

BYRAM TOWNSHIP COUNCIL MEETING - FEBRUARY 2, 2016

CALL MEETING TO ORDER

Mayor Oscovitch called the meeting to order at 7:00 p.m.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting has been made in accordance with the Open Public Meetings Act, NJSA 10:4-6.

ROLL CALL

Councilwoman Raffay, here; Deputy Mayor Gray, late (7:25 p.m.); Councilman Olson, here; Councilwoman Kash, here; Mayor Oscovitch, here. Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Doris Flynn were also present.

Motion by Councilman Olson, second by Councilwoman Kash to go into closed session. All members were in favor. Motion Carried.

RESOLUTION

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, that the public shall be excluded from discussion of the following matters:

- a. Attorney Client Privilege Communication – General
 - Groundwater Investigation
 - Architect Report / Lakeland Bank Bldg.
- b. Personnel – Police Department

BE IT FURTHER RESOLVED that Minutes will be kept on file in the Municipal Clerk's office, and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public.

BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on February 2, 2016.

Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Kash to return to open session. All members were in favor. Motion Carried.

CALL COUNCIL MEETING BACK TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilwoman Raffay, to approve the agenda. All members were in favor. Motion carried.

TOWNSHIP MANAGER/COUNCIL REPORTS

Manager

- Special meeting of Mayor and Council will be on 2/5/16 7 p.m. at Cranberry Lake Fire House for the swearing in of Chief of Police Pete Zabita.
- Scheduling the introduction and approval of budget on March 1, and the public hearing on April 5.
- At our 2/16 meeting, the Council will be asked to take action on the Junkyard license and have a public hearing on the quarry license. We will also have a discussion on the 2016 capital program
- Received a call from District 24 offices, and NJDOT said that they do not have a way to set up an escrow to repair any damages from the Route 206 improvements.

Councilman Olson

- Capital Budget Subcommittee meeting on February 3 in Joe's office with Ashleigh, Joe and David Gray
- Open Space meeting on February 8 at 7:30 p.m.
- Economic Steering Committee meeting on February 11 at 7:30 p.m.

Councilwoman Raffay – Planning Board meeting scheduled for February 4th has been cancelled.

Deputy Mayor Gray – Attended Environmental Commission meeting last week. They reviewed goals for 2016, and talked about recommending revising certain ordinances; specifically, the steep slope ordinance.

Mayor Oscovitch – Attended the funeral for Scott Danielson, which was a very emotional day for everyone.

Attorney Tom Collins – Provided an update on the courts regarding the affordable housing. Ocean County court is seeking to have oral arguments regarding issues relating to the different reports. The gap period from 1999-

2015 will be looked at, reviewing the differences of opinion. Tom recommended that we keep working on the Housing Plan until the Judge issues another order.

PUBLIC PARTICIPATION I

Motion by Councilman Olson, second by Councilwoman Raffay to open up to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. All members in favor. Motion carried.

APPROVAL OF MINUTES

- January 19, 2016 – Regular Minutes - Motion by Councilman Gray, second by Councilwoman Kash, to adopt the minutes as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd				x	
Yes	x	x	x	x	
No					
Abstain					x
Absent					

- January 19, 2016 - Executive Meeting Minutes –Motion by Councilman Gray second by Councilwoman Kash to adopt the minutes as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		x			
2nd				x	
Yes	x	x	x	x	
No					
Abstain					x
Absent					

CONSENT AGENDA: These items are considered to be routine by the Members of the Township Council and will be enacted on by one motion. There will be no separate discussion of these items unless a citizen or Council member so requests in which event the item may be removed from the general order of business and considered in its normal sequence on the agenda. Motion by Councilman Olson, second by Councilwoman Kash to approve the consent agenda.

- Resolution No. 39-2016 – Resolution for the 2017 Municipal Alliance Grant
- Resolution No. 40-2016 – Resolution Granting a Plenary retail Consumption License Issued to WGB Properties LLC, trading as Byram Motel
- Resolution No. 41-2016 – Resolution Authorizing Harold E. Pellow & Associates, Inc. to perform an Environmental Assessment Report.
- Resolution No. 42-2016 Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2 nd				x	
Yes	x	x	x	x	x
No					
Abstain					
Absent					

APPROVAL OF FEBRUARY 2, 2016 BILL LIST

Motion by Councilwoman Kash, second by Councilman Gray to approve the bill list as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion				x	
2nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

ORDINANCE 2nd Reading / Public Hearing

ORDINANCE 4-2016

BE IT RESOLVED that Ordinance 4-2016 entitled “Ordinance of the Mayor and Council of the Township of Byram authorizing “Bring Your Own Bottle” (“BYOB”) Wine and Beer Consumption at Table-Service Restaurants” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson,

second by Councilwoman Kash to adopt the ordinance. Motion by Councilwoman Marie Raffay, second by Nisha Kash, to open to the public. No comments were made. All members in favor. Motion carried.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd				x	
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Be it Resolved that said Ordinance is passed on final reading and that a notice of final passage be published in the official designated newspapers according to law.

ORDINANCE 5-2016

BE IT RESOLVED that Ordinance 5-2016 entitled “An Ordinance of the Township of Byram, County of Sussex, State of New Jersey amending Chapter 164 entitled “Licensing” to Establish a No Solicitation List and Modify Hours of Operation and Fees” be read by title on second reading and a hearing held there thereon. Motion by Councilman Gray, second by Councilwoman Kash to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Kash to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Kash to close to public. All members in favor. Motion carried.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		x			
2nd				x	
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Be it Resolved that said Ordinance is passed on final reading and that a notice of final passage be published in the official designated newspapers according to law.

ORDINANCE 7-2016

BE IT RESOLVED that Ordinance 7-2016 entitled “An Ordinance to Amend the Appendix A; Fee Schedule, to the Code of Byram Township” be read by title on second reading and a hearing held there thereon. Motion by Councilman Gray, second by Councilman Olson to adopt the ordinance. Motion by Councilwoman Raffay, second by Councilwoman Kash to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Kash to close to the public. All members in favor. Motion carried.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		x			
2nd			x		
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Be it Resolved that said Ordinance is passed on final reading and that a notice of final passage be published in the official designated newspapers according to law.

ORDINANCE – Introduction / First Reading

□ Be it resolved that ordinance entitled ”An Ordinance Amending Chapter 240 Zoning of the Township of Byram Code” be read by title on first reading.

Purpose Statement: The purpose of this ordinance is to clarify various sections in the Byram Land Use Code, Updated Application Checklists and the Residential Schedule of Space Requirements.

Motion by Councilwoman Kash, second by Councilwoman Raffay to introduce this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion				x	
2nd	x				
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Be it resolved that said ordinance shall be further considered for final passage at the meeting of the Township Council of the Township of Byram on Tuesday, February 16, 2015 at 7:30 p.m. at the Byram

Municipal 10 Mansfield Drive, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

ORDINANCE – Introduction / First Reading

- Be it resolved that ordinance entitled "Amend Ordinance for Administration & Hourly Positions Salary and Wages for the Years 2013-2016" be read by title on first reading.

Purpose Statement: The salary for each appointed official of the Township of Byram shall be hereby fixed for the years 2013-2016.

Motion by Councilman Olson, second by Councilman to introduce this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Be it resolved that said ordinance shall be further considered for final passage at the meeting of the Township Council of the Township of Byram on Tuesday, February 16, 2015 at 7:30 p.m. at the Byram Municipal 10 Mansfield Drive, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

PUBLIC PARTICIPATION II – Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried. No comments were made. Motion by Councilman Olson, second by Councilwoman Kash to close to the public. All members in favor. Motion carried.

Motion by Councilman Olson, second by Councilwoman Raffay to go into closed session at 8:40 p.m. All members were in favor. Motion Carried.

RESOLUTION

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on February 2, 2016.

Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Raffay to return to open session at 9:34 p.m. All members were in favor. Motion Carried.

OTHER BUSINESS

Motion to authorize the Mayor and Council to sign the Site Access Agreement submitted to Byram by Kleinfelder, Inc. on behalf of the NJDEP and authorize the Township Manager, Deputy Manager and Township Attorney to research and speak to Kleinfelder.

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Raffay, and with all members in favor, the meeting was adjourned at 9:37 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor