

BYRAM TOWNSHIP COUNCIL MEETING - SEPTEMBER 4, 2018
EXECUTIVE SESSION – 6:30 P.M.
REGULAR SESSION – 7:30 P.M.

CALL MEETING TO ORDER

Mayor Rubenstein called the meeting to order at 6:55 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

Councilman Gray, here; Councilwoman Kash, here; Councilman Olson, here; Councilman Roseff, absent; Mayor Rubenstein, here. Also present was Township Manager Joe Sabatini, Tom Collins and Municipal Clerk Doris Flynn.

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
 - Stag Pond Road
 - Lakeland Emergency Squad Agreement
- b. Anticipated /Pending Litigation
- c. Personnel – Recreation Director position
- d. Contract Negotiations – PBA / DPW

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

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

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion			x		
2nd	x				
Yes	x		x		x
No					
Abstain					
Absent		x		x	

Certification: I certify that the Byram Township Council adopted the above resolution on September 4, 2018.
 Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson second by Councilwoman Kash to return to open session at 7:35 pm. 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 Gray, second by Councilwoman Kash to approve the agenda. All members were in favor. Motion carried.

APPOINTMENT OF POLICE CHAPLAIN – **Hugh J. Matlack** – Chief of Police Pete Zabita introduced Reverend Hugh Matlack. Motion made by Councilman Gray, second by Councilman Olson to appoint Hugh Matlack as Police Chaplain. All members in favor. Reverend Matlack was sworn in by Mayor Rubenstein and the Mayor welcomed him as Chaplain.

COUNCIL REPORTS

Township Manager –

- Byram Day – 9/8/18 – Noon – 5 p.m. – at Neil Gylling Field.
- The 9/18 Council meeting has been cancelled due to the Jewish holiday, and we will hold a special council meeting on September 17, starting at 5:30 P.M. with Ethics Training and the Council meeting will start at 7:30 p.m.

Mayor Rubenstein – Participated in the August 21st meeting with the BOE, which will be discussed later in the meeting.

Councilman Olson – Byram Historical Society met on August 20 and discussed their participation in Byram Day. The Environmental Commission met August 23 and discussed what they would be doing on Byram Day. They will focus on recycling with handouts and a contest.

PUBLIC PARTICIPATION I

Motion by Councilman Olson, second by Councilman Gray to open to the public. All members in favor. Motion carried. Skip Danielson, 18 Hunters Lane, questioned Resolution 154-2018, and the language about not allowing the equipment to be donated. Skip stated that years ago they used to ship the equipment to Central America because many countries were not equipped and in need of fire apparatus. Mayor Rubenstein said that we could pull the resolution and discuss it with the Fire Chief.

Jack Moran, 7 East Waterloo, had a question about the Heller appeal and settlement. Mayor Rubenstein stated that the Heller Group sued the Planning Board and the applicant. There was an agreement between Heller Group and the applicant for settlement. The applicant is making payment to the Heller Group.

Louann Byrne, Richmond Road, stated that the roads in Lackawanna turned out great. She asked about the cost, which the Mayor said was about ½ the price of milling and paving.

Motion by Councilman Olson, second by Councilman Gray to close to the public. All members in favor.

APPROVAL OF MINUTES

- August 14, 2018 – Regular and Closed Session Minutes – Motion by Councilman Olson, second by Councilman Gray, to adopt the minutes as presented.

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
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 Councilman Gray to remove Resolution 154-2018 and approve the agenda.

- Resolution No. 155-2018 – Resolution Authorizing the Submittal of a 2018 Statewide Insurance Fund Grant for Voltage Meters
- Resolution No. 156-2018 – Resolution to Award the Bid Byram Township 2019 Senior Bus - not to exceed \$57,980.00
- Resolution No. 157-2018 - Authorize Payments in Lieu of Health Benefits for Calendar Year 2019
- Resolution No. 158-2018 – Resolution to Award the Bid for Proposed Improvements to Carpenter Road to C&V Paving Contractors, Inc. – Not to exceed \$53,669.00
- Resolution No. 159-2018 – Resolution to Award the Bid for Proposed Improvements to Roseville Road – Raised Pavement Markers to Zone Striping, Inc. – Not to exceed \$8,204.10

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion			x		
2nd	x				
Yes	x	x	x		x
No					
Abstain					
Absent				x	

SEPTEMBER 4, 2018 BILL LIST

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

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd		x			
Yes	x	x	x		x
No					
Abstain					
Absent				x	

ORDINANCE – 2nd Reading / Public Hearing

ORDINANCE NO. 16-2018 - Ordinance for Administration & Hourly Positions Salary and Wages for the Year 2018-2021

- Motion by Councilman Olson, second by Councilman Gray to consider this ordinance for adoption and to open to the public for discussion on this ordinance. No comments were made. The Mayor closed to the public.

Mayor Rubenstein asked the clerk to call the vote.

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion			x		
2nd	x				
Yes	x	x	x		x
No					
Abstain					
Absent				x	

Be It Resolved that Ordinance 16-2018 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

ITEMS FOR DISCUSSION

- Municipal Building – At the last meeting, we talked about getting some professionals involved. Subsequent to the meeting, Joe and Alex discussed looking for a full service architectural firm instead of hire separate professionals for various tasks. There was consensus from the Council to have Joe move forward with preparing a RFP and sending it out.

Alex summarized the meeting that took place on August 21 with members of the BOE, Business Administrator and Superintendent and members of the building subcommittee. The BOE had a meeting the following day and the Board President emailed the Mayor with the results of the meeting. The BOE seemed to be in agreement with everything the Township wanted to do, with a few stipulations. The BOE asked the Township to consider putting the Chief and the Lieutenant’s office in the school and place a police car in the parking lot of the school.

Scott commented on sections of the minutes that addressed the parking of employees if offices were in the Open Space area of the school. He felt that it was unrealistic to have the employees walk from the Township parking lot to the school and disagreed with the comparison that it was the same distance from McDonalds to the front door of Shop Rite. Alex agreed that it was unrealistic to have employees walk from our parking lot.

Scott was impressed with the solutions being brought up, but he didn’t feel there was a lot of new things. David commented about looking at the open space area several years ago and renovating our existing site. He said he will be interested to see what the building subcommittee comes up with as far as cost.

- Utilities - Councilman Roseff sent an email to Joe asking for a meeting with Century Link and suggesting that we enhance the resident report link on our website to allow residents to report outages or utility pole issues. Alex doesn’t understand the benefit of doing this. Alex stated that he had reservations about doing that because people will think that the Township will handle the repair and coordinate with the electric company. Everyone needs to report their outage directly to JCPL. Scott stated that at the last meeting there was discussion about obtaining reports of outages and complaints from SECTV and also a request for reports from JCP&L with regards to double poles. Scott stated that he has no intention of finding a new electric company. At the end of the discussion, Alex and Scott stated that did not want to put a link on the website for reporting outages.

Joe had conversation with Jackie Espinoza and is requesting an outage report from JCPL – whenever there is an outage of 100 residents or more, emails are sent from JCP&L to the authorized persons in each town. Joe has asked for 2018 YTD report. We sent an updated list of double poles in town to Jackie and are working with her on the status of these. Regarding SECTV, the cable company is required by law to provide us with outage information. We are requesting information from the BPU with regards to gathering information about outages, etc. We have also reached out to Centurylink to get outage data for 2018.

- Alex sent an email regarding Chapter 164 – Solicitors - and suggested some language changes. The Manager stated that we will review the entire Chapter. There were comments about the expiration of the list. Joe stated that it had been discussed with staff and we have decided that addresses won’t be removed unless the homeowner requests it.
- The Mayor stated that he received an email from a homeowner on Chestnut street commending the Township on the work performed in the area which corrected a troublesome water problem. Mayor Rubenstein stated that it was nice to receive an email thanking the Township.

PUBLIC PARTICIPATION II

Motion by Councilman Olson, second by Councilman Gray to open to the public. All members in favor. Motion carried. Lou Ann Byrne asked questions about the RFP for an architect and asked what was different now. Councilman Olson

stated that we were working with an architect, but it was all conceptual and based on constructing a new building. Currently, an architect would evaluate the Open Space area and a structural engineer would evaluate the foundation of this building. This will give more specific information than we had in the past.

Scott Olson stated one of the important aspects is to discuss is the long-term solution. Scott does not feel comfortable having a 25-year lease. The Mayor and Manager agreed, and the Council discussed wanting a much longer term.

Jack Moran, East Waterloo Road, asked what happened with needing a court in the future. David Gray participated in a meeting with Andover Township and Andover is hoping to continue the joint court indefinitely but unfortunately can't lock into a permanent agreement. Jack asked if there would be any grants for a municipal building. Alex stated that we will look for grants as we move forward with the project. He is hopeful that the architectural firm that is chosen may have knowledge about available grants. Jack also suggested that if we are revisiting the solicitation ordinance, could we consider ending solicitation at dusk instead of 9 p.m.

Skip Danielson, 18 Hunter Lane, commented that the new law called Public/Private Partnership which could benefit a municipal project. He also commented on the terrible service from Verizon wireless in his area. Alex stated that the BPU can't regulate the wireless services.

Mr. Jaros, 460 Stanhope Road, stated that Verizon service was terrible in his area, but he added an antenna and an amplifier, and it has improved. Verizon finally did add an antenna on a tower on the border of Hopatcong which also helped his service.

Annalise Tartell, 69 North Shore Road, asked if we can put employment opportunities for Byram businesses on our website. The Mayor stated that unfortunately we can't do that on the Township website.

Motion by Councilman Olson, second by Councilwoman Kash to close to the public. All members in favor.

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

Certification: I certify that the Byram Township Council adopted the above resolution on September 4, 2018.
Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson second by Councilman Gray to return to open session at 9:47pm. All members were in favor. Motion Carried.

ADJOURN

On the motion of Councilwoman Olson, second by Councilman Gray and with all members in favor, the meeting was adjourned at 9:47 p.m. Motion carried.

Doris Flynn, Municipal Clerk

Alexander Rubenstein, Mayor