

BYRAM TOWNSHIP COUNCIL MEETING - APRIL 15, 2014

CALL MEETING TO ORDER

Mayor Oscovitch called the meeting to order at 7:00 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 Collins and Municipal Clerk Doris Flynn were also present.

RESOLUTION FOR EXECUTIVE SESSION – 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
 - General
 - Stephen Payson request – Block 27, Lots 372, 373B, 385 and Block 18, Lots 386, 387, 419, 420
 - LLIC
- b. Contract Negotiations - Health Benefits

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 April 15, 2014.

Doris Flynn, Municipal Clerk

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor 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 7:40 p.m. All members were in favor. Motion Carried.

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilwoman Kash, to approve the agenda as presented. All members were in favor. Motion carried.

APPROVAL OF NEW FIRE DEPARTMENT MEMBER - Motion by Councilman Olson, second by Councilwoman Raffay, to approve Nick Millian as a new member of the Fire Department. Nick Millian was sworn in by Mayor Oscovitch. The Council congratulated Nick and thanked him for volunteering. Marie Raffay asked him about the reason why he wanted to become a Volunteer Fireman. Nick said that when he was in 8th grade his house went on fire and the Byram Fire Department came quickly and put it out. Because of the quick actions of the Fire Department, his house did not burn to the ground. Now he would like to help others.

TOWNSHIP REPORTS

Manager's Report

- The Rabies Clinic held on April 5 was very successful. They ran out of vaccines—250 dogs and cats were vaccinated. The Manager thanked the people who participated in the clinic:
- **Employees:**
 - Cindy Church
 - Cheryl White
 - Don Boroughs
- **Board of Health Volunteers:**
 - Ruth Rhodes
 - William Schenkel
 - Lois O'Brien
- **Student Volunteers:**
 - Kelly May
 - Sara Schenkel
 - Anthony Tesori
 - Kelsey Sowell
 - Kassie Kron
 - Amy Dehnert
- **Veterinarian:**
 - Dr. Carlos, of the Byram Animal Hospital
- **2014 Dog Licensing:** Licenses must be renewed by April 30, 2014
- Lakeland Emergency Squad is holding their annual Easter egg hunt on April 19 at 10 a.m. at Wild West City.
- The next tax payment is due May 1, 2014. Byram now has the on-line tax payment option, which directly debits your checking or savings account.

Councilman Olson

- EDAC met on April 10. Planner Paul Gleitz presented a Planning/Land Use 101 session to the members of the EDAC. It was a great meeting. The Council will be having a joint meeting with the EDAC on May 8.
- Open Space met on April 14 and they are finalizing a few projects.
- Scott will be attending a Waterloo Strategic Planning Meeting, which is in the final stages of putting together all the items to bring Waterloo forward as an entity.
- On April 24 Eileen Swan and Lucy Halsey will be attending the EC meeting to go over the easement monitoring project.

Councilwoman Raffay

- The Planning Board meeting scheduled for April 17 has been cancelled.
- Marie Raffay will be 'Teacher for a day' on Wednesday, April 16. She will be the gym teacher, which should be fun. There are some other council members as well as police officers, board of education members, and business owners who will also participate.

David Gray

- The Environmental Commission is staying on top of the NJDOT garage underground storage tank contamination issue. The EC meets again on April 24 at 7:30 p.m.
- The Environmental Commission is commissioning a memorial for Peg Swentzel on May 3 at 11 a.m. It is part of an Arbor Day event.

Mayor Oscovitch

- The Mayor asked Joe Sabatini when Hob Engler Opening Day was. We are assuming it is the last weekend in April, but we have not had confirmation.
- Earl Riley will be taking the Mayor's seat on the planning board effective May 1, 2014.

PUBLIC PARTICIPATION I—Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members were in favor. Motion carried. No comments were made.

Earl Riley, 5 Louis Drive, asked about the contamination at the NJDOT garage. Councilman Gray briefly explained it and stated that it will be discussed again later in the evening.

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

APPROVAL OF MINUTES

- April 1, 2014 Regular Meeting Minutes –Motion by Councilwoman Kash second by Councilman Olson to adopt the minutes as presented.

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

- April 1, 2014 Executive Session Meeting Minutes –Motion by Councilwoman Kash second by Councilman Gray to adopt the minutes as presented.

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

- **2014 BUDGET – Public Hearing** – Motion by Councilman Olson, second by Councilwoman Kash to open the public hearing.

Joe Sabatini read the 2014 budget message that he prepared. This message is posted to the township’s website.

Auditor Ray Sarinelli stated that Byram had a good budget year. Byram is well under both the levy cap and appropriation cap. Culturally for Byram, it’s about how we can provide our services at a modest increase. We have control over our budget, and Ray Sarinelli said that we are planning very well. The Mayor stated that he was glad that we took Ray’s and the Manager’s recommendation and paid more debt.

Joann Smith, 57 Lake Drive, asked if it was contractual that we pay long term disability to our employees.

Earl Riley, 5 Louis Drive, asked if the PILOT (payment in lieu of taxes) was it trending up or down. Joe stated that it is trending down.

Alex Rubenstein, 3 Partridge Run, asked what the actual appropriations percentage was. Ray Sarinelli stated that it was down \$18,000 on inside of cap this year. Alex noted that we did not use cap banking this year. He also stated that he likes the budget.

Joann Smith asked what the long term disability cost for employees is to the Township. Joe stated that the life insurance and disability costs approximately \$24,000 annually.

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

- **RESOLUTION NO. 60 – 2014 – Budget Amendment**

Motion to introduce the budget amendment by Councilman Olson, second by Councilwoman Kash.

Township Manager Joe Sabatini prepared a memo for the Township Council regarding the budget amendment, which consisted of the following:

The annual pension contribution was reduced by the State of New Jersey after Byram Township had introduced the 2014 Municipal Budget on March 18, 2014.

The Board of Trustees for the New Jersey Public Employee Pension Systems received, from the actuarial consultants, the Annual Pension Valuations report as of July 2013. The Board of Trustees approved and accepted the reports, which resulted in reduced billings for municipal contributions that were due, April 1. Based on these reports the Township's pension obligations have reduced, and the Mayor and Council agreed during the April 1, 2014 Township Council Meeting to amend the 2014 Municipal Budget: The budget is being amended as follows:

Amount to be raised by Taxation:

Reduction of: \$41,866

General Appropriations:

Public Employees' Retirement System:

Reduction of: \$15,879

Police and Firemen's Retirement System:

Reduction of: \$25,987

This budget amendment is reducing the property tax levy of the introduced budget from \$8,078,681 to \$8,036,815, or a reduction of \$41,866. The 2014 municipal budget now calls for an estimated municipal rate increase of .002 for each \$100 of assessed value using the net valuation of \$930,010,451. This increase represents an estimated \$8.02 annual municipal tax increase for the average assessed home of \$253,458.

Tax Rate:

	2008	2009	2010	2011	2012	2013	2014	Estimated Increase/Decrease
Average Assessed Home	\$146,473	\$303,743	\$302,795	\$301,833	\$253,020	\$253,116	\$253,458	
Tax Rate	1.244	.631	.669	.687	.839	.862	.864	
Municipal Taxes	\$1,822.12	\$1,916.62	\$2,025.70	\$2,073.59	\$2,122.84	\$2,181.86	\$2,189.88	\$8.02
Open Space Taxes	\$27.83	\$27.34	\$27.25	\$27.16	\$27.83	\$27.84	\$27.88	\$0.04
Total Municipal Taxes	\$1,849.95	\$1,943.96	\$2,052.95	\$2,100.75	\$2,150.67	\$2,209.70	\$2,217.76	\$8.06

- **Public Hearing** – Motion by Councilman Olson, second by Councilwoman Kash to open the public hearing for comments on the budget amendment. No comments were made. Motion by Councilman Olson, second by Councilwoman Kash to close to the public.
- **RESOLUTION NO. 61 – 2014 – Adoption of the 2014 Budget** – Motion by Councilman Olson, seconded by Councilman Kash, to adopt the budget. Councilman Olson thanked Joe Sabatini, his staff and Ray Sarinelli for a great job done on the budget.

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. NK/SO

- Resolution No. 62-2014 - Tax Sale Certificate Redemption #2011-21
- Resolution No. 63-2014 – Chapter 159 - \$5,000 – Distracted Driving Grant
- Resolution No. 64-2014 – Award of Contract to Vintage Tech, LLC to Provide for Electronics Recycling Collection Services to the Township of Byram
- Resolution No. 65-2014 – Refund of 2013 Taxes – Blk. 403/Lot 43 and Blk. 403/Lot 78

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

APPROVAL OF APRIL 15, 2014 BILL LIST

Motion by Councilwoman Kash, second by Councilman Olson, to approve the bill list as presented. Marie Raffay recused from P.O. 12997.

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

DISCUSSION ITEMS

- 1997 UST Contamination at NJDOT Garage at 89 Route 206 - The Council was given a draft letter for review. The Council was in favor of sending the letter. Scott Olson suggested sending it also to our legislators.

PUBLIC PARTICIPATION II

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

Earl Riley, 5 Louis Drive, expressed his concerns about the NJDOT garage contamination.

David Gray said that the Environmental Commission will keep on top of this issue. He also stated that the EC has talked about looking into how to lower the cost for getting wells tested. The EC will look further into this.

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

RESOLUTION FOR EXECUTIVE SESSION PART II – Motion by Councilman Olson, second by Councilwoman Kash, to go into executive session at 8:47 p.m. and adopt the below resolution.

RESOLUTION

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WHEREAS, this public body is of the opinion that such circumstances presently exist.

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 - General
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 - LLIC
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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on April 15, 2014.

Doris Flynn, Municipal Clerk

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor 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 10:59 p.m. All members were in favor. Motion Carried.

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Kash, and with all members in favor, the meeting was adjourned at 11:00 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor