

BYRAM TOWNSHIP COUNCIL BUDGET WORKSHOP MEETING AND REGULAR COUNCIL MEETING - JANUARY 17, 2017

CALL MEETING TO ORDER

Mayor James Oscovitch called the budget workshop meeting to order at 6:00 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; Councilman Gray, here; Councilman Olson, here; Councilwoman Kash, late (6:20pm); Mayor Oscovitch, here. Township Manager Joe Sabatini and Municipal Clerk Doris Flynn were also present.

BUDGET WORKSHOP SESSION – Joe Sabatini reviewed in detail the draft 2017 Municipal Budget, which is posted on the website. The Council members asked several questions and commented that Joe and Ashleigh have done a great job preparing. The consensus was that the Council would like to see the increase reduced to 1.9% from 2.1%. Joe and Ashleigh were able to move some line items around to increase the capital improvement fund, which will be used in streets and roads and DPW equipment. Joe and Ashleigh anticipate introducing the budget on March 7, as long as State Aid figures come in the same. If needed, we can introduce on March 21. The public hearing will either be April 4 or April 18.

ADJOURN – Motion by Councilman Olson, second by Councilwoman Kash to adjourn the meeting at 7:08 p.m.

CALL MEETING TO ORDER

Mayor James Oscovitch called the meeting to order at 7:08 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; Councilman 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.

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
 - Block 234, Lots 1.04 and 1.05; Block 364 Lot 8
 - Tomahawk Lake Liquor License
 - LES – Agreement – Effective Date
- b. Personnel
- c. Contract Negotiations
 - Health Benefits Consultant

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 January 17, 2017.
Doris Flynn, Municipal Clerk

Motion by Councilman Olson second by Councilman Gray 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	x
No					
Abstain					
Absent					

RETURN TO OPEN SESSION - Motion by Councilman Gray 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 Councilman Gray, to approve the agenda with the addition of the following:

- Motion to carry health benefits for a maximum of 30 days from date of death if needed.
- Motion to waive Andover Township’s portion of the Lakeland Emergency Squad workman’s compensation cost for 2016, as outlined in the Lakeland Emergency Squad agreement.
- Resolution 37-2017 RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM APPROVING A CONDITIONAL AGREEMENT TO CONSENT TO AN APPLICATION BY ALEXANDER AND JEANNINE RUBENSTEIN TO THE PLANNING BOARD FOR A MODIFICATION TO THE SUBDIVISION APPROVAL AND CONSERVATION EASEMENTS ON BLOCK 234, LOT 1.04 AND LOT 1.05 WITH THE ADDITION OF LAND FROM BLOCK 364, LOT 8 OWNED BY LAKE LACKAWANNA INVESTMENT COMPANY

All members were in favor. Motion carried.

APPOINTMENT OF DEPUTY MAYOR – Motion by Councilwoman Raffay, second by Councilwoman Kash to appoint David Gray as Deputy Mayor.

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

COUNCIL LIAISONS

The Council agreed to keep the liaisons the same as 2016, which are as follows:

- | | |
|--------------------------|---------------------|
| Recreation Committee | Councilwoman Kash |
| Environmental Commission | Councilman Gray |
| Board of Health | Councilman Gray |
| Board of Education | |
| Lenape Valley | Councilwoman Raffay |
| Byram | Councilwoman Kash |

PROCLAMATIONS

School Board Recognition Month – January 2017 – Motion by Councilwoman Raffay, second by Councilwoman Kash to proclaim January as School Board Recognition Month. Andrew McElroy, President of the Byram Township School District, was unable to attend because of a scheduled BOE meeting, and he asked Joe Sabatini to read the following:

Mayor Oscovitch and the Township Council:

I wanted to write to thank the Council for acknowledging the members of the Byram and Lenape Valley School Boards with this proclamation. I'm sorry I was unable to be there in person, but have a conflicting School Board committee meeting. Byram Schools and Byram Township enjoy a great relationship and we, at Byram School, thank Mayor Oscovitch, the rest of the council, the township manager and employees for their continued partnership.

We wish you much success in 2017.

Sincerely,

*Andrew McElroy
President, Byram Township School District*

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

Arbor Day – April 2017 – Motion by Councilman Olson, second by Councilwoman Raffay to proclaim April as Arbor Day.

	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

- Right now, we plan on introducing the budget on March 7, with a public hearing on April 4. If we need to, we can push the date back to introduction on March 21, and public hearing on April 18.
- Capital Budget subcommittee meeting was held on January 11. We will be reviewing the capital budget plan at our February 7 meeting.

Councilman Olson

- 1/9 – Interviewed Ron Farr, who responded to the RFP for a Forester for Open Space. He will be attending the 2/13 Open Space meeting. If recommended by the OS committee, the Council will appoint him as our Forester for one year at the February 21st meeting.
- 1/11 – Participated in the capital budget subcommittee meeting. Scott stated that it is a real eye opener on what it takes to run our municipality
- 1/24 – Architect Tom Kosten will meet with the subcommittee to review different proposed layouts for our offices. Once the subcommittee goes through a review, there will be a presentation to the full council and public.
- The EPA and NJ Department of Health have issued a report, and they are planning to schedule another CAG meeting at town hall to explain the details and results and what it means to the residents. This information is available on the EPA’s Mansfield Dumpsite website.

Councilwoman Kash – There is a Recreation Committee meeting on January 18 at 7:30 p.m.

Councilwoman Raffay - Planning Board meets January 19 at 8 p.m. There is an application by the Liquor Factory to come into the old CVS, and JP Chase was approved at the last meeting and will be opening up at the Lakeland bank location. Quick Check will be coming back on February 2.

Mayor Oscovitch – Jim spoke briefly about Dominick Cecere who passed away last week. He was a vibrant, friendly and compassionate 17 year old who attended Sussex Vo-tech, and was a member of the track team. It was a tragedy. He asked to keep his family in our thoughts and prayers.

PUBLIC PARTICIPATION I

Barbara McLoughlin, River Road, asked about septic regulations with regards to selling your house. Her neighbor is selling her house which is over 40 years old, which has the original septic. She was told that she had to replace her septic before she could put it on the market. David Gray advised her to speak to a real estate attorney. Joe Sabatini stated that it could be that the realtor is just saying that because a new septic would make for a much better sale. It is not a requirement that would be imposed by the Township.

Jackie Espinoza, from JCPL, reminded the Council about JCPL’s Power Institute program. Jackie also offered to meet with our Forester, once appointed, to review trees, etc.

APPROVAL OF MINUTES

- January 3, 2017 – Regular Minutes - Motion by Councilman David Gray, second by Councilman Olson, to adopt the minutes as presented with the addition of adding in the member’s names who on the nomination of Township Engineer.

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

- January 3, 2017 - Executive Meeting Minutes – Motion by Councilman Olson, second by Councilman Gray, 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 Councilman Gray to approve the consent agenda.

- Resolution 30-2017 – Lenape Valley Municipal Alliance Grant - Form 1B
- Resolution 31-2017 – A Resolution Authorizing the Renewal of the Group Life Insurance Policy for Eligible Employees Through the Standard Life Insurance Company
- Resolution 32-2017 – Resolution to Authorize Participation in the 2017 Radon Awareness Program
- Resolution 33-2017 – A Resolution Appointing the Municipal Housing Liaison for the Administration of Byram Township Affordable Housing Program
- Resolution 34-2017 – Authorizing Appointment of Radio Communications Specialist and Award of Professional Service Contract to VComm, L.L.C.
- Resolution 35-2017 – A Resolution of the Township Council of the Township of Byram Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website
- Resolution 36-2017 – Authorize Refund of Redemption Monies to Outside Lien Holder – Block 360 Lot 8 – 360 Route 206

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

Motion by Councilman Gray, 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	x
No					
Abstain					
Absent					

OTHER BUSINESS

- Motion by Councilman Olson, second by Councilman Gray to carry health benefits for a maximum of 30 days from date of death if needed.

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

- Motion by Councilman Olson, second by Councilman Gray to waive Andover Township’s portion of the Lakeland Emergency Squad workman’s compensation cost for 2016, as stated in the Lakeland Emergency Squad agreement.

	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 37-2017- Councilwoman Raffay stepped down.
RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM APPROVING A CONDITIONAL AGREEMENT TO CONSENT TO AN APPLICATION BY ALEXANDER AND JEANNINE RUBENSTEIN TO THE PLANNING BOARD FOR A MODIFICATION TO THE SUBDIVISION APPROVAL AND CONSERVATION EASEMENTS ON BLOCK 234, LOT 1.04 AND LOT 1.05 WITH THE ADDITION OF LAND FROM BLOCK 364, LOT 8 OWNED BY LAKE LACKAWANNA INVESTMENT COMPANY

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

ORDINANCE – 2st READING / ADOPTION

Ordinance 1-2017 - Be it resolved that ordinance “**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**” 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 Councilman Gray to open to the public for comments. 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		
2 nd				x	
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Be It Resolved that Ordinance 01-2017 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

PUBLIC PARTICIPATION II

Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried. Skip Danielson, 18 Hunter Lane, asked if anyone is looking into the beaver issue at Wolf Lake. It could impact the roadway. Joe Sabatini stated that he will contact Mike Orgera to discuss. Motion by Councilman Olson, second by Councilwoman Raffay 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. Attorney Client Privilege Communication
 - General
- b. Contract Negotiations
 - Health Benefits Consultant
 - CAD

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 January 17, 2017.
Doris Flynn, Municipal Clerk

Motion by Councilman Olson, second by Councilwoman Kash to go into closed session and adopt the above resolution. The Mayor announced that we may take action after executive session to appoint a Health Benefits Consultant.

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

RETURN TO OPEN SESSION - Motion by Councilman Gray second by Councilman Olson to return to open session at 8:59 pm. All members were in favor. Motion Carried.

OTHER BUSINESS

RESOLUTION 38-2017 - EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT FOR HEALTH BENEFITS CONSULTANT, WAYNE DIETZ OF SKYLANDS RISK SOLUTIONS INC. Motion by Councilman Olson, second by Councilwoman Kash to adopt this resolution.

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

ADJOURN

On the motion of Councilman Olson, second by Councilman Gray and with all members in favor, the meeting was adjourned at 9:00 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor