

**TOWNSHIP OF BYRAM  
COUNCIL MEETING AGENDA  
APRIL 19, 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 Privileged Information – Consolidated School
- Personnel - Employee Handbook
- Contract Negotiations

a. 911 Agreement

b. Professional Appointments

c. Shared Service – Sparta

d. Open Space - Heitman

**5. RETURN TO OPEN SESSION**

**6. CALL REGULAR SCHEDULED MEETING TO ORDER**

**7. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**

**8. APPROVAL OF AGENDA**

**9. 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

**10. APPROVAL OF APRIL 19, 2010 BILL LIST**

**11. APPROVAL OF MINUTES –**

- April 5, 2010 - Regular Minutes

- April 5, 2010 – Closed Session Minutes

**12. REPORTS**

- Township Manager
- Mayor and Council Members
- Township Attorney

**13. CONSENT AGENDA:** All items with an (\*) 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. 43 – 2010 – Tonnage Grant Application

B. Resolution No. 44 – 2010 – Refund of Taxes – Blk. 105/Lot 31 - \$808.43

C. Resolution No. 45 – 2010 – Supporting The Click It or Ticket Mobilization of May 24 – June 6, 2010

D. Resolution No. 47 – 2010 – Authorizing a PSA to The Land Conservancy of New Jersey for an Update on the Open Space and Recreation Plan not to exceed \$10,000

**14. ORDINANCE – 2<sup>nd</sup> Reading & Public Hearing**

Ordinance 6-2010 – Ordinance Amending the Administration, Supervisory & Clerical Salary and Wages for the Years 2010-2012

**15. DISCUSSION ITEMS**

- Presentations by Janet Meisner
  - a. Byram Day
  - b. Volunteer Programs
- CO Johnson Field Names

**16. PUBLIC PARTICIPATION II**

**17. EXECUTIVE SESSION (if necessary)**

**18. RETURN TO OPEN SESSION**

**19. ADJOURNMENT**

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 43 – 2010**

**TONNAGE GRANT APPLICATION RESOLUTION**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing Byram Township to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Mayor and Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Township Council of the Township of Byram that the Governing Body hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Energy and designates Cindy Church, Recycling Coordinator, to ensure that the said application is properly filed.

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**BYRAM TOWNSHIP COUNCIL**

**ATTEST:**

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on April 15, 2010.

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

<b>COUNCIL MEMBER</b>	Councilman Olson	Councilwoman Rafferty	Councilman Rafferty	Councilman Thompson	Mayor Oscovitch
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

TOWNSHIP OF BYRAM  
RESOLUTION NO. 44 - 2010

RESOLUTION AUTHORIZING A REFUND FOR  
TAX OVERPAYMENT

WHEREAS, duplicate tax payment in 2009 has been identified as follows:

<u>AMOUNT</u>	<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO</u>
\$808.43	105	31	Merando, Anton 96 North Shore Road Andover, New Jersey 07821

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council, Township of Byram, County of Sussex, N.J., that the tax collector be authorized to refund the aforementioned overpayment.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilwoman Rafferty	Councilman Rafferty	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 April 19, 2010.

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

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 45 – 2010**

**RESOLUTION SUPPORTING THE CLICK IT OR TICKET  
MOBILIZATION OF MAY 24 – JUNE 6, 2010**

**WHEREAS**, there were 586 motor vehicle fatalities in New Jersey in 2009; and

**WHEREAS**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

**WHEREAS**, use of the safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**WHEREAS**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**WHEREAS**, the State of New Jersey will participate in the nationwide **Click It or Ticket** safety belt mobilization from May 24 – June 6, 2010 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

**WHEREAS**, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 92.67% to 100%; and

**WHEREAS**, a further increase in safety belt usage in New Jersey will save lives on our roadways.

**THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Byram declares its support of the **Click It or Ticket** safety belt mobilization both locally and nationally from May 24 – June 6, 2010 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

**BYRAM TOWNSHIP COUNCIL**

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on April 15, 2010.

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Doris J. Flynn, RMC  
Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 47 – 2010**

**RESOLUTION OF THE TOWNSHIP OF BYRAM RATIFYING AND  
AUTHORIZING THE AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES TO THE LAND CONSERVANCY OF NEW  
JERSEY**

WHEREAS, in March 2009 the New Jersey Department of Environmental Services Green Acres issued a strong recommendation that all Open Space and Recreation Plans be updated every six years; and

WHEREAS, in October 2000 the Township of Byram adopted the Township's Open Space Recreation Plan that was compiled by the Morris Land Conservancy and the Byram Township Open Space Committee; and

WHEREAS, the Morris Land Conservancy continued to provide open space related activities for the Township; and

WHEREAS, in September 2008 the Morris Land Conservancy changed its name to The Land Conservancy of New Jersey to reflect the focus and scope of their work; and

WHEREAS, The Land Conservancy of New Jersey continues to provide open space related activities for the Township; and

WHEREAS, the Township of Byram will require professional services to update of the Township's Open Space and Recreation Plan; and

WHEREAS, the update of the Township's Open Space and Recreation Plan can be performed adequately and effectively by The Land Conservancy of New Jersey; and

WHEREAS, funds are available for these services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the award of contracts for professional services be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Byram, County of Sussex, State of New Jersey, as follows:

1. The Township Manager, Mayor and Township Clerk are hereby authorized and directed to enter into a contract with The Land Conservancy of New Jersey to update the Township's Open Space and Recreation Plan in the amount of \$10,000.00 in accordance with the Contract attached hereto and made a part hereof.

2. This contract is entered into without competitive bidding as a "Professional Service" pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.

3. This Contract and Resolution shall be on file and available for public inspection at the office of the Clerk of the Township of Byram.

4. Notice of this award shall be published once in the New Jersey Herald in accordance with the requirements of the Local Public Contracts Law of New Jersey.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Olson	Councilwoman Rafferty	Councilman Rafferty	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 April 19, 2010.

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Doris J. Flynn, RMC

**TOWNSHIP OF BYRAM  
ORDINANCE NO. 5 - 2010**

**AMENDED ORDINANCE FOR ADMINISTRATION, SUPERVISORY & CLERICAL  
SALARY AND WAGES  
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 elected and appointed official and employee of the Township of Byram who is engaged on an annual salary basis shall be hereby fixed as follows:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<b><u>MANAGERIAL</u></b>		
Mayor and Council Member	3,500	3,500
Municipal Manager	90,000	102,285
Township Clerk/Registrar	50,000	74,365
Chief Financial Officer	61,255	65,465
Public Works Manager	60,000	91,905
Director of Planning	50,000	75,000
Recreation Director	45,000	65,010
Municipal Court Administrator	45,000	52,935
Judge Municipal Court	15,000	50,000
<b><u>SUPERVISORY</u></b>		
Construction Code Official	45,000	65,485
Plumbing Inspector	10,000	17,305
Electrical Inspector	10,000	17,305
Fire Official	2,000	2,200
Fire Inspector	2,180	2,330
Zoning Officer	25,000	28,970
Tax Assessor	50,000	54,780
Tax Collector	15,000	16,370
Deputy Registrar Vital Statistics Stipend	1,000	1,000

**CLERICAL**

Executive Assistant	40,000	57,000
Administrative Clerk	40,000	54,925
Administrative Secretary	33,000	45,000
Police Records Clerk	40,000	54,925
Assistant Treasurer	35,000	47,000
Senior Clerk Typist	33,000	42,000
Clerk Typist	26,000	36,650
Account Clerk/Cashier	32,000	37,825
Tax Clerk	26,000	35,000

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

<u>POSITION HOURLY</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Deputy Tax Collector	15.00	23.50
Deputy Court Administrator	8.00	17.00
Senior Transportation Driver	8.50	17.75
Recycling Aide	8.00	12.35
Animal Attendant	8.00	13.85
Technical Assistant – Part Time	14.00	16.45
Clerk/Typist – Part Time	8.00	16.45
Recreation Coordinator	8.00	15.00
Recreation Leader	8.00	15.00
Summer Teachers	10.00	27.00

Summer Counselors

8.00

10.00

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 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 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.

SECTION 7: 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 BYRAM TOWNSHIP**

Attest:

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**DORIS J. FLYNN**  
**MUNICIPAL CLERK**

\_\_\_\_\_  
**JAMES OSCOVITCH, MAYOR**

Introduced: 4/5/10    Adopted: 4/19/2010

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 5th day of April, 2010. 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 19th day of April, 2010 at 7:30 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.

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

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DORIS FLYNN, TOWNSHIP CLERK