

**TOWNSHIP OF BYRAM  
COUNCIL AGENDA, TUESDAY, OCTOBER 21, 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, 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. Personnel – Professional Services Agreements
  - b. Attorney Client Privilege Information
    - Partridge Run
  - c. Contract Negotiations
    - Shared Services - Court
- 5. RETURN TO OPEN SESSION**
- 6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
- 7. APPROVAL OF AGENDA**
- 8. REPORTS**
  - Township Manager
  - Mayor and Council Members
  - Township Attorney
- 9. 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.**
- 10. APPROVAL OF MINUTES**
  - October 7, 2014 Regular Meeting Minutes
  - October 7, 2014 Closed Session Minutes
- 11. 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. 153-2014 – Resolution of Acceptance of Donations for the Celebration of Byram Day
  - B. Resolution No. 154-2014 – Authorization to Purchase a KME Custom Pumper Fire Apparatus for the Township of Byram Fire Department with Published and Unpublished Options - \$395,645.00
  - C. Resolution No. 156- 2014 – Chapter 159 - \$1,689.92 – Body Armor Replacement
  - D. Resolution No. 157-2014 – Authorization to Purchase Salt under the Morris County Cooperative Pricing Council and Somerset County Cooperative Pricing System
  - E. Resolution No. 158-2014 – Resolution Authorizing Title Lines to Provide Title Search Services of Block 337, Lot 9.01 for Open Space Purposes
  - F. Resolution No. 159-2014 – Resolution Authorizing L.J. Brill & Associates to Provide Surveying Services for Block 337, Lot 9.01 for Open Space Purposes
  - G. Resolution No. 160-2014 – Resolution Authorizing Envirotactics to Provide Environmental Services of Block 337, Lot 9.01 for Open Space Purposes
  - H. Resolution No. 161-2014 – Resolution Authorizing the Execution of the 2014 Lenape Municipal Alliance Agreement
- 12. RESOLUTION NO. 155-2014 – RESOLUTION FOR INTER-MUNICIPALITY COURT FOR THE MUNICIPALITIES OF ANDOVER TOWNSHIP, HAMPTON TOWNSHIP, FREDON TOWNSHIP, BYRAM TOWNSHIP AND ANDOVER BOROUGH**
- 13. ORDINANCE – INTRODUCTION**

**Ordinance of the Mayor and Council of the Township of Byram, Accepting the Dedication of Partridge Road and Drainage, Sight Triangle, Conservation Easements and Restrictions and Any Other Easements**  
**Purpose Statement:** The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to accept Partridge Road as a public street in the Township of Byram, whereby granting the Township, its agents, assigns and general public a right of way to pass in, over, and upon all or a portion of Partridge Road for travel. In addition, the Ordinance authorizes the Mayor and Council of the Township of Byram to accept the drainage, conservation, and sight triangle easements of the Partridge Run subdivision, as shown on the map entitled “Final Plat Partridge Run” by Pittenger & Keith, Inc., dated March 5, 2007, and recorded in the Sussex County Clerk’s Office on April 4, 2007, as Map No. 1431 and the Deed for the Right-of-Way. An express reservation of rights is retained by the Township, to allow the Township to pursue any and all claims and remedies against the Developer (Bell and McConnell) for the failure of Developer to complete all required subdivision improvements to the subdivision, including and not limited to the stormwater management basin for the Partridge Run subdivision.
- 14. APPROVAL OF OCTOBER 21, 2014 BILL LIST**
- 15. PUBLIC PARTICIPATION II**
- 16. EXECUTIVE SESSION – Session II (if necessary)**
- 17. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
- 18. ADJOURNMENT**

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 153 - 2014**

**RESOLUTION OF ACCEPTANCE OF DONATIONS FOR THE  
CELEBRATION OF BYRAM DAY**

WHEREAS, Byram Township has established a dedicated trust by rider for donations of gifts and bequests for the celebration of "Byram Day" pursuant to N.J.S.A. 40A:50-29 through Resolution No. 87-2009; and

WHEREAS, Byram Township received the following donations for the benefit of Byram Day celebrations:

Lakeland Bank	\$ 75.00
Lynnes Nissan West	\$100.00
Somerset Tire Service	\$100.00
Byram Shoprite	100 cases of water

WHEREAS, the \$275.00 donation received was used to offset a portion of the cost of the inflatable rides at Byram Day.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, that these donations are accepted and great appreciated.

**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 October 21, 2014.

\_\_\_\_\_  
Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION NO. 154 - 2014**

**Authorization to Purchase a KME Custom Pumper Fire Apparatus for the  
Township of Byram Fire Department with Published and Unpublished Options**

**WHEREAS**, it has been determined by the Mayor and Council to authorize the acquisition of new and additional firefighting equipment for use by the Byram Township Fire Department including one pumper truck; and

**WHEREAS**, the State of New Jersey awarded a five (5) year Statewide Cooperative GSA (General Services Administration (Federal Supply Schedule)) G-8035 Contract to allow Cooperative Purchasing Partners to purchase various types of fire fighting apparatus; and

**WHEREAS**, the award of this contract is permissible pursuant to N.J.S.A. 52:34-6.1, where by the Director, Division of Purchase and Property "shall promulgate the Federal supply Schedules of the Federal General Services Administration or schedules from other federal procurement programs as an alternate price guide for the purchase of goods and services for State agencies and for other public State entities as set forth in N.J.S.A. 52:27B-56-1; and

**WHEREAS**, there are eight (8) vendor awarded contracts under this GSA Contract and they are all available for Cooperative Purchasing participants; and

**WHEREAS**, all Cooperative Purchasing Participants are instructed to comply with N.J.S.A. 40A:11-11(5), N.J.S.A. 52:25-16.1 et seq., and N.J.A.C. 5:34-1.7, and are responsible for ensuring that the purchase order issued reflects the correct contract item and that payment is processed accordingly; and

**WHEREAS**, the purchasing entities are advised to follow the New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq; and

**WHEREAS**, the Township of Byram has the ability under cooperative purchasing to purchase directly without competitive bidding; and

**WHEREAS**, all vehicle configurations must be based on the current GSA Schedule for the base unit and additional options pricing; and

**WHEREAS**, unless specifically mentioned in the contractor's GSA contract the following exclusions apply: Training, Transportation, Pre-delivery Inspection, Third Party Review, Open Market Items – Unpublished Options; and

**WHEREAS**, should the purchasing entity have a need for the referenced exclusions then the State of New Jersey contract must not appear or referenced on any purchase order for services and/or options not part of this awarded contract; and

**WHEREAS**, as required by the Method Operation the Township requested a minimum of three (3) quotes by initiating a request for proposal from all the available vendors to obtain the most cost effective price; and

**WHEREAS**, three (3) responses to the request for proposal were received from:

1. Sutphen Fire Apparatus: \$443,136.23
  - a. \$443,136.23 – no tool mounting
  - b. \$453,136.23 – includes tool mounting

- 2. Pierce Manufacturing, Inc.:
  - a. Base Model: \$353,457.00
  - b. Published Options: \$ 34,170.52
  - c. Unpublished Options: \$ 10,635.33
  - TOTAL: \$398,262.85
- 3. KME Kovatch:
  - a. Base Model: \$293,135.00
  - b. Published Options: \$ 96,360.22
  - c. Unpublished Options: \$ 6,149.78
  - TOTAL: \$395,645.00

**WHEREAS**, the source of funding for purchase of this vehicle is Bond Ordinance 9-2014 appropriating \$460,000;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Byram does hereby authorize the execution of the necessary purchase orders in the total amount not to exceed \$395,645.00 to obtain a KME Custom Pumper Fire Apparatus for the Township of Byram Fire Department; and

**BE IT FURTHER RESOLVED**, that upon receipt, inspection and approval of voucher therefore by the Township of Byram, payment, pursuant to said purchase orders, is hereby authorized with the same to be charged against funds established in the appropriate account for said purpose.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Gray	Councilwoman Rafferty	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 21, 2014.

\_\_\_\_\_  
Doris Flynn, Township Clerk

**AGREEMENT FOR INTER-MUNICIPALITY COURT FOR THE  
MUNICIPALITIES OF ANDOVER TOWNSHIP, HAMPTON TOWNSHIP,  
FREDON TOWNSHIP, BYRAM TOWNSHIP AND ANDOVER BOROUGH**

**THIS AGREEMENT**, made this 21st day of October, 2014, by and between:

TOWNSHIP OF ANDOVER, a municipal corporation of the State of New Jersey with offices located at 134 Newton Sparta Road, Newton, NJ;

TOWNSHIP OF HAMPTON, a municipal corporation of the State of New Jersey with offices located at 1 Rumsey Way, Newton, NJ; and

TOWNSHIP OF FREDON, a municipal corporation of the State of New Jersey with offices located at 443 Route 94, Newton, NJ; and

BOROUGH OF ANDOVER, a municipal corporation of the State of New Jersey with offices located at 137 Main Street, Andover, NJ; and

TOWNSHIP OF BYRAM, a municipal corporation of the State of New Jersey with offices located at 10 Mansfield Drive, Byram Township, NJ.

WHEREAS, currently Andover Township has its own municipal court; and

WHEREAS, Hampton Township, Fredon Township and Andover Borough have a joint municipal court with Green Township; and

WHEREAS, Byram Township has its own municipal court; and

WHEREAS, Hampton Township, Fredon Township and Andover Borough have expressed a desire to withdraw from their current joint municipal court arrangement; and

WHEREAS, Byram Township no longer desires to maintain its own municipal court; and

WHEREAS, Andover Township, Hampton Township, Fredon Township, the Borough of Andover and Byram Township (hereinafter the "Municipalities") have indicated a willingness to form a joint municipal court; and

**WHEREAS**, N.J.S.A. 2B:12-1(b) authorizes two (2) or more municipalities, by ordinance, to enter into an agreement establishing a single joint municipal court and providing for its administration; and

**WHEREAS**, N.J.S.A. 40A:65-1 et seq., empowers municipalities to enter into Shared Services Agreements; and

**WHEREAS**, the Municipalities desire to enter into this Shared Service Agreement pursuant to the authority of N.J.S.A. 40A:65-1 et seq., to create a joint municipal court pursuant to N.J.S.A. 2B:12-1 et seq.; and

**WHEREAS**, the Municipalities have each adopted a Resolution pursuant to N.J.S.A. 40A:65-1 et seq., authorizing the entry into this Agreement.

**NOW, THEREFORE**, Andover Township, Hampton Township, Fredon Township, Andover Borough and Byram Township agree as follows:

1. The Municipalities agree to the formation, establishment and administration of a joint municipal court to serve the Municipalities, pursuant to N.J.S.A. 2B:12-1 et seq.
2. The joint municipal court to be established pursuant to this agreement will be known as “Joint Municipal Court of Andover (Andover, Hampton, Fredon and Byram Townships and Andover Borough)” (hereinafter “Joint Municipal Court”).
3. The Joint Municipal Court of Andover, will have a seal bearing the name of the court.
4. The court will have such jurisdiction as is now, or will hereafter be confirmed upon it by the laws and Court Rules of the State of New Jersey, and the practice and procedure of the court shall be governed by the laws in such case made and provided in such rules as the Supreme Court will promulgate and make applicable to the court.

5. The Joint Municipal Court will have one judge who will be known as the judge of the Joint Municipal Court of Andover. Gubernatorial appointment of the judge will be made pursuant to N.J.S.A. 2B:12-4(b). Until such time as the Gubernatorial appointment is finalized, the Assignment Judge of Morris/Sussex Vicinage may appoint the judge of the joint Municipal Court. The Municipalities unanimously recommend that the Honorable James G. Devine be appointed as judge of the Joint Municipal Court of Andover. The salary of the judge shall be fixed by the governing body of Andover Township, which salary will be evidenced by an ordinance or resolution.

6. The Joint Municipal Court will have a court administrator and such other necessary court personnel as determined by the governing body of Andover Township with the approval of the Assignment Judge. There will be at least an additional two (2) court personnel members; one (1) full time and one (1) part time. The salary of the court administrator and other court personnel will be fixed by the governing body of Andover Township.

7. The Joint Municipal Court will be located at the Andover Township Municipal Building (hereinafter "Court Facility"). The Township of Andover will make available for the court: a courtroom, chambers, offices, equipment and supplies for the judge and support personnel of the court and court security.

8. Initially, there shall be six (6) sessions of the Joint Municipal Court as follows: 10:00 am session on the second Tuesday of each month; 6:00 pm session on the second Thursday of each month; 1:30 pm and 6:00 pm sessions on the third Wednesday

of each month; 1:30 pm and 6:00 pm sessions on the fourth Thursday of each month. Special court sessions will be added as necessary.

9. It will be the sole responsibility of Andover Township to conduct the open recruitment process, in accordance with Rule 1:34-3(a), for any additional court personnel that are required in order to support the Joint Municipal Court. The hiring process will be conducted in accordance with the provisions of R. 1:34-3. It is understood by the Municipalities that in accordance with R. 1:34-3 the interview panel may contain two (2) representatives from Andover Township, not members of the police department.

10. Transport of prisoners from Fredon, Hampton and Byram Townships and Andover Borough to the Joint Municipal Court will be the responsibility of the New Jersey State Police or the local police department, whichever is appropriate for each of those municipalities. The Andover Township Police Department will transport the Andover Township prisoners. Andover Township is researching the use of video conferencing services between the jail and the court in order to avoid or defray the costs, and other logistical issues, associated with prisoner transport.

11. Costs for any improvements to the existing Court Facility that are required to render the Court Facility in compliance with state or Assignment Judge mandates shall be paid for equally by the Municipalities.

12. Hampton Township's contribution toward the cost of the Court Facility, judge, prosecutor, public defender and support staff and overhead shall be \$93,000.00 annually, payable on a quarterly basis. Payable on February 15, May 15, August 15 and



November 15 of each year during the term of this Agreement. At the discretion of Andover Township, the contribution amount by Hampton Township may increase up to 2% in each of the years of this agreement. The quarterly payments shall be adjusted based upon the annual increases set forth herein.

13. Fredon Township's contribution toward the cost of the Court Facility, judge, prosecutor, public defender and support staff and overhead shall be \$23,000 annually payable on a quarterly basis. Payable on February 15, May 15, August 15 and November 15 of each year during the term of this Agreement. At the discretion of Andover Township, the contribution amount by Fredon Township may increase up to 2% in each of the years of this Agreement. The quarterly payments shall be adjusted based upon the annual increases set forth herein.

14. Andover Borough's contribution toward the cost of the Court Facility, judge, prosecutor, public defender and support staff and overhead shall be \$25,000 annually payable on a quarterly basis. Payable on February 15, May 15, August 15 and November 15 of each year during the term of this Agreement. At the discretion of Andover Township, the contribution amount by the Borough of Andover may increase up to 2% in each of the years of this Agreement. The quarterly payments shall be adjusted based upon the annual increases set forth herein.

15. Byram Township's contribution toward the cost of the Court Facility, judge, prosecutor, public defender and support staff and overhead shall be \$125,000 annually payable on a quarterly basis. Payable on February 15, May 15, August 15 and November 15 of each year during the term of this Agreement. At the discretion of

Andover Township, the contribution amount by Byram Township may increase up to 2% in each of the years of this Agreement. The quarterly payments shall be adjusted based upon the annual increases set forth herein.

16. This Agreement may be terminated by any of the Municipalities effective no sooner than January 1, 2020. If a municipality determines it must terminate this Agreement pursuant to this section, it shall provide written notice of termination to the other participating Municipalities by personal delivery, confirmed fax and/or confirmed email at least 180 days prior to January 1 of the next calendar year. Upon termination, any pending cases and/or cases which remain open as of the date of the termination shall continue to be processed and administered by host court, Andover Township.

17. The Term of this Agreement shall be five (5) years commencing January 1, 2015 and ending December 31, 2019 at which time the Municipalities may renegotiate this Agreement.

18. The quarterly payments due under the terms of this Agreement shall be made by ACH (Automated Clearing House) on the 15<sup>th</sup> day of the quarter. Each municipality shall provide a copy of its ACH Origination Agreement with its financial institution within fifteen (15) days of the execution of this Agreement.

19. To the extent that any revenues, costs or fines received by the Joint Municipal Court is receivable by a municipality (for example, but not by way of limitation, fines for violations of municipal ordinances) such revenue, cost or fine shall be the property of, and allocated and delivered to the individual municipality in which the

violation, warrant, complaint or ticket was issued. Any such revenue due Hampton Fredon, Byram or Andover Borough shall be paid by Andover Township monthly.

20. Failure of any municipality to make payments as provided for herein or any other breach of this Agreement by any municipality which remains uncured more than thirty (30) days after written notice by the municipality asserting the breach to any other municipality, shall constitute a default under the terms of this Agreement.

21. The Municipalities agree to notify their general liability insurance carriers that the Municipalities will be maintaining a joint municipal court at the Andover Township Municipal Building and agree to obtain liability insurance in the name of the municipality for the conduct and accounts of the court located in Andover Township Municipal Building.

22. The Joint Municipal Court will have a prosecutor, conflict prosecutor, public defender and conflict public defender. The prosecutor and public defender will receive such salary and will serve for such term fixed by appointment by the governing body of Andover Township.

23. This Agreement will become effective only after adoption of a Resolution authorizing the execution of this Agreement and final adoption of an ordinance establishing the joint municipal court have been passed by the governing bodies of each of the Municipalities. Upon passage of the ordinances and full execution of the Agreement, this Agreement will be filed with the Administrative Director of Courts.

24. This Agreement represents the entire agreement amongst the Municipalities and cannot be changed or modified orally. This Agreement may be supplemented,

amended or revised only by a writing which is signed by all of the Municipalities hereto, authorized by the governing bodies of the Municipalities hereto in accordance with applicable law, and approved by the Superior Court and Administrative Office of the Courts, if required.

25. If any part of this Agreement shall be held to be unenforceable, the rest of this Agreement shall nevertheless remain in full force and effect.

26. The Municipalities do hereby agree that each of them shall accept mediation to settle any dispute or questions which may arise amongst the Municipalities as to the interpretation of the terms of this Agreement.

27. The Municipalities acknowledge that this Agreement is contingent on each municipality's termination of the current Joint Municipal Court Agreement of which each is a member, where applicable.

28. The Municipalities acknowledge that this Agreement is contingent upon and subject to the approval of the Assignment Judge of the Superior Court, Morris and Sussex Vicinages and such other approvals as may be required by law.

29. The Municipalities acknowledge and agree that this Agreement may be executed in counterparts and that a facsimile signature is deemed an original.

IN WITNESS WHEREOF, the parties hereto have caused their presents to be executed the day and year first above written.

**ATTEST:**

\_\_\_\_\_  
Vita Thompson, RMC, Clerk

**TOWNSHIP OF ANDOVER**

\_\_\_\_\_  
Phil Boyce, Mayor

**ATTEST:**

\_\_\_\_\_  
Kathleen Armstrong, RMC, Clerk

**TOWNSHIP OF HAMPTON**

\_\_\_\_\_  
Phil Yetter, Mayor

**ATTEST:**

\_\_\_\_\_  
Joanne Charner, RMC, Clerk

**TOWNSHIP OF FREDON**

\_\_\_\_\_  
Carl Lazzaro, Mayor

**ATTEST:**

\_\_\_\_\_  
Doris Flynn, RMC, Clerk

**TOWNSHIP OF BYRAM**

\_\_\_\_\_  
James Oscovitch, Mayor

**ATTEST:**

\_\_\_\_\_  
Beth Brothman, RMC, Clerk

**BOROUGH OF ANDOVER**

\_\_\_\_\_  
John A. Morgan, Mayor

**TOWNSHIP OF BYRAM**  
**RESOLUTION NO. 156 - 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 \$1,680.92 from the New Jersey Division of Criminal Justice 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 \$1,680.92 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:  
Body Armor Replacement

BE IT FURTHER RESOLVED, that the like sum of \$1,680.92 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:  
Body Armor Replacement

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 <sup>nd</sup>					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 21, 2014

\_\_\_\_\_  
Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION NO. 157 - 2014**

**Authorization to Purchase Salt under the Morris County Cooperative Pricing Council  
and Somerset County Cooperative Pricing System**

**WHEREAS**, Byram Township is a member of both the Morris County Cooperative Pricing Council and Somerset County Cooperative Pricing System; and

**WHEREAS**, the Morris County Cooperative Pricing Council awarded a contract to International Salt Company under Contract 3 – Rock Salt and Calcium Chloride for the period October 15, 2013 – October 14, 2014, thereby affording the Township of Byram the opportunity of direct purchase of salt at \$57.60/ton without competitive bidding:

International Salt Co., Inc.  
655 Northern Blvd.  
Clark Summit, PA 18411

**WHEREAS**, the Somerset County Cooperative Pricing System awarded a contract to Atlantic Salt, Inc. under Contract CC-0054-14 awarded October 14, 2014 for the two year period, thereby affording the Township of Byram the opportunity of direct purchase of salt at \$60.93/ton without competitive bidding:

Atlantic Salt Inc.  
134 Middle Street, Suite 210  
Lowell, MA 01852

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Byram does hereby authorize the execution of the necessary purchase orders not to exceed \$150,000 to obtain Ice Control materials as specified and priced to the Morris County Cooperative Pricing Council and Somerset County Cooperative Pricing System; and

**BE IT FURTHER RESOLVED**, that upon receipt, inspection and approval of vouchers therefore by the Township of Byram, payment, pursuant to said purchase orders, are hereby authorized with the same to be charged against funds established in the appropriate accounts for said purpose; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to the Morris County Cooperative Pricing Council, the Somerset County cooperative Pricing System, Municipal Treasurer, and the Municipal Clerk.

**BYRAM TOWNSHIP COUNCIL**

	COUNCIL MEMBER	Councilman Gray	Councilwoman Rafferty	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 21, 2014.

\_\_\_\_\_  
Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 158 – 2014**

**RESOLUTION AUTHORIZING TITLE LINES TO PROVIDE  
TITLE SEARCH SERVICES OF BLOCK 337, LOT 9.01 FOR OPEN  
SPACE PURPOSES**

**WHEREAS**, Byram Township has determined that there is a need to enter into a professional services agreement with Title Lines to provide a title search services on Block 337, Lot 9.01; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (NJSA 40A:11-5 et seq) requires that the resolution authorizing the award for Professional Services without competitive bid and the contract itself must be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, County of Sussex, State of New Jersey that:

1. The Township of Byram hereby authorizes the execution of a professional services agreement with Title Lines not to exceed \$599.50 as per the October 8, 2014 proposal.
2. A notice of this contract shall be printed once in the official newspaper of the Township of Byram.

**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 21, 2014.

\_\_\_\_\_  
Doris J. Flynn, RMC  
Township Clerk



**TOWNSHIP OF BYRAM  
RESOLUTION NO. 159 – 2014**

**RESOLUTION AUTHORIZING L.J. BRILL & ASSOCIATES TO  
PROVIDE SURVEYING SERVICES OF BLOCK 337, LOT 9.01 FOR  
OPEN SPACE PURPOSES**

**WHEREAS**, has determined that there is a need to enter into a professional services agreement with L.J. Brill & Associates to provide surveying services on Block 337, Lot 9.01 for open space purposes; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (NJSA 40A:11-5 et seq) requires that the resolution authorizing the award for Professional Services without competitive bid and the contract itself must be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, County of Sussex, State of New Jersey that:

1. The Township of Byram hereby authorizes the execution of a professional services agreement with L.J. Brill & Associates as outlined in the October 13, 2014 proposal, not to exceed \$6,300.00.
2. A notice of this contract shall be printed once in the official newspaper of the Township of Byram.

**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 21, 2014.

\_\_\_\_\_  
Doris J. Flynn, RMC  
Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 160 – 2014**

**RESOLUTION AUTHORIZING ENVIROTACTICS TO PROVIDE  
ENVIRONMENTAL SERVICES OF BLOCK 337, LOT 9.01 FOR  
OPEN SPACE PURPOSES**

**WHEREAS**, Byram Township has determined that there is a need to enter into a professional services agreement with Envirotactics to provide:

Task: Complete a preliminary assessment on a 11.55 acre parcel known as Block 337, Lot 9.01 for open space purposes

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (NJSA 40A:11-5 et seq) requires that the resolution authorizing the award for Professional Services without competitive bid and the contract itself must be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, County of Sussex, State of New Jersey that:

1. The Township of Byram hereby authorizes the execution of a professional services agreement with Envirotactics not to exceed \$2,500.00 as per the October 9, 2014 proposal.
2. A notice of this contract shall be printed once in the official newspaper of the Township of Byram.

**BYRAM TOWNSHIP COUNCIL**

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

ATTEST:

I certify that the Byram Township Council at a meeting held on October 21, 2014 adopted the foregoing resolution.

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 161 – 2014**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE  
2014 LENAPE MUNICIPAL ALLIANCE AGREEMENT**

WHEREAS, the Lenape Municipal Alliance consists of volunteers from the Township of Byram and the Borough of Stanhope; and

WHEREAS, the Lenape Municipal Alliance applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex for calendar year 2014 in the amount of \$11,420.00; and

WHEREAS, the New Jersey Governor's Council on Alcoholism and Drug Abuse, pursuant to N.J.S.A. 26:2B-1 et seq. and N.J.A.C. 17:40-1.1 et seq., has awarded a grant to the County of Sussex in response to the Request for Proposal submitted by the Sussex County Division of Community and Youth Services for the Lenape Municipal Alliance;

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Byram, County of Sussex, State of New Jersey do hereby authorize the Mayor to execute the Lenape Municipal Alliance Agreement on behalf of the Township of Byram.

**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 21, 2014.

\_\_\_\_\_  
Doris Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM  
ORDINANCE - 2014**

**AN ORDINANCE OF THE MAYOR AND COUNCIL  
OF THE TOWNSHIP OF BYRAM,  
ACCEPTING THE DEDICATION OF PARTRIDGE ROAD  
AND DRAINAGE, SIGHT TRIANGLE,  
CONSERVATION EASEMENTS AND RESTRICTIONS  
AND ANY OTHER EASEMENTS**

**Purpose Statement:** The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to accept Partridge Road as a public street in the Township of Byram, whereby granting the Township, its agents, assigns and general public a right of way to pass in, over, and upon all or a portion of Partridge Road for travel. In addition, the Ordinance authorizes the Mayor and Council of the Township of Byram to accept the drainage, conservation, and sight triangle easements of the Partridge Run subdivision, as shown on the map entitled "Final Plat Partridge Run" by Pittenger & Keith, Inc., dated March 5, 2007, and recorded in the Sussex County Clerk's Office on April 4, 2007, as Map No. 1431 and the Deed for the Right-of-Way. An express reservation of rights is retained by the Township, to allow the Township to pursue any and all claims and remedies against the Developer (Bell and McConnell) for the failure of Developer to complete all required subdivision improvements to the subdivision, including and not limited to the stormwater management basin for the Partridge Run subdivision.

**WHEREAS**, heretofore to wit: the Township of Byram Planning Board approved a subdivision as shown on the map entitled "Final Plat Partridge Run" by Pittenger & Keith, Inc., dated March 5, 2007, and recorded in the Sussex County Clerk's Office on April 4, 2007, as Map No. 1431 ("the Map"); and

**WHEREAS**, by virtue of the filing of the Map, the street rights of way for Partridge Road, together with the drainage easements, conservation easements and restrictions, sight triangle easements, and any and all turnarounds and easements within the Partridge Run subdivision were dedicated to the public; and

**WHEREAS**, the Township of Byram Mayor and Council deems it advisable to accept the streets, drainage, conservation and sight triangle easements, and turnarounds so dedicated, subject to an explicit reservation of the Township's rights to pursue any and all claims and remedies against the Developer for the failure of Developer to complete all required subdivision improvements, including and not limited to the stormwater management basin for the Partridge Run subdivision.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Township of Byram as follows:

**SECTION 1:** The streets and roads, as designated on the map entitled "Final Plat Partridge Run" by Pittenger & Keith, Inc., dated March 5, 2007, and recorded in the Sussex County Clerk's Office on April 4, 2007, as Map No. 1431, are hereby accepted as public streets of the Township of Byram.

