

## **BYRAM TOWNSHIP COUNCIL MEETING - DECEMBER 19, 2011**

### **CALL MEETING TO ORDER**

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

### **FLAG SALUTE AND MOMENT OF SILENT REFLECTION**

### **OPEN PUBLIC MEETING STATEMENT**

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

### **ROLL CALL**

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

**APPROVAL OF AGENDA** – Motion by Councilman Olson, seconded by Councilwoman Raffay to approve agenda. All members were in favor. Motion carried.

### **TOWNSHIP REPORTS**

#### **Manager's Report:**

- 2012 Township Council Reorganization Meeting is scheduled for 7 p.m. on January 3<sup>rd</sup>.
- The Department of Public Works is continuing to pick up the brush and braches from the Halloween Snow Storm—hopefully, it will be completed by the end of this week.
- The Manager provided the Council with a memo summarizing the budget with the changes that have been made since the first presentation in August. In light of the recent Local Finance Notice where the State has moved up the date for introduction of the budget, we will have to introduce our budget by March 6, 2012. We will not know the decision on the amount of State Aid municipalities will get until the middle of February.
- The Manager wished everyone a happy and safe New Year's.

#### **Councilman Scott Olson**

- Environmental Commission meets Thursday night at 7:30 at Town Hall.
- Open Space met last on December 12th. The committee discussed the Tamarack Park parcel and the work that needs to be done. The committee also spoke about the recent Committee Chair meeting and how they will be working more closely with the Environmental Commission and Recreation Committee on trail projects.
- Wished everyone a Merry Christmas and Happy New Year.

#### **Councilwoman Marie Raffay**

- The Planning Board met on December 15. The Planner reviewed the reexamination report. It was a very productive meeting but we still have more work to do.
- Attended the Sussex County League of Municipalities meeting– It was a Tri-county meeting and Lt. Gov Kim Guadagno was the keynote speaker.
- Thanked Brian and Dan for their contributions to the Byram Council and wished them well in their future endeavors.
- Wished everyone a Merry Christmas and a Happy New Year.

#### **Mayor Jim Oscovitch**

1. December 9<sup>th</sup> – Attended the Andover Byram Chamber of Commerce meeting @ Shop Rite. Lynnes Nissan is giving away a free car to a local needy family. So if anyone knows of someone who is in need of a car, contact Lynnes Nissan. Lynnes is also starting a program that targets groups, like the Sr. Citizens where they would come in a talk with them about car purchases and agree on a price of a car if so many are purchased.
2. December 13th – Attended the Sussex County Chamber of Commerce meeting @ The Red Tail Lodge located at the Mountain Creek. The new lodge is simply amazing. The sponsors for the meeting were Mountain Creek and The NJ Special Olympics. Also, one of the featured speakers was a company called Spring Board Solutions. They are an incubation company which helps grow businesses. A very unique process.
3. December 14th - Attended the Sussex County League of Municipalities held at the Adam Todd. Guest speaker was the Lt. Gov Kim Guadagno.

4. On December 17<sup>th</sup> we were visited by Santa Claus on the back of a Byram Twp. Fire truck. This has become a great tradition and the Mayor thanked the members of the Byram Twp. Fire Department for doing this!
5. Byram resident (Cranberry Lake), Byram and LVR graduate Army SPC Ron Wildrick was KIA in Afganistan last week. The vehicle in which he was riding was attacked by an enemy IED. Ron leaves behind two daughters. As of today, January 11th Ronnie will be released from Dover. We do not have a time just yet for when he will arrive, but we will announce it as soon as we can. Services will be held on January 12th in Woodsboro, MD. Again we will inform you of the time when it is set. On January 13th at 3:00pm, Ronnie will be laid to rest at Arlington National Cemetery.

**Councilman Brian Thompson** – He thanked the residents of Byram for electing him to represent them. He stated that it has been quite a learning experience, and it was a great honor to serve in a town that he grew up in and has a lot of pride in. Brian wished good luck to the incoming council members, and stated that he knows that they will do a great job. He also offered congratulations to the new officers in the Fire Department.

**Councilman Dan Rafferty** - Dan congratulated the incoming Council. He enjoyed his time being a Councilman and working along with the rest of the Council. He thanked the residents of Byram for putting their faith in him to try and make things better. He said the past 4-1/2 years has been a learning experience which he has enjoyed very much. He believes that Byram is a great town to bring a family up in and glad he was given the opportunity to give back to the community. Most of all, he wanted to thank the employees of the town—especially in the past 3 years of hard, economic times. He is glad that no one had to lose their job. He feels the best thing he has done is brought on Joe Sabatini on board to be Township Manager. He feels Joe cares tremendously about Byram Township and Dan knows that he is leaving the new Council in great hands with Joe as Manager. Dan also thanked Tom Collins for his contributions.

Mayor Oscovitch presented Dan Rafferty and Brian Thompson with plaques recognizing their 4-1/2 years of service to the Township of Byram.

Scott Olson thanked Brian and Dan for their contributions. Although there was a difference of opinion at times between the Council Members, there was always passion, and the Council acted in the best interest of the town.

Dan Rafferty feels that the passion showed how much each Council person cares about Byram.

Attorney Tom Collins congratulated Brian and Dan for the great job they did as councilmen and wished them luck.

**PUBLIC PARTIPATION I** - Motion by Councilman Olson, second by Councilman Rafferty, to open to public. All members were in favor. Motion Carried.

Carlos Luaces thanked Brian and Dan for the service they have done. He looks forward to working with the Council. Carlos stated that he also appreciated the curb side brush pick up done by the Department of Public Works.

Councilwoman Thompson made a motion, seconded by Councilman Rafferty, to close to the public. All members were in favor. Motion carried.

**APPROVAL OF MINUTES**

- December 6, 2011 Regular Meeting Minutes–Motion by Councilwoman Raffay, second by Councilman Olson to approve the minutes as presented.

COUNCIL MEMBER	Councilman Olson	Councilwoman Raffay	Councilman Rafferty	Councilman Thompson	Mayor Oscovitch
Motion		x			
2nd	x				
Yes	x	x	x		x
No					
Abstain				x	
Absent					

- December 6, 2011 Executive Session Minutes – Motion by Councilman Rafferty, second by Councilman Olson to approve the minutes.

COUNCIL MEMBER	Councilman Olson	Councilwoman Raffav	Councilman Rafferty	Councilman Thompson	Mayor Oscovitch
Motion			X		
2nd	X				
Yes	X	X			X
No					
Abstain				X	
Absent					

**APPOINTMENT OF REGISTRAR** - Motion by Councilman Rafferty, second by Councilwoman Raffav, to appoint Doris Flynn as Registrar for a 3 year term.

**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 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 Councilman Rafferty, to approve the consent agenda.

- A. Resolution No. 145-2011 – Resolution to Join the Statewide Insurance Fund (Renew)
- B. Resolution No. 147-2011 – Resolution Authorizing Execution of Risk Management Consultant’s Agreement – D & H Alternative Risk Solutions
- C. Resolution No. 148-2011 – Resolution Authorizing Refund of 2011 Taxes – Blk. 337.10/32.10&337.11/38.11
- D. Resolution No. 149-2011 – Resolution Authorizing Cancellation of Certain Tax Payments
- E. Resolution No. 150-2011 – Resolution Authorizing a Refund of Balance of Escrows-\$1,037.50
- F. Resolution No. 151-2011 – PSA – Annual Renewal of The Land Conservancy Contract for Open Space Services - \$11,500
- G. Resolution No. 152-2011 – Resolution Authorizing In Rem Foreclosure of the Tax Sale Certificates Shown on the Attached Tax Foreclosure List

COUNCIL MEMBER	Councilman Olson	Councilwoman Raffav	Councilman Rafferty	Councilman Thompson	Mayor Oscovitch
Motion	X				
2nd			X		
Yes	X	X	X	X	X
No					
Abstain					
Absent					

**BILL LIST OF DECEMBER 19, 2011** - Motion by Councilman Rafferty second by Councilman Olson to approve the bills. Councilman Rafferty recused from P.O. No. 8719 and Councilwoman Raffav recused from P.O. No. 8676 and 8713.

COUNCIL MEMBER	Councilman Olson	Councilwoman Raffav	Councilman Rafferty	Councilman Thompson	Mayor Oscovitch
Motion			X		
2nd	X				
Yes	X	X	X	X	X
No					
Abstain					
Absent					

**PUBLIC PARTICIPATION II**

Motion by Councilman Rafferty second by Councilman Olson to open to the public for discussion. All members were in favor. Motion carried. No comments were made.

Motion by Councilman Olson, seconded by Councilman Rafferty to close to the public. All members were in favor. Motion Carried.

Councilman Thompson commented on the political organization PAC. He urged the Council to keep the partisanship out of Byram and to consider adopting an ordinance which would prohibit the hiring of professionals who contribute to the PAC.

Joe Sabatini suggested a few dates for budget workshops in January. The dates were discussed with Nisha Kash and Carlos Luaces who were present and a decision was made to have a budget workshop session on January 10 at 6:30 p.m.

**RESOLUTION FOR EXECUTIVE SESSION** – Motion by Councilman Olson, second by Councilman Thompson, to go into executive session at 7:40 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.

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:

- **Contract Negotiations**  
BARKS

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 December 19, 2011.

Doris Flynn, Municipal Clerk

COUNCIL MEMBER	Councilman Olson	Councilwoman Raffav	Councilman Rafferty	Councilman Thompson	Mayor Oscovitch
Motion	x				
2nd				x	
Yes	x	x	x	x	x
No					
Abstain					
Absent					

**RETURN TO OPEN SESSION** - Motion by Councilman Thompson, second by Councilman Rafferty to return to open session at 8:22 p.m. All members were in favor. Motion Carried.

**ADJOURN**

On the motion by Councilman Thompson, second by Councilman Rafferty, and with all members in favor, the meeting was adjourned at 8:23 p.m. Motion carried.

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Doris Flynn, RMC

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James Oscovitch, Mayor