

BYRAM TOWNSHIP COUNCIL MEETING - AUGUST 16, 2016

CALL MEETING TO ORDER

Mayor Oscovitch 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; Councilman Gray, here; Councilman Olson, here; Councilwoman Kash, here; Mayor Oscovitch, here. Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Doris Flynn were also present.

RESOLUTION

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, that the public shall be excluded from discussion of the following matters:

- a. Attorney Client Privilege Communication
 - General
 - LES Third Party Agreement
- b. Contract Negotiations
 - Health Benefits
 - DPW
 - Professional Appointments
- c. Personnel –
 - Staffing
 - Employee Handbook Policy

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 August 16, 2016. Doris Flynn, Municipal Clerk

Motion by Councilman Olson, second by Councilman Gray to go into closed session and adopt the above resolution.

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

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilman Gray, to return to open session. All members were in favor. Motion Carried.

CALL COUNCIL MEETING BACK TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilwoman Kash, to approve the agenda with the removal of E (Resolution No. 139-2016) from the consent agenda. All members were in favor. Motion carried.

PROCLAMATIONS

- Childhood Cancer Awareness Month – Motion by Councilwoman Kash, second by Councilman Olson, to authorize the Mayor to sign the Proclamation. All members in favor. Motion carried.

- In Recognition of the 60th Year Anniversary of Wild West City - Motion by Councilman Gray, second by Councilwoman Raffay, to authorize the Mayor to sign the Proclamation. All members in favor. Motion carried.

TOWNSHIP MANAGER/COUNCIL REPORTS

Township Manager – The next Council meeting will be September 6. Byram Day is being held at Neil Gylling field on September 24, with a rain date of September 25.

The Byram Township Police Department has joined the New Jersey Attorney General’s “Project Medicine Drop” initiative, and has installed a Project Medicine Drop box at police headquarters. The box was partially funded by donations from the Sussex County Center for Prevention and Counseling and the officers of the Byram Township Police Officers Association. The department’s new Project Medicine Drop Box is located at 10 Mansfield Drive. Anyone may visit the Byram Township Police Department at any time, 24 hours a day, seven days a week, 365 days a year, to dispose of their unused or excess medications.

Councilman Olson – Open Space meeting was on August 8 with our new Open Space consultant Ben Spinelli of Spinelli and Pinto. They discussed doing a formal announcement of Tamarack Park, most likely in the fall. Scott commended Don Borroughs of the DPW for a great job on building gates for the new park.

Councilman Gray – Attended the 60th anniversary celebration of Wild West City, which was a great event. Congressman Frelinghuysen and Freeholder Director George Graham were in attendance. David has been working with the basketball program to get recognized as a 501C program.

Councilwoman Raffay – Attended the 60th anniversary celebration of Wild West City—it was a fun day for all!

Mayor Oscovitch – The Mayor thanked David for attending the WWC event in his place and for reading the Proclamation he prepared. He enjoyed writing it as he has been close for the family for years. He congratulated the Stables.

PUBLIC PARTICIPATION I

Joyce Bambach, 11 Pathfinder Trail, is sponsoring an event at Wild West City on Saturday, September 10, from 5 p.m. to 7 p.m. There will be music and a tribute to John Denver. Prizes have been donated and are worth over \$1200. Proceeds will go to Morristown Mission Drug Rehab in loving memory of Dennis Stabile.

George Shivas, 361 Amity Road, asked for status on 367 Amity Road. Joe Sabatini stated that summons were issued on August 15. It will now be in the hands of Andover Township Court.

APPROVAL OF MINUTES

- July 19, 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	x
No					
Abstain					
Absent					

- July 19, 2016 - Executive Meeting Minutes – Motion by Councilman Olson, second by Councilwoman Kash, to adopt the minutes as presented.

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

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 Raffay to approve the consent agenda.

- Resolution No. 135-2016 – A Resolution of the Township of Byram Adopting the 2016 Sussex County Multi-Jurisdictional All –Hazard Pre-Disaster Mitigation Plan
- Resolution No. 136-2016 - Final Acceptance of the Lynn Drive and Susan Lane Catch Basin Repairs

- Resolution No. 137-2016 – Authorization for the Purchase of two (2) 2017 Ford F-350 XL Cab 4WD Class 3 Pickup Trucks with Optional Equipment for the Township of Byram Department of Public Works.
- Resolution No. 138-2016 – Resolution Authorizing the Issuance of Not Exceeding \$583,000 Bond Anticipation Notes of the Township of Byram, in the County of Sussex, New Jersey
- Resolution No. 140- 2016 – Resolution to Award the Bid for No Net Loss Tree Reforestation – Phase I to Cerbo’s Hampton Nursery

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

Resolution No. 139 – 2016 – Resolution to Award the Bid for Proposed Cape Sealing of Forest lakes Drive to Asphalt Paving Systems, Inc. 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	
No					
Abstain	Recused				
Absent					

APPROVAL OF JULY 19, 2016 BILL LIST

Motion by Councilman Gray, second by Councilwoman Raffay to approve the bill list as presented.

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

ORDINANCE – 2ND READING / PUBLIC HEARING

Ordinance 25-2016 - Be it resolved that ordinance entitled “Initiative Ordinance of the Mayor and Council of the Township of Byram, County of Sussex, Sate of New Jersey Repealing Ordinance # 24-2016” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilman Gray to adopt the ordinance. Councilman Olson, Second by Councilman Gray to open to the public for comments.

- Eugene Farrell, 354 Amity Road, expressed has concerns about the bond and the plan to erect a new municipal building. He felt that the existing building should be rehabbed.
- Peter Frangos, 17 Lake Drive, questioned who the architect was and asked if thought about putting a 2nd story on the existing building.
- Ali Griffiths, 22 Old Stage Coach Road, expressed concerns about the cost of a new building. She stated we need to start low and stay low.
- Dawn Christian, 3 Banker Drive, questioned if the Township would like local contractors from the community. Joe Sabatini stated that the Local Public Contract Laws must be followed when we get to the point of construction, and any qualified bidder could bid on the project.
- Joann Smith, 57 Lake Drive, clarified the process for the public and stated that if the Council repeals the ordinance this evening, the bond ordinance is removed. If the Council does not repeal it, it will go for referendum in November.
- Harvey Roseff, 33 Sleepy Hollow Road, submitted a letter from the Petitioners regarding the request to repeal the ordinance. He stated that this bond ordinance should go to the public for a vote at the general election. Harvey expressed his concerns and stated that Byram does not need an \$11 million building.
- Mrs. Farrel, 354 Amity Road, asked where was the Township planning on building the new building. The Mayor stated that it would be on the same property.
- Karen Peterson, 6 Camelot Drive, asked that the Council consider lowering the amount that is spent on a building because the taxes are so high.
- Henry Ortega, 25 Sleepy Hollow Road, stated that his taxes have continued to go up since he has moved here and is now selling his house because he can’t afford the taxes. He is not against a new building, but the Council needs to build something reasonable.

- Michael Pitch, 25 Ross Road, questioned the number of full time employees in the building. He stated that he did feel something needed to be done, but urged the Council to be mindful of what they wanted to build and find a way to do it a reasonable cost.
- Joyce Bambach, 11 Pathfinder Trail, commented on the empty businesses in Byram and the abandoned homes.
- Shelly Wilcock, 34 Sleepy Hollow Road, commented on the size of the building and asked why they could not utilize an existing building such as Adam Todd.
- Ed Nest, 31 Beech Street, expressed his concerns on the \$11 million bond, and stated that the Township should have been maintaining the existing building so that it didn't get to a state of disrepair.
- Joann Smith, 57 Lake Drive, stated that the Council needs to be mindful of the climate in our town. People can't afford the taxes.
- Helen Jaros, 460 Stanhope Road, expressed concerns about the difficulties people have paying their taxes and was wondering if there were any state or federal programs available to assist.
- Merwyn Lee, 45 Winding Way, expressed his concerns about the excessive cost of the proposed municipal building, and stated that a company like Toll Brothers could do this project for a lot less money.

Motion by Councilman Olson, second by Councilwoman Kash to close to the public. All members in favor. Councilman Olson stated that there was never any intention to spend \$11 million on the project. There was a lot of misinformation that got out with that number. Scott stated that he had great appreciation for several of the comments made this evening. He is in favor of repealing this ordinance and taking some time to go back and do some additional work and research.

Mayor Oscovitch asked the clerk to call for the vote.

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

Be it Resolved that said Ordinance is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

DISCUSSION ITEMS

Committee Chair Meeting – The Council decided to have this year's committee chair meeting on Thursday, September 29, at 7 p.m. Marie Raffay will get an invite out to all the committees. The clerk will advertise the meeting.

Transportation Trust Fund – Joe Sabatini reported that there has been no action by the Governor to lift the shutdown, and it does not seem there will be any action before the general election. The Roseville bridge is a county project and most of the funding was from prior years, and the money is still there. The Council would like to pressure the Freeholders, our Senator and Assembly members, and the State to release this project so that it can get back on tract.

PUBLIC PARTICIPATION II

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

George Shivas asked what court will be handle the summons related to 367 Amity Road. Joe stated that Andover Township Court will handle it. Alex Rubenstein, 3 Partridge Road, questioned the use of open space properties. He will email his question to Joe Sabatini and Tom Collins so they can better answer his question. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. All members 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 8:58 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor