

**TOWNSHIP OF BYRAM
COUNCIL AGENDA
TUESDAY, MAY 15, 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. REPORTS

- Township Manager
- Mayor and Council Members
- Township Attorney

7. 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.

8. APPROVAL OF MINUTES

- May 1, 2012 Regular Meeting Minutes
- May 1, 2012 Executive Session Minutes

9. 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. 78–2012 – Tax Sale Certificate Redemption - #2011-10, #2010-03
- B. Resolution No. 79-2012 – Tax Sale Certificate Redemption – #08-00007
- C. Resolution No. 80-2012 – Authorizing Heyer, Gruel & Associates to Provide Planning Services to Amend the Affordable Housing Trust Fund Spending Plan for the Township of Byram
- D. Approval of Rescue Squad Contribution in the amount of \$2,800.00 from the County of Sussex

10. APPROVAL OF May 15, 2012 BILL LIST

11. DISCUSSION ITEM

- a. Vacant homes/property maintenance violations
- b. Resolution on User Fees

12. PUBLIC PARTICIPATION II

13. RESOLUTION FOR EXECUTIVE SESSION

- **Attorney Client Privilege Information**
- **Anticipated/Pending Litigation** – Roseff et. al. vs. Byram Township et. al.
- **Contract Negotiations** – Andover Twp. Shared Service Agreement for Phase III Roseville Road

14. RETURN TO OPEN SESSION

15. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY

16. ADJOURNMENT

**TOWNSHIP OF BYRAM
RESOLUTION NO. 78 – 2012**

TAX SALE CERTIFICATE REDEMPTION

WHEREAS, the Tax Collector has certified that the following tax liens have been satisfied:

<u>Lien Holder</u>	<u>Certificate #</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
US Bank/Emp IV, Cap One	#2011-10	118	1.09	\$ 12,314.61
US Bank/Emp IV, Cap One	#2011-10	118/1.09	Premium	\$ 7,000.00
US Bank/Emp Tax II, LLC	#2010-03	41	90.01	\$ 51,189.58
US Bank/Emp Tax II, LLC	#2010-03	41/90.01	Premium	\$ 1,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council, Township of Byram, County of Sussex, New Jersey, that the Tax Collector be authorized to disburse the redemption proceeds to the lien holder.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman L. Laces	Councilwoman Raifay	Councilman Olson	Councilwoman Kash	Mayor Osovitch
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 May 15, 2012.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 79 – 2012**

TAX SALE CERTIFICATE REDEMPTION

WHEREAS, the Tax Collector has certified that the following Tax Title Lien has been satisfied:

<u>Certificate #</u>	<u>Block</u>	<u>Lot</u>	<u>Total Amount</u>
08-00007	41	94	\$447.40

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council, Township of Byram, County of Sussex, New Jersey, that the Tax Collector be authorized to cancel the Tax Title Lien for the Township of Byram.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	<i>Councilman Lieces</i>	<i>Councilwoman Raffav</i>	<i>Councilman Olson</i>	<i>Councilwoman Kash</i>	<i>Mayor Oscovitch</i>
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 May 15, 2012.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 80 – 2012**

**RESOLUTION AUTHORIZING HEYER, GRUEL & ASSOCIATES TO
PROVIDE PLANNING SERVICES TO AMEND THE AFFORDABLE
HOUSING TRUST FUND SPENDING PLAN FOR THE TOWNSHIP OF
BYRAM**

WHEREAS, the Township of Byram has determined that there is a need to enter into a professional services agreement with Heyer, Gruel & Associates to provide planning services to amend the Affordable Housing Trust Fund Spending Plan for the Township of Byram; and

WHEREAS, funds are available for this purpose through the COAH trust account; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-5 et seq) requires that the resolution authorizing the award for Professional Services without competitive bid and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, County of Sussex, State of New Jersey that the Township of Byram hereby authorizes the execution of a professional services agreement with Heyer, Gruel & Associates for the planning services to amend the Affordable Housing Trust Fund Spending Plan for the Township of Byram.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I certify that the Byram Township Council at a meeting held on May 15, 2012 adopted the foregoing resolution.

Doris J. Flynn, Township Clerk

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

RESOLUTION OPPOSING S-1914

WHEREAS, S-1914, would subject certain “user fees for traditional municipal services” to be included within the 2% cap; and

WHEREAS, the definition of “traditional municipal services” in S-1914 is open-ended, leaving municipalities and State regulators unsure on its application and, therefore, unable to properly plan for future years; and

WHEREAS, user fees for traditional county and school services would not be subject to any of the provisions of S-1914, although they have a greater impact on the local property tax bill; and

WHEREAS, it is at times more appropriate to fund some services by user fees, especially those services for which a recipient and a cost can be clearly and accurately calculated; and

WHEREAS, if municipalities are prohibited from charging user fees, they may be forced to discontinue the service, forcing residents to obtain the service from a private provider, often times at a higher cost than the user fee; and

WHEREAS, as municipalities struggle to meet the 2% levy cap, without the full effects of the management reforms and the continued diversion of energy receipt taxes, officials are forced to re-examine their budget and priorities; and

WHEREAS, in order to deliver the services that their residents expect and want local officials have been making structural changes to their budget, including how programs are funded; and

WHEREAS, municipalities must retain the financial flexibility to address their own unique fiscal issues and meet the demands and expectation of their residents;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Byram strongly urges the legislature to oppose S-1914; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the sponsor of S-1914, Senator Sweeney, Assembly Speaker Oliver, Senator Oroho, Assemblywoman McHose, Assemblyman Chiusano, the New Jersey State League of Municipalities and the Office of the Governor.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Luaces	Councilwoman Rafferty	Councilman Olson	Councilwoman Kash	Mayor Osovitch
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 May 15, 2012.

Doris Flynn, RMC
Township Clerk