

BRANCHVILLE BOROUGH

Regular Meeting

November 1, 2023

7:00 P.M.

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 Council Members Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Also present were Attorney Valenti, Jeff Lewis and Mike Clune.

public

PROCLAMATION – None.

1. Approval of minutes:

October 4, 2023

Motion to approve October 4, 2023, meeting minutes was made by Councilman Doremus, seconded by Councilwoman Whitesell. Roll Call Vote: Aye – Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – Bathgate.

Orr

Vote:

## CONSENT AGENDA – None

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

Vote:

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to approve the purchase of 2 tennis nets, not to exceed \$370.00, if funds are in the budget. 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 Van Stone 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.

Motion was made by Councilman Doremus, seconded by Councilwoman Bathgate to approve the 2023 recycling tonnage grant agreement between Ms. Nemeth and the Borough of Branchville. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Call:

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to approve the road opening application supplied by Elizabethtown Gas for 13 Maple Ave. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Councilman Doremus discussed amending the proposed service agreement with Gen Service to add fuel ad oil analysis. Motion was

made Councilman Doremus, seconded by Councilman Bellis to approve the Gen Service agreement. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilwoman Bathgate, seconded by Councilwoman Whitesell to approve Resolution #27 -2023 Governor's Council on Alcoholism and Drug Abuse. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Resolution follows minutes)

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

Ordinance # 07–2023 AN ORDINANCE OF THE BOROUGH OF BRANCHVILLE AMENDING THE CODE OF THE BOROUGH OF BRANCHVILLE, NEW JERSEY TO ADD A NEW CHAPTER ENTITLED "LEAD - BASED PAINT INSPECTIONS."

Advertisement has been made according to law.

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

No public comment.

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

Motion was made by Councilman Van Stone, seconded Councilwoman Whitesell, Ordinance # 07-2023 AN ORDINANCE OF THE BOROUGH OF BRANCHVILLE AMENDING THE CODE OF THE BOROUGH OF BRANCHVILLE, NEW JERSEY TO ADD A NEW CHAPTER ENTITLED "LEAD-BASED PAINT INSPECTIONS" was adopted. 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 Bathgate to amend the proposed ordinance as follows:

Discussion took place concerning the ordinance and amending the fee schedule portion.

Bathgate  
2 bedrooms or fewer \$ 80  
3 bedrooms \$105  
4 bedrooms \$130  
Council 5 bedrooms \$155  
Reinspection \$60

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 Van Stone to approve the Tier A Ordinances. These ordinances follow Tier A State of New Jersey model ordinances. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None

(Ordinances follow minutes)

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

**Ordinance # 15 – 2023 AN ORDINANCE TO PROVIDE THE BOROUGH'S PORTION OF THE FRANKFORD/BRANCHVILLE REGIONAL DETENTION BASIN PROJECT WITHIN THE BOROUGH OF BRANCHVILLE AND TO PROVIDE FOR THE FUNDING THEREOF**

The advertisement has been made according to law.

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

No public comment.

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

Motion was made by Councilman Bellis, seconded by Councilwoman Whitesell to approve Ordinance # 15 – 2023 AN ORDINANCE TO PROVIDE THE BOROUGH'S PORTION OF THE FRANKFORD/BRANCHVILLE REGIONAL DETENTION BASIN PROJECT WITHIN THE BOROUGH OF BRANCHVILLE AND TO PROVIDE FOR THE FUNDING THEREOF as approved. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None

Our CFO would like us to use \$15000.00 out of American Rescue and \$5000.00 out of Capital.

On motion of Councilman Doremus, seconded by Councilwoman Bathgate to approve Ordinance # 16-2023, Salary Range Ordinance, on first reading. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

(Ordinance follows minutes)

Motion was made by Councilman Van Stone, seconded by Councilman Bellis to approve Darren Haggerty's request to attend 4 Rutgers courses in the amount of \$1560.00. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Bellis, second by Councilman Van Stone to approve repair of the streetlight by the Barnyard in the amount of \$625.00 from Den Heyer Electric. Roll Call Vote: Aye – Bathgate, Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilman Bellis, seconded by Councilwoman Bathgate to approve Darren to contact Loeffels to come to the DPW in the amount of \$375.00 to get rid of waste oil. 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 Councilman Bellis to ask Karen if she is interested in the position of completing the Bank loan. If Karen is not, Debbie Carter will be contacted. 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 approve applying for gas cards at Sunoco and 7-11 and apply

for a contract with the County of Sussex for gas. Motion also included approving the quote from Alternative Petroleum Services to remove tanks from 6 New Street. This will be a trial for 6 months to a year. Roll Call Vote: Aye – Bathgate, Orr, Van Stone, Whitesell. Nay – Bellis. Absent – None. Abstain – Doremus.

Motion was made by Councilman Van Stone, seconded by Councilwoman Bathgate to authorize Councilman Orr to apply for the gas cards at Sunoco and 7 -11. Roll Call Vote: Aye – Bellis, Bathgate, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

Motion was made by Councilwoman Bathgate, seconded by Councilman Orr to approve annual water bills for Selective and Bently Nursing home. Roll Call Vote: Aye – Bellis, Bathgate, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – None. Abstain – None.

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

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

No comment.

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

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

Councilwoman Bathgate left following the first part of executive session.

Minutes will be available once the matter discussed is settled.

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

Mayor Frato handed in the BHC financial report to CFO to review.

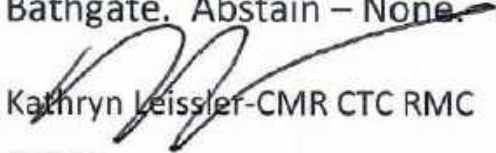
Motion was made by Councilman Bellis, seconded by Councilman Van Stone to approve Councilman Orr to speak to Dave Simmons. Roll Call Vote: Aye – Bellis, Doremus, Orr, Van Stone, Whitesell. Nay – None. Absent – Bathgate. Abstain – None.

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

(List of bills follows minutes)



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

  
Kathryn Leissler-CMR CTC RMC

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle FY2025

*Resolution #27-2023*

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse 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.

**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 funding to 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 a strategic plan for the Central Municipal Alliance grant for fiscal year 2025 in the amount of:  
GCADA GRANT FUND      \$ 3,028.00  
    Cash Match            \$ 757.00  
    In-Kind                \$ 2,271.00
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*  
\_\_\_\_\_  
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 1 day of Nov, 2023

*Kathryn L. Leissler*  
\_\_\_\_\_  
Kathryn L. Leissler, Municipal Clerk

**STRATEGIC PLAN FOR FUNDING MUNICIPAL ALLIANCES**

Grant Year: FY2025 Alliance Tier 1

APPLICANT MUNICIPALITY/IES: Branchville, Frankford, Lafayette	COUNTY: Sussex
ALLIANCE NAME: Central	ALLIANCE WEBSITE: N/A
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@hpregonal.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 STRATEGIC PLAN (MM/DD/YYYY): / /	

A) Alliance GCADA Grant Fund Allocation	\$ 3,028.00
B) Cash Match (must be 25% of GCADA Grant Fund Allocation)	\$ 757.00
C) In-Kind Match (must be 75% of the GCADA Grant Fund Allocation)	\$ 2,271.00
<b>TOTAL ALLIANCE BUDGET (add A+ B+C)</b>	<b>\$ 6,056.00</b>

Branchville

\*MUNICIPALITY

  
ANTHONY FRATO, Sr./ MAYOR

  
SIGNATURE

Frankford

\*MUNICIPALITY

DAVID SILVERTHORNE/MAYOR

SIGNATURE

Lafayette

\*MUNICIPALITY

RICHARD HUGHES/MAYOR

SIGNATURE

Jessica Imhof

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.**

**ORDINANCE NO. 08-2023**

**ORDINANCE OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY CREATING CHAPTER 31 ENTITLED "WILDLIFE FEEDING" AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and

**WHEREAS**, certain model ordinances were provided to the Borough by the Department for introduction and subsequent adoption; and

**WHEREAS**, the Borough Council of the Borough of Branchville believes the adoption of these ordinances is in the best interest of the Borough and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey, that Chapter 31 entitled "Wildlife Feeding" be created as follows:

**SECTION I.**

**§ 31-1. Purpose.**

An Ordinance to prohibit the feeding of unconfined wildlife in any public park on any other property owned or operated by the Borough of Branchville, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**§ 31-2. Definitions.**

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife – all animals that are neither human nor domesticated.

**§ 31-3. Prohibited Conduct.**

No person shall feed, in any public park or on any other property owned or operated by the Borough of Branchville, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

**§ 31-4. Enforcement.**

- a. This Ordinance shall be enforced by the New Jersey State Police, the New Jersey Park Police, as well as the Branchville Borough Animal Control Officer.
- b. Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately.

**§ 31-5. Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

**SECTION II. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Branchville inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION III. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

**SECTION IV. Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Branchville held on November 1, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on December 6, 2023 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Wantage Avenue, Branchville New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Kathryn Leissler  
Borough Clerk

reading:  
2023 at

reading:  
2023 at

reading:  
2023 at

**ORDINANCE NO. 09-2023**

**ORDINANCE OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY CREATING CHAPTER 30 ENTITLED "PET WASTE" AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and

**WHEREAS**, certain model ordinances were provided to the Borough by the Department for introduction and subsequent adoption; and

**WHEREAS**, the Borough Council of the Borough of Branchville believes the adoption of these ordinances is in the best interest of the Borough and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey, that Chapter 30 entitled "Pet Waste" be created as follows:

**SECTION I.**

**§ 30-1. Purpose.**

An Ordinance to establish requirements for the proper disposal of pet waste in the Borough of Branchville, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**§ 30-2. Definitions.**

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement

- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

**§ 30-3. Requirement for Disposal.**

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

**§ 30-4. Exemptions.**

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this Chapter while such animal is being used for that purpose.

**§ 30-5. Enforcement.**

The provisions of this Chapter shall be enforced by Sussex County Health Department.

**§ 30-6. Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

**SECTION II. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Branchville inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION III. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

**SECTION IV. Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

DEC 18

2011

SECTION



**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Branchville held on November 1, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on December 6, 2023 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Wantage Avenue, Branchville New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Kathryn Leissler  
Borough Clerk

**ORDINANCE NO. 10-2023**

**ORDINANCE OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY CREATING CHAPTER 34 ENTITLED "YARD WASTE COLLECTION PROGRAM" AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and

**WHEREAS**, certain model ordinances were provided to the Borough by the Department for introduction and subsequent adoption; and

**WHEREAS**, the Borough Council of the Borough of Branchville believes the adoption of these ordinances is in the best interest of the Borough and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey, that Chapter 34 entitled "Yard Waste Collection Program" be created as follows:

**SECTION I.**

**§ 34-1. Purpose.**

An Ordinance to establish a yard waste collection and disposal program in the Borough of Branchville, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§ 34-2. Definitions.**

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

d. Yard Waste – means leaves and grass clippings.

**§ 34-3. Yard Waste Collection.**

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than ten (10) feet from any storm drain inlet.

Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this Ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this Ordinance.

**§ 34-4. Enforcement.**

This Ordinance shall be enforced by the New Jersey State Police and the Sussex County Health Department.

**§ 34-6. Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

**SECTION II. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Branchville inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION III. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

**SECTION IV. Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Branchville held on November 1, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on December 6, 2023 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Wantage Avenue, Branchville New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Kathryn Leissler  
Borough Clerk

a regular  
meeting

2023 and

a regular  
meeting

2023 and

a regular  
meeting

2023 and

**ORDINANCE NO. 11 - 2023**

**ORDINANCE OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY CREATING CHAPTER 35 ENTITLED "PRIVATE STORM DRAIN INLET RETROFITTING" AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and

**WHEREAS**, certain model ordinances were provided to the Borough by the Department for introduction and subsequent adoption; and

**WHEREAS**, the Borough Council of the Borough of Branchville believes the adoption of these ordinances is in the best interest of the Borough and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey, that Chapter 35 entitled "Private Storm Drain Inlet Retrofitting" be created as follows:

**SECTION I.**

**§ 35-1. Purpose.**

An Ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Branchville so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§ 35-2. Definitions.**

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Branchville or other public body, and is designed and used for collecting and conveying stormwater.

- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

**§ 35-3. Prohibited Conduct.**

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- 1. Already meets the design standard below to control passage of solid and floatable materials; or
- 2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

**§ 35-4. Design Standard.**

Storm drain inlets identified in Section III above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

- 1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
  - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
  - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
  - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
    - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
    - ii. A bar screen having a bar spacing of 0.5 inches.
  - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
  - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property

#### **§ 35-5. Enforcement.**

This Ordinance shall be enforced by the Branchville Borough Consulting Engineer and the Branchville Director of Public Works.

#### **§ 35-6. Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00) for each storm drain inlet that is not retrofitted to meet the design standard.

#### **SECTION II. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Branchville inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

#### **SECTION III. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a

court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

**SECTION IV. Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Branchville held on November 1, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on December 6, 2023 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Wantage Avenue, Branchville New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Kathryn Leissler  
Borough Clerk



**ORDINANCE NO. 12-2023**

**ORDINANCE OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY CREATING CHAPTER 33 ENTITLED "IMPROPER DISPOSAL OF WASTE" AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and

**WHEREAS**, certain model ordinances were provided to the Borough by the Department for introduction and subsequent adoption; and

**WHEREAS**, the Borough Council of the Borough of Branchville believes the adoption of these ordinances is in the best interest of the Borough and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey, that Chapter 33 entitled "Improper Disposal of Waste" be created as follows:

**SECTION I.**

**§ 33-1. Purpose.**

An Ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Borough of Branchville, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§ 33-2. Definitions.**

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Borough of Branchville or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

### **§ 33-3. Prohibited Conduct.**

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated in the Borough of Branchville is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

### **§33-4. Exceptions to Prohibition.**

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)
- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway, and street wash water
- h. Flows from firefighting activities
- i. Flows from rinsing of the following equipment with clean water:
  - i. Beach maintenance equipment immediately following their use for their intended purposes; and
  - ii. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

### **§ 33-5. Enforcement.**

This Ordinance shall be enforced by the New Jersey State Police and the Sussex County Health Department.

### **§ 33-6. Violations and Penalties.**

Any person(s) who continues to be in violation of the provisions of this Ordinance, after being duly notified, shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

**SECTION II. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Branchville inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION III. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

**SECTION IV. Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Branchville held on November 1, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on December 6, 2023 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Wantage Avenue, Branchville New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Kathryn Leissler  
Borough Clerk

**ORDINANCE NO. 13-2023**

**ORDINANCE OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY CREATING CHAPTER 36 ENTITLED "ILLICIT CONNECTION" AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and

**WHEREAS**, certain model ordinances were provided to the Borough by the Department for introduction and subsequent adoption; and

**WHEREAS**, the Borough Council of the Borough of Branchville believes the adoption of these ordinances is in the best interest of the Borough and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey, that Chapter 36 entitled "Illicit Connection" be created as follows:

**SECTION I.**

**§ 36-1. Purpose.**

An Ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Borough of Branchville so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§ 36-2. Definitions.**

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Borough of Branchville, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852).

Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
- d. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Borough of Branchville or other public body, and is designed and used for collecting and conveying stormwater.
- e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.
- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

### **§ 36-3. Prohibited Conduct.**

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Borough of Branchville any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

### **§ 36-4. Enforcement.**

This Ordinance shall be enforced by the Sussex County Health Department.

### **§ 36-5. Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

**SECTION II. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Branchville inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION III. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

**SECTION IV. Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Branchville held on November 1, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on December 6, 2023 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Wantage Avenue, Branchville New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Kathryn Leissler  
Borough Clerk

**ORDINANCE NO. 14-2023**

**ORDINANCE OF THE BOROUGH OF BRANCHVILLE, COUNTY OF SUSSEX, STATE OF NEW JERSEY CREATING CHAPTER 32 ENTITLED "LITTER CONTROL" AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and

**WHEREAS**, certain model ordinances were provided to the Borough by the Department for introduction and subsequent adoption; and

**WHEREAS**, the Borough Council of the Borough of Branchville believes the adoption of these ordinances is in the best interest of the Borough and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex, State of New Jersey, that Chapter 32 entitled "Litter Control" be created as follows:

**SECTION I.**

**§ 32-1. Purpose.**

An Ordinance to establish requirements to control littering in the Borough of Branchville so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§ 32-2. Definitions.**

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- b. Litter Receptacle – a container suitable for the depositing of litter.

- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**§ 32-3. Prohibited Acts and Regulated Activities.**

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

**§ 32-4. Enforcement.**

This Ordinance shall be enforced by the New Jersey State Police, Sussex County Health Department, and the Branchville Borough Zoning Officer.

**§ 32-5. Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

**SECTION II. Repealer.**

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Branchville inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION III. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

**SECTION IV. Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

of such

of such

of such



**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Branchville held on November 1, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on December 6, 2023 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Wantage Avenue, Branchville New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Kathryn Leissler  
Borough Clerk

BRANCHVILLE BOROUGH  
ORDINANCE # 16 - 2023

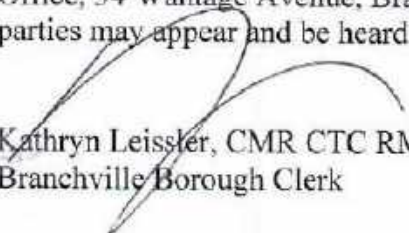
AN ORDINANCE FIXING SALARIES AND WAGES FOR OFFICIALS AND  
EMPLOYEES OF THE BOROUGH OF BRANCHVILLE, SUSSEX COUNTY, NEW  
JERSEY

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Branchville  
that the schedule of range of salaries and wages set forth below be used effective.  
After ordinance adoption to those persons holding various offices, positions and jobs set  
forth: below:

Position	Minimum	Maximum
Equipment Operator	\$20.00	\$40.00
Assessor	\$14,000.00	\$17,000.00
Water Meter Reader	\$900.00	\$1200.00
Water Rent Collector	\$4500.00	\$7000.00

FURTHER ORDAINED THAT the rate of pay for a particular official or employee is to  
be fixed by Resolution of the Borough Council within the range of the rate schedule  
above set forth.

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 November 1,  
2023 and that a public hearing on said Ordinance will be held at a regular meeting  
beginning at 7:00 p.m. on December 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

Agreement between Marguerite L. Nemeth and the Borough of Branchville for  
2023 Recycling Tonnage Grant Services.

New Jersey's Recycling Enhancement Act (REA) requires that reports or other recycling-related documents be signed/certified by a Certified Recycling Professional (CRP).

The Recycling Coordinator shall be appointed by the Mayor and Council and shall serve at the pleasure of same.

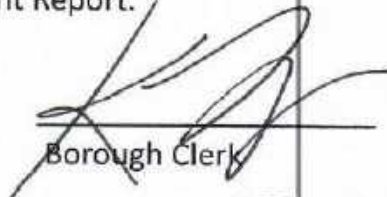
Marguerite L. Nemeth has the necessary qualifications to serve in this position.

Marguerite L. Nemeth shall provide Certified Recycling Professional Services to prepare, certify and submit the 2023 Recycling Tonnage Report to NJDEP for a cost of \$2,550.00.

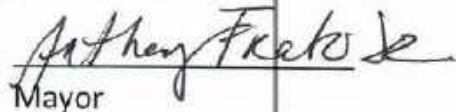
Please accept this as an agreement between Marguerite L. Nemeth, CRP; and the Borough of Branchville for the 2023 Recycling Tonnage Grant Report.



Marguerite L. Nemeth, CRP



Borough Clerk



Mayor

Report Printed 2023-10-30 12:05:08

Borough of Branchville

# Check Register - (0110101001000) Cash Checking

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
10/04/2023	516	51 JCP&L	2,307.05			
10/04/2023	517	357 Ambassador Medical Services	140.00			
10/04/2023	518	524 Barry Norman	199.80			
10/04/2023	519	150 Blue Ridge Rescue Sq.	10,000.00			
10/04/2023	520	138 Branchville Hose Company #1	3,281.25			
10/04/2023	521	15 Century LINE/ Brightspeed	699.25			
10/04/2023	522	59 DOLAN & DOLAN P.A.	374.40			
10/04/2023	523	5 Edmunds Gov Tech	250.00			
10/04/2023	524	5 Edmunds Gov Tech	11,500.00			
10/04/2023	525	101 FRANKFORD BOARD OF EDUCATION	112,259.58			
10/04/2023	526	587 GRAPHICS TO GO	270.00			
10/04/2023	527	11 Griffith-Allied OIL, LLC	1,282.08			
10/04/2023	528	2 HAROLD B. PELLOW & ASSOC INC.	17.50			
10/04/2023	529	502 HBCBS of NJ	498.28			
10/04/2023	530	62 HIGH POINT REGIONAL HIGH SCHOOL	67,890.33			
10/04/2023	531	590 JEAN PERLEE	400.00			
10/04/2023	532	589 LOCK & KEY WORLD	125.00			
10/04/2023	533	205 Lowe's	649.19			
10/04/2023	534	558 Lumen	1,131.61			
10/04/2023	535	64 MONTAGUE TOOL & SUPPLY CO.	100.65			
10/04/2023	536	320 R&L Data Centers Inc	336.00			
10/04/2023	537	577 Robert Garman	234.00			
10/04/2023	538	137 STAMP FULFILLMENT SERVICES	1,600.10			
10/04/2023	539	69 STAPLES ADVANTAGE	529.85			
10/04/2023	540	86 Sussex County Muni. Utilities Autho	3,005.34			
10/04/2023	541	71 Sussex County Treasury	2,793.60			
10/04/2023	542	1 Times Herald-Record Localiq	39.96			
10/04/2023	543	73 Treasurer, State of NJ	25.00			
10/04/2023	544	75 VERIZON WIRELESS	38.01			
10/04/2023	545	418 Viking Termite & Pest Control, Inc	58.82			
10/04/2023	546	85 W. E. TIMMERMAN CO. INC.	16,522.03	16,522.08	10/04/2023	error
10/04/2023	547	6 WASTE MANAGEMENT OF NJ, INC.	10,318.50			
10/04/2023	548	85 W. E. TIMMERMAN CO. INC.	16,522.03	16,522.08	10/04/2023	error
			265,399.21			
			-33,044.06			** Voided
			232,355.15			



Report Printed 2023-10-30 12:05:47

Borough of Branchville

# Check Register - (0910101001000) CASH CHECKING

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
10/04/2023	2029	51 JCP&L	1,644.66			
10/04/2023	2030	182 Capital SUPPLY CONST. PRODUCTS INC.	1,120.03			
10/04/2023	2031	7 Coyne CHEMICAL COMPANY	456.80			
10/04/2023	2032	575 East Coast Combustion Specialists, INC.	2,306.44			
10/04/2023	2033	31 GARDEN STATE LABS INC.	1,000.00			
10/04/2023	2034	2 HAROLD E. PELLOW & ASSOC INC.	4,999.50			
10/04/2023	2035	2 HAROLD E. PELLOW & ASSOC INC.	172.50			
10/04/2023	2036	100 MAIN POOL & CHEMICAL CO.	768.00			
10/04/2023	2037	66 ONE CALL CONCEPTS	52.91			
10/04/2023	2038	591 RCAP Solutions, Inc	770.00			
10/04/2023	2039	588 SAFEGUARD BUSINESS SYSTEMS	218.25			
10/04/2023	2040	140 SCHMIDT'S WHOLESALE, INC.	333.28			
10/04/2023	2041	107 STATE OF NEW JERSEY-PWT	57.15			
10/04/2023	2042	72 Sussex Rural Electric	39.07			
			-----			
			13,938.59			
			=====			
			13,938.59			