

**TOWNSHIP OF BYRAM  
COUNCIL AGENDA  
TUESDAY, MARCH 6, 2012 – 6:15 P.M.**

- 1. CALL MEETING TO ORDER AT BYRAM LAKES SCHOOL**
- 2. OPEN PUBLIC MEETING STATEMENT**

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

- 3. ROLL CALL**
- 4. PLEDGE OF ALLEGIANCE**
- 5. PRESENTATION BY CHILDREN OF THE BYRAM LAKES SCHOOL IN RECOGNITION OF READ ACROSS AMERICA AND DR. SEUSS'S BIRTHDAY.**
- 6. RECESS**
- 7. REOPEN MEETING IN COUNCIL MEETING ROOM**
- 8. APPROVAL OF AGENDA**
- 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**

- February 21, 2012 Regular Meeting Minutes
- February 21, 2012 Executive Session Minutes

- 12. INTRODUCTION OF 2012 BUDGET**

- 13. ORDINANCES – 2<sup>nd</sup> Reading & Public Hearing**

- **Ordinance 2-2012 - Ordinance to Amend Chapter 48 of the Township Code, entitled Police Department, Article II, 48-24 entitled Outside Services**  
**PURPOSE STATEMENT:** From time to time there is a request for police services to serve private or quasi-public functions within the Township or neighboring communities. The provisions of this ordinance support the authorization to provide off-duty police officers to perform general safety and police services at a defined contracted rate.

- **Ordinance 3-2012 - Ordinance for Authorizing the Sale of Township Property Not Needed for Public Use to the Highest Bidder at Public Sale by Auction**  
**PURPOSE STATEMENT:** The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to convey the Township owned subject property known as Block 226, Lots 21 and 22 to the highest bidder at public sale by auction, because the property is not needed or required for public use. The sale shall be subject to Deed restrictions and a reversionary interest affecting the subject property. The two lots set forth herein shall be conveyed together.

- 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. 48-2012 – Resolution Establishing Fees for the Parks and Recreation Department for the Year 2012
- B. Resolution No. 49-2012 – Resolution authorizing the Sale of Surplus Personal Property no Longer Needed for Public Use on an Online Auction Website
- C. Resolution No. 50–2012 – Resolution Authorizing the Submission of up to a \$4,800 ANJEC Smart Growth Planning Grant Application to Inventory and Monitor Conservation Easements
- D. Approval of Raffle License from Noah’s Ark Animal Welfare Association – Tricky Tray to be held at Adam Todd on May 6, 2012
- E. Approval of Raffle License from St. Michael School HSA – Tricky Tray and 50/50 to be held at Adam Todd on April 20, 2012

- 15. APPROVAL OF MARCH 6, 2012 BILL LIST**

- 16. DISCUSSION ITEMS**

- **Appointments**
  - a. County Water Quality PAC member
  - b. Open Space Representatives from Planning Board and Environmental Commission

- 17. PUBLIC PARTICIPATION II**

- 18. RESOLUTION FOR EXECUTIVE SESSION**

- **Attorney Client Privilege Information** – Willor Manor Water Company

- 19. RETURN TO OPEN SESSION**

- 20. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
- 21. ADJOURNMENT**

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY**

**ORDINANCE NO. 2 - 2012**

**ORDINANCE TO AMEND CHAPTER 48 OF THE BYRAM TOWNSHIP CODE  
ENTITLED POLICE DEPARTMENT, ARTICLE II, §48-24 OUTSIDE SERVICES**

**PURPOSE STATEMENT:** From time to time there is a request for police services to serve private or quasi-public functions within the Township or neighboring communities. The provisions of this ordinance supports the authorization to provide off-duty police officers to perform general safety and police services at a defined contracted rate.

**BE IT ORDAINED** by the Township Council of the Township of Byram, Sussex County, New Jersey, that Chapter 48 of the Code of the Township of Byram, entitled "Police Department", be amended as follows:

**Section I**

**Article II. §48-24** is hereby deleted and replaced with:

**48-24. Outside activities.**

A. Outside employment.

(1) Full-time police officers shall not accept outside employment or engage in outside business activities without the prior approval of the Chief of Police and Township Manager. The application shall set forth pertinent information concerning the type of activity to be engaged in, the name and address of the prospective employer and the hours of such employment.

(2) No application for permission to accept outside employment shall be approved if there is any reasonable probability that such outside employment will interfere with the employee's performance or compromise the employee's position with the Township through a conflict of interest or if such employment exceeds 20 hours per week.

B. Contracted employment.

(1) Chief of Police authorized to furnish officers. The Chief of Police is hereby authorized to furnish, in his sole discretion, off-duty police officers to perform general safety and police services, revolving on a voluntary basis, to service private or quasi-public functions within the Township or a neighboring community thereof upon such party's advanced written request on forms provided by the Department, with the approval by the Chief of Police and upon such party's agreement to pay the

charges therefor as hereinafter set forth and as provided in the requesting party's contract for police services with the Township.

- (2) Insurance coverage to be provided. The party requesting police service shall be responsible to provide adequate insurance coverage (corporate, homeowners, special event, etc.) to cover claims against or by the police officer or officers assigned by the Department. The Township coverage is to be considered secondary and supplementary to the requestor's coverage. A police officer so employed pursuant to this subsection shall be covered by the Township for workmen's compensation and disability pension, if necessary, for injuries or illness arising out of such employment.
- (3) Compensation for services. The party requesting the service of a member of the Police Department within the boundaries of the Township shall be charged and pay for such services at the nonnegotiable hourly rate of sixty-five dollars (\$65.00) per hour plus an administrative expense rate of ten dollars (\$10.00) per hour. Parties requesting the service of a member of the Police Department outside the boundaries of the Township shall be charged and pay for such services at the hour rate of sixty-five dollars (\$65.00) per hour plus an administrative expense of ten dollars (\$10.00) per hour. In the event that the requesting party's rate of pay is lower than the required here in, members of the police department may provide services at the lower rate of pay and the administrative rate shall be deducted from that amount. Each member of the Police Department rendering such services shall be compensated at the said hourly rate regardless of rank in the Department. The total charge per hour shall be billed to the party requesting the service and shall include a per-hour administrative expense cost of ten dollars (\$10.00) per hour. The administrative fee is assessed to cover administrative costs, employment taxes, social security contributions, insurance costs, vehicle costs and benefit cost. The billing should be vouchered and prepared by the Police Department and forwarded to the requesting party. Payment is to be made directly to the Chief Financial Officer of the Township within 10 days. Tipping and additional gratuities are hereby prohibited. A minimum voucher bill for two hours of police service will be charged in the event of cancellation within 24 hours of the requested and scheduled duty.
- (4) Disposition of funds. All moneys received by the Township Clerk shall be placed in a special account, and such special account shall be considered a dedication by rider to the budget pursuant to N.J.S.A. 40A:4-39 for the sole purpose stated herein. The Chief Financial Officer is hereby authorized to transfer from said special account to the payroll account to the members of the Police Department performing the duty, where practical, within the payroll period following receipt of payment from the party requesting the service.
- (5) Time not to be computed as regular hours. The time spent by any member of the Police Department in said extra-duty employment for private or quasi-public functions shall not be computed as part of his regular employment hours or overtime, and the procedures set forth herein pertaining to the manner and method of

fixing and collecting charges, together with the establishment of payroll procedures, including but not limited to withholding tax, Federal Insurance Contributions Act (FICA) and unemployment taxes, shall be subject to the rules and regulations promulgated by the New Jersey Division of Local Government Services by such procedures as may affect the same as established by the Internal Revenue Service.

**Section 2.**     **Severability**

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**Section 3.**     **Effective date**

This Ordinance shall take effect in the time and manner prescribed by law.

Introduction:   February 21, 2012

Adoption:       March 6, 2012

Doris Flynn, Township Clerk

James Oscovitch, Mayor

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

NOTICE

**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 21st February 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 6<sup>th</sup> day of March 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.

Doris J. Flynn, RMC  
Byram Township Clerk

**TOWNSHIP OF BYRAM  
ORDINANCE NO. 3 - 2012**

**AN ORDINANCE AUTHORIZING THE SALE OF  
TOWNSHIP PROPERTY NOT NEEDED  
FOR PUBLIC USE TO THE HIGHEST  
BIDDER AT PUBLIC SALE BY AUCTION**

**PURPOSE STATEMENT:** The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to convey the Township owned subject property known as Block 226, Lots 21 and 22 to the highest bidder at public sale by auction, because the property is not needed or required for public use. The sale shall be subject to Deed restrictions and a reversionary interest affecting the subject property. The two lots set forth herein shall be conveyed together.

**WHEREAS**, the Township of Byram owns the subject property known as Block 226, Lots 21 and 22, and said property is not needed or required for public use; and

**WHEREAS**, the Mayor and Council of the Township of Byram have deemed it in the best interest of the Township to sell this property to the highest bidder by public sale at auction in accordance with the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.; and

**WHEREAS**, the conditions of sale are set forth in Schedule A, attached hereto, and made a part hereof; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Township of Byram, Sussex County, New Jersey, that:

**Section 1. General Terms and Conditions.**

1. The Township of Byram shall sell the subject property known as Block 226, Lots 21 and 22 to the highest bidder at public sale at auction.
2. The sale shall be subject to the Deed restriction described in the Deed by Thomas and Ella Sweeney ("Grantors") to the Trustees of the Board of Education of the Township of Byram ("Grantee"), recorded in Book 347, Page 293 of the Sussex County Clerk's Office, and the Deed restriction described in the Deed by Thomas and Ella Sweeney ("Grantors") to the Trustees of the Board of Education of the Township of Byram ("Grantee"), recorded in Book 451, Page 306 of the Sussex County Clerk's Office. Copies of these Deeds are available at the Sussex County Clerk's Office.

3. Upon final passage of this Ordinance at the regular meeting of the Mayor and Council of the Township of Byram at 7:00 pm on March 6, 2012, to be held at the Byram Township Municipal Building located at 10 Mansfield Drive, Byram, New Jersey, Byram Township will sell the property known as Block 226, Lots 21 and 22, subject to the conditions of sale set forth in Schedule A, to the highest bidder at public sale by auction, at a time and date to be determined. The auction shall be conducted at least ninety (90) days from the date of the adoption of the Ordinance.

4. The properties set forth above shall be sold subject to the additional terms and conditions as set forth in Schedule A, attached hereto.

5. The Township reserves the right to reject all bids received for the subject property.

### **Section 2. Severability.**

If any provision of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

### **Section 3. Repealer.**

All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

### **Section 4. Effective Date.**

This Ordinance shall take effect upon its final passage and publication according to law.

Dated: February 21, 2012

Adopted: March 6, 2012

TOWNSHIP OF BYRAM

By: \_\_\_\_\_  
James Oscovitch, Mayor

By: \_\_\_\_\_  
Doris Flynn, Township Clerk

**SCHEDULE A**  
**Conditions of Sale of Real Property**

1. The property will be sold to the highest bidder at auction. The Township reserves the right to reject all bids.
2. The sale will be for cash and the successful bidder will be required at the conclusion of the auction to sign a purchase offer agreement and post a non-refundable amount equal to ten percent (10%) of the bid price to guarantee the sale. The balance due shall be paid within sixty (60) days of confirmation of the sale by the Township governing body.
3. All sales are subject to final confirmation by the Township governing body.
4. The property will be sold in an as is condition (as set forth in greater detail in item 10, below) with the current improvements located thereon.
5. The Township will pay no real estate commission.
6. All property will be sold subject to municipal zoning ordinances in effect at the time of sale.
7. All property will be sold subject to the Local Lands and Building Law, N.J.S.A. 40A:12-1 et seq.
8. All property will be conveyed by tax lot and block only.
9. The Township will convey only such title as it possesses and by Bargain and Sale Deed with Covenants against Grantor's Act.
10. All property will be sold in an "as is" condition, including the improvements located on the subject property. No representations as to the quality of title or the quantity of property being conveyed are made by the Township. It is recommended that bidders perform an investigation prior to the auction. Any potential bidder is required to do a due diligence investigation prior to the auction.
11. The sale shall be subject to the Deed restriction described in the Deed by Thomas and Ella Sweeney ("Grantors") to the Trustees of the Board of Education of the Township of Byram ("Grantee"), recorded in Book 347, Page 293 of the Sussex County Clerk's Office, and the Deed restriction described in the Deed by Thomas and Ella Sweeney ("Grantors") to the Trustees of the Board of Education of the Township of Byram ("Grantee"), recorded in Book 451, Page 306 of the Sussex County Clerk's Office. These restrictions require that the property must be used for educational, religious or municipal purposes, as

required and recorded in the chain of title to the property, together with a reversion clause whereby the property shall revert to the original grantors, their heirs and/or assigns, in the event the property is not used in accordance with the deed restrictions. The successful bidder shall be required to sign an Affidavit acknowledging the disclosure of the Deed restrictions and reversionary interest affecting the subject property prior to closing of title.

12. Prior to any sale, the Township reserves the right to withdraw the parcel from the sale market.

13. Taxes shall be apportioned as of the date the Deed is recorded, and the purchaser shall be responsible for all omitted assessments based upon the current year assessment value.

14. The successful purchaser must pay the balance of the purchase price plus the sum of \$800.00 for legal fees and expenses incurred by the Township, not including recording fees, within sixty (60) days after the date that the Township governing body adopts the Resolution confirming the winning bids. The balance shall be paid by certified or bank funds. Once the purchase price has been paid, a Bargain and Sale Deed with Covenants against Grantor's Acts will be prepared by the Township attorney and executed by Township officials. It shall be recorded with the Sussex County Clerk's Office by the purchaser. Additional work performed by the Township attorney beyond the standard preparation of the sale Resolution and Deed shall be billed at the rate charged by the Township attorney, which will be the responsibility of the purchaser, which fees must be paid prior to the Deed being recorded.

15. The Deed will be subject to all matters of records that may affect title, including what an accurate survey may reveal. The municipality reserves an easement for all natural or constructed drainage systems or waterways, if any, on the premises and the continued right of maintenance and flow.

16. The sale shall not be used as grounds to support any variance or relief from any zoning Ordinance regulations.

17. The failure of the purchaser to close title within the sixty (60) days previously set forth will constitute a breach of this Agreement, unless the Township agrees in writing prior to the date to extend the time of the closing. In the event the purchaser fails to close within the said time period, the deposit paid by the purchaser shall be retained by the Township as liquidated damages. The municipality is entitled to retain the purchaser's deposit to the extent of any expenses and/or losses it incurs, including, but not limited to, advertising costs, attorneys' fees, lost tax revenues, cost of resale and any difference in sale price.

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## NOTICE

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Doris Flynn, Township Clerk  
Township of Byram

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 48 - 2012**

**RESOLUTION ESTABLISHING FEES FOR THE PARKS AND RECREATION  
DEPARTMENT FOR THE YEAR 2012**

**WHEREAS**, the Township of Byram recognizes the need to be able to display information on the pricing of recreation programs and activities; and

**WHEREAS**, the Township Council feels it necessary to review said fees prior to having them charged.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of Byram that this body formally endorses the following fees, and implements their use in their designated programs for the year 2012.

**Parks and Recreation Fee Structure**

All non-Byram residents pay \$10 non-resident fee per course for programs \$21 - \$75 and a \$20 non-resident fee for programs \$75 and over except trips (arrangements with Mt. Olive), basketball (arrangements with Stanhope & Netcong) and other programs that have specific arrangements made with specific townships.

Individuals, groups, organizations or other entities reserving township facilities may be required to provide a \$300 security deposit and compensate the township for any special services needed for the activity or event in order to reserve a facility. **Non-profit organizations that do not meet residency requirements and private citizens of Byram Township may be charged \$100 per day for the use of a facility. For-profit users may be charged up to \$500 per day of the event plus a 25% commission based on gross sales. Additional security deposits may be required.** Individuals, groups, organizations or other entities using a township facility will be required to compensate the Township for any damage, or other than normal wear from proper use of the facility. Any damage resulting from abnormal use of the permitted facility will be the sole responsibility of the applicant. The applicant will bear all costs associated with cleanup, repair to and/or replacement of damaged property. Fines may be assessed for each incident that the applicant has unauthorized use of a facility.

8 week Parent and Child, Preschool, Youth and Adult Programs run in conjunction with Sparta Parks and Recreation including but not limited to: Mom & Bay Yoga, Mom & Me Yoga Adventures, Hands on Art Fun factory, Mom & Me Gigggle Time, Preschool Yoga, Animal Adventures, Fun Food Creations, Youth Yoga, and Project Place, Ballroom Dance \$65 per child (parents are free)

8 week Preschool and Youth Programs run in partnership with Sparta Lanes including but not limited to: Biddie Bumper Bowling, Youth Bowling Buddies \$60 per child

8 week Youth classes run in partnership with Isshinryu Karate including but not limited to: Youth Karate \$60 per child

8 session Parent and Child, Preschool, Youth and Adult programs directly run by Byram Recreation including but not limited to: Toddler's Gymnastics, Youth Tennis, Adult Tennis, Summer Youth and Adult Tennis \$60 per participant

8 week Preschool, Youth and Teen programs run in partnership with Grand Jete' Dance Academie including but not limited to: Ballet, Tap and Tumbling, Ballet and Tap, Ballet, Hip Hop, Lyrical and Jazz \$80 per participant

Preschool and Youth programs run in partnership with US Sports Institutes including but not limited to: Sports Squirts, T-Ball Squirts, Soccer Squirts

Vary based on program and number of weeks range from: \$80 - \$120

Golf lessons per season (usually 5 - 8 week period) Youth and Teen Golf Lessons run in partnership with To the Tee:

\$134 - \$220 per season depending upon number of lessons

8 week Adult Fitness Classes run in partnership with RDA Fitness including but not limited to: Pilates, Zumba, Yoga

\$60 per participant

5 - 8 week Adult Golf Lessons run in partnership with To the Tee Golf

\$134 - \$220 per participant

Single session Rutgers's SAFETY Class for Volunteer Coaches

\$35 per participant

Men's Basketball and Coed Volleyball

\$25 per month or \$5 per night

Adult Quilting

\$5 per year

Adult Bike Right Biking

\$5 per season

Camping in the Park

\$8 - \$10 per person

Single session Pitch Hit and Run

Free

Single session Preschool and Youth Bike Right Learn to Ride

Free

1 week (5 sessions, no rain dates) Preschool and Youth Summer Swim Lessons

\$25

10 - 14 week Youth Recreation Basketball

\$115

10 - 14 week Youth Travel Basketball

\$200

1 week Summer Camp

TBA

1 week Summer Enrichment classes or Sports Camps

Vary by class, camp and company running the program, and number of hours

Movies in the Park - free

Concerts in the Park - free

Fall (Halloween) and Christmas celebrations - Free

Byram Day - Free to residents. Vendor fees apply (free to \$100)

Special Events such as Tri Harder Kids Triathlon, Princesses and Superheroes, Magicians and Jugglers, etc.

Free - \$15

**BYRAM TOWNSHIP MAYOR AND COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffav	Councilman Olson	Councilwoman Kash	Mayor O'scovich
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 March 6, 2012.

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

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION NO. 49 - 2012**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
BYRAM AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY  
NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION  
WEBSITE**

WHEREAS, the Township of Byram has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Byram intends to utilize the online auction services of GovDeals located at GovDeals.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9,

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 is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled GovDeals.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between GovDeals and the Township of Byram are available at GovDeals.com and in the Township Clerk's office; and

BE IT FURTHER RESOLVED, that a certified copy of the within Resolution be forwarded by the Township Clerk to the Chief Financial Officer, Chief of Police and the Township Auditor of Byram Township and the Director of the Division of Local Government Services.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on March 6, 2012.

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

# Schedule A

2001 Ford Crown Victoria, four door, silver, VIN: 2FAFP71W61X125305

2004 Ford Crown Victoria, four door, white, VIN: 2FAFP71W84X100233

2005 Ford Crown Victoria, four door, white, VIN: 2FAFP71W35X173480

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**TOWNSHIP OF BYRAM  
RESOLUTION NO. 50 - 2012**

**RESOLUTION AUTHORIZING THE SUBMISSION OF UP TO A  
\$4,800 ANJEC SMART GROWTH PLANNING GRANT APPLICATION  
TO INVENTORY AND MONITOR CONSERVATION EASEMENTS**

Whereas, the Township of Byram recognizes the need to inventory and monitor conservation easements on both public and private parcels, whether imposed by NJDEP or by the Township via Planning Board resolution or by the Township or other organizations as part of open space preservation projects or by other processes; and

Whereas, the Township does not currently have a formal procedure to list, monitor, and enforce such easements; and

Whereas, the lack of such a formal procedure has led to the haphazard enforcement or lack of enforcement of these easements; and

Whereas, the lack of a formal procedure has meant that the important purposes of such easements, including permanent protection of wetlands, steep slopes, forests, habitats and other critical natural features, have sometimes not been enforced; and

Whereas, the lack of a formal procedure hampers the ability of various Township offices and officials to adhere to the provisions of these easements, including the Zoning Office, Construction Office, Environmental Commission, Open Space Committee, Recreation Committee and Planning Board, whose efficiency is compromised by the need to try to research easement issues on a case by case basis; and

Whereas, individual property owners are often not aware of easements on their parcels, leading them to violate the easement and causing the Township unnecessary administrative and enforcement work; and

Whereas, the Association of New Jersey Environmental Commissions (ANJEC) is sponsoring a matching funds grant program to assist communities in Smart Growth Planning, including "Conservation Easement Inventory/Tracking";

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Byram as follows:

- 1) We hereby endorse the submission of an ANJEC Smart Growth Planning Grant application in an amount not to exceed a request for \$4,800 in grant funding;
- 2) The Township commits to providing a 50% match for the grant funding, as required by ANJEC, half in cash and half in kind. The maximum \$1,200 in cash match is to be obtained from the 2012 Township Environmental Commission budget.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to:

- 1) The Byram Township Environmental Commission and Open Space Committee; and
- 2) ANJEC.

**BYRAM TOWNSHIP COUNCIL**

I hereby certify this to a true copy of a  
Resolution adopted this 6th day of March 2012

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Doris Flynn, Township Clerk