

BYRAM TOWNSHIP COUNCIL MEETING - NOVEMBER 3, 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 (arrived 7:05); 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. Attorney Client Privilege Information/Anticipated Litigation
 - Partridge Run
 - Cub Lake Association Letter by Mr. Doerr, Esq.
- b. Attorney Client Privilege Information
 - General
 - PSE&G
- c. Personnel
- d. Contract Negotiations
 - Health Benefits
 - General Liability/Workman’s Comp.

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 November 3, 2014.

Doris Flynn, Municipal Clerk

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

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 7:30 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 with removing Resolution No. 162-2014 from the agenda. All members were in favor. Motion carried.

TOWNSHIP REPORTS

Manager’s Report

- Attended the meeting of Elected Officials in Andover Township on October 28 and met the new NJDOT Commissioner Jamie Fox.

- Next Township Council Meeting is Monday, November 17, 2014 @ 7:00 p.m. Executive Session; 7:30 p.m. Regular Session
- The General/Municipal Election is Tuesday, November 4. Polls open from 6 AM to 8 PM

Councilman Olson

- The next EDAC meeting is scheduled for November 13. The committee will be discussing their vision statements and goals.
- Worked at the October 26 Waterloo Village Halloween Party. There were 306 cars parked and approximately 1100 kids—it was a huge success.
- Attended the October 24 District 24 Elected Officials Meeting with the Manager and other members of the Council. He found it a bit disappointing and hopes that the NJDOT concentrates more on efficiency.
- Attended the October 29th Committee Head Meeting. It was the best one so far, and Scott hopes that they continue.

Councilman Gray

- Attended the October 23rd Environmental Commission meeting.
- Attended the October 29th Collaborative Health Benefit Meeting with Councilwoman Raffay, several employees, the Manager and our Health Consultant Frank Covelli.
- Attended the October 29th Committee Head Meeting. There was a lot of dialogue between the different groups, which was great to see. He felt the meeting was very beneficial.

Councilwoman Kash

- No report.

Councilwoman Raffay

- Announced that there will be a Veteran’s ceremony on November 11 at 11 a.m. at the Veteran’s Memorial next to the Roseville School House.
- Attended the 40th Anniversary of Lenape Valley High School. It was a terrific event.

Mayor Oscovitch

- Attended the Committee Head Meeting on October 29th and agreed that it was beneficial.
- Attended the October 28th District 24 Elected Officials meeting in Andover Township.
- Performed a wedding ceremony on November 2 and stated that there are a few more coming up later in the month.

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.

Joann Smith, 57 Lake Drive, stated that she hiked the Mansfield Bike Trail and it looks great. N.J. Transit has done a nice job.

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

APPROVAL OF MINUTES

- October 21, 2014 Regular Meeting Minutes –Motion by Councilman Gray 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					

- October 21, 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					

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

- Resolution No. 163-2014 – Resolution Authorizing the Execution of an Animal Control Agreement Between the Township of Byram and the Township of Mt. Olive
- Resolution No. 164-2014 – Budget Transfer 2014 Budget Appropriations Sewer Utility Fund
- Resolution No. 165-2014 – Budget Transfer 2014 Budget Appropriations Current Fund
- Approval of Raffle Application – The 11th Hour Animal Rescue – December 6 & 7, 2014 at Waterloo Village – 50/50 and Tricky Tray

	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. 162-2014 – Resolution of Acceptance of a Donation from Mountain Creek Resort on behalf of the Friends of Waterloo

	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 NOVEMBER 3, 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					

ORDINANCE NO. 10-2014 – 2nd Reading and Public Hearing – Councilwoman Raffay recused and stepped down from this matter.

BE IT RESOLVED that Ordinance entitled “**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**” be read by title on second reading and a hearing held thereon. Motion by Councilman Olson, second by Councilwoman Kash to open to the public for comments on this ordinance.

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.

Motion by Councilman Olson, second by Councilwoman Kash, to adopt the ordinance.

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

BE IT RESOLVED, that said Ordinance is passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

Councilwoman Raffay returned to meeting.

DISCUSSION

- County Health Department Services – These services were discussed at the Committee Head meeting on October 28th. Several people thought it would be a good idea to have a meeting with the County to get a better understanding on the services provided, with regard to septic and wells. The Manager suggested having a subcommittee from the Council meet with a few representatives from the Health Department. Scott Olson suggested having some staff participate also. Scott Olson and David Gray volunteered to be on the subcommittee, which would be beneficial since they are the liaisons to the Environmental Commission and Board of Health. Joe will set up the meeting.
- Facilities – The condition of the municipal building has been talked about for years, and the Manager stated that it is time that we seriously look at making a significant investment in the present municipal building or look elsewhere. There is a building for sale on Waterloo Road that may be worth looking into it. Since Scott Olson and David Gray are on the Capital Committee, they agreed to look at the building on Waterloo Road. Joe Sabatini will contact the real estate agent and set up a visit.

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.

- Todd Rudloff, Assistant Chief of the Fire Department, stated that they have been looking at the Cranberry Lake facility and know that they need to make major improvements. The Fire Department would consider relocating and he asked the Township to keep them in mind when they are looking at alternatives.
- Skip Danielson, 18 Hunter Lane, commented that he purchased the trailers for \$1, thirty years ago, and they were supposed to only be used for five years. He said that it is definitely time to look for new space or renovate and he is happy that the Council is finally going to do that. Motion by Councilman Olson, second by Councilwoman Kash 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 8:45 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

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BYRAM TOWNSHIP COUNCIL

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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 9:35 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 9:35 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor