

TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, MARCH 7, 2017
SPECIAL GATHERING – BYRAM LAKES SCHOOL – 6:30 P.M.
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. Attorney Client Privilege Communication – General
 - LMRPB – 2017 Weed Disposal
 - Health Benefits
 - b. Personnel – Staffing
- 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. RESOLUTION NO. 56-2017 – SELF EXAMINATION OF BUDGET RESOLUTION**
- 10. INTRODUCTION – 2017 MUNICIPAL BUDGET**
- 11. MAYORAL APPOINTMENT** – Katie Baron – Environmental Commission – Alternate I
- 12. REPORTS**
 - Township Manager
 - Mayor and Council Members
 - Township Attorney
- 13. APPROVAL OF MINUTES**
 - February 21, 2017 Regular Meeting Minutes
 - February 21, 2017 Closed Session Minutes
- 14. PROCLAMATION**
 - Read Across America – March 2, 2017
- 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.
 - Resolution No. 54-2017 – Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop
 - Resolution No. 55-2017 – Authorizing the Submission of the 2015-2019 Community Forestry Management Plan, 2016 Annual Report
 - Resolution No. 57 – 2017 – Approval of Quarry License for Year 2017 for Tilcon New Jersey, a division of Tilcon New York, Inc.
 - Resolution No. 58 – 2017 – Resolution Granting a License for 2017 to Raimo of Stanhope, Inc. to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
 - Resolution No. 59 – 2017 – Resolution Granting North Jersey Auto Wreckers, Inc. a License for 2017 to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
 - Resolution No. 60-2017 – Resolution to Amend the 2017 Temporary Budget
 - Resolution No. 61- 2017 – Resolution Authorizing Farr Forestry Services, LLC to Provide Various Forest Stewardship Services on Open Space Parcels
- 16. APPROVAL OF MARCH 7, 2017 BILL LIST**
- 17. ITEMS FOR DISCUSSION**
 - Tamarack Park Grand Opening
- 18. PUBLIC PARTICIPATION II**
- 19. EXECUTIVE SESSION – Session II (if necessary)**
- 20. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
- 21. ADJOURNMENT**

**TOWNSHIP OF BYRAM
RESOLUTION NO. 56 – 2017**

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, N.J.A.C. 5:50-7.2 through 7.5 the Township of Byram has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Byram that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer’s certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the “CAP” law).
3. That the budget is in such form, arrangement, content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated.
 - b. Items of appropriation are properly set forth.
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Division of Local Government Services accompanied by the Chief Financial Officer’s certification of approved budget.

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 7, 2017.

Doris J. Flynn, RMC

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, 2017, and Theodor Seuss Geisel, better known as Dr. Seuss would have celebrated his 113th 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 7, 2017

Proclamation adopted this 7th day of March, 2017

Doris J. Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 54 - 2017**

**RESOLUTION AUTHORIZING BYRAM TOWNSHIP FIRE
DEPARTMENT TO CONDUCT A BUCKET DROP**

WHEREAS, the members of Byram Township Fire Department wish to hold a “Bucket Drop” on Saturday, May 27th from 8:00 a.m. to 5:00 p.m. and Sunday, May 28th from 9:00 a.m. to 4:00 p.m. at the intersections of Route 206 and Lackawanna Drive with rain dates of Saturday, June 1st from 8:00 a.m. to 5:00 p.m. and Sunday, June 2nd from 9:00 a.m. to 4:00 p.m.; and

WHEREAS, N.J.S.A. 39:4-60 requires charitable organizations to obtain municipal approval before soliciting contributions within municipal roadway; and

WHEREAS, charitable organizations are also required to obtain a Charitable Solicitation permit from the New Jersey Department of Transportation (hereinafter, “NJDOT”); and

WHEREAS, the NJDOT application must be accompanied by a certified copy of a municipal resolution approving the solicitation; and

WHEREAS, the Township’s Chief of Police has reviewed the Fire Department’s solicitation plan and has found same to be acceptable and in accordance with the NJDOT’s guidelines; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of Township of Byram, in the County of Sussex, and State of New Jersey hereby approves the Byram Township Fire Department’s request to hold a “Bucket Drop” on Saturday, May 27th from 8:00 a.m. to 5:00 p.m. and Sunday, May 28th from 9:00 a.m. to 4:00 p.m. at the intersections of Route 206 and Lackawanna Drive with rain dates of Saturday, June 1st from 8:00 a.m. to 5:00 p.m. and Sunday, June 2nd from 9:00 a.m. to 4:00 p.m..

This resolution is subject to the approval of the Sussex County Board of Chosen Freeholders and the New Jersey Department of Transportation.

TOWNSHIP OF BYRAM

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

I certify this is a true copy of the Resolution adopted by the Mayor and Council of the Township of Byram on March 7, 2017.

Doris J. Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 55- 2017**

WHEREAS, the Byram Township has participated in the 2015-2019 Community Forestry Management Plan; and

WHEREAS, one requirement in such plan is the submission of an annual report;

NOW THEREFORE BE IT RESOLVED that the Township Council approves the submission of the 2016 annual report to fulfill the annual reporting requirements of the 2015-2019 Community Forestry Management Plan and authorizes the Mayor to sign the report.

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 7, 2017.

Doris J. Flynn
Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 57- 2017**

**Approval of Quarry License for Year 2017 for
Tilcon New Jersey, a division of Tilcon New York, Inc.**

WHEREAS, Byram Land Development, LLC (“BLD”) is the owner of certain real property located in the Township of Byram; and

WHEREAS, Tilcon New Jersey (hereinafter “Tilcon”), a division of Tilcon New York, Inc. is its tenant; and

WHEREAS, Tilcon has applied to the Township of Byram (“Township”) for a license to operate a quarry on a portion of the property owned by BLD and designated as Block 226 Lot 8, Block 357 Lot 1, Block 358 Lot 1, Block 362 Lot 5 and Block 363 Lot 2 (“the quarry”); and

WHEREAS, Tilcon submitted reports, data, correspondence, maps and an aerial photograph in support of the application (“the application”) that remain on file with the Township Clerk; and

WHEREAS, the application has been reviewed by Cory L. Stoner, P.E., C.M.E. of Harold E. Pellow & Associates, Township Engineers for compliance with the requirements of Chapter 189 of the Township Code regarding “Quarries”, and the Township Engineer has recommended conditional approval of the application; and

WHEREAS, the Township Engineer submitted a report dated February 10, 2017. The Byram Township Environmental Commission also submitted a memorandum dated November 29, 2016; and

WHEREAS, the Township Planner reviewed the application for compliance with the requirements of Chapter 189 of the Township Code regarding “Quarries” and submitted a report dated February 15, 2017; and

WHEREAS, a public hearing was conducted on February 21, 2017 at which Tilcon was represented by Brian Montag, Esq., and Steve O’Reilly, Environmental Manager. No member of the public present chose to comment when provided with the opportunity to do so; and

WHEREAS, due to the severe economic recession, operations at the Byram Quarry have been curtailed and the 2017 application is virtually the same as that submitted and licensed for 2009, 2010, 2011, 2012, 2013, 2014, 2015 and 2016; and

NOW, THEREFORE, BE IT RESOLVED, on March 7, 2017, by the Township Council of the Township of Byram that the application for a quarry license for the year 2017 is granted subject to the following conditions:

1. **Wetlands [§189-5(B)(4)]** – In 2002, Tilcon obtained a Letter of Interpretation (“LOI”) from the NJDEP covering the area 500’ beyond the 5-year quarry plan at that time. The limits of the 2002 LOI have been staked and in 2007 an orange construction fence was erected 200’ from its boundary. The plan submitted for 2017 does not reach the limits of the 500’ buffer nor cross the 200’ line demarcated by the construction fence. Tilcon will

make application for a new LOI when the limits of clearing/quarrying reach 200' from the 2002 LOI limit. The Township and Tilcon acknowledge that the NJDEP has sole jurisdiction over wetlands, and it remains Tilcon's obligation to comply with the regulations and requirements of that agency.

2. **Noise** - The Council reserves the right to suspend or revoke the license if Tilcon's operation does not comply with the Byram Township Noise Control Ordinance. There was no report of noise complaints being received during 2016. Tilcon will respond to any complaint that may be received, investigate the complaint, and determine (including cause appropriate testing to be done) if the sound is/was emanating from the quarry. If the sound is/was emanating from the quarry then Tilcon will take necessary measures to mitigate.
3. **Performance Bond [§189-7]** - A guarantee in the form of \$50,000.00 cash held by the Township and a performance bond in the amount of \$1,237,600.00 shall be posted and maintained throughout the license period. A copy of this bond shall be provided to the Township.
4. **NJPDES Permit** – Tilcon applied for a renewal of its NJPDES Permit for Industrial Stormwater Runoff and operates under an extension of this permit until renewal or further action by NJDEP. Tilcon will provide the Township Engineer with any updates regarding this permit and will provide the Township Engineer with a copy of the permit when obtained. Tilcon will also provide the Township Engineer with confirmation that it has complied with all conditions of the permit.
5. **Storage of solvents prohibited** - There will be no storage of industrial solvents on the quarry property other than *de minimus* quantities. "Industrial solvents" does not include motor fuels, motor oil or hydraulic oils. Tilcon was found to have taken satisfactory steps to address the storage and appropriate handling of fuel.
6. **Equipment auctions** - The Township does not approve of Tilcon or BLD transporting surplus equipment from other locations for storage or auction at the Byram site. There shall be no equipment auctions on the site unless proper permits are first obtained from the Township.
7. **Soil Erosion Permit** - Tilcon will abide by the terms and conditions of its soil conservation and sediment control re-certification permit (effective April 27, 2014 and valid through October 26, 2017) and will provide the Township Engineer with a copy of all inspection reports and/or correspondence from the Sussex County Soil Conservation District. No violations were received in 2016. Tilcon shall continue to comply with the conditions of its soil conservation and sediment control permit during 2017. The Township Engineer will notify Sussex County Soil Conservation District prior to the Engineer's quarterly inspections.
8. **Dust Control** – Tilcon will continue to use water from the on-site detention basin for dust control instead of groundwater from on-site wells.
9. **Payment of fees** - Tilcon must pay all fees pursuant to Chapter 189 of the Byram Township Code, including the Township's professional fees.
10. **Environment** – For more than a dozen years BLD has stored unused, derelict equipment on Block 226, Lot 16. The equipment is readily visible from Lackawanna Drive

and BLD has not responded to requests that it be removed, moved and/or screened. The equipment was moved to permit stream restoration work by NJDOT and remains on Block 226, Lot 16. The Township repeats its disapproval of BLD's failure to remove its equipment.

11. **Water and Wetlands** - Tilcon engaged the environmental firm of Leggette, Brashears & Graham, Inc. to provide an updated report regarding the ongoing wetlands monitoring program being conducted at the Quarry and the possible influence of the quarry operation upon wetlands located north of the quarrying operation. The report was prepared by Karen Benson and Frank J. Getchell, P.G. and dated September 26, 2016. The report illustrated that no change in groundwater condition occurred and no impact to the wetlands has occurred due to the quarry operation. Tilcon has agreed to provide updated reports with each year's license application to ensure that no change in the wetlands occurs as a result of the quarry operation.
12. **Driveway** - Tilcon will continue to maintain the paved driveway on Block 226, Lot 16 from Lackawanna Drive in a condition acceptable to the Township Engineer in 2017 and repair the driveway as needed if any potholes occur and restripe it as needed.
13. **Access Road** - Tilcon will continue to maintain the access driveway to the upper quarry tract and regrade it as is needed to minimize dust and noise that may be caused by ruts or potholes.
14. **Fencing** - The orange construction safety fence around the perimeter of the quarried portion of the premises has been replaced by permanent fencing and ATV traffic in the quarry has been greatly reduced. Tilcon shall keep the fence in good repair.
15. **Haybale Protection of Wetlands** - Tilcon shall be diligent in maintaining the haybale protection of the wetlands on the side of the mountain. The overall protection of these wetlands shall be continued by Tilcon in 2017.
16. **Stone Check Dams** - The stone check dams must remain in place and free of silt throughout 2017.
17. **Asphalt Berms for Paved Equipment Parking** - The asphalt berms that surround the paved equipment parking pads were in satisfactory condition during inspections of the site in 2016. These asphalt berms should be monitored in 2017 and replaced as needed.
18. **Aerial Photograph Exhibit** - Tilcon submitted an orthometric photograph dated March 19, 2016 to show the current topographic conditions. Tilcon shall continue to include with its future applications for a quarry license an updated orthometric photograph or an overlay that illustrates the updated topography and other changes that occurred on the site during the prior license year.
19. **Inspections** - The Township Engineer will advise the Secretary of the Township's Environmental Commission in advance of inspections.
20. **Listing only the properties that have quarrying rights on New Jersey State and Byram Township license application documents** - Tilcon will continue to list only the quarry properties licensed by Byram Township on future New Jersey State and Township license application documents. These properties are Block 226 Lot 8, Block 357 Lot 1, Block 358 Lot 1, Block 362, Lot 5 and Block 363, Lot 2.

21. **Allegations Regarding Contaminated Soil** – During review of the 2015, 2016 and 2017 quarry license applications, the Township was advised of allegations by BLD that contaminated soils were brought on site and Tilcon’s denial thereof. Tilcon has specifically denied that asphalt millings have been brought on site. It is a condition of this license that no contaminated soils be brought to the quarry site and if it is confirmed that contaminated soils are present, they must be promptly and properly removed and all appropriate remediation measures undertaken. Tilcon will keep the Township informed of all matters related to the alleged contaminated soil. These items shall include, but may not be limited to, correspondence and reports, orders entered in any court proceedings, reports by LSRPs, and a record of any action taken as a result.
22. **Advance Notification of Blasting** – In addition to the advance notice required by Township Code, Tilcon will advise the Township Engineer when blasting is to take place.
23. **Reclamation Plan** – The Reclamation Plan (sheet 4 of 4) shall be updated to reflect current zoning.

TOWNSHIP OF BYRAM

	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 7, 2017.

 Doris Flynn, Township Clerk

TOWNSHIP OF BYRAM
Sussex County, New Jersey
RESOLUTION NO. 58- 2017

**RESOLUTION GRANTING A LICENSE FOR 2017 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 21, 2017 the Byram Township Council reviewed a report submitted by the Township Engineer, Cory L. Stoner, P.E. dated February 10, 2017; 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 7th day of March, 2017 that the application of Raimo of Stanhope, Inc. for a license pursuant to Chapter 156 for the year 2017 is granted subject to the following:

1. The New Jersey Pollutant Discharge Elimination System (NJPDES) 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 2017 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 2017 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 36 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 2017.

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 required 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 need to be provided to Township as 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 7, 2017.

Doris Flynn, RMC

TOWNSHIP OF BYRAM
Sussex County, New Jersey
RESOLUTION NO. 59 – 2017

**RESOLUTION GRANTING NORTH JERSEY AUTO WRECKERS, INC. A
LICENSE FOR 2017 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 21, 2017 the Byram Township Council reviewed a report submitted by the Township Engineer, Cory L. Stoner, P.E., dated February 13, 2017; 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 7th day of March, 2017, that the application of North Jersey Auto Wreckers, Inc. for a license pursuant to Chapter 156 for the year 2017 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 2017.
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 1, 2017.

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 7, 2017.

Doris Flynn, RMC

**TOWNSHIP OF BYRAM
RESOLUTION NO. 60 – 2017**

RESOLUTION TO AMEND THE 2017 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 authorizes temporary appropriations to provide for the period between the beginning of the budget year and the adoption of the budget, where contracts, commitments or payments are to be made prior to the adoption of the budget for any fiscal year; and,

WHEREAS, contracts, commitments or payments are to be made by the Township of Byram for the purpose and amounts requested in the manner and time therein provided; and,

WHEREAS, the original temporary budget resolution was approved by Resolution No. 1-2017 at the January 3, 2017 meeting,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, that the Temporary Appropriations Amendments are hereby authorized to provide for contracts, commitments and payments prior to the adoption of the 2017 Municipal Budget as follows:

<u>Department</u>	<u>Department Code</u>	<u>Amount</u>
See Attached Worksheet		
Total Temporary Budget Amendment		<u>\$202,525.00</u>

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 March 7, 2017.

