

**BYRAM TOWNSHIP COUNCIL MEETING - SEPTEMBER 20, 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  
- Outside Services
- b. Contract Negotiations – DPW / Clerical
- c. Personnel – Penny Holenstein

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 September 20, 2016. Doris Flynn, Municipal Clerk

Motion by Councilman Olson, second by Councilwoman Kash, 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 Raffay, to return to open session. All members were in favor. Motion Carried.

**CALL COUNCIL MEETING BACK TO ORDER**

**FLAG SALUTE AND MOMENT OF SILENCE**

**APPROVAL OF AGENDA** – Motion by Councilman Olson second by Councilwoman Kash, to approve the agenda with the removal of Resolution No. 152-2016 from the consent agenda. All members were in favor. Motion carried.

**TOWNSHIP MANAGER/COUNCIL REPORTS**

Township Manager – Byram Day is on September 24, 11 a.m. - 5 p.m.

Nisha Kash – Recreation Committee meeting is 9/21, Youth Guidance Council Trunk or Treat event will be on October 30.

Councilman Olson – Attended the Mansfield superfund walk with Congressman Frelinghuysen, Joe Sabatini, EPA representatives and a few residents. The new EPA Project Manager gave a briefing.

- Historical Society meeting is 9/21

Councilman Gray – Committee Head meeting is at 7 p.m. on September 29. Environmental Commission meeting is on

Councilwoman Raffay – Will be attending the annual committee head meeting on September 26. Marie commented that this has been a very informative meeting in the past, and she is looking forward to it.

Mayor Oscovitch – No report

**PUBLIC PARTICIPATION I**

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

Barbara McLoughlin, River Road, reported that the smell in her neighborhood has improved.

Harvey Roseff, 33 Sleepy Hollow Road, expressed his concerns about purchasing open space and stated that he feels open space is a burden on the tax payers. He stated that Johnson Dam is in need of repair and he asked if money is set aside for repairs. Joe Sabatini stated that the open space trust account is used to maintain and purchase open space property.

Joann Smith, 57 Lake Drive, asked about health care for the retirees and if the township can break the contract with them. Joe Sabatini explained that he cannot negotiate with a retiree, and the contract for the actives does not cover the retirees. A retiree is covered by the contract in effect on the date that he/she retires.

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

**APPROVAL OF MINUTES**

- September 6, 2016 – Regular Minutes - Motion by Councilman Gray, 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					

- September 6, 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 Kash to approve the consent agenda.

- Resolution No. 149-2016 – Authorization for the Purchase of one (1) 2017 Ford F-250 XL SWR Supercab Cab 4WD Class 2 Pickup Truck with Optional Equipment for the Township of Byram Department of Public Works
- Resolution No. 150-2016 –Authorize Refund of Redemption Monies to Outside Lien Holder – 23 Belton St.
- Resolution No. 151-2016- Resolution of Acceptance of Donations for the Celebration of Byram Day
- Resolution No. 153-2016 – Resolution of the Governing Body of the Township of Byram Regarding the Rejection of Bid for Proposed Basketball Courts at Mountain Heights Park

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

**RESOLUTION**

Resolution No. 152-2016 – Approving an Application to the New Jersey Highlands Council for Funding the Open Space Purchase of Block 226, Lots 26 (part) / 26.08. Motion by Councilman Olson, second by Councilwoman Kash to adopt this resolution. David Gray asked for this to be removed because he did not research the property or understand why Open Space would want to purchase it. This resolution only authorizes the Township to apply for a grant for funding. David stated that he doesn’t have a problem submitting the grant and will research this property before any decision is made on the purchase.

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

**APPROVAL OF SEPTEMBER 20, 2016 BILL LIST**

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

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

**ORDINANCE – 2<sup>st</sup> READING / ADOPTION**

Ordinance 26-2016 - Be it resolved that ordinance entitled “An Ordinance of the Township of Byram Amending Chapter 16, The Economic Development Committee” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Kash to adopt the ordinance. Mayor Oscovitch to open to the public for comments. No comments were made.

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

Be It Resolved that Ordinance 26-2016 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 27-2016 - Be it resolved that ordinance entitled “An Ordinance to Authorize and Ratify the Abandonment of Sewage Pump Station Easement and Private Transfer of Public Property (Easement) Not Needed for Public Use” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Kash to adopt the ordinance. Mayor Oscovitch opened to the public for comments. No comments were made.

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

Be It Resolved that Ordinance 27-2016 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

**ORDINANCE – 1<sup>st</sup> READING / INTRODUCTION**

- Be it resolved that ordinance entitled “An Ordinance Amending Chapter 230 Vehicles and Traffic” be read by title on first reading.  
**Purpose Statement:** An amendment to 230-59 is necessary to correct the zone districts specified in the ordinance.

Motion by Councilman Olson, second by Councilwoman Kash to introduce the ordinance on first reading.

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

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, October 4, 2016 at 7:30 p.m. at the Byram Municipal Building 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 Kash to open to the public. All members in favor. Motion carried.

Barbara McLoughlin, River Road, provided an overview of the NJDEP meeting at Hopatcong regarding Lake Hopatcong. It was a very interesting meeting.

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 Kash, and with all members in favor, the meeting was adjourned at 9:15 p.m. Motion carried.

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Doris Flynn, Municipal Clerk

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James Oscovitch, Mayor