

TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, MARCH 1, 2016
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION – 7:30 P.M.

Revised 2-29-16

- 1. CALL MEETING TO ORDER**
- 2. OPEN PUBLIC MEETING 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.
- 3. ROLL CALL**
- 4. RESOLUTION FOR EXECUTIVE SESSION**
 - a. Attorney Client Privilege Communication – General
 - Fair Share Housing Plan
 - Lakeland Emergency Squad
 - b. Contract Negotiations – Healthcare Benefits
 - c. Personnel – Fire Department Applications
- 5. RETURN TO OPEN SESSION**
- 6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
- 7. APPROVAL OF AGENDA**
- 8. PROMOTIONAL APPOINTMENTS**
 - Kenneth Burke – Lieutenant
 - Daniel Dewald - Sergeant
- 9. PROCLAMATIONS**
 - Read Across America – March 2, 2016
 - MS Awareness Month – Special Guest – Tammy Quaisis
- 10. PRESENTATION OF THE NEW FIRE TRUCK**
- 11. PUBLIC PARTICIPATION I** – Meeting open to the public for comments on matters not on the agenda or items on the agenda for which no public discussion is provided.
- 12. INTRODUCTION OF 2016 BUDGET**
- 13. APPROVAL OF MINUTES**
 - February 19, 2016 Regular Meeting Minutes
 - February 19, 2016 Closed Session Minutes
- 14. REPORTS**
 - Township Manager
 - Mayor and Council Members
 - Township Attorney
- 15. 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.
 - A. Resolution No. 50-2016 Resolution Granting a License for 2016 to Raimo of Stanhope, Inc. to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
 - B. Resolution No. 51-2016 Resolution Granting North Jersey Auto Wreckers, Inc. a License for 2016 to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
 - C. Resolution No. 52 - 2016 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
 - D. Resolution No. 53-2016 Authorizing the State of New Jersey to Enforce the Elevator Sub Code
 - E. Resolution No. 54-2016 Amend Title Lines Resolution - \$619.50
- 16. APPROVAL OF March 1, 2016 BILL LIST**
- 17. ORDINANCE – 2nd Reading / Public Hearing**
 - Ordinance 9-2016 - Ordinance of the Mayor and Council of the Township Of Byram Authorizing the Acquisition of the Real Property Known and Designated on the Township of Byram Tax Map as Block 337, Lot 9.01
Purpose Statement: The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to acquire the subject property known as Block 337/Lot 9.01 in the Township of Byram by purchase agreement, pursuant to applicable provisions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-5, *et seq.*, and to fund said acquisition using Green Acres and Township Open Space Trust funds.
- 18. PUBLIC PARTICIPATION II**
- 19. EXECUTIVE SESSION – Session II (if necessary)**
- 20. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
- 21. ADJOURNMENT**

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
PROCLAMATION**

WHEREAS, the citizens of Byram Township stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Byram Township Mayor and Council have provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's **Read Across America**, a national celebration of reading, will be conducted on March 2, 2016, and Theodor Seuss Geisel, better known as Dr. Seuss would have celebrated his 112th birthday on March 2; and

WHEREAS, **Read Across America-NJ** is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students.

NOW, THEREFORE, BE IT RESOLVED that the Byram Township Mayor and Council calls on the citizens of Byram Township to assure that every child is in a safe place reading together to celebrate; and

BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA's **Read Across America** and **Read Across America-NJ**, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

James Oscovitch
Mayor of the Township of Byram
March 1, 2016

Proclamation adopted this 1st day of March, 2016

Doris J. Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
PROCLAMATION**

WHEREAS, an unpredictable, often disabling, disease of the central nervous system, Multiple Sclerosis (MS) disrupts the flow of information between an individual's body and brain; and

WHEREAS, MS affects an estimated 2.5 million people worldwide, over 400,000 in the United States and 14,000 people in Northern New Jersey; and

WHEREAS, March 7-13, 2016, the National MS Society will sponsor MS Awareness Week for New Jersey.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP COUNCIL OF BYRAM TOWNSHIP hereby proclaims March to be MS AWARENESS MONTH in Byram and encourage everyone to recognize efforts to diagnose, treat and manage this disorder.

James Oscovitch, Mayor

Proclamation adopted this 1st day of March, 2016.

Doris J. Flynn, Municipal Clerk

TOWNSHIP OF BYRAM
Sussex County, New Jersey
RESOLUTION NO. 50- 2016

**RESOLUTION GRANTING A LICENSE FOR 2016 TO RAIMO OF STANHOPE,
INC. TO OPERATE FACILITY PURSUANT TO CHAPTER 156 OF THE BYRAM
TOWNSHIP CODE**

WHEREAS, Raimo of Stanhope, Inc. is the owner of certain real property located in the Township of Byram, designated as Lots 36 and 37 in Block 35 and Lots 26 and 27 in Block 37 on the official tax map of Byram Township and located at 49 Route 206; and

WHEREAS, Raimo of Stanhope, Inc. has applied to the Township of Byram to renew a license to operate a facility pursuant to Byram Township Code Chapter 156 entitled Junk and Junk Dealers; and

WHEREAS, on February 16, 2016 the Byram Township Council reviewed a report submitted by the Township Engineer, Cory L. Stoner, P.E. dated February 10, 2016; and

WHEREAS, no objections were submitted to the Township Council by any resident or taxpayer of the Township with regard to the application; and

WHEREAS, the Township Council considered the renewal application and determined that a public hearing was not necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council on this 1st day of March, 2016 that the application of Raimo of Stanhope, Inc. for a license pursuant to Chapter 156 for the year 2016 is granted subject to the following:

1. The New Jersey Pollutant Discharge Elimination System (NJPDDES) permit and documents related to New Jersey Department of Environmental Protection (NJDEP) compliance will be maintained on the premises by Licensee and available to the Township Engineer at the time of any inspection.
2. The licensed premises are lower than Route 206 so that the wooden fence along the Route 206 frontage does not fully obstruct the view of operations. Licensee shall replace the damaged evergreens in 2016 and continue to monitor the rest of the evergreens and replaced as needed.
3. Netcong Avenue (50' ROW) divides the licensed premises (Block 37, Lots 26 & 27 are to the north of Netcong Avenue and Block 35, Lots 36 & 37 are to the south). At present, Netcong Avenue is 40'-50' wide at the entrance from Route 206 and has a gravel travel way. Licensee may store a maximum of three (3) vehicles, consisting of trailers and/or tandems, on the north side of Netcong Avenue 100' in length starting 50' from the Route 206 right-of-way. All other equipment and piles of materials must be located within the fenced premises. Motor vehicle parking on the southern side of Netcong Avenue shall be limited to operational vehicles of employees during regular business hours only. The storage of roll-off containers, trucks or other vehicles overnight on the southern side of Netcong Avenue

overnight is not permitted.

4. If, at any time, Netcong Avenue were to be improved, then Licensee would be required to promptly remove the fencing and all aspects of its operation from the right-of-way at its own cost.

5. Licensee shall make a good faith effort to keep roll-off containers and other equipment and materials within the fenced area of Block 37, Lot 36 and Block 35 Lot 37. Block 37, Lot 35 is not part of the licensed premises. No roll off containers or flatbed trailers shall be stored outside the licensed premises. If the Licensee attempts to keep any roll off containers, flat bed trucks or similar equipment on the non-licensed premises, then licensee shall remove them until and unless the Licensee obtains a use variance and site plan approval from the Byram Township Land Use Board for expansion of the operation.

6. It is recognized that the existing concrete pad encroaches on the Millstream Lane right-of-way as a pre-existing condition. Licensee shall keep the right of way free of debris and maintain in good condition the surveyor located property corner stakes.

7. The Licensee shall keep Block 31, Lots 29 and 30 and any other non-licensed property free of materials and ensure that these properties do not become a second deposit area for roll off containers and flatbed trailers.

8. Records regarding pest control shall be maintained on the premises and available for review by the Township Engineer during any inspection.

9. Records regarding Licensee's environmental consultant shall be maintained on the premises and available for review by the Township Engineer during any inspection.

10. Records regarding fire safety service shall be maintained on the premises and available for review by the Township Engineer during any inspection. Following receipt, Licensee shall provide a copy of the DCA Certificate to the Township Engineer.

11. With regard to the requirements of Section 156-6(L), higher stacks/piles of materials shall continue to be kept in the middle of the licensed premises. Piles of scrap metal adjacent to residential properties shall be kept to a minimum with Licensee continuing to clear (widen) and maintain a passable path between the piles and fence (along its entire length). All large equipment shall be moved away from the fences along Route 206. The Licensee shall continue to work in 2016 to keep the site organized and maintain proper clearance from neighboring properties.

12. Vehicles shall not be parked between the fence on Block 35 Lot 37 and Route 206.

13. Licensee shall continue in 2016 to keep box trailers/containers off Block 31, Lot 29 and 30, which are not part of the licensed premises.

14. The fence gate for Lot 37 must be closed each night. The fences and gates around the license properties shall be maintained and any breaks shall be repaired as needed to discourage thefts and vandalism.

15. Netcong Avenue must be kept in a suitable condition acceptable to the Township Engineer and the Township Road Department Supervisor in 2016.

16. The stacking of vehicles on the licensed property shall be prohibited. Any vehicles or portion of vehicles that are stacked on the property shall be removed from the property or property stored.

17. The New Jersey Pollutant Discharge Elimination System (NJPDES) permit for the facility requires that the Licensee update to the facility Stormwater Pollution Protection Plan and a prepare a new Drainage Control Plan for new drainage control measures to be installed on the properties. Copies of these plans shall be provided to Township once approved by the New Jersey Department of Environmental Protection.

BYRAM TOWNSHIP COUNCIL

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

Attest:

I hereby certify that this is a true copy of a Resolution granting license that was adopted by the Byram Township Council at a regular meeting held on March 1, 2016.

Doris Flynn, RMC

TOWNSHIP OF BYRAM
Sussex County, New Jersey
RESOLUTION NO. 51 - 2016

**RESOLUTION GRANTING NORTH JERSEY AUTO WRECKERS, INC. A
LICENSE FOR 2016 TO OPERATE FACILITY PURSUANT TO CHAPTER 156
OF THE BYRAM TOWNSHIP CODE**

WHEREAS, North Jersey Auto Wreckers, Inc. is the owner of certain real property located in the Township of Byram, designated as Lot 34.01 in Block 344 on the official tax map of Byram Township and located at 287 Lackawanna Drive; and

WHEREAS, North Jersey Auto Wreckers, Inc. has applied to the Township of Byram Township to renew a license to operate a facility pursuant to Byram Township Code Chapter 156 entitled Junk and Junk Dealers; and

WHEREAS, on February 16, 2016 the Byram Township Council reviewed a report submitted by the Township Engineer, Cory L. Stoner, P.E., dated February 10, 2016; and

WHEREAS, no objections were submitted to the Township Council by any resident or taxpayer of the Township with regard to the application; and

WHEREAS, the Township Council considered the renewal application and determined that a public hearing was not necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council on this 1st day of March, 2016, that the application of North Jersey Auto Wreckers, Inc. for a license pursuant to Chapter 156 for the year 2016 is granted subject to the following:

1. The Licensee shall maintain all chain link fences around the perimeter of the premises to continue to limit unauthorized access.
2. Licensee shall continue to maintain the existing evergreen trees along Lackawanna Drive. Any dead or diseased trees that exist shall be removed in 2016.
3. Vehicles waiting to be brought into the yard for processing will not be parked outside of the fenced premises and the licensee shall continue to move the vehicles within the fenced premises as soon as they are deliverable to the site. At no time shall the parking of vehicles block any part of the access drive that runs parallel to the property.
4. Records regarding fire protection service [in accordance with Section 156-6(H)] will be maintained on the premises and available for review by the Township Engineer during any inspection.
5. No additional tires will be added to the existing stockpile. Licensee must continue the ongoing reduction of the tire stockpile during the license period and continue to provide the Township with receipts each year. A minimum of 500 tires shall be removed each year until the subject pile is removed.
6. Licensee will continue to cooperate with the Sussex County Mosquito Control Commission and keep those records on premises and available to the Township Engineer for review at the time of any inspection.
7. Vehicles and/or stacks/piles of materials processed or awaiting processing

shall not be higher than the level of the perimeter fence. The partial waiver previously granted for equipment stacked on the site near the perimeter fence is continued. Licensee will continue to minimize the stacking height of vehicles.

8. Despite Licensee's efforts to discourage it, materials are sometimes left outside of the designated junkyard by others. Licensee will continue to promptly and appropriately dispose of all such materials.

9. With the access roadway leading to the facility consisting of gravel, mud and debris is sometimes tracked onto Lackawanna Drive. The Licensee must clean up any debris that may be tracked onto Lackawanna Drive from this facility and take preventative measures to assure that this does not become an ongoing problem.

10. The New Jersey Pollutant Discharge Elimination System (NJPDES) permit and documents related to the New Jersey Department of Environmental Protection (NJDEP) compliance will be maintained on the premises by the Licensee and available to the Township Engineer at the time of any inspection.

11. New trailer bodies intended to replace existing storage trailers on the facility property are currently being stored outside the perimeter fence along the access roadway. These trailer bodies need to be moved inside the facility and the old trailer bodies removed from the site by June 30, 2016.

BYRAM TOWNSHIP COUNCIL

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

Attest:

I hereby certify that this is a true copy of a Resolution granting license that was adopted by the Byram Township Council at a regular meeting held on March 1, 2016.

Doris Flynn, RMC

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 52 - 2016**

**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**

WHEREAS, the Township of Byram has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Byram intends to utilize the online auction services of GovDeals located at GovDeals.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram in the County of Sussex, State of New Jersey, that the Township is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled GovDeals.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between GovDeals and the Township of Byram are available at GovDeals.com and in the Township Clerk's office; and

BE IT FURTHER RESOLVED, that a certified copy of the within Resolution be forwarded by the Township Clerk to the Chief Financial Officer, DPW Superintendent, Chief of Police, and the Township Auditor of Byram Township and the Director of the Division of Local Government Services.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on March 1, 2016.

Doris Flynn, RMC
Township Clerk

SCHEDULE A

Motorola HT 1000 portable radios serial #'s Including chargers, batteries and shoulder microphones on some units. To be sold as one lot.

402AWW1353Z
402AWW1374Z
402TAE5768Z
402TAE5799Z
402AUJ4127X
402AUJ4129X
402AUJ4130X
402AUJ4131X
402AUJ4132X
402AXS8054Z
402AVU5284X
355ABY0909Z
355ABY0910Z
355ABY0911X

Motorola Base Station Radio Model D43MJA77JA5AK Serial #

428TYJ2834

Airlink Communications Redwing Cellular Modem Model C3111 Serial #'s (To be sold as one lot)

0642142457
0642142426
0642142435
0725142495
0725146953

Ford Crown Victoria Vin #'s

2005 2FAFP71W75X173479
2007 2FAFP71V78X105209
2010 2FABP7BV2AX145748

Medtronic Physio control LifePak 500 defibrillators Serial #'s

30941385
31912138
13125747

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY**

RESOLUTION NO. 53 - 2016

**AUTHORIZING THE STATE OF NEW JERSEY TO ENFORCE THE
ELEVATOR SUBCODE.**

WHEREAS, the Township of Byram no longer finds it feasible to enforce the Elevator Sub Code; and

WHEREAS, the Township of Byram Shall and hereby gives the State of New Jersey Elevator Safety Unit jurisdiction as of March 1, 2016 to enforce the Elevator Sub Code; and

WHEREAS, the elevator inspection cycles are semiannual and annual of each year.

NOW, THEREFORE, BE IT RESOLVED, by the mayor and council of the Township of Byram, County of Sussex, State of New Jersey that as of March 1, 2016 Elevator Sub Code Official will no longer enforce the Elevator Sub Code.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I certify that the foregoing Resolution was adopted by the Byram Township Council at a meeting held on Tuesday, March 1, 2016.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 54- 2016**

**RESOLUTION AUTHORIZING TITLE LINES TO PROVIDE
TITLE SEARCH SERVICES OF BLOCK 337, LOT 9.01 FOR OPEN
SPACE PURPOSES**

WHEREAS, Byram Township has determined that there is a need to enter into a professional services agreement with Title Lines to provide a title search services on Block 337, Lot 9.01; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-5 et seq) requires that the resolution authorizing the award for Professional Services without competitive bid and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, County of Sussex, State of New Jersey that:

1. The Township of Byram hereby authorizes the execution of a professional services agreement with Title Lines not to exceed \$619.50 as per the revised proposal dated 2/24/16.
2. A notice of this contract shall be printed once in the official newspaper of the Township of Byram.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on March 1, 2016.

Doris J. Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
ORDINANCE NO. 9 -2016**

**ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF
BYRAM AUTHORIZING THE ACQUISITION OF THE REAL PROPERTY
KNOWN AND DESIGNATED ON THE TOWNSHIP OF BYRAM TAX MAP AS
BLOCK 337, LOT 9.01**

Purpose Statement: The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to acquire the subject property known as Block 337 Lot 9.01 in the Township of Byram by purchase agreement, pursuant to applicable provisions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-5, et seq., and to fund said acquisition using Green Acres and Township Open Space Trust funds.

WHEREAS the Township of Byram Open Space Committee concluded that acquisition of the subject property known as Block 337, Lot 9.01 ("the subject property") is consistent with the Township of Byram's ("Township" or "Byram") objectives for the acquisition, development, maintenance and preservation of municipal open space, recreation, farmland preservation, and historic preservation, and has recommended to the Mayor and Council of the Township of Byram that the subject property be acquired using funds from the New Jersey Department of Environmental Protection ("NJDEP") Green Acres Program ("Green Acres funds") and Township Open Space Trust Fund ("Open Space funds"); and

WHEREAS, the Mayor and Council of the Township of Byram desires to acquire title and possession of the subject property by purchase agreement with Gregory J. Gamski, 41 Fieldstone Trail, Sparta, New Jersey 07871, title owner of record of the subject property ("Seller" or "Gamski"), pursuant to the requirements of the Local Lands and Buildings Law, N.J.S.A. 40A:12-5, et seq.; and

WHEREAS, the Township shall fund its acquisition of the subject property through the use of Green Acres funds and Open Space funds; and

WHEREAS, upon acquisition of the subject property, the Township shall preserve the subject property for open space.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Byram, County of Sussex, State of New Jersey, as follows:

Section 1. Township Authorization to Acquire Land by Purchase Agreement.

Pursuant to the provisions of the "Local Lands and Buildings Law," N.J.S.A. 40A:12-1 et seq., the Township of Byram is hereby authorized to acquire the subject property hereinafter described by purchase agreement:

Tax Block 337, Lot 9.01, Township of Byram, New Jersey owned by ("the Subject Property"), as described on the attached Exhibit A, Legal Description of Subject Property.

Section 2. Authority of Agents.

The Township Mayor, Clerk, Engineer, and Municipal Attorney, and any and all such other officials, employees and agents of the Township, specifically including, but not limited to professional appraisers, environmental experts, consulting engineers, surveyors and similar professionals as are appropriate, are hereby authorized and directed to prepare and execute such documents and to perform all other acts necessary to effectuate the purchase and acquisition of title and possession of the subject property (including but not limited to action to gain necessary access to the subject property for related purposes, and the Mayor, Council and Clerk are hereby authorized and directed to execute any and all documents necessary for said acquisition of the subject property, including and not limited to execution of a purchase agreement and any necessary amendments thereto. Furthermore, the prior execution of any and all documents necessary for the acquisition by the Mayor, Council and Clerk, and any and all such other officials, employees and agents of the Township, is hereby ratified.

Section 3. Cost of Acquisition/Purchase Price.

The cost of acquisition/purchase price paid to Seller for the Township's purchase of the subject property shall be one hundred fifty thousand (\$150,000.00) dollars, paid by Green Acres funds as granted to the Township pursuant to the NJDEP Green Acres Program and by Township Open Space trust funds.

Section 4. Severability.

If any section, subsection, clause or phrase of this Ordinance is for any reason held to unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance; which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

Section 5. Repealer.

All existing ordinances and/or parts thereof which are inconsistent with the terms of this Ordinance, are to the extent of such inconsistency, repealed.

Section 6. Effect.

This Ordinance shall take effect in the time and manner as prescribed by law.

BYRAM TOWNSHIP COUNCIL

Attest:

BYRAM TOWNSHIP COUNCIL

Doris J. Flynn, Township Clerk

James Oscovitch, Mayor

Introduced: 2/16/16

Adopted: 3/1/16

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

NOTICE OF ADOPTION

NOTICE is hereby given that Ordinance 9-2016 was introduced and passed first reading at a meeting of the Township Council of the Township of Byram, held at the Byram Township Municipal Building, Mansfield Drive, Byram Township, New Jersey, on the 16th day of February, 2016. The said ordinance was further considered for final adoption at a meeting of the Township Council of The Township of Byram, held at the Byram Municipal Building, 10 Mansfield Drive, Byram Township, New Jersey, on the 1st day of March at 7:30 p.m. at which time all persons were given the opportunity to be heard. It was finally passed and adopted and will be in full force in the Township according to law.

Doris J. Flynn, RMC
Byram Twp. Municipal Clerk