

**BYRAM TOWNSHIP COUNCIL MEETING - MAY 20, 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, absent; Councilman Gray, here; Councilman Olson, here; Councilwoman Kash, late (7:03 p.m.); Mayor Oscovitch, here. Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Doris Flynn were also present.

**RESOLUTION FOR EXECUTIVE SESSION** – Motion by Councilman Olson, second by Councilman Gray, 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
- b. Personnel – Court/Finance
- c. Contract Negotiations
  - Health Benefits
  - Netcong Construction agreement
- d. QPA

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 May 20, 2014.

Doris Flynn, Municipal Clerk

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

**RETURN TO OPEN SESSION** - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 7:31 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 with. All members were in favor. Motion carried.

**TOWNSHIP REPORTS**

**Manager’s Report**

Memorial Day Parade – Monday, May 26:

- Memorial Day ceremony lead by the Byram VFW will be held at the Byram Veterans Memorial in front of the Roseville School House on Mansfield Drive on Memorial Day, May 26th at 10:00 a.m.
- There will be a brief ceremony honoring those veterans who have passed away. Following the ceremony, the crowd moves on to join the Byram Township Fire Department parade. The Byram Township Fire Department is sponsoring the Memorial Day parade.

- The Parade line up will begin at 10:30 AM at the Cranberry Lake Firehouse and will proceed to the Cranberry Lake Clubhouse for a brief ceremony.

**Councilman Olson**

- Attended NJDOT meeting with Marie Raffay, Joe Sabatini and NJDOT staff. We were provided with a status report, and a tentative completion date of September.
- There is a celebration of the preservation of Franchesco Farm in Andover Borough on Thursday, at 3 p.m.
- Attended Board of Health meeting on May 19. There is an open seat on this committee. The Board discussed enforcement of BOH ordinances. The Board will be reviewing ordinances over the next few meetings and recommending revisions. The BOH and the EC are planning a joint meeting on June 26.

**David Gray**

- Attended the Cameron Berry’s Eagle Scout Ceremony at Bell’s Mansion. It was a great day with wonderful people.
- The EC has completed the new and updated trail guide maps. They are made of a more durable paper, and should hold up much better. The Mayor asked if the EC was ready to name a new chairman. Dave stated that the committee would be discussing it at their next meeting, and he hopes to give a name to the Mayor very soon. There was discussion of appointing a high school student as an alternate member, but Attorney Tom Collins wanted to look at the statute to see if there was any age requirement before an appointment was made. The EC is also looking at a soil importation ordinance and they hope to give a draft to the council and planning board in the near future.

**James Oscovitch**

- Attended the DARE Ceremony which was great.
- Elaine McDougall was named Senior of the Year – congratulations to Elaine.

**PUBLIC PARTIPATION I** –Motion by Councilwoman Kash, second by Councilman Gray to open to the public. All members were in favor. Motion carried. No comments were made.

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

**ACCEPTANCE OF RESIGNATIONS**

- Bob Nunn – Recreation Committee
- Dee Garrison – Youth Guidance Council
- Earl Riley – Economic Development Advisory Committee

Mayor Oscovitch announced the resignations and thanked them for all their years of dedicated service. Scott Olson suggested recognizing the volunteers at Byram Day.

Motion by Councilman Olson, second by Councilwoman Kash, to appoint Tom Mikolay to a full member seat and move Giovanni DiMeo to Alternate I.

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

**APPROVAL OF MINUTES**

- May 20, 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	
No					
Abstain					x
Absent	x				

- May 20, 2014 Executive Meeting Minutes –Motion by Councilman Olson second by Councilwoman Kash to adopt the minutes as presented.

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

**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. Motion by Councilman Olson, second by Councilwoman Kash, to approve the consent agenda.

- Resolution No. 73–2014 – Resolution Authorizing the Hiring of Patricia Knoll as the Byram Township Certified Tax Collector on a Temporary Basis
- Resolution No. 74–2014 – Resolution Authorizing the Award of a Professional Services Contract for a Financial Consultant
- Resolution No. 75–2014 – Resolution Appointing Byram Township Manager Joseph Sabatini as Acting Finance Officer
- Resolution No. 76–2014 – Resolution Authorizing Refund of Developer’s Escrow Fees - \$3,500
- Resolution No. 77–2014 – 2014 Lenape Summer Camp Program Resolution
- Resolution No. 78-2014 – Resolution to Authorize the Appointment of Donald Boroughs as the Sewer Operator and to Receive a Stipend
- Resolution No. 79-2014 – Resolution to Authorize Participation in the 2014 Radon Awareness Program
- Resolution No. 80-2014 – Resolution Authorizing the Award of a Professional Services Contract – The Canning Group, LLC

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

**PROCLAMATION** – Recognition of Ed Cooke

WHEREAS, Since September 1, 1981 Edward Cooke has dedicated his life to the students of this community and has demonstrated his deep and genuine love for this town through his continued involvement in numerous endeavors; and

WHEREAS, Edward Cooke has served the community with distinction demonstrating always his willingness to place his concern for the public good ahead of his personal interests; and

WHEREAS, Edward Cooke throughout his career, has earned the respect of his students, peers, civic leaders and the affection of a host of area residents who are proud to call him “friend”; and

WHEREAS, June 21st is nationally recognized as Music Day, in the Township of Byram, and June 21, 2014 shall also be recognized as Edward Cooke Day;

NOW, THEREFORE, I, James Oscovitch, by virtue of the authority vested in me as Mayor of Byram Township, and on behalf of the entire Byram Town Council and all our citizens, do hereby tender to Edward Cooke this Proclamation of public recognition, extending to him our deep appreciation for his distinguished service and our best wishes for continued success in all his future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and the caused seal of the Township of Byram to be affixed, the 20<sup>th</sup> day of May, in the year 2014.

James Oscovitch, Mayor

**APPROVAL OF MAY 20, 2014 BILL LIST**

Motion by Councilman Olson, second by Councilwoman Kash, to approve the bill list as presented.

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

**ORDINANCE - INTRODUCTION**

BE IT RESOLVED that Ordinance entitled “**An Ordinance to Amend the Ordinance for Administration & Hourly Positions Salary and Wages for the Years 2014-2016**” be read by title on first reading.

**Purpose Statement:** To amend the existing salary ordinance to compensate an existing Township employee for taking on the role of Sanitary System Sewer Operator and to add several part-time seasonal recreation positions.

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

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

BE IT RESOLVED, that said Ordinance shall be further considered for final passage at the meeting of the Township Council of the Township of Byram on June 2, 2014 at 7:30 p.m. at the Municipal Building, 10 Mansfield Drive, Byram Township, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

**ORDINANCE – SECOND READING/PUBLIC HEARING**

- BE IT RESOLVED that Ordinance 4-2014 entitled “**An Ordinance to Authorize a Capital Expenditure for Improvements of Various streets and Locations in and by the Township and to Provide Funding in the Amount Not to Exceed \$100,000.00**” be read by title on second reading and a hearing held thereon. Motion by Councilman Olson, second by Councilwoman Kash.

**Purpose Statement:** Reconstruction and Resurfacing of Various Streets and Locations in and by the Township including without limitation, Tamarack Road and Amity Road, including reconstruction of culverts and headwalls and all curbing, drainage facilities, landscaping, reclamation, milling, structures, roadway surfaces including oil and stone or similar application, materials, equipment, site work and engineering costs.

Motion by Councilman Olson, second by Councilwoman Kash to open to the public. All members were in favor. Motion Carried. No comments were made. Motion by Councilman Olson, second by Councilwoman Kash to close to the public. All members were in favor. Motion Carried.

The Clerk called for the vote.

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

BE IT RESOLVED, that said Ordinance is passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

**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.

Lou Ann Byrne, Richmond Ave., asked when the striping would be done on Route 206. Scott summarized the status report from the last Route 206 meeting.

Skip Danielson, 18 Hunter Lane, told the Council that he will have information soon about a memorial service in our area for Kurt Braun, who passed away last week. Skip also brought to the Council’s attention an error on Resolution 78-2014. Skip attended a meeting at Sussex County Community College regarding North Jersey Transportation. It was an informative meeting with good participation.

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

Motion by Scott Olson, second by Nisha Kash to amend Resolution No. 78-2014 to change the numeric figure to \$5,500 instead of \$5,550.

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

**RESOLUTION FOR EXECUTIVE SESSION PART II** – Motion by Councilman Olson, second by Councilwoman Kash, to go into executive session at 8:15 p.m. 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.

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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 May 20, 2014.

Doris Flynn, Municipal Clerk

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

**RETURN TO OPEN SESSION** - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 8:45 p.m. All members were in favor. Motion Carried.

**OTHER BUSINESS**

Motion by Councilman Olson, second by Councilwoman Kash, to authorize the Manager to respond to Christine Horton’s letter. 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 8:46 p.m. Motion carried.

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Doris Flynn, Municipal Clerk

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James Oscovitch, Mayor