

**BYRAM TOWNSHIP COUNCIL MEETING - MARCH 7, 2017**  
**SPECIAL GATHERING – BYRAM LAKES SCHOOL – 6:30 P.M.**  
**EXECUTIVE SESSION – 7:00 P.M.**  
**REGULAR SESSION – 7:30 P.M.**

**CALL MEETING TO ORDER**

Mayor James Oscovitch called the meeting to order at 7:02 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 (7:04 p.m.); 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
  - LMRPB – 2017 Weed Disposal
  - Health Benefits
- b. 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 March 7, 2017.  
 Doris Flynn, Municipal Clerk

Motion by Councilman Olson second by Councilwoman Kash 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 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 as presented. All members were in favor. Motion carried.

**PUBLIC PARTICIPATION I**

Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried. No Comments. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

**RESOLUTION NO. 56-2017 – SELF EXAMINATION OF BUDGET RESOLUTION** – 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					

**INTRODUCTION – 2017 MUNICIPAL BUDGET**

Township Manager Joe Sabatini prepared and read the following budget message:

*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 2017, the Township anticipates raising \$110,430 or approximately \$.01 for each \$100 of assessed valuation. This represents no change from 2016. 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 to support a five percent reduction of user fees. The Operating Budget remained flat for 2016 and the legacy debt obligations for the establishment of the utility were fully paid. Mainly due to the reduction of debt service, the Township is able to support an additional five percent reduction of user fees for the 2017 budget.*

*The 2017 municipal budget including the Capital Improvement Program and Private Programs Offset by Revenues totals \$11,338,581.19.*

**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 \$144,104 after excluding Public and Private Programs (Grants - \$129,730.71) and Special Assessment Administrative Fees (Forest Lakes Dam - \$9,569) where are Offset by Revenues (net zero).*

*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 \$157,914 increase which includes an increase of \$100,000 for Improvements to Streets and Roads.*

*Summary of changes include:*

- *Applied Changes to Departmental Salary and Wages:
 
  - *Salary and Wages have been updated with contractual obligations and anticipated changes for staffing. All employees received a 2% increase.*
  - *Accounted for changes in longevity (PBA) and contractual steps (PBA).*
  - *In 2016 the Construction Official and Sub-code Officials resigned. The staff was replaced with a significant reduction of cost. Moved \$45,500 to Capital Improvement Fund.**
- *Public Safety Answering Point (PSAP) agreement with Sparta – increased assessment 2% (\$3,500). This agreement expires December 31, 2017.*
- *The 2016 planning budget for Affordable Housing was increased \$25,000 for update and litigation related to the Township’s Housing Element and Fair Share Housing Plan. This budget plan keeps this amount in the planning budget to support hiring a program facilitator for implementation of action items as outlined in the Township’s Sustainable Economic Development Plan.*
- *Special Assessment Administration is related to the Forest Lakes Dam Assessment. Included in the special assessment was an annual fee to cover the annual costs of administering the special assessment. An equal amount (\$9,569) was included as an appropriation and revenue that will allow the Township to charge and pay expenses associated with the assessment.*

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 Other Expenses reflect a decrease of \$13,810 which is the result of redirecting funding from the Group Insurance account to other capital project accounts.

Significant dollar changes were seen in the following appropriations:

<i>Pension Payments:</i>		
<i>PERS:</i>	<i>Increased</i>	<i>\$11,363</i>
<i>PFRS:</i>	<i>Increased</i>	<i>\$12,035</i>
<i>Garbage Contract:</i>	<i>Increased</i>	<i>\$12,000</i>
<i>General Liability Insurance (3.1%):</i>	<i>Increased</i>	<i>\$ 5,896</i>
<i>Workers Compensation Insurance (3.1%):</i>	<i>Increased</i>	<i>\$ 3,078</i>

*Group Insurance:*

*The 2017 obligation for Group insurance is \$1,632,295. The Township now has 13 active employees that waive health benefits. The Township remains liable to provide health benefits if the employee becomes ineligible for coverage from their independent source. \$120,000 was moved to DPW Equipment and \$100,000 to Improvements for Streets and Roads. Another \$30,000 was cut from the budget.*

*Debt Service:* *Increased \$ 12,725*

*The 10 Year Debt Cycle (Average Permanent Debt issue is \$1.9 million) requires an estimated \$550,000 which covers Bond Anticipation Notes (P&I) and Bond (P&I). Since the Township is at the start of a new 10 year cycle, the balance of Debt Service is moved into Capital Improvement Fund to support funding Capital Projects.*

*Capital Improvement Fund:* *Increased \$ 32,775*

*Total for 2017 = \$365,913.*

- Includes \$45,500 moved from Construction Department S&W.*
- Includes \$30,000 moved from Special Emergency.*
- Includes \$25,000 which is annual budgeted contribution to Capital Improvement Fund.*
- Remaining Amount is Balance of Debt Service.*

**REVENUES**

*Municipal Operations and the Capital Improvement Program are supported by a variety of revenues. These sources include current property taxes (75.82%), Miscellaneous Revenues including State Aid (8.82%), Fund Balance (surplus) 12.23% and Receipts from Delinquent Taxes (3.13%).*

*The Township has not received official notification of the proposed level of State Aid aggregate funding for Consolidated Municipal Property Tax Relief Aid (CMPTRA) and Energy Tax Receipts (ETR). The Township anticipated \$575,475 for State aid CMPTRA and ETR which is the amount received for 2016. Also, the Township is anticipating Garden State Trust PILOT (Payment in Lieu of Taxes) funding at the same level (\$41,920). State Aid accounts for 5.54% of the Township's revenues.*

*Other Miscellaneous revenues anticipated comprise 3.31% of the revenues. These anticipated revenues include Court Fees, Uniform Construction Fees, Interest on Investments, Interest and Costs on Taxes, and Fees and Permits. There was a \$10,000 reduction of Court Revenues because the Township cannot anticipate more than received in prior year.*

*The amount of Fund Balance committed to the 2017 budget is \$1,370,102 which is the same amount as 2016. In 2016, Fund Balance increased \$30,000.*

*This budget plan has property taxes representing 75.82% or \$8,491,284 in revenues. In 2016, budgeted property taxes totaled \$8,337,180 of the revenues. This budget plan is a 1.8 % or \$154,104 increase of the tax levy.*

**TAX RATE**

*The 2017 municipal budget calls for an estimated municipal rate increase of .016 for each \$100 of assessed value using the net valuation of \$926,499,000. This increase represents an estimated \$39.83 annual municipal tax increase for the average assessed home of \$253,307.*

**SUMMARY**

*In summary, the challenge with this budget and future budgets is 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 with the objective of preserving services in accordance with the expectations of the Township’s residents.*

*The 2017 municipal budget plan has been constructed to fund more capital projects through the budget. The combination of shifting money between line items and increasing the amount of Capital Improvement Fund is reducing the dependency on incurring debt to pay for capital projects.*

*Respectfully Submitted,*

*Joseph W. Sabatini, Township Manager*

Mayor Oscovitch asked the Council if they had any comments before he called the vote. Councilman Olson thanked Joe and staff for doing a great on the budget. Scott has been a part of the capital subcommittee and has seen how much hard work goes into putting together and managing the budget.

Motion by Councilman Olson, second by Councilwoman Kash to introduce the budget.

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

**MAYORAL APPOINTMENT** – Katie Baron – Environmental Commission – Alternate I Mayor Oscovitch stated that Katie will be a valuable asset to the committee. Councilman Gray was in attendance at the last Environmental Commission meeting and met Katie. She is very enthusiastic and the commission is very pleased to have her.

**TOWNSHIP MANAGER/COUNCIL REPORTS**

Township Manager

- The Recreation Committee is identifying September 9 as Byram Day at Neil Gylling Park.
- NJDOT is starting a resurfacing project on Route 206 on March 13 from Salt to Andover Borough. There will be a replacement of a traffic signal at Tamarack Road and Route 206.
- SCUMA is having a free e-waste day on Saturday, March 18.
- Sussex County Chamber of Commerce announced nominations for 2017 Quality in Business/Quality in Living Awards. Byram was nominated for a beautification award. Awards dinner is scheduled for March 23.
- Sussex County Department of Health and Human Services will be starting monthly conference calls to open up communication between all the towns. The first one is scheduled for March 15.
- We will have a public presentation from the Township’s architect to give an update on the activities that have been happening over the last several months. He will be presenting a revised floor plan. We will have a group discussion to decide on an action plan to give small presentations to local communities with regards to the plan.

Councilman Olson

- CAG met on February 23 and State health officials made a presentation with regard to the health concerns. CAG also introduced their plan for mitigation. There was a lot of frustration but headway was made towards the end of the meeting.
- Participated in a meeting with the Fire Chief, Mike Orgera and Joe. It was a great meeting and next they will meet to tour the Lackawanna Fire House. Mike is an asset to the committee because of his first hand experience as a fireman and officer with the Mendham Fire Department.
- Scott gave an update on the amphibian crossings. They have had 3 crossings this year at Waterloo.
- Participated in the capital subcommittee meeting regarding the building.

Councilman Gray – Thanked the Mayor and Byram Lakes School for doing a great job at the Read Across America presentation.

Councilwoman Raffay

- Marie attended the March 2 Planning Board meeting and gave an overview of the evening. On March 16, the Planning Board will continue reviewing proposed amendments to the NC and VB zone, as well as reviewing the draft Formed Base Code.
- Marie commented on the cones on the corner of Lackawanna and Mansfield Drive. The County is working on fixing it.

Mayor Oscovitch

- The Mayor gave an overview on the Read Across America program and expressed his appreciation of the event. It is always a wonderful night!
- Lenape Valley now has their first State Wrestling Champion—Nicholas Palumbo, who is a Byram resident. His record this year is 46-0. He would like to invite Nick and his family to an upcoming Council meeting.

**APPROVAL OF MINUTES**

- February 21, 2017 – 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 21, 2017 - Executive Meeting 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					

**PROCLAMATION – READ ACROSS AMERICA**

Motion by Councilman Gray, second by Councilwoman Kash to adopt the proclamation. All members were in favor. Motion carried. Councilman Olson stated that he was impressed with the presentation, and it’s always his favorite event of the year!

**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 Gray, second by Councilman Olson to approve the consent agenda.

- Resolution No. 54-2017 – Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop
- Resolution No. 55-2017 – Authorizing the Submission of the 2015-2019 Community Forestry Management Plan, 2016 Annual Report
- Resolution No. 57 – 2017 – Approval of Quarry License for Year 2017 for Tilcon New Jersey, a division of Tilcon New York, Inc.
- Resolution No. 58 – 2017 – Resolution Granting a License for 2017 to Raimo of Stanhope, Inc. to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
- Resolution No. 59 – 2017 – Resolution Granting North Jersey Auto Wreckers, Inc. a License for 2017 to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
- Resolution No. 60-2017 – Resolution to Amend the 2017 Temporary Budget
- Resolution No. 61- 2017 – Resolution Authorizing Farr Forestry Services, LLC to Provide Various Forest Stewardship Services on Open Space Parcels

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

**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		
2 <sup>nd</sup>				x	
Yes	x	x	x	x	x
No					
Abstain					
Absent					

**ITEM FOR DISCUSSION** – Tamarack Park Grand Opening

Joe Sabatini summarized what we had planned for the May 13<sup>th</sup> opening celebration. We will request that people register through the Recreation website. We want to keep the event to Byram residents. We will be sending out a flyer through the schools and putting it on our website. A press release will go out in early April. Lenape Valley Regional High School is donating the use of a school bus and our bus driver will operate it as a shuttle bus to return people to COJ. The funding partners will be invited as well as the Freeholders, Peter Kellogg, Congressman Frelinghuysen, Cory Stoner, and the contractor for the project. More details to follow.

**PUBLIC PARTICIPATION II**

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

Patty Poff, North Shore Road, volunteered to help. Doris will be in touch when we have a list of jobs for the event.

Jim Oscovitch recognized several boy scouts in the audience. Ricky Proctor, Josh Rubenstein, Dante Botha, and Vance Poff were in attendance because they are working on their Communication and Citizen in the Community badges.

Ricky Proctor, 45 Lake Drive, came forward and had a few questions. He asked for details about the new park with regard to the necessity for it since we have COJ. Joe explained that the property was obtained through several funding sources, with \$160,000 coming from the open space trust fund. Construction of the fields were funded from open space, and the maintenance also will be paid out from this account. Our fields are always being utilized, and by having new fields, we will be able to put a field out of service to properly maintain them.

Gerry Lewandowski, 10 Amity Road, thanked the Council for the opportunity to go on weekly walks last summer through the Recreation Department. She received both a history and geography lesson along the way.

Motion by Councilman Olson, second by Councilwoman Kash to close to the public. All members 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 9:50 p.m. Motion carried.

---

Doris Flynn, Municipal Clerk

---

James Oscovitch, Mayor