

**TOWNSHIP OF BYRAM
COUNCIL MEETING AGENDA
NOVEMBER 23, 2009
7:00 P.M. EXECUTIVE SESSION
7:30 P.M. REGULAR MEETING**

1. CALL 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, the Township Journal, 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

- Pending/Ongoing Litigation - PSE&G
- Attorney Client Privilege Communication
- Contract Negotiations
 1. DPW
 2. Clerical
 3. Open Space - Hudson Farm Greenway

5. RETURN TO PUBLIC SESSION

6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION

7. APPROVAL OF AGENDA

8. APPROVAL OF MEMBER DONALD R. DOLAN, JR. TO FIRE DEPARTMENT

9. HIGHLANDS RESOLUTION & DISCUSSION

10. REPORTS

- Township Manager

- Mayor and Council Members

11. 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

12. APPOINTMENTS

- Mayoral Appointment of ARC Member

**13. APPROVAL OF MINUTES - 11/2/2009 regular minutes
- 11/2/2009 closed session minutes**

14. APPROVAL OF NOVEMBER 23, 2009 BILL LIST

15. CONSENT AGENDA: All items with an (*) 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 will be removed from the general order of business and considered in its normal sequence on the agenda.

- A. *Resolution No. 166-2009 – Authorizing Refund of Engineering Escrow-Blk. 105/Lot 17 - \$223,85
- B. *Resolution No. 167-2009 – Tax Sale Certificate Redemption - #08-00017 - \$753,16
- C. *Resolution No. 168-2009 - Final Acceptance of Road Improvements to Roseville Road-Phase I
- D. *Resolution No. 169-2009 – Execution of an Animal Control Agreement Between Byram Township and Sparta Township
- E. *Resolution No. 170-2009 – Renewal of 2009/2010 Plenary Retail Consumption License – WGB Properties, LLC

16. DISCUSSION ITEMS

17. PUBLIC PARTICIPATION II

18. EXECUTIVE SESSION (if needed)

19. RETURN TO OPEN SESSION

20. ADJOURNMENT

**TOWNSHIP OF BYRAM
RESOLUTION NO. 166 – 2009**

**RESOLUTION AUTHORIZING A REFUND
OF BALANCE OF ENGINEERING ESCROW**

WHEREAS, a balance of escrow in the following account shall be released;
and

WHEREAS, the Township of Byram Engineer and the Director of Planning have verified that the following application has been completed:

Block/Lot	Applicant Name	Amount
105/17	Stacie Galvin/TKA	\$223.85

Total: \$223.85

WHEREAS, Mayor and Council of the Township of Byram are in agreement with the release of the balance of monies in the escrow account in the total amount of \$223.85.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Council, Township of Byram, County of Sussex, N.J., that the finance officer be authorized to issue payment to the above applicant the aforementioned balance in the escrow account.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilwoman Rafferty	Councilman Rafferty	Councilman Thompson	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 November 23, 2009.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 167 – 2009**

TAX SALE CERTIFICATE REDEMPTION

WHEREAS, the Tax Collector has certified that the following tax lien has been satisfied:

<u>Total Amount</u>	<u>Lien Holder</u>	<u>Tax Sale Certificate #</u>	<u>Block</u>	<u>Lot</u>
\$753.16	US Bank Corporate Liquidity Fund	#08-00017	229	16

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council, Township of Byram, County of Sussex, N.J., that the Tax Collector be authorized to disburse the redemption proceeds to the lien holder.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilwoman Rafferty	Councilman Rafferty	Councilman Thompson	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 November 23, 2009.

Doris J. Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 168 – 2009**

**FINAL ACCEPTANCE OF ROAD IMPROVEMENTS – ROSEVILLE ROAD
PHASE I**

WHEREAS, on July 6, 2009, by adoption of Resolution No. 90-2009 the Byram Township Council, County of Sussex, State of New Jersey, awarded a contract to Owl Contracting for Road Resurfacing for Road Improvements to Roseville Road, Phase I; and

WHEREAS, the Byram Township Council approved Change Order No. 1 by adoption of Resolution No. 138-2009 on September 21, 2009 and Change Order No. 2 by adoption of Resolution No. 159-2009 on October 19, 2009, in accordance with the recommendation of the Township Engineer; and

WHEREAS, in the Township Engineer's memo dated November 13, 2009, 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 Roseville Road Phase I project as complete, with the condition that a One (1) Year Maintenance Bond is secured by the contractor.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilwoman Raftery	Councilman Raftery	Councilman Thompson	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 November 23, 2009.

Doris Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 169 – 2009**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN ANIMAL
CONTROL AGREEMENT BETWEEN THE TOWNSHIP OF BYRAM AND
THE TOWNSHIP OF SPARTA**

WHEREAS, the Township has entered into an inter-local agreement to have Sparta Township provide Animal Control Services to the Township of Byram.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Byram, County of Sussex, State of New Jersey that the Mayor has authorization to sign the agreement between the Township of Byram and the Township of Sparta.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilwoman Rafter	Councilman Rafter	Councilman Rafter	Councilman Thompson	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 November 23, 2009.

Doris Flynn, RMC
Township Clerk

TOWNSHIP OF BYRAM

RESOLUTION NO. 170 – 2009

BE IT RESOLVED by the Mayor and Township Council, Township of Byram, Sussex County New Jersey, that a renewal of a Plenary Retail Consumption License be issued to WGB Properties, L.L.C., trading as Byram Motel, located at 24 Route 206, Stanhope New Jersey 07874. The same license being No. 1904-33-007-005. Said license shall be valid from July 1, 2009 through June 30, 2010.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilwoman Rafferty	Councilman Rafferty	Councilman Thompson	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 November 23, 2009.

Doris Flynn, RMC
Township Clerk