bellis to approve Ordinance # 05-2023. AN ORDINANCE AMENDING SECTION 119 OF THE CODE OF THE BOROUGH OF BRANCHVILLE on first reading. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(See Ordinance 5-2023)

Resolutions

Resolution 23–2023

Motion was made by Councilman Doremus, seconded by Councilwoman Whitesell to approve Resolution # 23-2023, Purchase of computers. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(See Resolution 23-2023)

Resolution # 24-2023

Resolution # 24–2023, Extend third-quarter tax due date, was approved on motion of Councilwoman Whitesell, seconded by Councilman Doremus. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(See Resolution 24-2023)

Resolution #25-2023

Motion was made by Councilwoman Whitesell, seconded by Councilwoman Bathgate, to approve Resolution #25-2023, Resolution improving Corrective Action Plan. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(See Resolution 25-2023)

Motions and Comments

Motion was made by councilman Bellis, seconded by Councilman Doremus to authorize the road department to start leveling an area located at 6 New St., as required in the Tier B to Tier A conversion. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. None. Abstain – None.

Three street lights are out in the Borough Center. Mayor Frato authorized Councilman Bellis to contact our insurance carrier to discuss same.

Two ballasts are out at the Borough DPW. Mayor Frato asked that a quote be requested to discuss at the next meeting.

Motion was made by Councilman Orr, seconded by Councilman Bellis to approve allowing Charlie Kieffer to fix the lights in the town center after Councilman Bellis speaks to our insurance agent about procedure. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. None. Abstain – None.

Motion was made by Councilman Bellis, seconded by Councilman Van Stone to have a logo created to be placed on the new street sweeper. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. None. Abstain – None.

Motion was made by Councilman Orr, seconded by Councilman Bellis to approve a Walker mower, 2 back-pack blowers, and the old sweeper to be sold through an auction at Muncibid. These items have been deemed not needed by the Borough of Branchville. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. Abstain – None.

Motion was made by Councilman Van Stone, seconded by Councilwoman Bathgate to authorize the Tier B to Tier A storm water committee to meet with Tom Knutelsky, Harold Pellow and Associates. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. None. Abstain – None.

Motion was made by Councilman Doremus, seconded by Councilman Bellis to approve renewal of subscription for RCAP GPS system that is used by the Borough of Branchville road department in the amount of \$770.00. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. Abstain – None.

Motion was made by Councilman Bellis to approve the quote from Alterative Premium services. No one seconded the motion.

Motion was made by Councilwoman Whitesell, seconded by Councilwoman Bathgate to authorize office carpet steam cleaning by Servpro not to exceed \$2000.00. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. Abstain – None.

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

BHC discussed finance concerns.

Motion was made by Councilman Orr, seconded by Councilwoman Whitesell to approve \$2678.00 to be provided to BHC for direct withdrawal payments for a truck loan and mortgage loan. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None. Abstain – None.

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

Kate Leissler, Bev Bathgate and Rusty Bellis left the meeting at this point at Attorney Valenti's direction.

Motion was made by Councilman Orr, seconded by Councilwoman Whitesell to enter executive session for the portion of discussion concerning pending, threatened litigation. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Attorney Valenti has the audio from this executive session.

Motion was made by Councilman Orr, seconded by Councilwoman Whitesell to return to regular session at 11:20 p.m. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Bills

The following bills were presented for payment. On motion of Councilman Bellis, seconded by Councilwoman Whitesell they were ordered paid after being

properly audited, paid out of correct account and subject to the availability of funds but excluding the 4 vouchers for BHC. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Bills list document pending to be included with minutes)

Adjournment

On motion of Councilman Orr, 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 Clerk

Ordinance #05-2023

An Ordinance Amending Section 119 of the Code of the Borough of Branchville

BE IT ORDAINED by the Mayor and Council of the Borough of Branchville, in the County of Sussex, and State of New Jersey that the following Sections of the Code of the Borough of Branchville are amended as follows: NJSA 54:4-64, Delivery of Tax Bills, provides that bills must be mailed or delivered no less than 25 days prior to the end of the grace period and the 2023-2024 Branchville Borough tax bills were mailed to taxpayers by August 4, 2023.

Chapter 119. Sewers

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

The following subsection is amended:

A(1)(a) First 50,000 gallons of water per year: minimum of \$65.00 per quarter.

A(1)(b) All water in excess of 50,000 gallons of water per year: \$3.00 per 1,000 gallons.

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.

Borough of Branchville

Attest:

Kathryn Leissler, Clerk

Anthony Frato, Mayor

TAKE NOTICE that the above ordinance was passed on the first reading at a regular meeting of the Borough Council of the Borough of Branchville held on August 2, 2023 and that a public hearing on said Ordinance will be held at a regular meeting beginning at 7:00 p.m. on September 6, 2023 at the Branchville Borough Municipal Office, 34 Wantage Avenue, Branchville, NJ at which time and place all interested parties may appear and be heard.

Kathryn Leissler, CMR CTC RMC
Branchville Borough Clerk

Resolution #23-23

Award Contract – Purchase of Computer Equipment

WHEREAS, the Borough of Branchville has the need to upgrade Computer Equipment within the Municipal Offices and

WHEREAS, Municipal Software Inc. has submitted a quotation for said computers, monitors and necessary equipment and software; and

WHEREAS, the Chief Financial Officer has obtained the necessary quotes and has recommended to award the contract to Municipal Software Inc based not just on price but other factors.

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 two (2) Lenovo Think Books 15 G4 Notebooks and 1 Dell OptiPlex 3000 Desktop Computer along with two (2) monitors, one (1) docking station along with miscellaneous parts and software as per Quote #1605 for the total purchase price not to exceed \$6,690.00 is awarded to Municipal Software Inc. 125 Stokes Ave Stroudsburg, PA 18360.

CERTIFICATION

I certify the foregoing to be a true and accurate copy of a resolution adopted by the Mayor and Council of the Borough of Branchville at a regular meeting held on August 2, 2023.

Kathryn Leissler,
RMC, CTC CMR
Municipal Clerk

Resolution #24-23

Resolution To Extend Third Quarter 2023 Property Tax Payment Grace Period

WHEREAS, the Sussex County Board of Taxation struck the 2023 Branchville Borough property tax rate;

NJSA 54:4-64, Delivery of Tax Bills, provides that bills must be mailed or delivered no less than 25 days prior to the end of the grace period and the 2023-2024 Branchville Borough tax bills were mailed to taxpayers by August 4, 2023.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Branchville on this Wednesday, August 2, 2023 that the Tax Collector be authorized to set the deadline of the third quarter 2023 tax payment grace period to August 29, 2023.

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 2nd day of August, 2023.

Kathryn Leissler, RMC

Resolution #25-23

Resolution Approving the Corrective Action Plan for the Fiscal Year Ending December 31, 2022

WHEREAS, N.J.S.A. 40-A:5-4 requires the governing body of every local unit to cause an annual audit of its books, accounts and financial transactions to be made and completed within six months after the close of its fiscal year; and

WHEREAS, the audit for fiscal year ending December 31, 2022 was present to the governing body on August 2, 2023; and

WHEREAS, the Corrective Actions Plan shall cover all findings and recommendations, including state, federal, and general or financial statement findings in the audit report; and

WHEREAS, the Chief Financial Officer shall prepare said Corrective Action Plan with the assistance from other officials affected by the audit recommendations; and

WHEREAS, the Corrective Actions plan must be approved by the governing body of the local unit and is to be submitted to the Division of Local Government Services no later than sixty days from the receipt of the audit report; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Branchville, County of Sussex, and State of New Jersey that the Corrective Action Plan for fiscal year ended December 31, 2022 is hereby approved.

Dated: August 2, 2023

Motion: Councilwoman Whitsell

Second: Councilwoman Bathgate

Committee Polled: all aye

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Branchville, Sussex County, State of New Jersey at a regular meeting held on August 2, 2023.

Kathryn Leissler, Municipal Clerk

Corrective Action Plan
Borough of Branchville, Sussex County
For Audit Year December 31, 2022

Recommendation #1

Adequate segregation of duties is maintained with respect to the recording and treasury functions

The Borough will consider strengthening internal control within reason of costs, benefits derived, and budget constraints.

Recommendation #2

All reconciling items between the Borough's bank accounts be in agreement older outstanding reconciling items be reviewed for possible cancellation and that interfund be liquidated in a timely manner.

The Borough will ensure that all reconciling items between accounts are in agreement, will review older outstanding reconciling items for possible cancellation and interfund be liquidated a timely manner.

Recommendation #3

The Borough consider engaging an independent appraisal company to completely inventory the fixed assets of the entity.

The Borough will determine whether there are sufficient funds in the current year's budget to engage an independent appraisal company to inventory the entity's fixed assets.