

**TOWNSHIP OF BYRAM
COUNCIL REORGANIZATION MEETING
MINUTES -- JANUARY 2, 2018
REGULAR SESSION 7:30 P.M.**

CALL MEETING TO ORDER – Mayor Rubenstein called the meeting to order.

OPEN PUBLIC MEETINGS STATEMENT - Adequate notice of this meeting has been made in accordance with the Open Public Meetings Act, NJSA 10:4-6 by forwarding the annual notice to the New Jersey Herald, posting the agenda on the bulletin board located in the Council Meeting Room and the Township website and by filing same with the Township Clerk.

SWEARING IN OF MAYOR ALEXANDER RUBENSTEIN – Alex Rubenstein was sworn in as Mayor by the Township Clerk with his children, Joshua and Eve holding the bible.

SWEARING IN OF COUNCILMAN HARVEY ROSEFF – Harvey Roseff was sworn in as Council Member by the Township Clerk with his mother, Helen Roseff, holding the bible.

ROLL CALL OF THE TOWNSHIP COUNCIL – Councilman Gray, here; Councilwoman Kash, here; Councilman Olson, here; Councilman Roseff, here; Mayor Rubenstein here. Also present was Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Doris Flynn.

FLAG SALUTE

INVOCATION by Richard Bowe

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilwoman Kash, to approve the agenda as presented. All in favor. Motion carried.

SWEARING IN OF BYRAM TOWNSHIP FIRE DEPARTMENT OFFICERS

Todd Rudloff – Chief	Chuck Putz – Assist. Chief
Tim Woosnam – Captain	Greg Matthews - Captain
Tom Laird - Lieut.	Jack Gallagher – Lieut. (not present)
Michael Sawicki – President	Casey Margo – Vice President
John Hebble – Treasurer	
Garrett Lonzello – Secretary	

APPROVAL OF NEW FIRE FIGHTER MEMBERS – Motion by Councilman Olson, second by Councilman Gray, to approve William Garcia III as a Byram Township Fire fighter. He was sworn in by Mayor Rubenstein.

NOMINATION AND SELECTION OF DEPUTY MAYOR - Motion by Councilman Roseff to nominate David Gray as Deputy Mayor, seconded by Councilwoman Kash.

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

COUNCIL APPOINTMENTS FOR JANUARY 1, 2018 THROUGH MARCH 31, 2018

TOWNSHIP ATTORNEY –Thomas F. Collins, Jr. of Vogel, Chait, Collins and Schneider.
SPECIAL COUNSEL FOR LABOR & NEGOTIATIONS –Tom Ryan of Laddey, Clark & Ryan.
BOND COUNSEL - Robert H. Beinfield from Hawkins Delafield & Wood LLP.
TOWNSHIP ENGINEER –Cory Stoner of Harold Pellow & Associates.
TOWNSHIP SEWER ENGINEER - Steve Donati of CP Engineers, LLP.
TOWNSHIP AUDITOR – Raymond Sarinelli of Nisivoccia, LLP.
TOWNSHIP PLANNER - Paul Gleitz of L&G Planning.

Motion by Councilman Olson, second by Councilman Gray to appoint the professionals for a 3 month term.

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

PLANNING BOARD

Motion by Councilman Gray, seconded by Councilwoman Kash, to appoint George Shivas to a 4-year term

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

Motion by Councilman Roseff, second by Mayor Rubenstein to appoint Nisha Kash as the Class III member.

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

RECREATION COMMITTEE

Motion by Councilwoman Kash, seconded by Councilman Gray to reappoint Robert Brady to a three (3) year term.

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

OPEN SPACE COMMITTEE – Motion by Councilman Olson, second by Councilwoman Kash to appoint John Morytko and Ray Bonker to a three-year term.

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

ARC COMMITTEE – Advisory to Planning Board

Motion by Councilwoman Kash, second by Councilman Olson to appoint Tom Dixon, Lisa Shimamoto, Vincent Gallo, Eric Serrilli, Andrea Proctor, John D. Morytko, Susan Mirz, April Johnson to a one year term.

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

911 COORDINATOR

Motion by Councilman Olson, second by Councilman Gray to appoint Chief Peter Zabita as 911 Coordinator for a one year term. Motion carried.

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

COUNCIL LIASONS

- **Environmental Committee** – Scott Olson
- **Board of Health** – David Gray
- **Byram Historical Society** - Scott Olson

Councilwoman Kash suggested that the appointment of the liaison to the Recreation Committee be tabled while the committee gets reorganized. There have been several resignations and the committee hasn't been able to meet for lack of a quorum. The Council agreed. Additionally, the Council in the past has appointed liaisons to the Lenape Valley and Byram school boards. The Council also tabled these appointments.

MAYORAL APPOINTMENTS

- **CLASS I PLANNING BOARD MEMBER** – Mayor Alex Rubenstein
- **CLASS II PLANNING BOARD MEMBER** – 1 year term – Tom Dixon
- **SUSSEX COUNTY SOLID WASTE ADVISORY BOARD MEMBER** -1 year term – Sheila Pepe
- **SUSSEX COUNTY WATER QUALITY POLICY ADVISORY COMMITTEE** -1 year term – Don Bogardus
- **ENVIRONMENTAL COMMISSION**
Michelle Rehse, Katie Baron 3 year terms

TOWNSHIP MANAGER'S APPOINTMENT

- Land Subdivision Search Officer – Planning Board Secretary Cheryl White

ACCEPTANCE OF BOARD MEMBER RESIGNATIONS AND RECOGNITION OF BOARD/COMMITTEE MEMBERS NO LONGER SERVING

– Mayor Rubenstein thanked the following people for their service:

Earl Riley – Planning Board

Bill Schilling – Open Space and Recreation

Charles Kranz – Recreation

Nora Abato – Environmental Commission

Caryn Segal – Planning Board and Board of Health

TOWNSHIP MANAGER, MAYOR AND COUNCIL REPORTS

Councilman Gray – David welcomed the new council members and stated that he was looking forward to working with Alex and Harvey in 2018. He recognized the past Mayors in the room—Skip Danielson, Rich Bowe and Jim Oscovitch and thanked them for coming out to support us. David also recognized several freeholders who were in attendance—Carl Lazzaro, George Graham and Sylvia Petillo and thanked them for showing support to Byram. David thanked all the employees, staff, DPW, Police, and emergency services volunteers for all their hard work in 2017. David noted a few items that he would like to look at in 2018—videotaping the Council meetings and possibly making an earlier start time for executive session at each meeting.

Councilman Roseff – Harvey stated that one area that he has been exploring a more formal process for submitting grants. He would like to look at possibly hiring a grant writer to assist in the current FEMA grant and other grants for infrastructure projects for the Township

Councilman Olson – Scott wished everyone a Happy New Year and welcomed Harvey and Alex and looking forward to working with them in the next two years.

Councilwoman Kash – Nisha welcomed Harvey and Alex. Nisha stated that she is looking forward to working with them and wished them success. There is a Planning Board Meeting on January 4 at 8 p.m.

Township Manager's Report

Manager's 2017 Message – ANNUAL REPORT MESSAGE:

- Byram is served by full-time and part-time employees in eight departments and by numerous volunteers in the Byram Township Fire Department and Lakeland Emergency Squad and on our boards, commissions, and committees. The work of these volunteers, combined with the efforts of our elected leaders and staff, have led to the successes and accomplishments of 2017
- Joe thanked his staff for a very challenging but successful 2017 and looking forward to 2018.

Some accomplishments of 2017:

- Grand Opening of Tamarack Park in June. In late Fall, the installation of the irrigation well and pump house was completed.
- Amendment and adoption of the Highlands Land Use Ordinances into the Land Development Ordinances of the Township. Also, this included development regulation recommendations made by the Housing Element and Fair Share Plan, Master Plan Re-Examination Report and the Sustainable Economic Development Plan. This included amendments to all commercial zones. *including Neighborhood Commercial, Village Business Zone, Village Center Zone and the Industrial Professional Recreational Zone.*
- Majority completion of the Emergency Services Radio Communication Project which included migration of dispatch services to Sussex County entering into a five year E911 Communication Services agreement (December).
- Completed Milling and Paving of Amity Road (Phase 2) which was supported by NJDOT Fiscal Year 2017 Municipal Aid Program Grant totaling \$168,000.

New/Renewed Shared Service Agreements:

- Renewal and extension – Fire Prevention with Sparta
- Renewal of the five-year commodity fuel resale agreement with LVR and Byram Schools.

Budget Workshop:

Budget Schedule:

- LFN 2017-26: CY 2018 Budget Matters:
 - This Local Finance Notice provides information with respect to Calendar Year (CY) 2018 budgets.
 - Includes CY2018 Budget Deadline Extension & Enforcement
- According to the 2018 State revised schedule we must:
 - - Introduce and Approve Budget by March 16*
 - - Adopt Budget by April 20*
 - *or the next regularly scheduled meeting of the governing body.

Christmas Trees – The DPW will start to pick up trees the week of January 8th (weather dependent).

Joe will be attending a meeting on January 8 with the Mayor, Byram Board of Education President, the Superintendent, and Business Agent regarding use of open space for township offices.

The Manager wished everyone a Healthy and Happy New Year.

PUBLIC PARTICIPATION I – Motion by Councilman Gray, second by Councilwoman Kash to open to the public. All members were in favor. Motion Carried.

Skip Danielson, 18 Hunter Lane, congratulated Alex on becoming the 5th Mayor in Byram and wished him the best. Carl Lazzaro, Sussex County Freeholder, spoke on behalf of the Freeholders and wished Alex and Harvey the best of luck on the Council. Scott Olson thanked the Freeholders for working with Byram on getting the Dispatch agreement in place. Sylvia Petillo, Freeholder, thanked Jim and Marie for all the work they have done and wished the new Mayor and Harvey the best of luck and offered their help if ever needed.

George Graham, Freeholder, congratulated Alex and Harvey on becoming part of the Byram Council. He also thanked the Fire and Police Departments for also helping Stanhope out. He also thanked Marie and Jim for their many years of service. He really appreciates that Byram has been a great neighbor to Stanhope.

Joshua Rubenstein, 3 Partridge Rd., congratulated Mr. Roseff and his father who is Mayor on becoming part of the Byram Council. He also thanked Mr. Oscovitch and Mrs. Raffay for what they have done for the Town.

Ali Griffith, Old Stage Coach Road, thanked Marie and Jim for their service and wished the new Council good luck. She also complimented the Tax Department for handling the early tax payments so well.

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

APPROVAL OF MINUTES

- 12-19-17 Regular Minutes – Motion by Councilman Olson, seconded by Councilwoman Kash to approve the minutes as presented. All members were in favor. Motion Carried.

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

- 12-19-17 Closed Session Minutes – Motion by Councilman Olson, seconded by Councilwoman Kash to approve the minutes as presented. All members were in favor. Motion Carried.

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

CONSENT AGENDA – All resolutions 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 Gray, second by Councilwoman Kash to approve the consent agenda as presented.

- A. Resolution No. 001- 2018- Resolution to Provide Temporary Budget Appropriations Until the Adoption of the 2018 Current Fund Budget
- B. Resolution No. 002-2018 - Resolution to Provide Temporary Budget Appropriations Until the Adoption of the 2018 Sewer Utility Budget

- C. Resolution No. 003-2018 - Resolution Authorizing Annual Appointment of a Public Agency Compliance Officer (PACO) for the Township of Byram, Sussex County, New Jersey
- D. Resolution No. 004-2018 – Resolution Appointing Tax Assessor and Municipal Attorney to Represent the Township of Byram Before the County Board of Taxation for the Calendar Year 2018
- E. Resolution No. 005-2018 – Resolution of the Township of Byram, County of Sussex, State of New Jersey to “Establish the Rate of Interest to be charged for Non-Payment of Taxes on or Before the Due Date”
- F. Resolution No. 006-2018 – Resolution Designating Official Newspapers
- G. Resolution No. 007-2018 – Resolution Authorizing the Execution of the 2018 Agreement by and between Byram Township and Phoenix Advisors, LLC Covering Continuing Disclosure Agent Services and Appointment as Independent Registered Municipal Advisor “Of Record”
- H. Resolution No. 008-2018 – Resolution Authorizing the Execution of Documents Associated with the Custodial Contract with SCARC Inc. for the Byram Township Municipal Building
- I. Resolution No. 009-2018 – Resolution Adopting the 2018 Cash Management Plan
- J. Resolution No. 010-2018 – Resolution to Cancel Small Tax Balances under \$10.00 on the 2017 Current Tax Levy and Sewer Utility Levy
- K. Resolution No. 011- 2018 – A Resolution Appointing the Fund Commissioner and Alternate Fund Commissioner to the North Jersey Municipal Employee Benefits Fund
- L. Resolution No. 012-2018 – Appointment of Darren Raymond for Appraisal Services Relating to the State Tax Court – Residential Appeals
- M. Resolution No. 013-2018 – Resolution Authorizing Contract with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12 And N.J.A.C. 5:34-7-29
- N. Resolution No. 014-2018- Appointment of Scott J. Holzhauer for Appraisal Services Relating to the State Tax Court Commercial Appeals
- O. Resolution No. 015-2018 – Resolution Authorizing the Chief Financial Officer to Maintain a Petty Cash Fund in the Amount of \$150.00
- P. Resolution No. 016-2018 – Authorizing Appointment of Bond Council and Award of Professional Service Contract in Connection Therewith
- Q. Resolution No. 017 – 2018 - Custodian of Funds / Signatories
- R. Resolution No. 018-2018 – Resolution of the Township of Byram Ratifying and Authorizing the Award of a Contract for Professional Services to Greener By Design
- S. Resolution No. 019-2018 – Authorizing Appointment of Legal Counsel and Award of Professional Service Contract in Connection Therewith
- T. Resolution No. 020-2018 – Authorizing Appointment of the Township Labor Counsel and Award of Professional Service Contract in Connection Therewith
- U. Resolution No. 021-2018 – Authorizing Appointment of the Township Planner and Award of Professional Services Contract in Connection Therewith
- V. Resolution No. 022-2018 – Authorizing Appointment of the Township Engineer and Award of Professional Service Contract in Connection Therewith
- W. Resolution No. 023-2018 – Authorizing Appointment of the Sewer Consulting Engineer and Award of Professional Service Contract in Connection Therewith
- X. Resolution No. 024-2018 – Authorizing Appointment of the Township Auditor and Award of Professional Service Contract in Connection Therewith
- Y. Resolution No. 025-2018 – Resolution Authorizing a Professional Services Agreement for Forest Stewardship Work on Open Space Parcels in Byram Township
- Z. Resolution No. 026-2018 – Authorizing Appointment of Conflict Attorney and Award of Professional Service Contract in Connection Therewith
- AA. Resolution No. 027-2018 - Appointment of the Byram Township Emergency Management Council

Councilman Roseff questioned the service that Phoenix Advisors provided. The Mayor explained that they assist with the appropriate reporting to government entities with regards to our bonds. Harvey questioned the PSA for Forest Stewardship Work. Joe stated that Ron Farr is appointed as our Forester and later we would authorize a scope of work by resolution for work that is needed to be done; i.e., trail maintenance, forest stewardship plan, and hazardous trees. Harvey asked about the Emergency Management Council and if the council has scheduled meetings. Joe responded that they do not have scheduled meetings but most likely will schedule at least one in 2018. Mayor Rubenstein stated that we will review the operations of this committee in the near future.

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

PROCLAMATION – Radon Action Month – January – Mayor Rubenstein read the proclamation and asked for a motion to allow him to sign it. Motion by Councilman Olson, second by Councilwoman Kash.

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

BILL LIST – January 2, 2018 – Motion by Councilman Gray, second by Councilman Olson 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	x
No					
Abstain	18709				
Absent					

DISCUSSION ITEMS

- Capital and Budget Subcommittees – Scott Olson and David Gray will be on the Capital Subcommittee
 - Harvey Roseff and Alex Rubenstein will be on the Budget Subcommittee

Grant Writer – Alex Rubenstein stated that he met with Harvey and Bruno Associates for lunch to discuss the service they could provide. Alex would like to interview an additional grant writer before any decisions would be made. Joe discussed the budget end of the process, stating that the temporary budget would need to be amended if we were going to award a grant writer contract prior to March 31. They discussed whether this would qualify as a PSA or an EUS. This could be done as a fair and open, or non-fair and open. There was further discussion on the FEMA grant and Alex asked Todd about these grants. Todd Rudloff stated that he has almost completed the application (96% complete) that is due on 2/2/18, which would be for a ventilation system. Harvey Roseff would like to see a grant be submitted for a fire truck. After some discussion, Todd suggested that it would be best to meet off line to further discuss capital needs and grants. The Council agreed to further discuss this.

PUBLIC PARTICIPATION II – Motion by Councilman Olson, second by Councilwoman Kash to open to the public. All members were in favor. Motion Carried.

Earl Riley, 5 Louis Drive, stated that the Council needs to make an appointment for Lake Musconetcong Regional Planning Board because his term expired December 31, 2017.

Motion by Councilman Olson, second by Councilwoman Kash to appoint Earl Riley to a 4 year term to the Lake Musconetcong Regional Planning Board. All members in favor. Motion carried.

George Graham, Stanhope, thanked the Council for reappointing Earl Riley because he has been the chairman for many years.

Joanne Smith, 57 Lake Drive, asked if there was going to be any formal follow-up on the Hopatcong Shooting Range. Alex will look into further and give an update at the next meeting.

Luann Byrne, Richmond Road, suggested that there is a link on the web page for the committees that need volunteers.

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

RECESS – Motion by Councilman Gray, second by Councilman Olson, to have a 5 minute recess. All members were in favor. Motion carried.

RESOLUTION FOR EXECUTIVE SESSION – Motion by Councilman Olson, second by Councilwoman Kash, to go into executive session and adopt the below resolution.

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.

- Contract Negotiations – PBA, DPW, and CLERICAL
- Attorney Client Privileged Communication – General
- Staffing – Recreation Department

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:

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 2, 2018.

Doris Flynn, Municipal Clerk

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

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 10:48 p.m. All members were in favor. Motion Carried.

Motion by Councilman Roseff, second by Mayor Rubenstein, to authorize and direct Labor Attorney Tom Ryan to send a letter to Skip Danielson as discussed in executive session.

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

ADJOURNMENT

On the motion of Councilman Olson, second by Councilwoman Kash, and with all members in favor, the meeting was adjourned at 10:50 p.m. Motion carried.

Doris J. Flynn

Alexander Rubenstein, Mayor