

BYRAM TOWNSHIP COUNCIL MEETING - NOVEMBER 14, 2016

CALL MEETING TO ORDER

Deputy Mayor, David Gray called the meeting to order at 7:05 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, 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. Attorney Client Privilege Communication – General
 - Recycling
 - Board of Health
 - Byram Plaza
 - Fire Department Analysis
 - Honorary Policy
- 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 November 14, 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.

CALL COUNCIL MEETING BACK TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA – Motion by Councilman Olson second by Councilwoman Raffay, to approve the agenda with the deletion of the Fire Prevention Ordinance Introduction. All members were in favor. Motion carried.

TOWNSHIP MANAGER/COUNCIL REPORTS

Township Manager

- 11-9-16 – Attended meeting with Stanhope at Senator Oroho’s office regarding Stanhope’s request for a NJDOT access level change from 2 to 3. NJDOT will be doing a traffic study first before a change can be granted.
- Leaf pick up begins on November 14. The second week for pick up is December 12, weather permitting.

Councilman Olson

- 11/2/16 - Attended the Sussex County Economic Development Symposium with Joe Sabatini. The County offers many services that could help Byram with Economic Development. Tammie Horsfield will be coming to Byram on November 30 to discuss ideas and will also make a presentation to the Council at a future meeting.
- 11/7/16 – Attended a meeting at Waterloo Village to discuss the Waterloo Road Amphibian Crossing Project and the status of the TAP grant application. Conserve Wildlife Foundation and the NJ Division of Fish and Wildlife are very hopeful that they will get the grant. Scott would like to have Byram consider sponsoring a Salamander Festival to raise awareness of this unique phenomenon.

Councilwoman Kash – no report

Councilwoman Raffay

- Planning Board meets on November 17 at 8 p.m.
- Marie will be attending the Lenape Valley Board of Education meeting on November 15.
- Marie commented on Scott’s suggestion of a Salamander festival. At first Marie thought it was crazy, but after giving it more thought, she thought it would be quite unique and could be a lot of fun and drawn in a big crowd.

Deputy Mayor David Gray

- 11/11 – was honored to attend and speak at the Veteran’s Ceremony. Judge Bowe did a wonderful job.
- 11/21 – Environmental Commission meeting at 7:30 p.m.
- 11/22 – Board of Health meeting at 7:30 p.m.

PUBLIC PARTICIPATION I

Barbara McLoughlin, 42 River Road, asked Joe Sabatini about the comments he made about Exxon. NJDOT attended the meeting at Senator Oroho’s office last week. They explained that Route 206 presently had an access clarification of 2, which does not allow any additional curb cuts. In the case of redevelopment of the Exxon site, it is possible that the curb cut along Route 206 could be eliminated because they have an access way on Acorn Street. Stanhope is requesting that the access clarification be changed to 3, which would allow additional curb cuts.

APPROVAL OF MINUTES

- November 1, 2016 – 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	
No					
Abstain					
Absent					x

- November 1, 2016 - Executive Meeting Minutes – Motion by Councilwoman Raffay, second by Councilman Olson, 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	
No					
Abstain					
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. 188-2016 – Authorize the Release of the 2016 Executive Session Minutes to the Public
- Resolution No. 189-2016 – Authorize Refund of Redemption Monies to Outside lien Holder – 3 Francis Terr. Block 70 Lot 5
- Resolution No. 190-2016 – Authorize Refund of Recording Fee to Redeemer-3 Francis Terr. Block 70 Lot 5
- Resolution No. 191-2016 – Resolution of the Governing Body of the Township of Byram Regarding the Rejection of Bids for the Fire Department Analysis and Facilities Evaluation

- Resolution No. 192-2016 – Resolution Authorizing MSI Services, Inc to Provide Computer Support Services to the Township of Byram for Website Redesign
- Resolution No. 193-2016 – Resolution Authorizing the Acceptance of a 2016 Statewide Insurance Fund Grant for Security Cameras

	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 – Introduction / 1st Reading

- Be it resolved that ordinance entitled “Ordinance for Administration & Hourly Positions – Salary and Wages for the Year 2017” be read by title on first reading.

Motions by Councilman Olson, second by Councilwoman Raffay to introduce the ordinance on first reading.

	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 shall be further considered for final passage at the meeting of the Township Council of the Township of Byram on Tuesday, December 6, 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 “Amended Ordinance for Police Salary and Wages for the Years 2016-2017” be read by title on first reading.

Motions by Councilman Olson, second by Councilwoman Raffay to introduce the ordinance on first reading.

	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 shall be further considered for final passage at the meeting of the Township Council of the Township of Byram on Tuesday, December 6, 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 “Department of Public Works Salary and Wage Ordinance for the Year 2017” be read by title on first reading.

Motions by Councilman Olson, second by Councilwoman Raffay to introduce the ordinance on first reading.

	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 shall be further considered for final passage at the meeting of the Township Council of the Township of Byram on Tuesday, December 6, 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 “Ordinance for Clerical Salary and Wages for the Year 2017 ” be read by title on first reading.

Motions by Councilman Olson, second by Councilwoman Raffay 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, December 6, 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 “An Ordinance to Amend the Appendix A; Fee Schedule, to the Code of Byram Township” be read by title on first reading.

Motions 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, December 6, 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 “An Ordinance Amending Chapter 215 Subdivision and Site Plan Review of the Township of Byram” be read by title on first reading.

Motions 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 Monday, Tuesday, December 6, 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 “An Ordinance Amending Chapter 240 Zoning of the Township of Byram Code” be read by title on first reading.

Motions 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, December 6, 2016, 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.

APPROVAL OF NOVEMBER 14, 2016 BILL LIST

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

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

ITEMS FOR DISCUSSION

- Route 206 – The Council discussed the median on the north end of Route 206 near Salt. NJDOT suggested changing it to a non-vegetative surface, and the Council agreed. NJDOT asked if the Council wanted plantings in accordance with the plans at the new walls that were built near Acorn Street, and the Council agreed. The Council discussed the detention basins and Joe stated that NJDOT did not realize that they were responsible for maintaining the inside of the basins. Joe thought the seed mix that was used was not in accordance with the plan. NJDOT will start maintaining the basins and will look into what was originally planted.

PUBLIC PARTICIPATION II

Motion by Councilwoman Raffay, second by Councilman Olson to open to the public. All members in favor. Motion carried. There were no comments.

Skip Danielson, 18 Hunter Lane, asked about the Chapter 133 Fire Prevention Ordinance that we pulled. Joe stated that we were amending the ordinance to reflect that we will be entering into a shared service agreement with Sparta Township to do life hazard and non-life hazard inspections and smoke detector/CO2 inspections.

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

RESOLUTION – SESSION II

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:

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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on November 14, 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 Kash and with all members in favor, the meeting was adjourned at 9:30 p.m. Motion carried.

Doris Flynn, Municipal Clerk

David Gray, Deputy Mayor