

BYRAM TOWNSHIP COUNCIL MEETING - OCTOBER 20, 2015

CALL MEETING TO ORDER

Mayor Jim 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 Molica and Municipal Clerk Doris Flynn were also present.

RESOLUTION FOR EXECUTIVE SESSION – Motion by Councilman Olson, second by Councilwoman Raffay, to go into executive session and adopt the below resolution.

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

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:

- **Attorney Client Privileged Communication**
 - **General**
 - **BARKS**
- **Contract Negotiations – PBA**

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 October 20, 2015.

Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Raffay to return to open session at 7:30 p.m. All members were in favor. Motion Carried.

CALL REGULAR COUNCIL MEETING TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilwoman Raffay, to approve the agenda with the removal of Resolution 157-2015 from the consent agenda, and tabling the discussions of the honorarium policy and BYOB to a future meeting. All members were in favor. Motion carried.

PUBLIC PARTICIPATION I –Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members were in favor. Motion carried. No comments were made.

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

SPECIAL PRESENTATION – FKA Architects – Assessment on Byram Municipal Building

Joe introduced Tom Kosten who was hired by the Council to do a Municipal Building Assessment and a Municipal Complex Masterplan.

Tom gave the following summary:

The Byram Township Municipal Building includes two separate structures that are connected by an enclosed link. The lower building was the original building on the site constructed in 1971. The useful life expectancy for a building of traditional construction is approximately 50 years. The upper building is constructed of 12 modular temporary trailers that were connected together and assembled on site in the 1970's. In 1991, a false façade and roof truss canopy system was constructed around these units to disguise the appearance of the modular units. The useful life of modular units is 8-10 years.

Every area of the municipal building was assessed and all necessary upgrades were identified for property building occupancy and function. The roof, building façade, systems and utilities were also assessed. A building assessment matrix was done rating the site improvements, exterior enclosure, interior, toilet rooms, plumbing, mechanical, and electrical systems. The matrix scoring was 4 - excellent, 3 - good, 2 - fair, 1 - poor. The overall building score was 1.59.

Tom gave the following recommendation:

Based on the deficiencies identified in the assessment, reusing, modifying, upgrading or adding to the upper building would be an inefficient use of funds, as all components of the systems and construction are well beyond their life expectancy.

The original lower building is also nearing the end of its life expectancy and all materials, finishes, electrical, mechanical and plumbing systems need to be replaced. While portions of the structure of the lower building could potentially be reused, major modification would be necessary to properly house the required program as well as all ADA components, including toilets, circulation, etc.

Trying to reuse the lower building would also limit the ability to lay out the building in a fashion that would work properly, due to the limits of the existing footprint, and structure. It also appears that the 150 foot wetlands buffer extends through the middle of the building, which would make its reuse all that more difficult.

Due to the existing deficiencies and age of the existing building, it is FKA's recommendation to explore the possibility of constructing a new municipal building. The existing building could be used until the new building is constructed on site. The new building should be designed to fit on open portions of the site and avoid all wetlands buffers.

A Programming report was done reviewing the existing space for each department and incorporated the proposed space that each department head thought was necessary. The existing square footage is approximately 10,800 sq. ft. The proposed building space is 20,000 sq. ft.

The Mayor stated that FKA did a great job and he is not shocked by the results. He does feel it needs to be scaled down to lower the cost of construction. Scott asked if there would be any cost savings building up instead. Tom Kosten stated that there usually isn't a cost savings because of adding stair wells, additional bathrooms, elevator, and other ADA requirements. The Council also talked about the possibility of separating the services and having an administration building in an existing building along Route 206 and having the DPW and Police remain at Mansfield Drive.

Joe Sabatini suggested that Tom Kosten and he meet with the department heads to review the space requested for each department in detail. Scott Olson suggested having a Council workshop prior to a future Council meeting to review the programming document with adjustments that were made from the Manager's meetings. The Council could form a Building and Grounds Subcommittee to work closely with the Manager on this project. Marie suggested putting the Assessment Building Document on the website.

The Mayor opened to the public for comments. Earl Riley, 5 Louis Drive, commended the Council for doing the study. He suggested that the Council consider adding a few members of the public to the Building and Grounds Committee. Luann Byrne, 34A Richmond Road, stated that it is good to put this out to the public so that people are not surprised. She said she learned a lot from listening to the presentation tonight. Luann thought it may be a good idea to have a municipal building in the business district. Joann Smith, 57 Lake Drive, commented that if they move the administration offices to a building on Route 206, we would lose a ratable. Joann would like to see the Council do something on the site that the building presently is on.

TOWNSHIP REPORTS

Township Manager

- Reminder that November 6th starts the new recycling schedule—curbside pick up every other Friday and the recycling center for single stream will be closed. The recycling center will still take leaves, metal, e-waste, and tires and brush on specific days
- The Land Conservancy and Sussex County Open Space will meet here on October 22 at 11:30 a.m. for a meeting to discuss the Sussex County Open Space and Recreation Plan.
- The leaf bag pick up dates are the weeks of November 9 and December 14, weather permitting.
- Our next scheduled Council meeting will be Monday, November 2, because Election Day is on November 3
- Attended the District 24 meeting in Sparta. Senator Oroho and Assemblyman Parker Space were there. It was an interesting session.

Councilwoman Kash – Board of Education meets on October 21 at 7 p.m. and the Recreation Committee meets at 7:30 p.m.

Councilman Gray

- EC meeting is on 10/22 at 7:30 p.m. They will be discussing the Brookwood Park cleanup. Joe stated that the DPW has put together the benches and tables and took down the large tree. The EC will be deciding on a date for the cleanup.

Councilwoman Raffay – Attended Planning Board meeting on October 15. A site plan waiver was granted to Capital Care to operate their business at 7 Waterloo Road.

Councilman Olson

- The second public workshop for Sustainable Economic Development is scheduled for 10/27—Scott hopes that some business owners turn out this time.
- Attended the November 7 steering committee meeting. They discussed some of the initial results of the survey. November 12th is the next scheduled meeting.
- Attended the Harvest Moon Festival on October 8th. Great event.

Mayor Oscovitch

- Attended the first budget subcommittee meeting with Marie, Joe and Ashleigh—more to come.
- Attended the Hudson Farm Charity Hike – it was a beautiful day and a great fund raiser.
- Joe Sabatini’s father-in-law passed away this weekend. Jim asked everyone to keep his family in their prayers.

APPROVAL OF MINUTES

- October 6, 2015 - Regular Meeting Minutes –Motion by Councilwoman Raffay second by Councilman Olson to adopt the minutes as presented.

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

- October 6, 2015 - Executive Meeting Minutes –Motion by Councilwoman Olson second by Councilwoman Raffay to adopt the minutes as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd	x				
Yes	x	x	x		
No					
Abstain				x	x
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 Gray, second by Councilman Olson, to approve the consent agenda.

- Resolution No. 156-2015 – Redemption – Tax Cert. #2011-08
- Resolution No. 158-2015 – Authorization to Execute Change Order No. 1 to Amity Road Phase 1A Milling and Paving in Byram Township
- Resolution No. 159-2015 – Authorization to Execute Change Order No. 1 to Amity Road Phase 1A Line Striping in Byram Township
- Resolution No. 160-2015 – Final Acceptance of Road Improvements to Amity Road, Phase 1A Milling, Paving and Line Striping
- Resolution No. 161-2015 – Redemption – Tax Cert. #2013-006
- Resolution No. 162-2015 – Resolution of Support to Establish Turn Prohibitions onto Route US 206 from the Northerly Most Driveway of the Byram Plaza
- Resolution No. 163-2015 – Authorization to Purchase Rock Salt under the Sussex County Cooperative Pricing System for Budget Year 2015

- Resolution No. 164-2015 - Authorization to Purchase Snow Grits under the Sussex County Cooperative Pricing System for Budget Year 2015
- Resolution No. 165-2015 – Chapter 159 – PSE&G - \$29,100
- Resolution No. 166-2015 – Renewal of Adam Todd Inn Liquor License 7/1/2015 – 6/30/2016

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

Resolution No. 157-2015 – Approval for Environmental Commission to Purchase Two Tickets for Harvest Moon Festival

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

APPROVAL OF OCTOBER 20, 2015 BILL LIST

Motion by Councilman Olson second by Councilwoman Kash, to approve the bill list 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					

ITEMS FOR DISCUSSION – The discussion on BYOB and Honorarium Policy was tabled, and will be discussed at a future meeting.

- **Route 206 Response from NJDOT** – The Council briefly discussed the response letter from NJDOT. Joe Sabatini and the Council expressed their dissatisfaction with it and talked about the options they had. Joe stated that we could either stand our ground, or we can accept the responsibility of all the problems but Byram tax dollars will have to clean up the mess. Marie suggested separating the issues—structural and landscaping. Marie thought the NJDOT should be accountable for the structural problems, but thought Byram could deal with the landscaping. She said people have offered to assist with landscaping, especially the area with the flag pole and Byram Township sign. It is going to fall to the Township eventually, and it would enhance the town if it looked nice. Joe suggested calling for a meeting in Trenton with the Mayor, Manager, Council member, and hopefully our Senator to discuss the response in person. There was consensus among the members for Joe to arrange for a meeting.
- Councilwoman Raffay said that the Council may want to look at setting guidelines for placement of the messages boards that we are using. She offered to put together some information on it. The Mayor acknowledged that Marie deals with this in her work with Warren County, and he thinks she could provide some good information.

PUBLIC PARTICIPATION II – Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried.

-Janet Meisner, Recreation Director, asked if the recommendations given by the Recreation Committee several years ago on honorariums could be considered when setting a policy. The Mayor asked Janet to forward the comments to him.

-Luann Byrne, 34A Richmond Road, asked if we could sue the NJDOT over the project.

- Earl Riley, 5 Louis Drive, asked if the State would be maintaining the sidewalk in front of the State property. Joe said that the maintenance would fall to the Township on the State property along Route 206.

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 Councilman Gray, and with all members in favor, the meeting was adjourned at 9:06 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor