

**TOWNSHIP OF BYRAM  
COUNCIL AGENDA  
TUESDAY, FEBRUARY 7, 2012 – 7:00 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. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**

**5. APPROVAL OF AGENDA**

**6. APPROVAL OF FIRE DEPARTMENT MEMBER – John Thomas Dimino**

**7. LICENSE RENEWALS**

- 2012 Quarry License Renewal for Tilcon New Jersey
- 2012 Junkyard License Renewal - North Jersey Auto Wreckers, Inc.
- 2012 Junkyard License Renewal – Raimo of Stanhope, Inc.

**8. SPECIAL DISCUSSION**

- Road Improvement Program
- Three (3) Year Capital Plan
- Tamarack Park Proposed Engineering Plan

**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. APPROVAL OF MINUTES**

- January 17, 2012 Regular Meeting Minutes
- January 17, 2012 Executive Session Minutes

**12. ORDINANCE 1 - 2012 – 2<sup>nd</sup> Reading and Public Hearing**

Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

**13. 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. 37-2012 – Resolution Authorizing Appropriation Reserve Budget Transfer for 2011 - \$2,800.00

B. Resolution No. 38-2012 – Resolution Authorizing the Mayor to sign Lease Agreement and Shared Services Contract for Community Animal Impound Services between the Township of Byram and Byram Animal Rescue Kindness Squad (BARKS)

**14. APPROVAL OF FEBRUARY 7, 2012 BILL LIST**

**15. OTHER BUSINESS**

**16. PUBLIC PARTICIPATION II**

**17. RESOLUTION FOR EXECUTIVE SESSION**

- **Attorney Client Privilege Information**
  - a. Byram Plaza – FEMA maps
  - b. Consolidated School/Civic Center Auction
  - c. PSE&G – Garrison Holdings Parcel

**18. RETURN TO OPEN SESSION**

**19. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**

**20. ADJOURNMENT**

**TOWNSHIP OF BYRAM,  
SUSSEX COUNTY, NEW JERSEY  
ORDINANCE NO. 1 - 2012**

**CALENDAR YEAR 2012  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Township of Byram in the County of Sussex finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township of Byram hereby determines that a 3.5 % increase in the budget for said year, amounting to \$292,918.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Township of Byram, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Byram shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$292,918.00, and that the CY 2012 municipal budget for the Township of Byram be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**Attest:**

\_\_\_\_\_  
Doris J. Flynn, Township Clerk

**BYRAM TOWNSHIP COUNCIL**

\_\_\_\_\_  
James Oscovitch, Mayor

Introduced: 1/17/12

Adopted: 2/7/12

COUNCIL MEMBER	Councilman Lucese	Councilwoman Raffar	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

**NOTICE** is hereby given that the above-entitled Ordinance was introduced and passed first reading at the meeting of the Byram Township Council held at the Byram Township Municipal Building, 10 Mansfield Drive on the 17<sup>th</sup> January 2012. The said ordinance was further considered for final adoption at a meeting of the Byram Township Council, held at the Byram Municipal Building, 10 Mansfield Drive, Byram Township on the 7<sup>th</sup> day of February 2012 at 7:00 p.m. at which time all persons were given the opportunity to be heard. It was finally passed and adopted and will be in full force in the Township according to law.

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 57- 2012**

**RESOLUTION OF THE TOWNSHIP OF BYRAM, COUNTY OF SUSSEX,  
STATE OF NEW JERSEY, AUTHORIZING APPROPRIATION RESERVE  
BUDGET TRANSFERS FOR 2011.**

WHEREAS, the following 2011 Appropriation Reserve Budget transfers are necessary:

<u>TRANSFER FROM</u>	<u>TRANSFER TO</u>
Legal      \$2,800.00	Tax Assessor o/e    \$2,800.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Township of Byram, County of Sussex, New Jersey, that the Finance Officer is hereby authorized and directed to make the above 2011 Appropriation Reserve Budget transfers.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffar	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, 2012.

\_\_\_\_\_  
Doris Flynn, RMC  
Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 38 – 2012**

**RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT AND SHARED SERVICES CONTRACT FOR COMMUNITY ANIMAL IMPOUND SERVICES BETWEEN THE TOWNSHIP OF BYRAM AND BYRAM ANIMAL RESCUE KINDNESS SQUAD INC. (BARKS)**

WHEREAS, the Township has entered into a lease agreement and shared services contract for community animal impound services between the Township of Byram and BARKS.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Byram, County of Sussex, State of New Jersey that the Mayor has authorization to sign the said agreement between the Township of Byram and BARKS.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	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, 2012.

\_\_\_\_\_  
Doris Flynn, RMC  
Township Clerk