

**TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, OCTOBER 7, 2014
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, N.J.S.A. 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. Personnel – Richard O’Connor – Construction Department
 - Court Security
- b. Attorney Client Privilege Information/Anticipated Litigation
 - Partridge Run
 - Gordon Byram Sewer Claims
 - Forest Lakes Dam Restoration Special Assessment Ordinance
 - North Shore Water Company
- c. Contract Negotiations
 - Shared Services – Court
 - Position of Tax Collector

5. RETURN TO OPEN SESSION

6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION

7. APPROVAL OF AGENDA

8. RECOGNITION AND PROCLAMATION – MRS. SEDIVY 100th BIRTHDAY CELEBRATION

9. SWEARING IN OF SERGEANT BRIAN MORELAND

10. ANNUAL POLICE AWARDS

11. REPORTS

- Township Manager
- Mayor and Council Members
- Township Attorney

12. 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.

13. APPROVAL OF MINUTES

- September 16, 2014 Regular Meeting Minutes
- September 16, 2014 Closed Session Minutes

14. MAYORAL APPOINTMENT – Alternate I Environmental Commission Member

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.

- A. Resolution No. 143-2014 – 2014 Tax Refund - \$2,580.79 – Blk. 335, Lot 1.05
- B. Resolution No. 144-2014 – Resolution Authorizing Submittal of CY2014 Best Practices Inventory Cert. Form
- C. Resolution No. 145-2014 – Resolution to Submit a Grant Application to NJDOT – Amity Rd – Phase I & II
- D. Resolution No. 146-2014 – Cancellation of Reserve for Police Detail - \$52,318.62
- E. Resolution No. 147-2014 – Execution of Documents Associated with Real Estate Contract Blk. 337, Lot 9.01 for Open Space Purposes
- F. Resolution No. 148-2014 – Cancellation of Tax Sale Premiums - \$20,700.00
- G. Resolution No. 149-2014 – Final Acceptance of Improvements on Tamarack Road-Phase I
- H. Resolution No. 150-2014 – Cancellation of Prior Year Grant Receivables and Reserves
- I. Resolution No. 151-2014 – Chapter 159 - \$19,848.84
- J. Resolution No. 152-2014 – 2013 Tax Refunds

16. APPROVAL OF OCTOBER 7, 2014 BILL LIST

17. ITEMS FOR DISCUSSION

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. 143 – 2014
2014 TAX REFUND**

WHEREAS, a duplicate second quarter tax payment was made on May 9, 2014 for Block, 335, Lot 1.05, 4 Andover Mohawk Road, by Patrice Ryan in the amount of \$2,580.79; and

WHEREAS, a refund was made to Patrice Ryan on May 21, 2014 in the amount of \$2,580.79; and

WHEREAS, it was recommended by the Finance Department on May 21, 2014 that the duplicate payment of \$2,580.79 be refunded to Patrice Ryan.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram that the refund of \$2,580.79 to Patrice Ryan be approved.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on October 7, 2014.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 144 – 2014**

**RESOLUTION AUTHORIZING SUBMITTAL OF CY2014 BEST PRACTICES
INVENTORY CERTIFICATION FORM**

WHEREAS, the State of New Jersey requires every municipality to complete a “Best Practices Inventory” each year; and

WHEREAS, the Chief Financial Officer in conjunction with the Township Manager has completed the CY2014 Best Practices Inventory and distributed it to the Mayor and Council for review.

WHEREAS, the Chief Financial Officer, Chief Administrative Officer and the Municipal Clerk have certified the Best Practices Inventory Form results; and

WHEREAS, Byram Township achieved a score of 96% and will receive 100% of the final municipal aid payment.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Byram has reviewed the CY2014 Best Practices Inventory at a public meeting held on October 7, 2014; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Byram authorizes the Municipal Clerk to submit the certification form to the Division of Local Government Services.

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 October 7, 2014.

Doris J. Flynn
Township Clerk

**Township of Byram
Resolution No. 145 - 2014**

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Amity Road – Phases I & II project.

NOW, THEREFORE, BE IT RESOLVED that the Byram Township Council of the Township of Byram, County of Sussex, State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Amity Road – Phases I & II-00119 to the New Jersey Department of Transportation on behalf of Byram Township.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Byram Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Township Council on this 7th day of October , 2014.

Doris Flynn
Municipal Clerk

My signature and Municipal Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST AND AFFIX SEAL

Doris Flynn
Municipal Clerk

James Oscovitch
Mayor

**TOWNSHIP OF BYRAM
RESOLUTION NO. 146 – 2014
CANCELLATION OF RESERVE FOR POLICE DETAIL**

WHEREAS, there is currently a balance in the Township Trust Fund in the amount of \$52,318.62 for the Reserve for Prior Year Police Detail; and

WHEREAS, it is recommended by the Finance Department that this balance be cancelled to the Township Fund Balance.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram that the Finance Department cancel the Reserve for Prior Year Police Detail in the amount of \$52,318.62 to the Township Fund Balance.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on October 7, 2014.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 147 – 2014**

**RESOLUTION AUTHORIZING THE EXECUTION OF DOCUMENTS
ASSOCIATED WITH THE REAL ESTATE CONTRACT FOR BLOCK 337
LOT 9.01 TOTALING 11.552 ACRES BY AND BETWEEN THE TOWNSHIP
OF BYRAM AND GREGORY J. GAMSKI**

WHEREAS, the Township Council and Township Attorney have reviewed the Real Estate Contract and Deed for Block 337 Lot 9.01 consisting of 11.552 acres by and between the Township of Byram and Gregory J. Gamski.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Byram, County of Sussex, State of New Jersey that the Mayor, Township Manager and Clerk are hereby authorized to execute any and all documents pertaining to the Real Estate Contract for said Cranberry Ledge parcels.

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 October 7, 2014.

Doris Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 148 – 2014
CANCELLATION OF TAX SALE PREMIUMS**

WHEREAS, the below list of Tax Sale Certificates have not been redeemed at this time;
and

BLOCK	LOT	PROPERTY LOCATION	SOLD TO	DATE OF SALE	CERTIFICATE NUMBER	PREMIUM
70	7.01	93 ROUTE 206	Mooring Tax Asset Group	11/22/04	04-04	\$ 7,500.00
70	7.02	ROUTE 206	Michael Mastellone	11/22/04	04-05	\$ 1,000.00
118	1.09	3 FOX TRAIL	Crusader Servicing Corp.	10/26/2006	06-09	\$12,000.00
365	11.01	44 LACKAWANNA DR.	Mooring Secured Liquidity Fund	10/26/2006	06-24	\$ 200.00
		TOTAL				\$20,700.00

WHEREAS, the premiums on these Tax Sale Certificates have been held in the Township Trust Account for more than 5 years; and

WHEREAS, it was recommended by the Finance Department that the Tax Sale Premiums in the amount of \$20,700.00 be canceled to the Township's Fund Balance.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram that the Finance Department be instructed to cancel the Tax Sale Premiums in the amount of \$20,700.00 to Fund Balance.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on October 7, 2014.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 149 - 2014**

**FINAL ACCEPTANCE OF IMPROVEMENTS – TAMARACK ROAD –
PHASE II– RESURFACING AND STRIPING**

WHEREAS, on June 2, 2014, by adoption of Resolution No. 91-2014 the Byram Township Council, County of Sussex, State of New Jersey, awarded under the Morris County Cooperative Pricing Council a contract to Tilcon, New York, Inc. for resurfacing and to Denville Line Painting, Inc. for roadway striping for Tamarack Road – Phase II; and

WHEREAS, there was a increase of \$3,466.13 in the contract price for resurfacing, resulting in an adjusted contract amount of \$122,867.13; and

WHEREAS, there was a increase of \$707.07 in the contract price for striping, resulting in an adjusted contract amount of \$4,461.57; and

WHEREAS, in the Township Engineer’s memo dated September 17, 2014, he recommended that said project be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Township of Byram, County of Sussex, State of New Jersey, that it hereby concurs with the Township Engineer’s recommendation and accepts the Tamarack Road – Phase II project as complete.

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 October 7, 2014.

Doris Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 150 – 2014
CANCELLATION OF PRIOR YEAR GRANT RECEIVABLES
AND RESERVES**

WHEREAS, there are certain Prior Year Grant Receivables and Reserve Balances that are open and need to be cancelled; and

WHEREAS, it is recommended by the Finance Department that the following Grant Receivables and Reserve Balances be cancelled:

Receivables:

Highlands Grant	\$ 5,835.50
2012 Clean Communities Grant	\$ 223.40

Reserves:

2012 Municipal Alliance	\$ 4,144.26
2007 Sussex Trail	\$11,929.23
2010 Recreation Trail	\$ 2,326.82
2011 Recreation Trail	\$ 2,817.97
2012 Clean Communities	\$ 55.37
2013 Reserve for Bike Path Improvements	\$ 303.00

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram that the Finance Department cancel the above Grant Receivables and Grant Reserves.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on October 7, 2014.

Doris Flynn, Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION NO. 151 - 2014
CHAPTER 159

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Byram has received \$19,848.84 from the New Jersey Division of Highway Traffic Safety and wishes to amend the 2014 Municipal Budget to include this amount as revenue.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$19,848.84 which is now available as a revenue from:

Miscellaneous Revenues – Section F
Special Items of General Revenue Anticipated with Prior Written Consent
of the Director of Local Government Services:
Public and Private Revenues Offset with Appropriations:
Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED, that the like sum of \$19,848.84 be and the same is hereby appropriated under the caption of:
General Appropriations:

(a) Operations Excluded from CAPS
Public and Private Programs Offset by Revenues:
Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that the Township forward one copy of this resolution to the Director of the Division of Local Government Services.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 7, 2014

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 152 – 2014
2013 TAX REFUND**

WHEREAS, the following properties have overpaid their 2013 taxes:

<u>Block</u>	<u>Lot</u>	<u>Property Owner/Location</u>	<u>Amount</u>
105	31	Lynx Assest Services 30 Freneau Avenue Matawan, NJ 07747 Property Location: 9 Cranberry Ledge Road	\$301.02
254	8	Marcia & Stephen Delpome 200 Lake Drive Stanhope, NJ 07874	\$515.73
278	222.02	Robert & Stacie Erlemann 55 Old Stagecoach Road Andover, NJ 07821	\$2,248.30
342.01	11	Alfred & Janet Ottavio 9 Circle Drive Sparta, NJ 07871	\$1,799.77
9999	1	NJ Bell Telephone Co. General Tax Department P.O. Box 152206 Irvington, Tx 75015-2206	\$18,667.75

WHEREAS, it is recommended by the Finance Department that the above tax overpayments be refunded.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram that the Finance Department refund the above tax overpayments.

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 October 7, 2014.

Doris Flynn, Municipal Clerk