

BYRAM TOWNSHIP COUNCIL MEETING - MARCH 1, 2016

CALL MEETING TO ORDER

Mayor Oscovitch called the meeting to order at 7:10 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, here; 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
 - Fair Share Housing Plan
 - Lakeland Emergency Squad
- b. Contract Negotiations – Healthcare Benefits

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 March 1, 2016.

Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilman Gray, 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 Kash, to approve the agenda with the addition of Resolution No. 55-2016 to the consent agenda. All members were in favor. Motion carried.

PROMOTIONAL APPOINTMENTS – Chief Peter Zabita stated that the Police Department is honored this evening to promote two of its outstanding officers. He read the bio of Ken Burke and Dan Dewald to the public.

Kenneth Burke was hired by Byram Township as a patrolman in 1994. He was promoted to the rank of Sergeant in 2001. He has attended numerous police related schools throughout his career and serves as the Department's motor vehicle accident reconstructionist. In his new rank of Police Lieutenant, Lieutenant Burke will serve as the patrol and detective division Commander overseeing the two most important components of the Department.

Daniel DeWald began his law enforcement career in 1999 with the New Jersey Department of Corrections after graduating from Lenape Valley High School in 1994. He was hired by Byram Township as a patrolman in 2001. He has distinguished himself during his time as a patrolman by making numerous arrests and receiving multiple awards for his patrol efforts. In his new rank of Police Sergeant, Sergeant DeWald will serve as a shift supervisor.

Mayor Oscovitch followed with the swearing in ceremony and shared some kind words about each officer. Everyone congratulated the officers on their promotions.

PROCLAMATIONS

- Read Across America – March 2, 2016 - Earlier today the Township Council met at the Byram Lakes School to watch a presentation by Mrs. Cory's class. It was the 11th consecutive year that the Council has joined the school in this wonderful evening. Mayor Oscovitch read the Proclamation and honored Dr. Seuss's birthday – he would have been 112 years old! Motion by Councilman Gray, second by Councilwoman Kash to adopt the proclamation. All members were in favor. Motion carried.
- MS Awareness Month – Special Guest – Tammy Quaisis
Mayor Oscovitch spoke briefly about MS and introduced Tammy who came speak to everyone regarding MS and talk about how she deals with her illness. Jim said that that Tammy was the most selfless person he has ever met. Tammy talked about MS and her involvement in Washington. She will be going to Washington next week with her son Jacob to attend the 25th public Policy Conference. Tammy thanked the Mayor and Council for supporting MS and inviting her to the meeting. Councilman Olson suggested sending the Proclamation to Senator Booker. The Mayor would like a copy sent to our Freeholders also. Motion by Councilman Olson, second by Councilwoman Kash to adopt the Proclamation. All member were in favor. Motion carried.

Mayor Oscovitch asked Adam Raffay to stand up and explain why he was in attendance this evening. Adam stated that he was a boy scout in Troop 276 and was working on his Citizenship merit badge. One requirement was to attend

PRESENTATION OF THE NEW FIRE TRUCK – Chief Rudloff and Assistant Chief Pallek brought the new fire truck down to town hall for everyone to see. They thanked the Mayor and Council for purchasing it. Everyone went outside and toured the truck.

PUBLIC PARTICIPATION I – Meeting open to the public for comments on matters not on the agenda or items on the agenda for which no public discussion is provided. Motion by Councilwoman Raffay, second by Councilwoman Kash, to open up to the public. Luann Byrne, 51 Richmond Road, asked to remove Resolution 52-2016 from the consent agenda so that she could ask a question. Motion Councilman Olson, second by Councilwoman Kash, to close to the public. All members in favor. Motion carried.

INTRODUCTION OF 2016 BUDGET

Below is the Township Manager's Budget Message:

INTRODUCTION

Every year the Township Council is called upon to establish municipal policy through the adoption of the Municipal Budget. While the Manager and staff prepare recommendations in the form of a draft document, the Council must ensure that the adopted budget adequately satisfies the needs of the community and serves the best interests of the Township.

The approval and adoption of the Municipal Budget includes the budget for the Open Space Tax and the Sewer Utility.

The Township's Open Space Dedicated Trust Fund is funded through the dedication of an Open Space Tax that is not to exceed \$0.02 per \$100 of assessed valuation of each annual tax levy. For 2016, the Township anticipates raising \$110,430 or \$.01 for each \$100 of assessed valuation. The Open Space Tax cannot be eliminated as future receipts were committed to cover the debt service of Open Space Bonds that were issued in 2005 and are scheduled to expire in 2024. Also, the funds are used to support the maintenance and development of open space parcels that have been purchased with the open space tax.

The Township's Sewer Utility is supported by fees collected from users of the system. The Sewer Utility has its own separate budget. For 2015, the Operating Budget was restructured reducing the Salary and Wage and Operating Expenses portion of the budget by \$30,244. This supported a five percent reduction of user fees. The Operating Budget is remaining flat for 2016. In 2017, there may be an opportunity for an additional reduction of the user fees when the legacy debt obligations for the establishment of the utility are fully paid.

The capital program for the Township's Sewer Utility includes rehabilitation of the pump station located on the municipal complex as there was a catastrophic failure at the end of 2015. Also, in 2015 the Township's sanitary sewer engineer completed an inspection of the system providing a report that contains a renewal and replacement fund analysis for each of the system's critical structures and equipment. The elimination of the original debt service obligation provides the opportunity to issue new debt that will support the renewal and rehabilitation of the system with a much lower debt service obligation.

The 2016 municipal budget including the Capital Improvement Program and Private Programs Offset by Revenues totals \$11,075,837.

APPROPRIATIONS

Appropriations are the platform that allows local government to deliver services to its residents. Overall, this budget plan is presenting an increase in appropriations totaling \$198,487 after excluding Public and Private Programs (Grants) Offset by Revenues.

General Government, Public Safety, Public Works and Community Programs include all the Salary & Wages and Operating Expenses for each of the Township's departments. Overall these categories of expenses resulted in a \$34,550 increase. Summary of changes include:

- Applied Changes to Departmental Salary and Wages:
 - PBA, Clerical and DPW contractually receive a salary and wage increase of 2.0%. The same increase was applied to non-union employees.
 - Accounted for changes in longevity (PBA) and contractual steps (PBA & DPW).
 - Updated Police salary and wages to reflect appointment of new Chief of Police, addition of a new hire (academy level) and sergeant and lieutenant promotions. Salary breakage was moved to new account for purchase of new vehicles to replace police car that was totaled in an accident. Insurance money will be treated as Miscellaneous Revenue Not Anticipated.
- Tax Collection Operating Expenses includes Shared Services Agreement with Newton for Tax Collector.
- The planning budget for Affordable Housing was increased \$30,000 for update and litigation related to the Township's Housing Element and Fair Share Housing Plan. This increase was offset by an equal \$30,000 increase of Fund Balance.

Other expenses of the Township that are not tracked by department include utilities, insurances, statutory expenses, pension expenses, garbage, debt service, deferred charges, capital improvements and the reserve for uncollected taxes. Overall these increased \$163,937.

Significant dollar changes were seen in the following appropriations:

Pension Payments	Increased	\$ 52,113
PERS – Increased \$9,126		
PFRS – Increased \$39,987		
DCRP – Increased \$3,000		
Garbage Contract	Increased	\$ 12,000
General Liability Insurance (4.9%)	Increased	\$ 8,958
Workers Compensation Insurance (3.5%)	Increased	\$ 3,366

REVENUES

Municipal Operations and the Capital Improvement Program are supported by a variety of revenues. These sources include current property taxes (75.27%), Miscellaneous Revenues including State Aid (9.20%), Fund Balance (surplus) 12.37% and Receipts from Delinquent Taxes (3.16%).

The Township received notification that the State Fiscal Year 2016 budget proposes level aggregate funding for Consolidated Municipal Property Tax Relief Aid (CMPTRA) and Energy Tax Receipts (ETR). The proposed State aid CMPTRA and ETR for 2016 totals \$575,475 or 5.20% of the total revenues. Also, we received notification that the Township should anticipate Garden State Trust PILOT (Payment in Lieu of Taxes) funding at the same level. The Township will receive \$41,920 in PILOT funding.

Other Miscellaneous revenues anticipated comprise 3.44% of the revenues. These anticipated revenues include Court Fees, Uniform Construction Fees, Interest on Investments, Interest and Costs on Taxes, and Fees and Permits.

The amount of Fund Balance committed to the 2016 budget is \$1,370,102 which is an increase of \$30,000. This increase offsets the increase in the planning budget for Affordable Housing of \$30,000 for update and litigation related to the Township's Housing Element and Fair Share Housing Plan.

This budget plan has property taxes representing 75.27% or \$8,337,180 in revenues. In 2015, budgeted property taxes totaled \$8,154,343 of the revenues. This budget plan is a 2.2 % or \$182,837 increase of the tax levy.

TAX RATE

The 2016 municipal budget calls for an estimated municipal rate increase of .021 for each \$100 of assessed value using the net valuation of \$925,408,700. This increase represents an estimated \$55.26 annual municipal tax increase for the average assessed home of \$253,264.

SUMMARY

In summary, the challenge with this budget and future budgets is to be able to maintain the same level of services for the Township residents while costs continue to increase, the growth of the Township’s ratable base remains restricted, and miscellaneous revenues decrease resulting in a higher reliance on property taxes. The Township continues to hold the line on departmental operating expenses.

The 2016 municipal budget plan, as presented, limits impacts to current service levels in a difficult operating environment. These services are being preserved as best they can be in accordance with the expectations of the Township’s residents which add to the quality of life for all taxpayers in Byram.

Respectfully submitted,

Joseph W. Sabatini, Township Manager

Motion by Councilman Olson, second by Councilwoman Raffay to approve the 2016 budget. Councilman Olson thanked Joe Sabatini and Ashleigh Frueholz for all their hard work. A great job was done to retain services, and in some areas improve services, for our residents. Marie Raffay and Jim Oscovitch echoed Scott’s comments.

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

TOWNSHIP MANAGER/COUNCIL REPORTS

Township Manager

E-Waste Collection at Township Recycling Center Suspended Until Further Notice

On Friday, February 26, 2016, Vintage Tech Recyclers informed the Township they will no longer collect the Township's Electronic Waste. They have cited the poor recycling market conditions and that it is costing them to collect the Township's Electronic Waste. The Township has been able to offer this service to the residents without costs. We have started to explore alternative solutions. Over the last several weeks we have collected Electronic Waste that has outgrown our ability to store. We need to temporarily suspend service until we can make new arrangements. In the interim, we are directing residents to the Sussex County Municipal Utilities Authority (SCMUA Electronic Waste Recycling Program - <http://www.scmua.org/Cit-e-Access/webpage.cfm?TID=121&TPID=11923>)

Zoning Officer Sign Ordinance:

- The Township’s Zoning Officer has started to visit businesses sharing the sign ordinance and providing copies of the Temporary Sign Application.
- Reviewing signage and begin to inform of possible violations.

Notice of Award of Grant:

- Township received notice of receiving a \$22,500 bonus grant through the Recycling Tax for the purchase and installation of recycling receptacles in public spaces.
- This is a 50% match grant. Using Township’s based Recycling Grant funds to support the 50% match

Councilman Olson

- EPA meeting on 2/25 regarding the Mansfield Dump Site -- reported
- Attended the Sussex County Open Space meeting with Joe Sabatini on February 25. Byram is in the most impacted portion of the county for water quality and availability. They are putting together an interactive map to help with land acquisition.
- Will attend a meeting on March 8 regarding the municipal complex study.
- March 10 is the Economic Steering Committee at 7:30 p.m.
- Amphibian Crossing on Waterloo Road at Waterloo Village happened on February 24, which was the night of the thunderstorms.

Nisha Kasha – The Youth Guidance Council will be having an informal meeting to discuss the goals and objectives of the committee on March 8 at 7:30 p.m.

Councilwoman Raffay - PB meeting on Thursday at 8 p.m. Paul Gleitz will be in attendance and we will be reviewing the Fair Share Housing Plan.

Deputy Mayor Gray – There will be a special Board of Health meeting on March 8 at 7 p.m. to continue the review the ordinances.

APPROVAL OF MINUTES

□ February 19, 2016 – Regular Minutes - Motion by Councilman Olson, 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	x
No					
Abstain					
Absent					

□ February 19, 2016 - Executive Meeting Minutes –Motion by Councilwoman Kash second by Councilwoman Raffay 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	x
No					
Abstain					
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. 50-2016 Resolution Granting a License for 2016 to Raimo of Stanhope, Inc. to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
- Resolution No. 51-2016 Resolution Granting North Jersey Auto Wreckers, Inc. a License for 2016 to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
- Resolution No. 53-2016 Authorizing the State of New Jersey to Enforce the Elevator Sub Code
- Resolution No. 54-2016 Amend Title Lines Resolution - \$619.50
- Resolution No. 55-2016 – Resolution of Support of Lakeland Emergency Squad Establishing a Plan to use a Medical Billing System

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

RESOLUTION NO. 52-2016 – A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BYRAM AUTHORIZING THE SSALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FO RPUBLIC USE ON AN ONLINE AUCTION WEBSITE – Motion by Councilman Olson, second by Councilwoman Kash to adopt the resolution. Luann Byrne, 34A Richmond Road, asked questions regarding the property being auctioned. Joe Sabatini explained that the items on the list are personal property; i.e., old radios, cars, etc.

APPROVAL OF MARCH 1, 2016 BILL LIST

Motion by Councilman Olson, second by Councilwoman Kash 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

Be it resolved that ordinance entitled “Ordinance of the Mayor and Council of the Township Of Byram Authorizing the Acquisition of the Real Property Known and Designated on the Township of Byram Tax Map as Block 337, Lot 9.01” be read by title on second reading and a hearing held there thereon.

Purpose Statement: The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to acquire the subject property known as Block 337/Lot 9.01 in the Township of Byram by purchase agreement, pursuant to applicable provisions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-5, et seq., and to fund said acquisition using Green Acres and Township Open Space Trust funds.

Motion by Councilman Olson, second by Councilwoman Kash to adopt this ordinance. Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. Luanne Byrne asked why the township would

want to purchase this property. Scott stated that this land connects to other open space properties, and it has been on the acquisition list for 15 years. Luann expressed her concerns with purchasing open space in these tough economic times. SO/NK - close

	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.

PUBLIC PARTICIPATION II – Motion by Councilman Gray, second by Councilwoman Raffay to open to the public. All members in favor. Barbara McLoughlin, West Brookwood, asked when the public hearing of the budget will be. Joe Sabatini reported that it will be on April 5. 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 Kash to go into closed session at 9:20 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

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
 - Fair Share Housing Plan
 - Lakeland Emergency Squad
- b. Contract Negotiations – Healthcare Benefits

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 March 1, 2016.

Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilman Gray to return to open session at 11:03 p.m. All members were in favor. Motion Carried.

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Kash, and with all members in favor, the meeting was adjourned at 11:03 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor