

BYRAM TOWNSHIP COUNCIL MEETING - OCTOBER 7, 2014

CALL MEETING TO ORDER

Mayor Oscovitch called the meeting to order at 7:00 p.m.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting has been made in accordance with the Open Public Meetings Act, NJSA 10:4-6.

ROLL CALL

Councilwoman Raffay, here; Councilman Gray, here; Councilman Olson, here; Councilwoman Kash, here; Mayor Oscovitch, here. Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Doris Flynn were also present.

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

RESOLUTION

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, that the public shall be excluded from discussion of the following matters:

- a. Personnel – Court Security
- b. Attorney Client Privilege Information/Anticipated Litigation
 - Partridge Run
 - Gordon Byram Sewer Claims
- c. Attorney Client Privilege Information
 - Cub Lake Estate Communication Association Issues
 - Forest Lakes Dam Restoration Special Assessment Ordinance
 - North Shore Water Company
 - Health Department Request
- d. Contract Negotiations
 - Shared Services – Court
 - Health Benefits

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 7, 2014.

Doris Flynn, Municipal Clerk

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

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 7:35 p.m. All members were in favor. Motion Carried.

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilwoman Kash, to approve the agenda. The motion was amended. All members were in favor. Motion carried.

RECOGNITION AND PROCLAMATION – MRS. SEDIVY 100th BIRTHDAY CELEBRATION

Mayor James Oscovitch presented Mrs. Sedivy with a Proclamation which he read. The Mayor talked about her life and the many changes, inventions and historical moments Mrs. Sedivy has witnessed over the last 100 years. Her son, Joe Sedivy, accompanied her and several of her family members were in the audience.

SWEARING IN OF SERGEANT BRIAN MORELAND

The Mayor swore in Sergeant Brian Moreland while his wife held the bible, accompanied by their children.

Chief Ray Rafferty thanked the Council for promoting Brian and stated that he knows Brian will continue doing an excellent job.

ANNUAL POLICE AWARDS

- Patrolman Lawrence Mendelsohn received the Military Service Award for his service in the United States Marine Corps prior to becoming a police officer.
- Patrolman Marcus Lisa received the 5 year Good Conduct Award
- Patrolman Thomas Dellicker received the 10 year Good Conduct Award
- Patrolman John D'Onofrio and Sergeant Kenneth Burke received the 20 year Good Conduct Award

TOWNSHIP REPORTS

Manager's Report

Byram Day: Byram Day was a very successful event and again it is was great to have at Waterloo Village. The Manager thanked all individuals including the Byram Day Committee, Township Employees and all Volunteers that contributed to making this a very successful Byram Day. While there may be some challenges, the Manager is looking forward to work with the State of New Jersey to still hold Byram Day 2015 at Waterloo Village.

Sept. 30 Budget Trial Balance: The Mayor and Council have been presented with the 2014 Budget Trial Balance as of September 30, 2014. Municipal Court Revenues – projecting are ahead of target with anticipated revenue of \$89,000. Uniform Construction Fees – projections are on target with anticipated revenue of \$125,000. Interest & Costs on Taxes – projections are suggesting we will fall short of anticipated revenues amount.

Route 206 Status: The Mayor and Council still have not received a response to the Mayor's letter dated September 2, 2104. We have been told a response is forthcoming. Yesterday, the Manager received a phone message from Debbie Hirt at NJDOT informing us that NJDOT has issued an order to Tilcon to complete their work--including punch-list items--by November 14.

Councilman Olson

- Met with Eileen Swan regarding the conservation easement project. They are now starting to work on public outreach, which will take place over the next few months.
- Byram Charity Hike is on October 18th, registration is at 7 a.m., hiking is from 7:30 – 11.
- Attended the September 20th memorial service for Firefighter Choate – very moving ceremony.
- On September 20th he attended the Highlands Festival at Waterloo Village – great day.
- On September 22, Scott Olson attended the superfund tour with Congressman Frelinghuysen.
- On September 23, Scott Olson attended the Board of Health Meeting. They are still reviewing the BOH ordinances.
- Scott Olson attended Byram Day. It was a beautiful day, and a terrific job was done by all involved.
- Next Community Advisory Group Meeting is October 20th at 7 p.m. at Town Hall.

Councilman Gray

- David Grey stated that Byram Day was awesome. The committee did a fabulous job.
- On September 22 David Gray attended a site walk on the superfund site of Mansfield Bike Path with Congressman Frelinghuysen.
- On September 21 he attended the Highlands Festival at Waterloo – good time, and for a good cause.
- On September 25, David Gray attended the Environmental Commission meeting. The EC recommends Katie Parrish fill the Alternate I seat on the EC committee.

Councilwoman Kash

- The next Recreation Committee meeting is scheduled for September 17 at 7:30 p.m.
- Tri-town dance on Friday at 6 p.m.
- October 18th is BOE meeting – she will be asking the BOE for a teacher volunteer for YGC.

Councilwoman Raffay

- Byram Day was fabulous. Janet and the committee did a fantastic job.
- Planning Board meeting on September 18 – adopted the Highlands Regional Master Plan
- Marie Raffay reminded everyone to get your chimneys cleaned out.

Mayor Oscovitch

- The Mayor thanked Marie for filling in for him on Byram Day. He thanked Donna and the Committee for a job well done – it was the first time Jim has missed Byram Day in many years.
- Attended the last Senior Citizen’s meeting when they celebrated Mrs. Sedivy’s 100th birthday.

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

Luann Byrne, 34 Richmond Road, asked about the brush dumping. She asked if the brush could be later next year. She questioned the tax refund to Bell Atlantic and asked how does it affect the next year’s taxes. Joe explained that we have a reserve account set up for tax appeals but Joe wasn’t sure what account this was being charged to.

Joanne Smith, 57 Lake Drive, stated that her husband walks the Mansfield Bike trail everyday and he felt that if a police officer was present on the weekend, it would make a difference. She feels that the police needs to start patrolling. Alex Rubenstein commented that maybe this was a good way to use special officers.

Fire Chief Chuck Putz stated that there was a family who in need of clothes, food, etc. because they had a house fire. He will post more information on the website.

Donna Griff, 71 Brookwood Road, thanked the Mayor and Council for all the support for Byram Day. She also thanked the Mayor and Council for allowing the EPA to put the monitoring wells in the road. Donna stated that she appreciated the support that the Mayor and Council have given to the superfund site. She reported that the amount of dirt bikes and ATV’s on the bike path and our trails and on the railroad bed near Brookwood Road is out of control. She asked for police presence because people can ‘t walk on these trails. The trails are torn up by the ATV’s. Councilman Gray suggested signage that sited the ordinance and applicable fines that would be charged. He also said this was something that could get discussed further at the Committee Chair Committee.

Bill Koellhoffer, 87 Lake Drive, saw an article in the Township Journal, and asked questions about the Village Business zone and sewers. He asked what the Township pays each year for the 40 gallons reserved for the Village Center. He thanked the Mayor and Council for their service. Bill suggested using less salt or no salt on the flat roads in Lake Lackawanna because salt is very bad for the lake.

Alex Rubenstein, 3 Partridge Lane, stated that he saw Lou Slaby walking around in the detention basin in the Partridge Run Development. He asked for an update. Tom Collins summarized what has happened in the past two months. Alex commented on the use of salt and grit and stated that in Canada they don’t seem to use salt. They use grit and it works well. Alex asked about a fire truck purchase, and Joe said it is in the procurement stages. Alex asked about the contamination in East Brookwood from the Mansfield Dump Site. Alex also asked why the Township wasn’t sure if Byram Day could be held at Waterloo next year. Joe explained that a vendor now leased part of the Village where Byram Day was held, and we would need to relocate it to another area in the Village. Joe was confident that it could get worked out with the State.

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

APPROVAL OF MINUTES

- September 16, 2014 Regular Meeting Minutes –Motion by Councilman Olson second by Councilwoman Kash to adopt the minutes as presented.

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

- September 16, 2014 Executive Meeting Minutes –Motion by Councilman Olson second by Councilwoman Kash to adopt the minutes as presented.

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

MAYORAL APPOINTMENTS– Alternate I Member of the Environmental Commission. David Gray recommended that the Mayor appoint Katie Parrish. The Mayor made the appointment.

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 Councilwoman Kash, second by Councilman Olson, to approve the consent agenda.

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

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

APPROVAL OF OCTOBER 7, 2014 BILL LIST

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

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

ITEM FOR DISCUSSION – Resolution No. 144-2014 – Resolution Authorizing Submittal of CY2014 Best Practices Inventory Cert. Form – Joe Sabatini explained that there were 50 questions on the form and the answers determine whether we get the final 5% payment on State aid. Joe briefly reviewed the form and stated that our score was 96%, which is very good, and it entitles us to get the remaining State aid payment. Motion by Councilman Olson, second by Councilwoman Kash to adopt the resolution.

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

PUBLIC PARTICIPATION II

Motion by Councilman Gray, second by Councilwoman Kash to open to the public for discussion. 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.

RESOLUTION FOR EXECUTIVE SESSION – Motion by Councilman Olson, second by Councilwoman Kash, to go into executive session at 8:50 p.m. and adopt the below resolution.

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.

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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on October 7, 2014.

Doris Flynn, Municipal Clerk

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

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 10:37 p.m. All members were in favor. Motion Carried.

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Kash, and with all members in favor, the meeting was adjourned at 10:38 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor