BYRAM TOWNSHIP COUNCIL MEETING - DECEMBER 2, 2014

CALL MEETING TO ORDER

Mayor Oscovitch called the meeting to order at 7:02 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 Molica and Municipal Clerk Doris Flynn were also present.

<u>RESOLUTION FOR EXECUTIVE SESSION</u> – Motion by Councilwoman Kash, second by Councilman Olson, 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 General
- b. Attorney Client Privilege Information Partridge Run
- c. Personnel
- d. Contract Negotiations 7 Waterloo Road
 - BARKS
 - Shared Services County Dispatch, Zoning, OEM

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 2, 2014.

Doris Flynn, Municipal Clerk

	Councilwoman	Councilman	Councilman	Councilwoman	Mayor
	Raffay	Gray	Olson	Kash	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 7:30 p.m. All members were in favor. Motion Carried.

FLAG SALUTE AND MOMENT OF SILENCE

<u>APPROVAL OF AGENDA</u> – Motion by Councilman Olson, second by Councilwoman Kash, to approve the agenda. All members were in favor. Motion carried.

TOWNSHIP REPORTS

Manager's Report

- Provided a Route 206 status update
- Attended the League of Municipalities Convention and attended the following seminars:

Contract Management:

Identifying and understanding purchasing and contract management planning framework and process throughout the procurement cycle, including the preparation of Contract Scopes of Work and Bid documents, following through to award, project management, and completion. Discussion will also include: avoiding legal pitfalls, and identifying responsibilities of Purchasing and all other stakeholders, by utilizing effective planning and control mechanisms.

Business Development in Your Downtown - from Mom and Pop to Major Retailers:

Your municipality can bring in new dollars by investing in the arts and history. Learn about the economic impact of cultural tourism and grant opportunities to fund new initiatives. Boosting your arts and history investment will increase your income stream from the hotel/motel tax. Arts and History: a small investment with great returns.

The Different Methods of Procurement: When, Where, & How to Utilize:

Identifying and understanding the different methods of procurement: Distinguishing the differences between a Formal Bid, a Professional Service RFP and RFQ, and a Competitive Contract RFP. Also, to include establishing the vendor qualification (selection) criteria and evaluation process as a part of the solicitation phase and the roles of all individuals to be involved throughout the processes.

Hiring & Developing for Success - Improving Municipal Manager Effectiveness:

Understanding the attributes that make department heads effective may seem like a daunting task. Hiring the right people and supporting their development starts with knowing what to look for. Participants will learn about an innovative project by Hopewell Township that adapts best practices from various sectors to provide useful insights to better assess, select and provide developmental feedback to municipal managers.

Review of Best Practices Checklist:

The Best Practices Checklist is designed to encourage municipalities to embrace practices that promote financial accountability and transparency. Each year the Division of Local Government Services issues the Best Practices Checklist and uses the results of the checklist to determine how much of each municipality's final 5% allocation of CMPTRA and ETR aid will be disbursed. This session will review and discuss the Best Practices Checklist.

The Affordable Care Act: Responsibilities, Problems and Opportunities:

No single issue has generated more political heat in Washington than the Affordable Care Act (ACA). Our panel of experts will, instead, do their best to shed some light on the topic. Moving past the partisan rhetoric, New Jersey municipalities will need to understand how the Act will work for their residents, their employees and their taxpayers. This session, presented jointly with the New Jersey Municipal Management Association, will provide practical guidance on the Law, its benefits and municipal compliance requirements.

Shared Services Consolidation: The True Cost:

The Rutgers University Center for Government Services has recently produced a report on the cost of local government services and the role played by shared services and consolidation to control those costs. Come and listen to the authors of the study to understand the findings and compare these with your own experiences managing services at the local level.

Also walked the conference floor to Meet Vendors - Focus was E-Ticketing Vendors and Architects.

Architectural Services:

- Chambers Architecture, Inc. Flemington, NJ
- Ronal Schmidt & Associates, P.A. Englewood, NJ
- DMR Hasbrouck Heights, NJ
- LAN Associates, Midland Park, NJ

E-Ticketing:

- GTBM Info-Cop I had an extensive conversation with Paul Bruno, Director of E-Ticketing
- He explained the difference between leasing, purchasing and the concept of pre-paid tickets. He indicated that scanners are optional. Without scanners an officer just needs to enter license plate number or license information and all other information is pre-populated. Can start with a couple of scanners and if the officers like them then we can always add additional scanners. He suggested to contact Police Chief John Russo of the Borough of Rutherford for a reference.

• Byram Township Snow and Ice Control Operation Plan was loaded to Website - Please reference the attached link for the Byram Township Snow and Ice Control Operation Plan.

Councilman Olson

- Attended Board of Health meeting on November 25. The Board has been reviewing all the BOH ordinances. There are many state regulations and the Board is looking to shorten the ordinances by references all the State Statutes.
- Upcoming meetings Open Space meeting on December 8, EDAC meeting on December 11
- Thanked the DPW for the great work during the snow storm.

Councilman Gray

- Environmental Commission's next meeting is December 22.
- Meeting with the Sussex County Health Dept. on Friday, December 5 at 10 a.m. along with Joe Sabatini and Scott Olson. Looking forward to getting many questions answered about septic and finding out what the Township receives for its money.

Councilwoman Kash

- Christmas Tree Lighting Event on December 7th at 5 p.m. at Cranberry Lake Fire House.
- Toys for Tots at Netcong Theater at 6 p.m.

Councilwoman Raffay

website.

- Attended the League of Municipalities Convention and reported on all the seminars she attended for the 3 days. Below is a summary:
- SCHOOL/MUNICIPAL COOPERATION PATHWAY TO SAVINGS
 Learned: The regional school district keeps lines of communication open with municipalities with a Shared Services Coordinated Council in which there are no formal votes but make recommendations to all governing bodies. Important to be able to deliver a unified message to the public since it's all the same pocket the taxes come out of. Sustainable Jersey grants, purchasing co-ops, equipment loans, sharing janitorial/plumbers/electricians so to work with the prevailing wage limits. We do much sharing right now: fields, mowing, equipment, gasoline.
- COMMISSIONER'S ROUNDTABLE: PLANNING FOR SUSTAINABILITY AND RESILIENCY

Learned: DCA reported on much of the rehab going on near the shore. BPU discussed a pilot program to identify problem trees that municipalities can take down. Not sure who pays for that. Would like to investigate more. DEP is spending 60% of time on Sandy recovery including shore protection projects, HUD flood protection. DOT is working on traffic signal protections, Monmouth county road reconstruction, mechanical bridge flood controls and hardening bridges. Gas stations can now get grants for generators. It seems that Trenton has forgotten that Sussex County was hit by this storm as well.

- ELECTRICITY 101 UNDERSTANDING THE POWER GRID
 Learn: BPU said the priority for service restoration is transmission lines, substations, priority
 services, large service areas, residential customers. Outage information in now available on
 mobile devices including municipality outage info and estimated time of restoration. There is
 daily communication with municipalities. Encouraged to become familiar with JCP&L
- MAYORS BOX LUNCHEON "AN OPEN DIALOGUE WITH KEY CABINET OFFICIALS"
 - Invited guests were DCA Commissioner Richard Constable recommends spending affordable housing trust fund. DEP Commissioner Bob Martin training all employees in customer service, working on land use regulatory reform. DOT Commissioner Jamie Fox where is the funding coming from. Coined a new phrase "revenue enhancer" = tax, and BPU Commissioner Joseph Fiordaliso.
- THE FOUR TOPS: THEY ARE NOT STANDING IN THE SHADOW OF THE GOVERNOR Garden State's Four Top Legislative Leaders. NJTV's Chief Political Correspondent Michael Aron discussed State policies and politics with Senate President Steve Sweeney, Senate Republican Leader Tom Kean, Jr., Assembly Speaker Vince Prieto and Assembly Republican Leader Jon Bramnick.

Learned: Discussed estate taxes, transportation trust fund, Lots of criticism from local elected officials about the state management. Comparisons to organized crime and about local governments are scrutinized more than the state government.

• STORM WATER: WHAT'S COMING DOWN THE PIPE IN YOUR TOWN?
Learned: Many states are setting up stormwater utilities so the source of the problem pays for the solution. Mayor Nametko asked about Netcong problem with DOT putting in improved roads that flood their local streets. He learned that a lower government cannot tax a higher government for the solution.

ASSEMBLY TRANSPORTATION COMMITTEE HEARING Chairman: JOHN S. WISNIEWSKI Assemblyman, District 19 Learned: Testimony given by various groups regarding funding the transportation trust fund. Many options were given for the gas tax. Since cars are becoming more fuel efficient, it would be wise to include some built in increases for the gas tax. Discussions of sales taxes vs excise taxes. Most testimonies supported a constitutional amendment for a gas tax so to prevent the

BENEFITS OF WELL PREPARED PROJECT SPECIFICATIONS Learned: One municipal official asked how you make a contractor finish the job. Glen Kienz, Attorney on the panel shouted out that you should hold the bonding. He made a comparison to the Byram project. I got a chuckle out of that since we all wonder how this project would have been different if there were monetary incentives to get the 206 project done.

Mayor Oscovitch

legislature from raiding the fund.

- Thanked the DPW, Fire Department and Police Department for their efforts and good work during the storm.
- One Thanksgiving Eve he participated in helping prepare dinners for the less fortunate at Salt. A big thanks to Brad Boyle for running the event, which enabled many families to enjoy a hot meal on Thanksgiving.

<u>PUBLIC</u> <u>PARTIPATION</u> 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.

Alex Rubenstein, 3 Partridge Road, asked about the acceptance of the road and how the imperfections would be addressed. Joe Sabatini stated that the Township has accepted the road and will do the improvements themselves in the spring. The Township called in the Letter of Credit and received approximately \$40,000 from the bank. This will be used for the repairs, paying the outstanding invoices, and \$16,000 was put into the detention basin trust account for future maintenance.

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

APPROVAL OF MINUTES

• November 17, 2014 Regular Meeting Minutes – Motion by Councilwoman Kash second by Councilman Gray to adopt the minutes as presented.

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

• November 17, 2014 Executive Meeting Minutes – Motion by Councilwoman Kash second by Councilman Olson to adopt the minutes as presented.

	Councilwoman	Councilman	Councilman	Councilwoman	Mayor
	Raffay	Gray	Olson	Kash	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. 171-2014 Authorizing the Canceling of Outstanding Checks
- Resolution No. 172-2014 Resolution Canceling Escrow Balances \$1,448.39
- Resolution No. 173-2014 Final Acceptance of Wood Beam Guide Rail at C.O. Johnson Park Completed by A-Better Fence Co.
- Resolution No. 174-2014 Final Acceptance of Outfield Fencing Upgrades at C.O. Johnson Park Completed by N.J. Fence & Guardrail, Inc.
- Resolution No. 175-2014 Resolution Authorizing Refund of Redemption Monies to Outside Lien \$3,146.97.
- Resolution No. 176-2014 Resolution to Transfer 2014 Budget Appropriations Current Fund
- Resolution No. 177-2014 Resolution to Authorize CP Engineers & Architecture to Perform an Annual Inspection of Byram Township's Sanitary Sewer System

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

APPROVAL OF DECEMBER 2, 2014 BILL LIST

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

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

ORDINANCE 11-2014 – 2nd Reading & Public Hearing

BE IT RESOLVED that Ordinance entitled "AN ORDINANCE OF THE TOWNSHIP OF BYRAM, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY REPEALING CHAPTER 3, "ADMINISTRATION OF GOVERNMENT," ARTICLE VII, "MUNICIPAL COURT," AND ARTICLE VIII, "MUNICIPAL COURT PROSECUTOR' AND ADDING NEW CHAPTER 3, "ADMINISTRATION OF GOVERNMENT," ARTICLE VII, "JOINT MUNICIPAL COURT" be read by title on 2nd reading and a hearing held thereon.

Purpose Statement: The Township of Byram has entered into an Agreement to form a Joint Municipal Court with the Township of Andover, Township of Hampton, the Township of Fredon and Andover Borough. Collectively these five municipalities will be part of the Andover Joint Municipal Court effective January 1, 2015.

Motion by Councilman Gray, second by Councilwoman Kash, to have a second reading and public hearing on this ordinance.

PUBLIC: No comments

Motion by Councilman Gray, second by Councilwoman Kash, to close to the public and adopt this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		Х			
2nd				X	
Yes	X	X	X	X	X
No					
Abstain					
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.

DISCUSSION - Recreation Committee Policy of Byram Parks and Recreation Facilities The Council discussed the draft policy for usage of Byram Parks and Recreation Facilities that the Recreation Committee has been working on. Scott Olson stated that a few years ago the Council discussed the usage of the parks by outside groups or individuals. The Township does not have the staff or resources to manage this at this time. Marie Raffay noted that a good job was done by the Recreation Committee in putting together the draft policy, and it may be something that could be considered in the future. There was discussion of possibly limiting social events to Riverside Park. Nisha Kash will bring back the Council's comments to the Recreation Committee.

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.

Alex Rubenstein, 3 Partridge Road, asked if a street sign could get put up for Partridge Road. The stop sign at the end of Carpenter is in very bad shape and could use replacing. He also questioned if there was a street sign for Carpenter Road.

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 Councilwoman Kash, second by Councilman Olson, to go into executive session and adopt the below resolution.

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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on December 2, 2014.

Doris Flynn, Municipal Clerk

	Councilwoman	Councilman	Councilman	Councilwoman	Mayor
	Raffay	Gray	Olson	Kash	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. All members were in favor. Motion Carried.

On the motion of Councilman Olson, second by Councilman Gray, and with all members in favor, the meeting was adjourned at 10:25 p.m. Motion carried.