

BYRAM TOWNSHIP COUNCIL MEETING - MARCH 15, 2016

CALL MEETING TO ORDER

Deputy Mayor Gray called the meeting to order at 7:00 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; Deputy Mayor 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.

Motion by Councilman Olson, second by Councilwoman Kash to go into closed session. All members were in favor. Motion Carried.

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
 - COAH
 - FEMA
- b. Contract Negotiations – Update on Health Benefits
- c. Personnel
 - Staffing
 - Personnel Policies
 - Background Checks
 - Committee Appointments

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 15, 2016.

Doris Flynn, Municipal Clerk

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

FOREST LAKES DAM REHABILITATION IMPROVEMENT – SPECIAL ASSESSMENT

COMMISSION RECOMMENDATION - Deputy Mayor Gray recused himself from this discussion.

Attorney Tom Collins summarized the steps that have been taken up to this point. If the recommendation given by the Special Assessment Committee is followed, there would be an introduction of an ordinance at the April 5th meeting and a public hearing on April 19.

Commissioner Chairwoman Caryn Segal read the recommendation by the Special Assessment Committee.

As you know, the Forest Lakes dam was deemed in need of repair by the State of New Jersey. A loan from the State totaling \$1,525,219.88 was obtained to pay for the repairs, engineering, and ongoing administration of the loan with a 10 year term.

As part of the process to identify the cost assigned to each property in Forest Lakes, a Special Assessment Commission was formed to work with an appraiser, Scott J. Holzhauer, CTA, SCGREA, to review options and to make a recommendation for the most equitable distribution of these costs. Input was also received from the Forest Lakes Club, Township professionals, and affected property owners.

After informational and workshop meetings, followed by a public hearing and thorough review, I and the other Commissioners recommend that the Council adopt the report with all of the special assessments shown in the spreadsheet prepared by Mr. Holzhauer.

Yours very truly,

Caryn Segal, George Shivas, Andrew McElroy

Scott Olson asked Tom Collins to explain what will happen going forward. Once the ordinance is passed, the tax collector will send out bills, which is done on a yearly basis over a ten year period. The bill must be paid timely or a lien would be placed on the property, and the full amount will be due. Motion by Councilman Olson, second by Councilwoman Kash to open to the public.

Kevin Eitel, 103 Forest Lakes Drive North, expressed his concerns regarding the assessment. He does not agree that the Forest Lakes Club properties should have been exempted. Forty-five percent of the properties are not members of the club. He also expressed concerns about the project costs.

Klaus Duch, 2 Crows Nest Road, questioned the bills from Steve’s Landscaping. Luke Wolters, 12 Harbor View Drive, has been on the board for 16 years, and answered his questions. Attorney Eileen Born commented on her fees.

Motion by Councilman Olson, second by Councilwoman Raffay, to close to the public.

Attorney Tom Collins stated that he is satisfied that the Council is acting properly and recommends that the governing body request that an ordinance is prepared for introduction.

Motion by Councilman Olson, second by Councilwoman Kash, to accept the report submitted by the Commissioners and Scott Holzhauser and request that an ordinance for introduction be placed on the April 5th agenda.

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

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. Motion by Councilman Olson, second by Councilwoman Raffay, to open up to the public. Joann Umstead, 15 Sherwood Forest Drive, expressed her dismay with how things were handled in the big snow storm. She complained about the amount of snow that was left in the street in front of her driveway, and the response she received from town officials. Luann Byrne, 34 Richmond Road, asked about the resolutions for the temporary budget on the consent agenda. Joe Sabatini explained that the reason we are amending the temporary budget is because we have not yet adopted a permanent budget. Motion Councilman Olson, second by Councilwoman Raffay, to close to the public. All members in favor. Motion carried.

MAYORAL APPOINTMENT

- Emergency Management Coordinator – Lieutenant Ken Burke – 3 year term expiring 12/31/18
- Environmental Commission Member – Nora Amato – 3 year term expiring 12/31/18
- Environmental Commission Member – Steven Levy – 3 year term expiring 12/31/18

TOWNSHIP MANAGER/COUNCIL REPORTS

Township Manager

- Reported on Cram the Cruiser – donations are being accepted at the police station and specific days at the Byram Plaza parking lot.
- Special Council meeting on March 16 at 6:00 p.m. to review the master plan for the municipal complex

Councilman Olson

- April 14 is the next Economic Steering Committee at 7:30 p.m.

- Historical Society met on March 2. Frank Gonzalez has been doing a lot of research on all the old schools in Byram. The Historical Society is looking to adopt a building at Waterloo Village—just starting this process.

Nisha Kasha – The Youth Guidance Council met on March 8 informally. There was a lot of interest and good ideas shared. The next meeting will be April 11. There is a Byram Day Committee meeting on March 17.

David Gray – Attended the SCARC annual dinner—it was a great night for a great cause. The next Environmental Commission meeting will be March 24. David would like to look at enhancing our website—he has had some comments from residents who feel it needs a little improvement.

Councilwoman Raffay - PB meeting on March 17 at 8 p.m. Paul Gleitz will be in attendance and we will be reviewing the Fair Share Housing Plan.

APPROVAL OF MINUTES

- March 1, 2016 – Regular Minutes - Motion by Councilwoman Kash, 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

- March 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 56-2016 –Appointment of the Byram Township Emergency Management Council
- Resolution 57-2016 - Resolution to Amend the 2016 Temporary Budget
- Resolution 58-2016 – Resolution to Amend the 2016 Temporary Budget for the Sewer Utility Fund
- Resolution 60-2016 - Resolution Authorizing the 2016 Renewal of Tilcon NY Quarry License
- Resolution 61-6016 – Resolution Authorizing the Submission of a \$1,500 Grant from the 2016 ANJEC Open Space Stewardship Grants for Environmental Commissions

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

RESOLUTION 59-2016 – Resolution of the Mayor and Council of the Township of Byram Regarding the 2016 Housing Element and Fair Share Plan - Motion by Councilman Olson, second by Councilwoman Kash to adopt the resolution.

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

APPROVAL OF MARCH 15, 2016 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		
2nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

ORDINANCES

Be it resolved that ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 112 CONSTRUCTION CODES, UNIFORM TO THE CODE OF BYRAM TOWNSHIP.” be read by title on first reading.

Purpose Statement: The purpose of this Ordinance is to amend Chapter 112 of the Uniform Construction Codes.

Motion by Councilwoman Kash, second by Councilman Olson 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, April 5, 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.

Purpose Statement: The purpose of this Ordinance is to amend the Fee Schedule to update changes in chapter 287-6 Construction Department fees.

Motion by Councilwoman Raffay, 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, April 5, 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.

PUBLIC PARTICIPATION II – Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Skip Danielson, 18 Hunters Lane, expressed his and his family’s gratitude for everyone’s kindness over the loss of his son. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. All members in favor. Motion carried.

Motion by Councilman Olson, second by Councilwoman Kash to go into closed session at 9:20 p.m. All members were in favor. Motion Carried.

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.

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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on March 15, 2016.

Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 9:58 p.m. All members were in favor. Motion Carried.

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Raffay, and with all members in favor, the meeting was adjourned at 9:58 p.m. Motion carried.

Doris Flynn, Municipal Clerk

David Gray, Deputy Mayor