

**TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, FEBRUARY 7, 2017
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION – 7:30 P.M.**

- 1. CALL MEETING 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 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**
 - a. Attorney Client Privilege Communication – General
 - VC Developer
 - Health Insurance Fund Resolution 1-17
 - Radio Communications Update
 - Facilities Policy
 - Alvarez
 - b. Personnel
 - c. Contract Negotiations – Alternatives to Public Health Services
- 5. RETURN TO OPEN SESSION**
- 6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
- 7. APPROVAL OF AGENDA**
- 8. APPOINTMENT**
 - Sheila Pepe – Board of Health – Term to expire 12/31/2019
 - Open Space – Recreation Committee Representative – 3 year term
- 9. REPORTS**
 - Township Manager
 - Mayor and Council Members
 - Township Attorney
- 10. 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.**
- 11. 2017 CAPITAL BUDGET PRESENTATION**
- 12. RENEWAL OF JUNKYARD LICENSES – will be carried to February 21, 2017 Council meeting**
 - Raimos
 - North Jersey Auto Wreckers
- 13. APPROVAL OF MINUTES**
 - January 17, 2017 Regular Meeting Minutes
 - January 17, 2017 Closed Session Minutes
- 14. 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.
 - A. Resolution No. 39-2017 – Resolution Authorizing the Execution of the Rider of Service Contract between the Musconetcong Sewerage Authority and the Township of Byram in the County of Sussex
 - B. Resolution No. 40-2017 – Resolution Authorizing the Acceptance of a 2017 Radon Awareness Program (RAP) Grant from the NJDEP in the Amount up to \$1,000
 - C. Resolution No. 41-2017 – Resolution Approving the Execution of a Share Service Agreement between Byram Township and Sparta Township for Fire Prevention Services from January 1, 2017- December 31, 2017
 - D. Resolution No. 42-2017 – Authorize Refund of Redemption monies tot Outside Lien Holder – Block 271 Lot 774
 - E. Resolution No. 43-2017 – Authorize Refund of Redemption Monies to Outside Lien Holder – Block 216 Lot 7
 - F. Resolution No. 44-2017 – Confirming the redemption of Municipal Held Lien – Block 272 Lot 288.01
 - G. Resolution No. 45-2017 – Resolution of the Township Council of the Township of Byram Authorizing the Disposal of Out-of-Date Fire Department Turnout Gear
 - H. Resolution No. 46-2017 – Resolution to Transfer 2016 Appropriation Reserves Current Fund
 - I. Resolution No. 47-2017 – Approval to Submit a Grant Application and Execute a Grant contract with the New Jersey Department of Transportation for the Amity Road – Phase II Improvements Project
- 15. APPROVAL OF FEBRUARY 7, 2017 BILL LIST**
- 16. PUBLIC PARTICIPATION II**
- 17. EXECUTIVE SESSION – Session II (if necessary)**
- 18. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
- 19. ADJOURNMENT**

**TOWNSHIP OF BYRAM
RESOLUTION NO. 39 - 2017**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE RIDER OF SERVICE CONTRACT BETWEEN
THE MUSCONETCONG SEWERAGE AUTHORITY AND THE TOWNSHIP OF BYRAM IN THE
COUNTY OF SUSSEX**

WHEREAS, Byram Township ("Byram") has previously entered into a Service Contract ("the Service Contract") with the Musconetcong Sewerage Authority ("MSA") dated April 1, 2004; and

WHEREAS, pursuant to the Service Contract, Byram is permitted to connect its municipal sewerage system to the MSA sewerage system; and

WHEREAS, pursuant to Schedule B of the Service Contract, Byram has a maximum sewerage allocation ("the Allocation") of 100,000 gallons per day ("gpd"); and

WHEREAS, Byram needs to increase its allocation; and

WHEREAS, the Borough of Stanhope ("Stanhope") has excess sewer allocation that it is willing to convey to Byram; and

WHEREAS, the Stanhope and Byram have entered into a Sewer Capacity Allocation Reservation Agreement dated November 30, 2016 ("the Reservation Agreement") by which Stanhope has agreed to sell, and Byram has agreed to purchase, 1,450 gpd sewer reservation allocation ("the excess gallowage"); and

WHEREAS, a Rider to Byram's Service Contract with the MSA needs to be approved and executed by Byram, reflecting the execution and adoption of the Reservation Agreement with Stanhope for the conveyance of the excess gallowage.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Byram that the Mayor, Township Manager, and Clerk are authorized to execute the Rider of Service Contract between the Musconetcong Sewerage Authority and the Township of Byram.

Byram Township Council

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

Attest:

I certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on February 7, 2017.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 40- 2017**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A 2017
RADON AWARENESS PROGRAM (RAP) GRANT FROM THE NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT UP TO
\$1,000**

WHEREAS, the Byram Township submitted a grant application to the New Jersey Department of Environmental Protection Radon Awareness Program; and

WHEREAS, Byram Township has been awarded this grant up to \$1000.00 for the purchase of Radon Test Kits; and

WHEREAS, this funding will allow the Township to provide radon test kits for Byram Residents on a first come first serve basis; and

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Byram, County of Sussex, State of New Jersey that the Township Manager is hereby authorized to execute any and all documents associated with this grant.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	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 7, 2017.

Doris Flynn, RMC

**TOWNSHIP OF BYRAM
RESOLUTION NO. 41-2017**

**RESOLUTION APPROVING THE EXECUTION OF A SHARED SERVICE
AGREEMENT BETWEEN BYRAM TOWNSHIP AND SPARTA TOWNSHIP FOR
FIRE PREVENTION SERVICES FROM JANUARY 1, 2017 THROUGH DECEMBER
31, 2017**

WHEREAS, the Byram Township Council and the Sparta Township Council have concluded that a one (1) year interlocal services agreement for fire prevention services would be in the best interest of both municipalities; and

WHEREAS, the Mayor and Council of the Township of Byram have reviewed and approved the agreement for fire prevention services from January 1, 2017 through December 31, 2017.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram that the Mayor, Township Manager and Municipal Clerk are authorized to execute the Shared Services Agreement between the Township of Byram and Sparta Township for Fire Prevention Services.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	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 7, 2017.

Doris J. Flynn
Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION # 42-2017
"Authorize Refund of Redemption Monies to Outside Lien Holder"

WHEREAS, at the Municipal Tax Sale held on October 18, 2016 and a lien was sold on Block 271 Lot 774 also known as Lackawanna Drive, for 2015 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2016-011 and was sold to Sujana Gavva at 17% interest; and

WHEREAS, Richard Picolli, owner of the property has effected a redemption of certificate #2016-011 in the amount of \$1,162.16;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram that this Governing Body acknowledges that Sujana Gavva is entitled to the redemption in the amount of \$1,162.16; and

BE IT FURTHER RESOLVED, that the Certified Finance Officer be authorized to issue a check in the total amount of \$1,162.16 for the total redemption of certificate #2016-011 payable Sujana Gavva, 241 Spyglass Court, East Stroudsburg, PA 18302.

Byram Township Council

	Councilwoman Raffay	Deputy Mayor Gray	Councilman Olson	Councilwoman Kash	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 7, 2017.

Doris J. Flynn, Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION # 43-2017
"Authorize Refund of Redemption Monies to Outside Lien Holder"

WHEREAS, at the Municipal Tax Sale held on October 19, 2016 and a lien was sold on Block 216 Lot 7 also known as 22 Little Paint Way, for 2015 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2016-009 and was sold to US Bank Cust for PC6, LLC Sterling National at 0% interest and a premium of \$28,800.00; and

WHEREAS, CoreLogic for Selene Finance, representing the property has effected a redemption of certificate #2016-009 in the amount of \$3,123.24;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram that this Governing Body acknowledges that US Bank cust for PC6, LLC Sterling National is entitled to the redemption in the amount of \$3,123.24 and the return of the premium in the amount of \$28,800.00; and

BE IT FURTHER RESOLVED, that the Certified Finance Officer be authorized to issue a check in the total amount of \$31,923.24 for the total redemption of certificate #2016-009 payable US Bank cust for PC6, LLC Sterling National, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102.

Byram Township Council

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

ATTEST:

I certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on February 7, 2017.

Doris J. Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION #44-2017
"Confirming the Redemption of a Municipal Held Lien"**

WHEREAS, at the Municipal Tax Sale held on October 18, 2016 property known as Block 272 Lot 288.01 also known as Lackawanna Drive and owned by Richard Picolli, was delinquent for 2015 real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2016-012, was "struck off" to the Township of Byram at 18% interest; and

WHEREAS, Richard Picolli the owner of said property has affected the redemption of certificate #2016-012 in the amount of \$205.84;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram that this Governing Body acknowledges that Tax Sale Certificate #2016-012 has redeemed in the amount of \$205.84.

BE IT FURTHER RESOLVED, that this governing body confirms the actions of the Certified Tax Collector in the processing of this lien redemption in the amount of \$205.84 as well as the processing of all the paperwork to cancel tax sale certificate #2016-012 from record.

Byram Township Council

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

ATTEST:

I certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on February 7, 2017.

Doris J. Flynn, Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 45 - 2017**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
BYRAM AUTHORIZING THE DISPOSAL OF OUT OF DATE BYRAM
TOWNSHIP FIRE DEPARTMENT TURNOUT GEAR**

WHEREAS, the Byram Township Fire Department has determined that the property described on Schedule A attached hereto and incorporated herein is no longer usable equipment; and

WHEREAS, the Byram Township Fire Department has agreed not to sell or donate the said equipment or personally take possession of same; and

WHEREAS, the equipment is to be disposed of;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram in the County of Sussex, State of New Jersey, that the Township hereby authorizes the Byram Township Fire Department to dispose of the out of date Turnout Gear indicated on Schedule A and not to sell or donate the said equipment or personally take possession of same.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	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 7, 2017.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 46-2017**

**RESOLUTION TO TRANSFER
2016 APPROPRIATION RESERVES
CURRENT FUND**

WHEREAS, transfers between appropriation reserves are permitted by N.J.S.A. 40A:4-59 during the first three months of the next succeeding fiscal year; and

WHEREAS, certain 2016 appropriation reserves are expected to be insufficient to meet expenditure requirements, and certain 2016 appropriation reserves have funds available to offset these expenditure requirements;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, (not less than two-thirds thereof affirmatively concurring) that the transfers as listed between 2016 appropriation reserves be made in the Current Fund:

<u>Department</u>	<u>Account Number</u>	<u>Amount – From:</u>	<u>Amount – To:</u>
Const. Code Official OE - Misc	01-203-22-195-261	\$ 70.00	
Fire Prevention OE	01-203-25-265-015		\$ 70.00

BYRAM TOWNSHIP COUNCIL						
COUNCIL MEMBER	Councilwoman Raffav	Councilman Gray	Councilman Olson	Councilwoman Kash	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 7, 2017.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 47 - 2017**

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Amity Road – Phase II Improvements project.

NOW, THEREFORE, BE IT RESOLVED that the Byram Township Council of the Township of Byram, County of Sussex, State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Amity Road – Phase II Improvements-00108 to the New Jersey Department of Transportation on behalf of Byram Township.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Byram Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Township Council on this 7th day of February, 2017.

Doris Flynn
Municipal Clerk

My signature and Municipal Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

Doris Flynn
Municipal Clerk

James Oscovitch
Mayor