

**TOWNSHIP OF BYRAM
COUNCIL MEETING AGENDA
FEBRUARY 1, 2010
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, N.J.S.A. 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 – Closed Session Minutes
 - Contract Negotiations – Open Space – Hudson Greenway Parcel
Clerical Union
5. RETURN TO PUBLIC SESSION
6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION
7. APPROVAL OF AGENDA
8. 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
9. 2010 QUARRY LICENSE RENEWAL APPLICATION – PUBLIC HEARING
10. 2010 RAIMOS JUNKYARD RENEWAL APPLICATION – PUBLIC HEARING
11. 2010 NORTH JERSEY AUTOWRECKERS APPLICATION
12. APPROVAL OF MINUTES – January 19, 2010 Regular Minutes
- January 19, 2010 Closed Session Minutes
13. APPROVAL OF FEBRUARY 1, 2010 BILL LIST
14. REPORTS
 - Township Manager
 - Mayor and Council Members
15. APPROVAL OF MINUTES
16. RESOLUTION 12-2010 – Resolution Authorizing the Conduct of the Closing and the Execution of the Required Documents in Connection with the Hudson Greenway Acquisition
17. ORDINANCES – Introduction
 1. Ordinance to Vacate, Release and Extinguish and Public Rights as to Portions of Streets Known as Allamuchy-Waterloo Road, Old Waterloo Road, and Waterloo Road but not including the County Road Known as “Waterloo Road” a/k/a/ Sussex County Route 604
 2. Ordinance to Amend Department of Public Works Salary and Wage Ordinance for the years 2010-2012
 3. Ordinance to Amend Police Department Salary and Wage Ordinance for the years 2009-2012
18. DISCUSSION ITEM
 - Law that Allows Non-Partisan Election to Move to General Election in November
 - Resolution Urging the Elimination of 4% Cap on Local Tax Levy
 - Resolution Opposing Legislation Amending the Time of Decision Rule
19. PUBLIC PARTICIPATION II
20. EXECUTIVE SESSION
21. RETURN TO OPEN SESSION
22. ADJOURNMENT

TOWNSHIP OF BYRAM
RESOLUTION NO. - 2010

**RESOLUTION AUTHORIZING THE CONDUCT OF
THE CLOSING AND THE EXECUTION OF
REQUIRED DOCUMENTS IN CONNECTION WITH
THE HUDSON GREENWAY ACQUISITION**

WHEREAS, Byram Township has entered into a Contract, dated November 24, 2008, to purchase certain property designated in the Contract as all of parts of Block 360, Lots 26, 26Q, 39 and 42 and to acquire a Conservation Easement in the properties designated in the Contract as all or a portion of Block 225, Lot 15 and Block 360, Lots 26, 39 and 42 on the Tax Maps of the Township of Byram; and

WHEREAS, as a result of subsequent subdivisions, it appears that the property to be acquired under the Contract will now be known as Block 360, Lots 26.01, 39.03 and 42.05 on the Tax Maps of the Township of Byram, and the properties that will be the subject of the Conservation Easement will be known as Block 225, Lot 15, and Block 360, Lots 26.02 and 39.04 on the Tax Maps of 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 or Township Manager are hereby authorized to attend the closing in connection with the aforesaid acquisition on behalf of the Township, and to execute any and all documents, including but not limited to a closing statement, any escrow agreements relating to outstanding work on the Johnson Lake Dam, and any other documents as may be usual and necessary for the purpose of carrying out and completing the acquisition in fee and/or obtaining of Conservation Easement as to the aforesaid property in accordance with the terms and conditions of the November 24, 2008 Contract.

BE IT FURTHER RESOLVED, that the Mayor or Township Manager are hereby authorized to take such further actions as they deem necessary or incidental to carry out the foregoing.

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 February 1, 2010.

DORIS FLYNN, MUNICIPAL CLERK

TOWNSHIP OF BYRAM
Sussex County, New Jersey

ORDINANCE NO: _____ - 2010

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
TOWNSHIP OF BYRAM TO VACATE, RELEASE AND EXTINGUISH
ANY PUBLIC RIGHTS AS TO PORTIONS OF STREETS
KNOWN AS ALLAMUCHY-WATERLOO ROAD,
OLD WATERLOO ROAD, AND WATERLOO ROAD BUT NOT INCLUDING
THE COUNTY ROAD KNOWN AS "WATERLOO ROAD" a/k/a SUSSEX
COUNTY ROUTE 604, PURSUANT TO N.J.S.A. 40:49-6 AND N.J.S.A. 40:67-21**

Purpose Statement: The purpose of this Ordinance is to vacate portions of streets known as Allamuchy-Waterloo Road, Old Waterloo Road, and Waterloo Road but not including the county road known as "Waterloo Road" a/k/a Sussex County Route 604, pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.

WHEREAS, Patriots' Path Council, Boy Scouts of America, a New Jersey Not-for-Profit Corporation, has rights to property adjacent to portions of the roads known as **Allamuchy-Waterloo Road, Old Waterloo Road, And Waterloo Road** and has requested that Byram Township vacate the Township's interests in these roads; and

WHEREAS, it was found and determined by the Township Council of the Township of Byram that portions of the roads known as **Allamuchy-Waterloo Road, Old Waterloo Road, And Waterloo Road** located on or adjacent to Patriot's Path Council, Boy Scout of America properties or are located on or adjacent to nearby properties owned by the New Jersey Department of Environmental Protection are not needed for public use.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Byram as follows:

SECTION 1. Any public rights as to the right-of-way of the following portions of the above-captioned roads are hereby vacated except for all rights and privileges presently possessed by Public Utilities, as defined in R.S. 48:2-13, and any Cable Television Company as defined in the Cable Television Act, P.L. 1972, c. 186 (c.48:5A-1, et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the said area to be vacated:

THE PORTIONS OF the subject roads that lie within or adjacent to the boundaries of the following Lots as defined on the Tax Maps of the Township of Byram:

- a. Allamuchy-Waterloo Road, a/k/a Puffer Road: a portion that begins at the right of way of Interstate Route 80 and extends approximately 4,040 feet and lies on or adjacent to:
 - i. Lot 2 of Block 377
 - ii. Lot 1 of Block 384
 - iii. Lot 1 of Block 378,

- b. Allamuchy-Waterloo Road: a portion that begins at “Waterloo Road” a/k/a Sussex County Route 604 and extends approximately 1400 feet and lies on or adjacent to:
 - i. Lot 1 of Block 384
 - ii. Lot 1 of Block 384.03,

- bc. Old Waterloo Road: a portion that extends approximately 10,600 feet, including any side roads or spurs that may exist, and lies on or adjacent to:
 - i. Lot 1 of Block 384
 - ii. Lot 1 of Block 378
 - iii. Lots 1 and 2 of Block 379,

- ed. Waterloo Road (paper street): an unpaved section that is deep in the wooded area, more than a mile from County Route 604 (the well-known and paved Waterloo Road), extending approximately 2,150 feet and lies on or adjacent to:
 - i. Lot 1 of Block 384
 - ii. Lots 1, 2 and 3 of Block 379,

This does not include the existing county road “Waterloo Road” which is also known as Sussex County Route 604 which is not being vacated.

See Schedule A for portions of the Tax Maps of the Township of Byram highlighting the above roads to be vacated.

SECTION 2. After being introduced and having passed a first reading, this ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage.

At least one (1) week prior to the time fixed for further consideration of this ordinance for final passage, a copy thereof, together with notice of its introduction and the time and place when and where the ordinance will be further considered for final passage, shall be mailed to every person whose lands may be affected hereby so far as may be ascertained. The Township Clerk shall mail said notice in accordance with N.J.S.A. 40:49-6.

Within sixty days (60) days of the effective date of this Ordinance the Township Clerk shall file a copy, certified by her under seal of the Township to be a true copy, together with proof of publication thereof, in the Office of the Sussex County Clerk in accordance with N.J.S.A. 40:67-21.

SECTION 3. Severability If any part of this Ordinance is for any reason held to be invalid such decision shall not affect the validity of the remaining portion of the Ordinance. Any ordinance or portion thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

SECTION 4. Effective date This Ordinance shall take effect in the time and manner prescribed by law.

INTRODUCED: February 1, 2010

ADOPTED:

Township of Byram

ATTESTED:

JAMES OSCOVITCH, MAYOR

DORIS FLYNN, TWP. CLERK

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Mayor and Township Council of the Township of Byram, County of Sussex, New Jersey held on February 1, 2010 and will be considered for final passage after public hearing at a regular meeting of the Mayor and the Township Council to be held on March 1, 2010 at 7:30 p.m. in the Municipal Building, 10 Mansfield Drive, Stanhope, New Jersey. During the preceding week, copies of the ordinance will be made available at the Clerk's office in the municipal Building to members of the general public.

BYRAM TOWNSHIP

DORIS FLYNN, TOWNSHIP CLERK

TOWNSHIP OF BYRAM
ORDINANCE NO. - 2010
POLICE DEPARTMENT
SALARY AND WAGE ORDINANCE
FOR THE YEARS 2009-2012

BE IT ORDAINED by the Mayor and Township Council, Township of Byram, County of Sussex, State of New Jersey as follows:

SECTION: 1. The salary for each appointed official and employee of the Township of Byram who is engaged on an annual salary basis shall be hereby fixed as follows:

Position	Minimum	Maximum
Police:		
Police Officer		
a) Police Academy	38,123	43,791
b) Balance of 1 st year of employment	45,089	51,793
c) 2 nd year of employment	55,882	64,191
d) 3 rd year of employment	66,675	76,589
e) 4 th year of employment	77,468	88,986
f) 5 th year of employment	88,749	101,945
Sergeant	95,064	109,199
Detective increment	1,500 per annum	
Lieutenant	101,690	116,810
Chief of Police	122,428	148,354

SECTION: 2. The hourly rate of pay for each appointed hourly employee shall be fixed as follows:

Position	Minimum	Maximum
Special Law Enforcement Officer – Class I	8.00	10.00
Special Law Enforcement Officer Officer – Class II	9.00	13.50

SECTION: 3. The authorized number of positions shall be established by the Annual Budget adopted by the Township Council or as otherwise provided by statute or official action of the Township Council.

SECTION: 4. The Manager of the Township of Byram may establish rates of compensation for all employees, and may hire any new employee at an annual or hourly rate which does not exceed the maximum salary provided for such office or position.

SECTION: 5. Personnel covered by the existing labor contracts shall be entitled to longevity and other benefits as per contract, if applicable. Full-time annual salaried employees not covered by contracts shall be entitled to the benefits but not including longevity, educational, or overtime payments, which are provided to the bargaining unit of their department or to the clerical bargaining unit if not otherwise covered.

SECTION: 6. All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this ordinance are to the extent of such inconsistency repealed.

**TOWNSHIP OF BYRAM
ORDINANCE NO. - 2010**

**DEPARTMENT OF PUBLIC WORKS
SALARY AND WAGE ORDINANCE
FOR THE YEARS 2010-2012**

BE IT ORDAINED by the Mayor and Township Council Township of Byram, County of Sussex, state of New Jersey as follows:

SECTION: 1. The salary for each appointed official of the Township of Byram who is engaged in the Department of Public Works shall be hereby fixed as follows (as negotiated with O.P.E.I.U. Local No. 32):

<u>Position</u>	<u>Minimum</u>	<u>Maximum</u>
Assistant Supervisor Public Works	29.87	31.92
Equipment Operator	29.23	31.24
Sr. Public Works Repairer	28.66	30.63
Sr. Mechanic	26.60	28.42
Mechanic	22.18	23.70
Public Works Repairer	20.39	21.79
Mechanic Trainee	18.54	19.81
Custodian	16.02	17.12
Laborer	14.31	15.30
Sr. Bldg. Maint. Low Pressure License	28.66	30.63
Bldg. Maint. Worker-Low Pressure License	23.94	25.58

SECTION 2: The authorized number of positions shall be established by the Annual Budget adopted by the Township Council or as otherwise provided by statute or official action of the Township Council.

SECTION 3: The Manager of the Township of Byram may establish rates of compensation for all employees and may hire any new employee at an hourly or annual rate which does not exceed the maximum salary provided for such office or position without specific authorization of the Township Council.

SECTION 4: Personnel covered by the existing labor contracts shall be entitled to longevity and other benefits as per contract, if applicable. Full time annual salaried employees not covered by contracts shall be entitled to the benefits but not including longevity, educational, or overtime payments, which are provided to the bargaining unit of their department.

SECTION 5: All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this ordinance are to the extent of such inconsistency repealed.

SECTION 6: This Ordinance shall take effect after publication and passage according to law and shall be effective from January 1, 2010 and until revised.

**BY ORDER OF THE MAYOR AND COUNCIL OF THE
TOWNSHIP OF BYRAM**

Attest:

James Oscovitch, Mayor

Doris J. Flynn, Township Clerk

Introduced: 2-1-10
Adopted: