

TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, MAY 5, 2015
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION– 7:30 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. RESOLUTION FOR EXECUTIVE SESSION**
 - a. Pending Litigation
 - Hopkins v. Byram Township, et al.
 - b. Attorney Client Privileged Communication
 - General
 - VESP
 - PSE&G
 - c. Shared Services - BARKS
 - d. Personnel
 - Employee Handbook
 - Staffing
 - e. Contract Negotiations
 - Architect
- 5. RETURN TO OPEN SESSION**
- 6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
- 7. APPROVAL OF AGENDA**
- 8. 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.
- 9. REPORTS**
 - Township Manager
 - Mayor and Council Members
 - Township Attorney
- 10. APPROVAL OF MINUTES**
 - April 21, 2015 Regular Meeting Minutes
 - April 21, 2015 Closed Session Minutes
 - March 9, 2015 Amended Closed Session Minutes
- 11. APPROVAL OF NEW FIRE DEPARTMENT MEMBER** - Andrew Tesori
- 12. RECREATION COMMITTEE** – Acceptance of Robert Erlemann’s resignation
Appointment of Allyson Botto to full Member seat – Term expires 12/31/17
- 13. 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. 73-2015 – 2015 Camp Lenape Summer Camp Program
 - B. Resolution No. 74-2015 – Resolution Authorizing Refund of Redemption Monies to Outside Lien Holder on Block 275/Lot 735
 - C. Resolution No. 75-2015 – Resolution Authorizing Refund of Redemption Monies to Outside Lien Holder on Block 295/Lot 9
 - D. Resolution No. 76-2015 – Resolution Authorizing Acceptance of Amended Highlands Plan Conformance Grant Agreement
 - E. Tricky Tray Raffle – Friends of Randolph Animal Pound – October 15, 2015 11 a.m. – 3 p.m.
- 14. PROCLAMATION**
 - Municipal Clerks Week
 - Peace Officers Day
- 15. APPROVAL OF MAY 5, 2015 BILL LIST**
- 16. ORDINANCE** – Introduction/First Reading

An Ordinance to Amend Section A287-8 Sewer System Fees of the Byram Township Code Regarding Sewer User Charges and Maintenance Fees
Purpose Statement: An Ordinance to amend Section A287-8 sewer system fees of the Byram Township Code lowering the Per Equivalent Dwelling Unit (EDU) commencing January 1, 2015 to \$288.50 per quarter.
- 17. PUBLIC PARTICIPATION II**
- 18. EXECUTIVE SESSION – Session II (if necessary)**
- 19. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
- 20. ADJOURNMENT**

**TOWNSHIP OF BYRAM
RESOLUTION NO. 73 – 2015**

2015 CAMP LENAPE SUMMER CAMP PROGRAM

WHEREAS, the Township of Byram is offering a summer camp program, Camp Lenape, that is being sponsored in partnership with the Byram, Stanhope and Netcong Recreation Committees and the Stanhope Board of Education; and

WHEREAS, the Township of Byram is acting as the lead agency through the Township of Byram Recreation Department; and

WHEREAS, this is a Township of Byram summer recreation program that is being offered to the residents of the Borough of Stanhope and the Borough of Netcong at same fee as the residents of Byram Township; and

WHEREAS, this program is offered to the non-residents of the Township of Byram, Borough of Stanhope and the Borough of Netcong at same fee but are also required to pay the non-resident fee; and

WHEREAS, the residents of the Township of Byram and the Borough of Netcong are required to registered through the Township of Byram Recreation Department; and

WHEREAS, the Borough of Stanhope desires to collect registration fees for Camp Lenape from Stanhope residents and provide the registration forms and fees to Township of Byram for all Stanhope residents; and

WHEREAS, the Township of Byram will not accept any registration forms or fees directly from the residents the Borough of Stanhope; and

WHEREAS, the Township of Byram will issue an invoice to the Borough of Stanhope for all registered residents from the Borough of Stanhope at the published rates for the 2015 Camp Lenape Program;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Council of the Township of Byram that the Governing Body endorses the 2015 Camp Lenape Summer Camp Program and designates Byram Township's Recreational Director to ensure the program is managed under the terms of this resolution.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	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 May 5, 2015.

Doris J. Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 75 – 2015**

Resolution Authorizing a Refund of Redemption Monies to Outside Lien Holder on Block 295, Lot 9

WHEREAS, at the Municipal Tax Sale held on November 18, 2014 a lien was sold on Block 295 Lot 9 also known as 6 Marine Terr., for 2013 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2014-013, was sold to US Bank Cust/BV001 Trust for 0% redemption fee with a premium of \$18,000.00; and

WHEREAS, Wells Fargo Home Mortgage, the mortgage company has effected a redemption of certificate #2014-013 in the amount of \$17,180.13;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram that this Governing Body acknowledges that US Bank Cust/BV001 Trust is entitled to the redemption in the amount of \$17,180.13 as well as the premium of \$18,000.00; and

BE IT FURTHER RESOLVED, that the Certified Finance Officer be authorized to issue a check in the total amount of \$35,180.13 for the total redemption of certificate #2014-013 payable to US Bank Cust/BV001 Trust, 50 S 16th Street-Suite 2050, Philadelphia, PA 19102.

BYRAM TOWNSHIP COUNCIL

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Township Council of the Township of Byram on Tuesday, May 5, 2015.

Doris J. Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 76 – 2015**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE HIGHLANDS
PLAN CONFORMANCE SUPPLEMENTAL AMENDED GRANT
AGREEMENT**

WHEREAS, the Highlands Regional Master Plan (HRMP) was formally adopted on July 17, 2008; and

WHEREAS, the Township of Byram is located approximately 98% in the Preservation Area and 2% in the Planning Area; and

WHEREAS, the Township of Byram has achieved Highlands Plan Conformance and continues to address the conditions of said approval; and

WHEREAS, new funding in the amount of \$160,000 has been allocated to the Township of Byram for several key resource management planning initiatives; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Byram, County of Sussex, State of New Jersey that the Township Manager and Clerk are hereby authorized to execute any and all documents associated with Highlands Plan Conformance Supplemental Amended Grant Program.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	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 May 5, 2015.

Doris Flynn, Municipal Clerk

PROCLAMATION
Municipal Clerks Week
May 3 -9, 2015

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

Whereas, The Office of the Municipal Clerk is the oldest among public servants; and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, local governing bodies and agencies of government at other levels; and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

Whereas, The Municipal Clerk serves as the information center on functions of local government and community; and

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

Whereas, it is most important that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, We, the Township Council of the Township of Byram, recognize the week of May 3 through May 9, 2015 as Municipal Clerks Week and further extend appreciation to our Municipal Clerk, Doris Flynn, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 5th of May, 2015

Mayor James Oscovitch

Attest: _____

**PROCLAMATION
TOWNSHIP OF BYRAM
PEACE OFFICERS MEMORIAL DAY – MAY 15, 2015**

WHEREAS, The Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the law enforcement agency of the Township of Byram play an essential role in safeguarding the rights and freedoms of Byram Township; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of the Township of Byram unceasingly provide a vital public service.

NOW, THEREFORE BE IT RESOLVED, that the Byram Township Mayor and Council call upon all citizens of the Township of Byram and upon all patriotic, civic and educational organizations to observe the week of May 10-16, 2015 as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

WE FURTHER CALL UPON all citizens of Byram Township to observe Friday, May 15, 2015, as Peace Officers Memorial Day in honor of all those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

BYRAM TOWNSHIP COUNCIL

James Oscovitch, Mayor

ATTEST:

I certify that the foregoing Proclamation was adopted by the Byram Township Council at a meeting held on May 5, 2015.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
ORDINANCE NO. - 2015**

**AN ORDINANCE TO AMEND SECTION A287-8 SEWER SYSTEM
FEES OF THE BYRAM TOWNSHIP CODE REGARDING SEWER USER
CHARGES AND MAINTENANCE FEES**

Purpose Statement: An Ordinance to amend Section A287-8 sewer system fees of the Byram Township Code lowering the Per Equivalent Dwelling (EDU) commencing January 1, 2015 to \$288.50 per quarter.

WHEREAS, the Byram Township's sanitary sewer system services the approved sewer service area that includes the Byram Township's Schools, the Municipal Complex, the Route 206 corridor from the corner of Lackawanna Drive south to Acorn Street and some residential users; and

WHEREAS, expenses in connection with debt service, operation and maintenance of the sanitary sewer system dictate the rates paid by users to meet those cost; and

WHEREAS, Byram Township pays annual fees to the Musconetcong Sewerage Authority for the allocation of sewer gallons to Byram Township; and

WHEREAS, Musconetcong Sewerage Authority has reported a reduction of debt service from Phase 1 and 1A capital improvements which resulted in a reduction of the Township's annual fees to the Musconetcong Sewerage Authority; and

WHEREAS, the auditor of the Musconetcong Sewerage Authority informed this will be a permanent reduction of the debt service unless there is plan for a future significant capital improvement; and

WHEREAS, Musconetcong Sewerage Authority annually provides the calculated Musconetcong Sewerage Authority Municipal Charges (annual fees) in January based on their adopted budget; and

WHEREAS, as a result of the reduction of the Musconetcong Sewerage Authority annual fees the Township is reducing the Sewer user charges five percent (5%) effective January 1, 2015; and

NOW, THEREFORE, BE IT ORDAINED by the Byram Township Council of the Township of Byram, Sussex County, New Jersey, that Section A287-8 of the Code of the Township of Byram, shall be and is hereby amended as follows:

Item: Sewer user charges and maintenance fees	
Per EDU (commencing January 1, 2015)	\$288.50

Severability.

If any part of this Ordinance is for any reason held to be invalid such decision shall not affect the validity of the remaining portion of the Ordinance. Any Ordinance or portions thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Effective date.

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

BYRAM TOWNSHIP COUNCIL

BY ORDER OF THE MAYOR AND COUNCIL OF BYRAM TOWNSHIP

JAMES OSCOVITCH, MAYOR

Attest:

**DORIS J. FLYNN
MUNICIPAL CLERK**

Introduced: 5/5/15

Adopted:

NOTICE

NOTICE is hereby given that the above-entitled Ordinance was introduced and passed first reading at a meeting of the Township Council of the Township of Byram, held at the Byram Township Municipal Building, Mansfield Drive, Byram Township, New Jersey, on the 5th day of May 2015. The said ordinance will be further considered for final adoption at a meeting of the Township Council of The Township of Byram, held at the Byram Municipal Building, Mansfield Drive, Byram Township, New Jersey, on the 19th day of May at 7:30 p.m. at which time all persons will be given the opportunity to be heard concerning said ordinance. Copies of this ordinance are available in the Clerk's office, Monday through Friday, between the hours of 8:30 a.m. and 4:30 p.m.

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ORDINANCE NO. - 2015**

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BYRAM TOWNSHIP COUNCIL

BY ORDER OF THE MAYOR AND COUNCIL OF BYRAM TOWNSHIP

JAMES OSCOVITCH, MAYOR

Attest:

**DORIS J. FLYNN
MUNICIPAL CLERK**

Introduced: 5/5/15

Adopted:

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