Doris Flynn, Township Clerk

TOWNSHIP OF BYRAM
2017 TEMPORARY CURRENT FUND BUDGET AMENDMENT

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
	General Administration:	
01-201-20-100-020	Other Expenses	\$ 5,000.00
	Financial Administration:	
01-201-20-130-020	Other Expenses	5,000.00
	Tax Collection:	
01-201-20-145-020	Other Expenses	5,000.00
	Environmental Commission:	
01-2001-20-170-020	Other Expenses	500.00
	Zoning Commission:	
01-201-21-185-020	Other Expenses	150.00
01-201-23-220-020	Group Insurance	125,000.00
01-201-23-221-020	Group Insurance - Health Benefit Waiver	38,000.00
	Fleet Maintenance:	
01-201-26-292-020	Other Expenses	15,000.00
	Public Buildings & Grounds:	
01-201-26-310-020	Other Expenses	3,000.00
	Animal Control:	
01-201-27-340-206	Other Expenses	1,875.00
	Parks & Playgrounds:	
01-201-28-375-020	Other Expenses	1,500.00
01-201-31-440-020	Telephone	2,500.00
	Total Temporary Budget Amendment	<u>\$ 202,525.00</u>

**TOWNSHIP OF BYRAM
RESOLUTION NO. 61 - 2017**

**RESOLUTION AUTHORIZING FARR FORESTRY SERVICES, LLC TO
PROVIDE VARIOUS FOREST STEWARDSHIP SERVICES ON OPEN SPACE
PARCELS**

WHEREAS, the Township Council of the Township of Byram determined that there was a need to authorize Ronald Farr of Farr Forestry Services, LLC to provide various forest stewardship services on open space parcels; and

WHEREAS, Farr Forestry Services, LLC, submitted a proposal dated March 3, 2017, outlining the services to be provided for an amount not to exceed \$25,325; and

WHEREAS, the Chief Financial Officer of the Township of Byram has certified that funds are available;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Byram, County of Sussex and State of New Jersey that it hereby authorizes Farr Forestry Services, LLC, to provide various forest stewardship services on open space parcels for an amount not to exceed \$25,325.

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 7, 2017.

Doris Flynn, Clerk

List of Bills - (All Funds)

Meeting Date: 03/07/2017 For bills from 02/16/2017 to 03/02/2017

Vendor	Description	Payment	Check Total
Claims Account			
2435 - AGRA ENVIRONMENTAL & LAB	PO 17535 Bldgs & Grounds - Water Sampling	405.00	405.00
125 - BARKS	PO 17429 POUND COVERAGE	39.00	
	PO 17530 POUND COVERAGE	39.00	78.00
149 - BLUE DIAMOND DISPOSAL, INC.	PO 17372 2017 BLANKET PURCHASE ORDER - GARBA	28,750.00	28,750.00
406 - BOROUGH, DONALD	PO 17559 Reimbursement for HVACR CEU's	190.00	190.00
2859 - BYRAM, TOWNSHIP OF - OTHER TRUST	PO 17593 2016 BUDGET APPROPRIATION	100.00	100.00
479 - CENTURYLINK	PO 17366 2017 TELEPHONE SERVICE - CO JOHNSON	44.16	44.16
2388 - DEER PARK	PO 17322 2016/2017 Rental and Supplies	76.81	76.81
373 - DELSEA TERMITE & PEST CONTROL	PO 17550 Pest Control Services for Municipal	250.00	250.00
429 - DRIVERS LICENSE GUIDE CO	PO 17516 POLICE - ID CHECK GUIDE	29.95	29.95
2975 - EASTERN FIRE EQUIPMENT SERVICES	PO 15615 Fire Dept - Repair of Intercom Engi	1,326.00	1,326.00
2628 - EC LINK	PO 17496 2017 E-Gov License, Maintenance & H	1,512.00	1,512.00
520 - FINCH FUEL OIL CO, INC.	PO 17428 1ST QUARTER BLANKET PURCHASE ORDER	5,698.00	5,698.00
418 - FLYNN, DORIS	PO 17571 REIMBURSEMENT FOR FOOD FOR PB SUBCO	28.30	28.30
588 - GENERAL CODE PUBLISHERS CORP	PO 17355 2016 Codification Updates - Supplem	4,573.20	4,573.20
649 - HAROLD E. FELLOW & ASSOCIATES,	PO 17510 December 2016 Escrow - JP Morgan Ch	218.75	
	PO 17544 January 2017 Escrow - Raimo Junkyar	45.85	
	PO 17545 January 2017 Escrow - North Jersey	45.85	
	PO 17558 January 2017 Escrow - Lopes (Highla	144.45	454.90
751 - JCP&L	PO 17583 Monthly Service - Street Lighting	2,230.19	
	PO 17587 Monthly Service	3.32	
	PO 17591 MONTHLY ELECTRICAL SERVICE	353.45	2,586.96
2031 - KETCHUM MFG CO INC	PO 16972 2017 RABIES & DOG LICENSE TAGS - QU	526.10	526.10
892 - LENAPE VALLEY REGIONAL H S	PO 17309 2017 Regional School Taxes - Januar	523,868.83	
	PO 17319 Ski Club Transportation	1,820.00	525,688.83
1009 - MGL PRINTING SOLUTIONS	PO 17406 MINUTE/ORDINANCE BOOKS & PAPER	824.50	824.50
1029 - MICROSYSTEMS-NJ.COM, LLC	PO 17501 2017 Post Year Tax Statements	29.58	29.58
1049 - MONTAGUE TOOL & SUPPLY CO INC	PO 17508 Repair Parts for Park Maintenance E	362.75	362.75
2625 - NAPA OF STANHOPE, LLC	PO 15889 Fire Dept - Blanket	14.68	
	PO 17321 Blanket for Fleet Maintenance - Sus	183.01	197.69
2437 - NAVITEND	PO 17396 2017 Blanket Purchase Order - Compu	1,315.60	1,315.60
1160 - NETCONG HARDWARE INC	PO 17432 2017 Blanket Supplies	24.10	24.10
1166 - NEW JERSEY HERALD, INC.	PO 17582 Monthly Advertising	20.40	20.40
2864 - NEWTON, TOWN OF	PO 17388 2017 Tax Collection Services - 1st	3,570.00	3,570.00
1212 - NOR. JERSEY MUN EMP BENFT FUND	PO 17336 2017 Health Insurance Premiums - 1s	121,912.00	121,912.00
3227 - PAUL, DOUGLAS	PO 17493 ESCROW RELEASE	173.99	173.99
1775 - PENTELDATA	PO 17435 2017 Administration Broadband Servi	99.95	
	PO 17567 Police Broadband Services	124.95	224.90
1315 - PITNEY BOWES INC.	PO 17584 2017 BLANKET - METER RENTAL	120.00	120.00
2537 - PRIMEFLEX	PO 17379 2017 Blanket Purchase Order - FSA P	110.00	110.00
3041 - PRIMEPOINT, LLC	PO 17541 1st Quarter Maintenance Fee-BLANKET	191.25	191.25
1446 - RUTGERS UNIVERSITY	PO 17426 Registration for Continuing Educati	690.00	690.00
1449 - RUTGERS, THE STATE UNIVERSITY	PO 17419 TAX COLLECTION II COURSE	1,091.00	
	PO 17441 CPWM Exam Review Class for Steve Sm	511.00	1,602.00
2528 - SCARC, INC.	PO 17536 1ST QUARTER 2017 CUSTODIAL CONTRACT	374.20	374.20
857 - SCHENCK, PRICE, SMITH & KING, LLP	PO 17574 January 2017 Planning Board Service	1,050.00	
	PO 17575 January 2017 Escrow - Cellco	630.00	
	PO 17576 January 2017 Escrow - Chase Bank	825.00	
	PO 17577 January 2017 Escrow - Liquor Factor	592.50	3,097.50
1468 - SCMUA	PO 17408 1ST QUARTER 2017 BLANKET PURCHASE O	8,882.88	
	PO 17475 2017 Blanket for Disposal of Street	56.40	
	PO 17484 Bulky Waste from DPW Yard Cleanup	288.65	9,227.93
3151 - SECK, NICHOLAS	PO 16711 Fingerprint Reimbursement	23.50	23.50
1483 - SERVICE TIRE TRUCK CENTERS	PO 17424 Blanket for Purchase and Repair of	135.40	135.40
2551 - SID HARVEY'S INDUSTRIES, INC.	PO 17526 2017 Blanket for Purchases of Heati	502.03	502.03
1521 - SPACE FARMS ZOO	PO 17511 2017 Carcass Removal Services BLANK	31.00	31.00
162 - STANHOPE, BOROUGH OF	PO 17594 RESERVATION OF SEWER CAPACITY ALLOC	36,550.00	36,550.00
2980 - STATEWIDE INSURANCE FUND	PO 17592 Legal - Litigation	17.50	17.50
3226 - STONEWOOD TAVERN	PO 17491 ESCROW RELEASE	171.25	171.25
1581 - STORR TRACTOR COMPANY, INC.	PO 17499 McCormick Tractor Repair Parts - Qu	540.56	540.56
1610 - SUSSEX COUNTY DETECTIVES' ASSC	PO 17517 POLICE - ANNUAL MEMBERSHIP DUES	125.00	125.00
1665 - THE PLUMBING STORE	PO 17518 2017 Blanket for Plumbing Supplies	18.02	18.02

List of Bills - (All Funds)

Meeting Date: 03/07/2017 For bills from 02/16/2017 to 03/02/2017

Vendor	Description	Payment	Check Total
2151 - THE STANDARD INSURANCE CO.	PO 17386 2017 Life Insurance Premiums - 1st	1,510.07	1,510.07
2997 - V-COMM, LLC	PO 16590 PUBLIC SAFETY COMMUNICATION TOWER P	2,680.00	2,680.00
1884 - VERIZON	PO 17585 Monthly Service	1,348.85	
	PO 17586 Monthly Service - Sewer Meters	148.96	
	PO 17589 Monthly Service - Sewer Pump Statio	111.24	1,609.05
1889 - VERIZON WIRELESS	PO 17590 Monthly Service	171.89	171.89
1902 - VOGEL, CHAIT, COLLINS AND SCHNEIDER	PO 17525 January 2017 Escrow - Simeone	160.00	
	PO 17528 January 2017 - Open Space - Gamski	64.00	
	PO 17529 January 2017 - Affordable Housing	16.00	240.00
1926 - WB MASON CO., INC.	PO 17437 FIRE DEPT - OFFICE SUPPLIES - ORDER	338.54	
	PO 17507 POLICE - OFFICE SUPPLIES - ORDER #S	60.88	399.42
1926 - WB MASON CO., INC.	PO 17521 DPW - JANITORIAL SUPPLIES	472.63	472.63
1957 - XEROX CORPORATION	PO 17503 1ST QUARTER BLANKET - COPIER MAINTEN	313.99	313.99
2626 - XTEL COMMUNICATIONS	PO 17504 1ST QUARTER BLANKET PO - LONG DISTA	471.81	471.81
TOTAL			762,369.72

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-020	GENERAL ADMIN OE	4,155.20			
01-201-20-145-020	TAX COLLECTION OE	4,690.58			
01-201-20-155-020	LEGAL SERVICES	17.50			
01-201-21-180-020	PLANNING BD OE	1,326.80			
01-201-23-220-020	GROUP INSURANCE	123,532.07			
01-201-25-240-020	POLICE OE	263.83			
01-201-25-250-020	POLICE RADIO & COMM & 911	224.94			
01-201-25-265-020	FIRE OE	338.54			
01-201-26-290-020	ROAD REPAIR & MAINT OE	2,479.82			
01-201-26-292-020	FLEET MAINTENANCE	243.42			
01-201-26-310-020	PUBLIC BLDGS & GROUNDS OE	2,553.07			
01-201-26-335-030	GARBAGE CONTRACT	37,355.29			
01-201-28-375-020	PARKS & PLAYGROUNDS OE	54.36			
01-201-31-430-020	ELECTRICITY	356.77			
01-201-31-435-020	STREET LIGHTING	2,230.19			
01-201-31-440-020	TELEPHONE	1,764.83			
01-201-31-447-020	HEATING OIL	5,698.00			
01-201-32-465-000	RECYCLING TAX APPROP.	277.59			
01-203-20-110-020	(2016) MAYOR & COUNCIL OE		4,573.20		
01-203-25-265-020	(2016) FIRE OE		14.68		
01-203-26-310-020	(2016) PUBLIC BLDGS & GROUNDS OE		-141.63		
01-203-31-456-020	(2016) ACCUMULATED SICK & VACATION		100.00		
01-204-55-000	Accounts Payable			1,326.00	
01-206-55-000-000	Regional School Taxes Payable			523,868.83	
01-213-07-000-000	RESERVE - FEDERAL/STATE GRANTS			56.40	
01-260-05-100	Due to Claims			0.00	717,360.28
TOTALS FOR	Current fund	187,562.80	4,546.25	525,251.23	717,360.28
03-260-05-100	Due to Claims			0.00	91.70
03-286-56-000-000	Developer's Escrow			91.70	
TOTALS FOR	Developers Escrow (TD Bank)	0.00	0.00	91.70	91.70
04-215-55-011-000	VARIOUS IMPROVEMENTS (18-2016)			2,680.00	
04-260-05-100	Due to Claims			0.00	2,680.00
TOTALS FOR	Capital	0.00	0.00	2,680.00	2,680.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
05-201-55-502-020	OPERATING OE	260.20			
05-260-05-100	Due to Claims			0.00	260.20
TOTALS FOR	Sewer	260.20	0.00	0.00	260.20
12-260-05-100	Due to Claims			0.00	604.10
12-286-56-000-001	Reserve - Dog Trust			604.10	
TOTALS FOR	Animal Trust	0.00	0.00	604.10	604.10
17-260-05-100	Due to Claims			0.00	64.00
17-286-56-000-001	Reserve - Open Space			64.00	
TOTALS FOR	Open Space Trust	0.00	0.00	64.00	64.00
18-260-05-100	Due to Claims			0.00	39,465.94
18-280-56-000	Reserve For Developers Deposits			2,915.94	
18-280-56-065	Gerald D Simeone - #1101361734			36,550.00	
TOTALS FOR	Developers Escrow Fund Fulton Bank	0.00	0.00	39,465.94	39,465.94
20-260-05-100	Due to Claims			0.00	1,843.50
20-286-56-010-000	SUMMER CAMP			23.50	
20-286-56-800-000	SPORTS			1,820.00	
TOTALS FOR	Recreation Trust	0.00	0.00	1,843.50	1,843.50

Total to be paid from Fund 01 Current fund	717,360.28
Total to be paid from Fund 03 Developers Escrow (TD Bank)	91.70
Total to be paid from Fund 04 Capital	2,680.00
Total to be paid from Fund 05 Sewer	260.20
Total to be paid from Fund 12 Animal Trust	604.10
Total to be paid from Fund 17 Open Space Trust	64.00
Total to be paid from Fund 18 Developers Escrow Fund Fulton Bank	39,465.94
Total to be paid from Fund 20 Recreation Trust	1,843.50
	762,369.72

Checks Previously Disbursed

2017019	THE DEPOSITORY TRUST COMPANY	PO# 17563	SEMI-ANNUAL INTEREST PAYMENT - 201	18,510.00	3/01/2017
2017018	BYRAM TWP BD OF EDUCATION	PO# 17383	JANUARY - JUNE 2017 SCHOOL TAX LEV	1,039,864.34	3/01/2017
9022817	BYRAM TWP PAYROLL ACCT		02/28/2017 PAYROLL	162,246.10	2/24/2017
				1,220,620.44	

Total paid from Fund 01 Current fund	1,220,620.44
	1,220,620.44

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
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Total for this Bills List: **1,982,990.16**