

BYRAM TOWNSHIP COUNCIL MEETING - MAY 2, 2016

CALL MEETING TO ORDER

Deputy Mayor Gray called the meeting to order at 6:30 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, absent. Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Doris Flynn were also present.

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. Contract Negotiations
 - Health Benefits Update by Frank Covelli
 - TLC
- b. Attorney Client Privilege Communication
 - General
 - Block 34, Lot 16
 - Outdoor Sales
- c. Personnel - Staffing

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 May 2, 2016.
Doris Flynn, Municipal Clerk

Motion by Councilman Olson, second by Councilwoman Raffay to go into closed session and adopt the above resolution.

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

RETURN TO OPEN SESSION - Motion by Councilman Gray, second by Councilman Olson, 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. All members were in favor. Motion carried.

PROCLAMATION - Peace Officer’s Memorial Day – May 15, 2016 – read by Deputy Mayor Gray – Motion by Councilwoman Kash, second by Councilwoman Raffay to adopt this Proclamation.

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

Joe Sabatini announced that a proclamation was passed at our last meeting to recognize 45 years of the Byram Township Police Department.

SWEARING IN OF POLICE OFFICER KEVIN PERRY & POLICE SERVICE AWARDS

Officer Kevin Perry was sworn in as Byram Township's newest Police Officer by Deputy Mayor David Gray and members of the Byram Township Police Department received achievement awards for various accomplishments in 2015.

Officer Perry graduated from Mount Olive High School and has an Associates degree in applied science from Morris County Community College. Officer Perry was hired as a Sheriff's Officer by the Morris County Sheriff's Department in 2013 and served there until May 2016 when he completed a lateral transfer and joined the Byram Township Police Department as a Police Officer. Officer Perry resides in Byram Township with his wife Shannon.

The Officers listed below received the following awards for their accomplishments:

Chief Raymond Rafferty (Retired) 25 Year Good Conduct Award and Honorable Discharge Award

Chief Peter Zabita 20 Year Good Conduct Award and Unit Citation

Sergeant Guy Mariani 15 Year Good Conduct Award and Unit Citation

Sergeant Brian Moreland 10 Year Good Conduct Award

Officer John D'Onofrio Unit Citation

Officer Todd Sodano 15 Year Good Conduct Award and Unit Citation

Detective Robert Tierney Combat Cross Award and Unit Citation

Officer Marcus Lisa Unit Citation

There was a 15 minute break and a cake was provided by the Danielson's to celebrate Byram Police Department's 45th year anniversary.

TOWNSHIP MANAGER/COUNCIL REPORTS

Township Manager:

Highlands Regional Green Infrastructure Workshop for Municipal Leaders:

- Last Wednesday April 27, 2106 the Manager attended a workshop on Green Infrastructure for municipal leaders.
- Program was co-sponsored by New Jersey Future and the Association of New Jersey Environmental Commissions (ANJEC).
- The program presented on green stormwater infrastructure which can prevent localized flooding, improve water quality and water supply, beautify neighborhoods, foster economic development and benefit public health.

Sussex County Day:

- Sunday, May 1, 2016 – Postponed due to inclement weather. Date TBD.

May 17 – Special Meeting of PB and Council:

- Regular Council Meeting.
- Combined Public Hearing of the Byram Township Council and Planning Board for the purpose of adopting the Byram Township Sustainable Economic Development Plan as an element of the Master Plan.

Councilman Olson

- Attended Green Infrastructure Workshop for Municipal Leaders on Wednesday, April 27, 6:30 -8:30 p.m. at Lake Hopatcong Senior Center – Byram, Washington Borough, Phillipsburg, and Newton were highlighted and discussion was held in breakout groups. Very informative.
- Byram's Economic Development Plan is ready for adoption on May 17 at a joint meeting with the Council and the Planning Board. The first goal for the Council will be to review the matrix and work on reorganizing the EDAC.
- Sad news--former Mayor Mike Marotte's father passed away and former Councilwoman Donna Griff's father passed away. Also Frank Dilberto, Sr., who worked in Byram Recycling Center for many years passed away.

David Gray

- Attended Environmental Commission meeting last Thursday.
- David thanked the Danielson’s for bringing the cake in honor of the 45 years for the Byram Police Department.
- Attended Veteran’s cemetery fundraiser, led by John Harrigan. David is pushing for a community based outpatient clinic for the Sussex/Warren Counties. This would be federally funded and we have a good chance of getting this clinic here in Byram.

Nisha Kash

- Youth Guidance Council will meet May 16.
- Last vernal pool walk at Waterloo Village on May 3, 2016 at 7:15 p.m.
- Scott Danielson will be honored by the National Fire Academy at the memorial.

Councilwoman Raffay - PB meeting on April 21 at 8 p.m. Joe Sabatini added that the Accessory Structure ordinance will be discussed at the Planning Board meeting. Byram BOE passed a 1.5% budget increase.

Public Participation 1

Skip Danielson, 18 Hunters Lane, expressed his interest in having outdoor dining become a permitted use in Byram. He would like to see Byram move forward on this.

Harold Wyckoff, 7 Acorn Street, asked what the status was on the walls at the entrance into Byram. Joe Sabatini stated that a company will be coming out to finish the walls, and put “welcome to Byram Township”. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. All members in favor. Motion carried.

APPROVAL OF MINUTES

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

- April 19, 2016 - Executive Meeting Minutes –Motion by Councilman Olson 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		
No					
Abstain				x	
Absent					x

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. 79-2016 – 2016 Parks and Recreation Fee Structure
- Resolution No. 85-2016 – Supporting the Click It or Ticket Mobilization of May 23-June 5, 2016
- Resolution No. 86-2016 – 2016 Camp Lenape Summer Camp Program
- Resolution No. 87-2016 – Resolution to Support Sussex county C.L.E.A.R. Program – Community law Enforcement Addiction Recovery
- Resolution No. 89-2016 – Authorization to Purchase Gasoline & Diesel under the Morris County Cooperative Pricing Council for Budget Year 2016
- Resolution No. 90-2016 – Authorization to Purchase Fuel Oil #2 (Heating Oil) under the Morris County Cooperative Pricing Council for Budget Year 2016
- Resolution No. 91-2016 Resolution of the Township of Byram Ratifying and Authorizing the Award of a Contract for Professional Service to Spinelli and Pinto Consulting, LLC for an Open Space Consultant
- Resolution No. 92-2016 – Authorize Refund of Redemption Monies to Outside Lien Holder – Block 304 Lot 2229- 12 Glenside Trail
- Resolution No. 93-2016 – Authorize Refund of Redemption Monies to Outside Lien Holder – Block 249 Lot 92 – 103 Lake Ave.
- Resolution No. 94-2016 – Refund State Tax Appeal for 2015 – Block 358.01 Lot 4- 9 Colby Drive

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch

Motion			x		
2 nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

RESOLUTION 88-2016 – Resolution to Participate in New Jersey Future’s Mainstreaming Green Infrastructure Program – Motion by Councilman Olson, second by Councilwoman Raffay to adopt this resolution.

Scott stated that he feels this will provide us with good knowledge and professionals to assist us and developers to add uniqueness to the Township and make Byram more beautiful and sustainable. Joe Sabatini stated that this resolution will begin the engagement with NJ Future and we will enter into a memorandum of understanding. It’s a great opportunity to improve water quality and assist developers in moving their projects forward. Scott stated that some of these techniques have already been implemented in Byram. David was unsure how this would play out because he did not want it to hamper development. This resolution is to educate, provide technical assistance, and to conduct assessments. This would be providing additional tools to help us and developers see paths to put systems in place that we would not have thought of.

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

APPROVAL OF MAY 2, 2016 BILL LIST

Motion by Councilwoman Raffay, second by Councilman Olson to approve the bill list as presented.

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

ORDINANCES – 2nd Reading/Public Hearing

Ordinance 13-2016 - Be it resolved that ordinance entitled “Ordinance of The Mayor and Council of the Township of Byram Authorizing the Conveyance of Unimproved Real Property to The State of New Jersey, Department of Environmental Protection” 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 Councilman Olson, second by Councilwoman Raffay to open to the public. All members were in favor. Motion carried.

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

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

Ordinance 14-2016 - Be it resolved that ordinance entitled “An Ordinance of the Mayor And Council of The Township of Byram to Vacate, Release and Extinguish any Public Rights as the Streets and Roadways Known as Portions of Coles Trail, Cypress Trail, Hickory Trail, Pheasant Way, Spring Trail, Waterloo Road and Wild Cherry Trail but not Including The County Road Known As “Waterloo Road” A/K/A Sussex County Route 604, Pursuant To N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21” 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. Joe Sabatini stated that the Council received a memo from the Planning Board. This has been a project that the Open Space Committee has been working on for several years. There were 3 property owners that were affected by this ordinance, and each of them were notified properly. Motion by Councilwoman Raffay, second by Councilwoman Kash to open

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

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

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

Ordinance 15-2016 - Be it resolved that ordinance entitled “An Ordinance To Authorize a Sewer Capital Expenditure for Improvements to Sanitary Sewerage System to Provide Funding In The Amount Not To Exceed \$31,000.00” 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 Councilman Olson, second by Councilwoman Kash to open to the public. All members were in favor. Motion carried. No comments were made. Motion by Councilman Olson, second by Councilwoman Kash to close to the public.

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

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

Ordinance 16-2016 - Be it resolved that ordinance entitled “An Ordinance to Authorize a Capital Expenditure for the Remount of an Ambulance for use by the Ambulance Squad of the Township to Provide Funding in the Amount Not to Exceed \$155,000.00” be read by title on second reading and a hearing held there thereon.

Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Joe clarified that we did do an ordinance last year for the ambulance through a bond ordinance. Since the squad is going to be changing their structure and taking ownership of the vehicles, we are going to fully fund the vehicle. Motion by Councilwoman Kash, second by Councilwoman Raffay to open to the public. All members were in favor. Motion carried. Skip Danielson, 18 Hunters Lane, thanked Joe for his explanation. Motion by Councilman Olson, second by Councilwoman Raffay closed to the public.

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

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

ORDINANCES – 1st Reading / Introduction

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

Motion by Councilman Olson, second by Councilwoman Kash to introduce the ordinance on first reading.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd				x	
Yes	x	x	x	x	

No					
Abstain					
Absent					x

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, May 17, 2016 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.

- Be it resolved that ordinance entitled “Bond Ordinance Appropriating \$638,000, and Authorizing the Issuance of \$405,000 Bonds or Notes of The Township, for Various Improvements or Purposes Authorized To Be Undertaken by The Township of Byram, In The County Of Sussex, New Jersey” be read by title on first reading.

Purpose Statement: Improvement of various roads and locations in and by the Township by the reconstruction or resurfacing thereof including, without limitation, Lynn Drive and Amity Road. Acquisition by purchase and installation, as necessary, of new and additional radio communication for use by various departments of the Township, including upgrading existing radio communication equipment.

Motion by Councilman Olson, second by Councilwoman Kash to introduce the ordinance on first reading.

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

Be it resolved that said ordinance shall be further considered for final passage at the meeting of the Township Council on Tuesday, May 17, 2016 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.

- Be it resolved that ordinance entitled “Bond Ordinance Providing for the Improvement of The Sanitary Sewerage System in and by the Township of Byram, in the County of Sussex, New Jersey, Appropriating \$525,000 Therefor and Authorizing the Issuance of \$498,000 Bonds or Notes of the Township for Financing Such Appropriation” be read by title on first reading.

Purpose Statement: Improvement of the sanitary sewerage system in and by the Township, including the rehabilitation and upgrade of sewer lines, pumps, generators and equipment.

Motion by Councilman Olson, second by Councilwoman Kash to introduce the ordinance on first reading.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd				x	
Yes	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 on May 17, 2016 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. No comments were made

Motion by Councilman Olson, second by Councilwoman Kash to close to the public. All members 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. Contract Negotiations
 - Health Benefits Update by Frank Covelli
 - TLC
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 - Block 34, Lot 16
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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 May 2, 2016.

Doris Flynn, Municipal Clerk

Motion by Councilman Olson, second by Councilwoman Raffay to go into closed session and adopt the above resolution.

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

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

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Raffay, and with all members in favor, the meeting was adjourned at 10:00 p.m. Motion carried.

Doris Flynn, Municipal Clerk

David Gray, Deputy Mayor