

TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, MAY 19, 2015
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION– 7:30 P.M.

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. Shared Services –Fire Prevention
 - b. Contract Negotiations – BARKS
 - c. Anticipated/Pending Litigation
 - Hopkins
 - d. Personnel - Handbook
 - e. Attorney Client Privileged Information
 - General
 - Municipal Services Act – Lake Mohawk
5. **RETURN TO OPEN SESSION**
6. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
7. **APPROVAL OF AGENDA**
8. **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.
9. **REPORTS**
 - Township Manager
 - Mayor and Council Members
 - Township Attorney
10. **APPROVAL OF MINUTES**
 - May 5, 2015 Regular Meeting Minutes
 - May 5, 2015 Closed Session Minutes
11. **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. 77-2015 – Resolution of Support to Establish the Traffic Regulations along Route 206 between Acorn Street and 2152 Feet North of Lackawanna Drive
 - B. Resolution No. 78-2015 – Resolution Awarding a Bid to Provide Jet Vac Stormwater Cleaning Services to Stormwater Compliance Solutions
 - C. Resolution No. 79-2015 – Resolution Authorizing the Execution of a Lease Agreement and Shared Services Contract for Community Animal Impound Services between the Township of Byram and Byram Animal Rescue Kindness Squad Inc. (BARKS)
 - D. Resolution No. 80-2015 – Resolution for the 2016 Municipal Alliance Grant
 - E. Resolution No. 81-2015 – Resolution for Award of Bid for the Construction of Tamarack Park to Yannuzi Group, Inc.
 - F. Resolution No. 82-2015 – 2015 Capital Budget Amendment Resolution
 - G. Resolution No. 83-2015 – Resolution Authorizing L&G Planning to Prepare a Sustainable Economical Development Element of the Master Plan with a Market Feasibility Analysis
12. **APPROVAL OF MAY 19, 2015 BILL LIST**
13. **ORDINANCES – Introduction/First Reading**
 - **Ordinance to Authorize a Capital Expenditure for Improvements of Various Streets and Locations in and By the Township and to Provide Funding in the amount not to Exceed \$70,000.00**
Purpose Statement: Reconstruction and Resurfacing of Various Streets and Locations in and by the Township including without limitation, roads in the Forest Lakes Community, including reconstruction of culverts and headwalls and all curbing, drainage facilities, landscaping, reclamation, milling, structures, roadway surfaces including oil and stone or similar application, materials, equipment, site work and engineering costs.
 - **Ordinance to Authorize a Capital Expenditure for Drainage Improvements of Various Streets and Locations in and by the Township and to Provide Funding in the amount not to Exceed \$63,000.00**
Purpose Statement: Drainage Improvements to Lynn Drive including materials, equipment, site work and engineering costs fully funded by Capital Reserve for Drainage and Other Trust Reserve for Drainage.
 - **Bond Ordinance Providing for the Improvement of Amity Road in and by the Township of Byram, in the County of Sussex, New Jersey, Appropriating \$125,000 therefor and Authorizing the Issuance of \$90,250 Bonds or Notes of the Township for Financing Such Appropriation**
Purpose Statement: Reconstruction and resurfacing of various roads in and by the Township, including without limitation, Amity Road.
 - **Ordinance to Authorize a Capital Expenditure for Technology Upgrades for the Township to Provide Funding in the Amount not to Exceed \$20,000**
Purpose Statement: Technology Upgrades for the Township including a server for the administrative offices, workstations and all related costs incidental thereto fully funded by Capital Improvement Fund.
14. **ORDINANCE 5 – 2015 – 2nd Reading/Public Hearing**
 - **An Ordinance to Amend Section A287-8 Sewer System Fees of the Byram Township Code Regarding Sewer User Charges and Maintenance Fees**
Purpose Statement: An Ordinance to amend Section A287-8 sewer system fees of the Byram Township Code lowering the Per Equivalent Dwelling Unit (EDU) commencing January 1, 2015 to \$288.50 per quarter.
15. **ITEMS FOR DISCUSSION** – Resolution Supporting Continuation of Sussex County Farmland Preservation, Recreation and Open Space Fund
16. **PUBLIC PARTICIPATION II**
17. **EXECUTIVE SESSION – Session II (if necessary)**
18. **ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
19. **ADJOURNMENT**

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 77 – 2015**

**RESOLUTION OF SUPPORT TO ESTABLISH THE TRAFFIC REGULATIONS ALONG ROUTE
206 BETWEEN ACORN STREET AND 2152 FEET NORTH OF LACKAWANNA DRIVE**

WHEREAS, in order to legally establish the traffic regulations along Route 206 which has been recommended for approval, the New Jersey Department of Transportation is required to promulgate a Traffic Regulation Order (TRO); and

WHEREAS, an initial step in the TRO process is to receive a resolution of support from the municipality's governing body; and

WHEREAS, the Township of Byram supports the reconfiguration of the travel lanes along Route 206 between Acorn Street and 2152 feet north of Lackawanna Drive.

NOW, THEREFORE, BE IT RESOLVED that the Township of Byram hereby supports and approves the following:

ADD:

ROUTE US 206

LANE USE RESERVATIONS:

The lane location(s) described are designated as Lane Use Reservations and traffic shall move as indicated.

Location

Movement

Route US 206 between 330 feet north of the prolongation of the northerly curb line of Acorn Street and a point 1,185 feet northerly there from. (approximate mile posts 98.44 to 98.66)

Center Lane of Route US 206 reserved for Left Turns *Only* in ***both directions*** as indicated.

Route US 206 between 515 feet north of the northerly curb line of Brookwood Road and a point 1,655 feet northerly there from. (approximate mile posts 98.81 to 99.12)

Center Lane of Route US 206 reserved for Left Turns *Only* in ***both directions*** as indicated.

Route US 206 beginning at a point 680 feet north of the northerly curb line of Lackawanna Drive (CR607) and a point 175 feet northerly there from. (approximate mile posts 99.35 to 99.38)

Left Lane of Route US 206 reserved for Left Turns *Only* in the ***northbound*** direction as indicated.

Route US 206 beginning at a point 100 feet south of the southerly curb line of High Glen Drive and a point 175 feet southerly there from. (Approximate mile posts 99.34 to 99.31)

Left Lane of Route US 206 reserved for Left Turns *Only* in the ***southbound*** direction onto the *southerly* most driveway of the Byram Plaza Shopping Center (Block 226, Lot 14) *eastbound*.

TURN PROHIBITIONS:

No person shall turn at the below described location(s) as indicated.

<u>Location</u>	<u>Turn Prohibited</u>	<u>Movement Prohibited</u>
Route US 206 (<i>Both Directions</i>) (approximate mile posts 98.40 to 99.50)	U-Turns	Between Acorn Street and 1,500 feet north of the <i>northerly</i> curb line of Lackawanna Drive (CR607). (300 feet north of the <i>northerly</i> most driveway of the Byram Plaza Shopping Center (Block 226, Lot 14)).
Route US 206 and the southerly most driveway of the Byram Plaza Shopping Center (Block 226, Lot 14) (approximately 400 feet north of Lackawanna Drive (CR607) (approximate mile post 99.30)	Left turns	<i>Westbound</i> from the <i>southerly</i> most driveway of the Byram Plaza Shopping Center (Block 226, Lot 14) onto Route US 206 <i>southbound</i> .

NO STOPPING OR STANDING:

No person shall Stop or Stand a vehicle on any day (including public holidays) upon any of the streets or parts of streets described.

<u>Name of Street</u>	<u>Direction</u>	<u>Hours</u>	<u>Location</u>
Route US 206 (approximate mile posts 98.40 to 99.53)	<i>Both</i>	All	Between Acorn Street and 1,000 north of the <i>northerly</i> curb line of Lackawanna Drive (CR607). (300 feet north of the <i>northerly</i> most driveway of the Byram Plaza Shopping Center (Block 226, Lot 14)).

DELETE:

TURN PROHIBITIONS:

Route US 206 and the
Lakeland State Bank's
driveway
(Block 226, Lot 15.01)
(approximately 200 feet north
of Lackawanna Drive (CR607)
(approximate mile post 99.26)

Left Turns

From the driveway of the Lakeland State Bank
westbound onto Route US 206 *southbound*.

Route US 206 and the *northerly*
most driveway of the Byram
Plaza Shopping Center
(Block 226, Lot 14)
(approximately 500 feet north
of the center line of Hi Glen
Drive) (approximate mile post
99.44)

Left Turns
Plaza

From the northerly driveway of the Byram
westbound onto route US 206 *southbound*.

Route US 206 and the *northerly*
most driveway of the Byram
Plaza Shopping Center
(Block 226, Lot 14)
(approximately 500 feet north
of the center line of Hi Glen
Drive) (approximate mile post
99.44)

Left Turns
northerly

From Route US 206 *southbound* onto the
driveway of the Byram Plaza *eastbound*

Repealer Clause:

The Township of Byram concurs that any approved traffic regulations in conflict with or inconsistent with the provisions of this Resolution be rescinded upon approval of the Traffic Regulation Order

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilwoman Raffav	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 May 19, 2015.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 78 – 2015**

**RESOLUTION OF THE TOWNSHIP OF BYRAM AWARDING
A BID TO PROVIDE JET VAC STORMWATER CLEANING SERVICES**

WHEREAS, the Township solicited proposals for Jet Vac Stormwater Cleaning Services; and

WHEREAS, the scope of work shall include Jet Vac Cleaning Services to clean stormwater pipes and catch basins as directed by the Byram Township Road Department Supervisor; and

WHEREAS, the contractor shall provide a jet vac truck with two (2) operators, and all equipment, tools, and all else necessary to attain a cleaning production rate of 15-25 catch basins each day; and

WHEREAS, the Township of Byram opened bids for the proposed Jet Vac Stormwater Cleaning Services on April 28, 2015 at 10:30 a.m.; and

WHEREAS, three (3) bids were received from:

1. Residuals Management Services, LLC/Earth Care – per day rate \$2,600.00
2. Stormwater Compliance Solutions, LLC – per day rate of \$1,500.00
3. Russell Reid Waste Hauling & Disposal Service Co., Inc. – per day rate of \$2,150.00

WHEREAS, the Township is permitted to use Clean Communities funds for stormwater management activities including catch basin cleanout and street sweepings; and

WHEREAS, the Township plans to use a portion of the Clean Community funds not to exceed \$9,000 with the balance of the funds to be covered by the Streets and Roads operating budget; and

WHEREAS, the Township plans to authorize six (6) days of services; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Byram, in the County of Sussex to award the bid for jet vac stormwater cleaning services to Stormwater Compliance Solutions, LLC in an amount not to exceed \$9,000.

BYRAM TOWNSHIP MAYOR AND COUNCIL

COUNCIL MEMBER	<i>Councilman Gray</i>	<i>Councilwoman Raffay</i>	<i>Councilman Olson</i>	<i>Councilwoman Kash</i>	<i>Mayor Osovitch</i>
By:					
2nd					
Yes					
No					
Abstain					
Absent					

Adopted this 19th day of May, 2015 and certified as a true copy of an original.

Doris J. Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 79 – 2015**

**RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE
AGREEMENT AND SHARED SERVICES CONTRACT FOR COMMUNITY
ANIMAL IMPOUND SERVICES BETWEEN THE TOWNSHIP OF BYRAM
AND BYRAM ANIMAL RESCUE KINDNESS SQUAD INC. (BARKS)**

WHEREAS, the Township has entered into a lease agreement and shared services contract for community animal impound services between the Township of Byram and BARKS.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Byram, County of Sussex, State of New Jersey that the Mayor has authorization to sign the said agreement between the Township of Byram and BARKS.

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 May 19, 2015.

Doris Flynn, RMC
Township Clerk

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2014-June 2019
TOWNSHIP OF BYRAM
RESOLUTION NO. 80 – 2015

FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Byram, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Byram, County of Sussex does hereby recognize the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Lenape Valley Municipal Alliance grant for fiscal year 2016 in the amount of:

DEDR	\$11,420.00
Cash Match	\$2,855.00
In-Kind	\$8,565.00

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
James Oscovitch, Mayor

CERTIFICATION

I, Doris J. Flynn, Municipal Clerk of the Township of Byram, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 19th day of May, 2015 .

Doris Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 81 – 2015**

**RESOLUTION FOR AWARD OF BID FOR THE CONSTRUCTION OF
TAMARACK PARK TO YANNUZI GROUP, INC.**

WHEREAS, the Township of Byram opened bids for the proposed construction of Tamarack Park on April 28, 2015 at 10:00 a.m.; and

WHEREAS, seven (7) bids were received from the following contractors:

Yannuzi Group, Inc.	Sita Construction Co., Inc.
CMS Construction	Salmon Brothers, Inc.
Bob Viersma & Sons, Inc.	Walkill Group, Inc.
JTG Construction, Inc.	

WHEREAS, the lowest responsible bidder is Yannuzi Group, Inc. in the amount of \$228,947.75 (base bid), \$39,675.00 (Alternate Bid "A") and \$6,900.00 (Alternate Bid "B") for a total amount of \$275,522.75; and

WHEREAS, Township Engineer Cory Stoner and Township Attorney Thomas Collins reviewed and recommended the award to Yannuzi Group, Inc. for the total amount of \$275,522.75.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council, County of Sussex, State of New Jersey to award the bid to Yannuzi Group, Inc. in the amount of \$275,522.75. Certification of funds has been provided. The Mayor, Township Manager and Clerk are hereby authorized to sign any document associated with this award.

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 May 19, 2015.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 82 – 2015**

2015 CAPITAL BUDGET AMENDMENT RESOLUTION

WHEREAS, the local capital budget for the year 2015 was adopted on the 7th of April, 2015;
and

WHEREAS, it is desired to amend said adopted capital budget section;

WHEREAS, N.J.A.C. 5:30-4.4B provides that the Capital Budget of a governing body shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, that the following amendment to the 2015 adopted capital budget be made:

2015 ADOPTED CAPITAL BUDGET

Project Title: Server for Administrative Offices
Estimated Total Cost: \$11,000.00
Planned Funding Services for Current Year 2015: Capital Improvement Fund - \$11,000.00

2015 CAPITAL BUDGET AMENDMENT

Project Title: Technology Upgrades – Server for Administrative Offices & Workstations
Estimated Total Cost: \$20,000.00
Planned Funding Services for Current Year 2015: Capital Improvement Fund - \$20,000.00

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 May 19, 2015.

Doris J. Flynn, RMC

**TOWNSHIP OF BYRAM
RESOLUTION NO. 83 – 2015**

**RESOLUTION AUTHORIZING L & G PLANNING TO PREPARE
A SUSTAINABLE ECONOMICAL DEVELOPMENT ELEMENT
OF THE MASTER PLAN WITH A MARKET FEASIBILITY
ANALYSIS**

WHEREAS, the Byram Township Mayor and Council has determined that there is a need to authorize L & G Planning to provide planning services for preparing a sustainable economical development element of the master plan with a market feasibility analysis; and

WHEREAS, Phase I will include the market analysis and feasibility assessment not to exceed \$10,000; and

WHEREAS, Phase II will include outreach, draft plan, implementation matrix and timeline, public hearings and adoption of the plan not to exceed \$25,000; and

WHEREAS, funds are available through the Highlands Plan Conformance Grant for this purpose; and

WHEREAS, by Resolution No. 25-2015, L & G Planning LLC has been awarded a contract for the year 1/1/15-12/31/15 without competitive bidding as a "Professional Service" in accordance with NJSA 40A:11-5 (1)(a) of the Local Public Contracts Law because these services are rendered or performed by a person authorized by law to practice a recognized profession.

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

1. The Township of Byram hereby authorizes L & G Planning to provide planning services for preparing a sustainable economical development element of the master plan with a market feasibility analysis not to exceed \$35,000.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I certify that the Byram Township Council at a meeting held on May 19, 2015 adopted the foregoing resolution.

Doris J. Flynn, Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
ORDINANCE NO. 6 - 2015**

**AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR
IMPROVEMENTS OF VARIOUS STREETS AND LOCATIONS IN AND BY
THE TOWNSHIP AND TO PROVIDE FUNDING IN THE AMOUNT NOT TO
EXCEED \$70,000.00**

Purpose Statement: Reconstruction and Resurfacing of Various Streets and Locations in and by the Township including without limitation, roads in the Forest Lakes Community, including reconstruction of culverts and headwalls and all curbing, drainage facilities, landscaping, reclamation, milling, structures, roadway surfaces including oil and stone or similar application, materials, equipment, site work and engineering costs.

WHEREAS, the Township of Byram is planning to complete reconstruction and resurfacing of various streets and locations in and by the Township including without limitation, roads in the Forest Lakes Community; and

WHEREAS, these improvements may include reconstruction of culverts and headwalls and all curbing, drainage facilities, landscaping, reclamation, milling, structures, roadway surfaces including oil and stone or similar application all materials, equipment, site work and engineering; and

WHEREAS, the 2015 Municipal Budget included \$100,000 as a Capital Improvement Appropriation as a Supplement to the Road Improvement Program.

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

Section 1 – The Manager and Municipal Clerk are authorized to execute road improvements as set forth in plans prepared by the Municipal Engineer. All actions shall be taken in accordance with the Local Public Contracts Law and other applicable regulations.

Section 2 – This ordinance shall be funded as follows:

\$70,000.00 Supplement to Road Improvements

Section 3 – This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

BYRAM TOWNSHIP COUNCIL

Introduced: May 19, 2015 Adopted:

TOWNSHIP OF BYRAM

By: _____
James Oscovitch, Mayor

Attest: _____
Doris Flynn, Township Clerk

NOTICE OF INTRODUCTION

Notice is hereby given that the foregoing Ordinance No. 6-2015 was submitted in writing at a meeting of the Mayor and Council of the Township of Byram, in the County of Sussex, New Jersey, held on the 19th of May, 2015. Introduced and read by title and passed on the first reading and that said Township Mayor and Council will further consider the Ordinance for second reading and final passage thereof at a meeting to be held on the 1st day of June, 2015 at 7:30 p.m., at the Township of Byram Municipal Building, 10 Mansfield Drive, Stanhope, New Jersey, at which time and place a public hearing will be held thereon by the Township Council and all persons and citizens in interest shall have an opportunity to be heard concerning same. Copies of this ordinance are available at the Clerk's office Monday through Friday from 8:30 a.m. to 4:30 p.m.

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
ORDINANCE NO. 7 - 2015**

**AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR
DRAINAGE IMPROVEMENTS TO LYNN DRIVE TO PROVIDE FUNDING IN
THE AMOUNT NOT TO EXCEED \$63,000.00**

Purpose Statement: Drainage Improvements to Lynn Drive including materials, equipment, site work and engineering costs fully funded by Capital Reserve for Drainage and Other Trust Reserve for Drainage.

WHEREAS, the Township of Byram is planning to complete drainage improvements to Lynn Drive; and

WHEREAS, these improvements may include all materials, equipment, site work and engineering; and

WHEREAS, the Township of Byram has money available in the amount of \$35,000 from the Capital Fund Reserve for Drainage and \$28,000 from the Other Trust Fund Reserve for Drainage.

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

Section 1 – The Manager and Municipal Clerk are authorized to execute drainage improvements as set forth in plans prepared by the Municipal Engineer. All actions shall be taken in accordance with the Local Public Contracts Law and other applicable regulations.

Section 2 – This ordinance shall be funded as follows:

\$35,000.00 Capital Fund – Reserve for Drainage
\$28,000.00 Other Trust Fund – Reserve for Drainage

Section 3 – This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

BYRAM TOWNSHIP COUNCIL

Introduced: May 19, 2015 Adopted:

TOWNSHIP OF BYRAM

By: _____
James Oscovitch, Mayor

Attest: _____
Doris Flynn, Township Clerk

NOTICE OF INTRODUCTION

Notice is hereby given that the foregoing Ordinance No. 7-2015 was submitted in writing at a meeting of the Mayor and Council of the Township of Byram, in the County of Sussex, New Jersey, held on the 19th of May, 2015. Introduced and read by title and passed on the first reading and that said Township Mayor and Council will further consider the Ordinance for second reading and final passage thereof at a meeting to be held on the 1st day of June, 2015 at 7:30 p.m., at the Township of Byram Municipal Building, 10 Mansfield Drive, Stanhope, New Jersey, at which time and place a public hearing will be held thereon by the Township Council and all persons and citizens in interest shall have an opportunity to be heard concerning same. Copies of this ordinance are available at the Clerk's office Monday through Friday from 8:30 a.m. to 4:30 p.m.

**TOWNSHIP OF BYRAM
ORDINANCE NO. – 2015**

**BOND ORDINANCE PROVIDING FOR THE
IMPROVEMENT OF AMITY ROAD IN AND BY THE
TOWNSHIP OF BYRAM, IN THE COUNTY OF SUSSEX,
NEW JERSEY, APPROPRIATING \$125,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$90,250 BONDS
OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH
APPROPRIATION.**

**BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COUNCIL OF
THE TOWNSHIP OF BYRAM, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less
than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Byram, in the County of Sussex, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$125,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$4,750 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also the sum of \$30,000 from the Reserve for Road Resurfacing.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$125,000 appropriation not provided for by application hereunder of said down payment and said Reserve for Road Resurfacing, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$90,250 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding

\$90,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the reconstruction and resurfacing of various roads in and by the Township, including without limitation, Amity Road, to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), including the reconstruction of culverts and headwalls and all curbing, drainage facilities, landscaping, reclamation, milling, structures, roadway surfaces including oil and stone or similar application, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$90,250.

(c) The estimated cost of said purpose is \$125,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$4,750 down payment for said purpose and the said \$30,000 from the Reserve for Road Resurfacing.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$90,250, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$5,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Township on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

BYRAM TOWNSHIP COUNCIL

Introduced: May 19, 2015 Adopted:

TOWNSHIP OF BYRAM

By: _____
James Oscovitch, Mayor

Attest: _____
Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
ORDINANCE NO. 9- 2015**

**AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR
TECHNOLOGY UPGRADES FOR THE TOWNSHIP TO PROVIDE FUNDING
IN THE AMOUNT NOT TO EXCEED \$20,000.00**

Purpose Statement: Technology Upgrades for the Township including a server for the administrative offices, workstations and all related costs incidental thereto fully funded by Capital Improvement Fund.

WHEREAS, the Township of Byram is planning to perform certain technological upgrades; and

WHEREAS, these improvements may include a server for the administrative offices, workstations and all related costs incidental thereto; and

WHEREAS, the Township of Byram has money available in the amount of \$20,000 from the Capital Improvement Fund.

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

Section 1 – The Manager and Municipal Clerk are authorized to execute technology upgrades as set forth in plans. All actions shall be taken in accordance with the Local Public Contracts Law and other applicable regulations.

Section 2 – This ordinance shall be funded as follows:

\$20,000.00 Capital Improvement Fund

Section 3 – The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available for public inspection.

Section 4 – This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

BYRAM TOWNSHIP COUNCIL

Introduced: May 19, 2015 Adopted:

TOWNSHIP OF BYRAM

By: _____
James Oscovitch, Mayor

Attest: _____
Doris Flynn, Township Clerk

NOTICE OF INTRODUCTION

Notice is hereby given that the foregoing Ordinance No. 9-2015 was submitted in writing at a meeting of the Mayor and Council of the Township of Byram, in the County of Sussex, New Jersey, held on the 19th of May, 2015. Introduced and read by title and passed on the first reading and that said Township Mayor and Council will further consider the Ordinance for second reading and final passage thereof at a meeting to be held on the 1st day of June, 2015 at 7:30 p.m., at the Township of Byram Municipal Building, 10 Mansfield Drive, Stanhope, New Jersey, at which time and place a public hearing will be held thereon by the Township Council and all persons and citizens in interest shall have an opportunity to be heard concerning same. Copies of this ordinance are available at the Clerk's office Monday through Friday from 8:30 a.m. to 4:30 p.m.

**TOWNSHIP OF BYRAM
ORDINANCE NO. 5 - 2015**

**AN ORDINANCE AMENDING SECTION A287-8 SEWER SYSTEM
FEES OF THE BYRAM TOWNSHIP CODE REGARDING SEWER USER
CHARGES AND MAINTENANCE FEES**

Purpose Statement: An Ordinance amending Section A287-8 Sewer System Fees of the Byram Township Code lowering the Per Equivalent Dwelling Unit (EDU) commencing January 1, 2015 to \$288.50 per quarter.

WHEREAS, the Byram Township's sanitary sewer system services the approved sewer service area that includes Byram Township school, the Municipal Complex, the Route 206 corridor from the corner of Lackawanna Drive south to Acorn Street, and various residential users; and

WHEREAS, expenses in connection with debt service, operation and maintenance of the sanitary sewer system dictate the rates paid by users to satisfy said costs; and

WHEREAS, Byram Township pays annual fees to the Musconetcong Sewerage Authority for the allocation of sewer gallons to Byram Township; and

WHEREAS, the Musconetcong Sewer Authority has reported a reduction in debt service from Phase 1 and 1A capital improvements, which resulted in a reduction of the Township's annual fees to the Musconetcong Sewer Authority; and

WHEREAS, the auditor of the Musconetcong Sewer Authority informed Byram Township that the reported reduction described above will constitute a permanent reduction of the debt service unless there is a future significant capital improvement; and

WHEREAS, Musconetcong Sewer Authority annually provides the calculated Musconetcong Sewer Authority Municipal Charges annual fees in January based on its adopted budget; and

WHEREAS, as a result of the reduction of the Musconetcong Sewer Authority annual fees the Township is reducing the sewer user charges five (5%) percent effective January 1, 2015; and

NOW, THEREFORE, BE IT ORDAINED, by the Byram Township Council of the Township of Byram, Sussex County, New Jersey, that Section A287-8 of the Code of the Township of Byram, shall be and is hereby amended as follows:

Item: Sewer user charges and maintenance fees	
Per EDU (commencing January 1, 2015)	\$288.50

Severability.

If any part of this Ordinance is for any reason held to be invalid such decision shall not affect the validity of the remaining portion of the Ordinance. Any Ordinance or portions thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Repealer.

All Ordinances or parts of Ordinances which are inconsistent with any provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

Effective date.

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

BYRAM TOWNSHIP COUNCIL

JAMES OSCOVITCH, MAYOR

Attest:

DORIS J. FLYNN
MUNICIPAL CLERK

Introduced: 5/5/15
Adopted: 5/19/15

NOTICE OF ADOPTION

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Byram, in the County of Sussex, New Jersey, held on May 5, 2015 introduced and read by title and passed on first reading. The Township Mayor and Council further considered the Ordinance for second reading and final passage at a meeting on May 19, 2015 at 7:30 p.m., at the Township of Byram Municipal Building, 10 Mansfield Drive, Stanhope, New Jersey, at which time and place a public hearing was held and all persons and citizens interested had an opportunity to be heard. It was finally passed and adopted and will be in full force in the Township according to law.