

TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING AGENDA
6:30 P.M.
JUNE 15, 2009

1. Call Meeting to Order
2. Statement by the Clerk, Roll Call
3. Closed Session – Contract Negotiations – PBA
4. Return to Open – Recess
5. Call Meeting to Order – 7:30 p.m.
6. Flag Salute, Moment of Silence
7. Statement by the Clerk, Roll Call & Caption of Closed Session
8. Approval of Minutes – June 1, 2009 – Regular Session
June 1, 2009 – Closed Session
9. Consideration of Bills – June 15, 2009
10. Manager and Council Reports
11. Presentation of Award to Chief Raymond F. Rafferty - Employer Support of the Garden Reserve
12. Public Participation I
13. Ordinance – Continued Certificate of Occupancy – Reintroduce on July 6, 2009
14. Consent Agenda
 - A. Resolution No. 68 – 2009 – Execution of Grant Application with NJDOT for Bike & Walking Paths at C.O. Johnson Park
 - B. Resolution No. 69 – 2009 – Execution of Grant Application with NJDOT for Tomahawk Trail
 - C. Resolution No. 70 – 2009 – Execution of Professional Services Agreement with Heyer, Gruel & Associates for Module 2 – Land Use and Resource Capacity Analysis - \$10,000
 - D. Liquor License Renewals – 2009/2010
 1. Resolution No. 71-2009 – 2009/10 Liquor License Renewal – Byram Beverage Inc./Trading as Shop Rite Liquors
 2. Resolution No. 72-2009 – 2009/10 Liquor License Renewal – Byram Liquors LLC
 3. Resolution No. 73-2009 – 2009/10 Liquor License Renewal – June M. Wallace, trading as Tomahawk Lake
 4. Resolution No. 74-2009 – 2009/10 Liquor License Renewal – BBG Restaurant LLC, trading as NJ Bar and Grill West
 5. Resolution No. 75-2009 – 2009/10 Liquor License Renewal – The Pink Elephant of Cranberry Lake, trading as Golden Nugget Saloon
 6. Resolution No. 76-2009 - 2009/10 Liquor License Renewal – Adam Todd Inc.
 - E. Bid Awards
 1. Resolution No. 77–2009 – Bid Award for Byram Township Vehicle Wash Facility – Tony’s Concrete Construction Co., Inc. - \$42,500.00
 2. Resolution No. 78–2009 – Bid Award for Byram Township Vehicle Wash Facility-Building Only – Cover-All Buildings of NJ - \$57,100.00
15. Items for Discussion
16. Public Participation II
17. Such other business as may properly come before the Township Council
18. Closed Session
 - A. Attorney Client Privilege Communication
 - B. Anticipated/Pending Litigation – PSE&G
 - C. Contract Negotiations – Fire Truck
19. Return to Public
20. Adjourn

BYRAM TOWNSHIP COUNCIL MEETING - JUNE 1, 2009

CALL MEETING TO ORDER

The Mayor called the meeting to order at 7:30 p.m.

FLAG SALUTE AND MEDITATION

STATEMENT BY CLERK

Adequate notice of this meeting has been published specifying the time and place in compliance with the provisions of the Open Public Meeting Act.

ROLL CALL

Councilman Olson, here; Councilman Rafferty, here; Councilman Thompson, absent; Councilman Oscovitch, here; Mayor Danielson, here. Township Manager Joe Sabatini, Attorney Tom Molica and Municipal Clerk Doris Flynn were also present.

APPROVAL OF MINUTES

- May 18, 2009 Regular Session Minutes – Motion by Councilman Oscovitch, seconded by Councilman Rafferty to approve the minutes as written.

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:				X	
2nd		X			
Yes	X	X		X	X
No					
Abstain					
Absent			X		

- May 18, 2009 Closed Session Minutes – Motion by Councilman Olson, second by Councilman Oscovitch to approve the minutes as written.

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:	X				
2nd				X	
Yes	X	X		X	X
No					
Abstain					
Absent			X		

CONSIDERATION OF BILLS – June 1, 2009 – Councilman Olson, seconded by Councilman Rafferty, made a motion to accept the bills. Councilman Rafferty recused himself from Bill No. 3598.

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:	X				
2nd		X			
Yes	X	X		X	X
No					
Abstain					
Absent			X		

Manager’s Report

Gypsy Moths:

- Due to weather conditions the planned spraying of Gypsy Moths was postponed last week. The Township was sprayed today – Monday, June 1, 2009.

Old Wolf Lake Road:

- Closed signs for Old Wolf Lake Rd were erected on Friday, 5/29/09
- The gates for the closure will be going up over the next week.

Status of Highlands Plan Endorsement:

- The Highlands Council has provided response (LETTER DATED 5/29) advising that the Township has successfully provided all the deliverables required for the technical completion of Module 1 for the 2009 Plan Conformance Grant.
- Data and instructions for Module 2 has been forwarded to Heyer, Gruel and Associates.
- Planning to have 3 weeks to finish Module 2
- Module 4 will be completed by staff with assistance of Environmental Commission. Due back to Highlands by June 30, 2009.

Sparta-Riverbank:

- On 5/28/2009, filed for intervening status with the Federal Energy Regulatory Commission (FERC), Washington D.C.
- Also, separate letter was submitted with comments on the FERC application.

PSE&G:

- The Township Attorney and Manager have worked with fellow intervenors and negotiated a Municipal Intervenor's Agreement.
- Correspondence has been sent by the attorney of Parsippany-Troy Hills to the council of PSE&G. Also, the Township’s attorney has sent a letter informing PS&G that Byram Township joins the coalition outlined in the agreement.
- Components of Agreement Include:
 - a. PSE&G agrees to make \$300,000 available in an escrow fund fully funded as of its effective date.
 - b. Intervenor's agreed to act as a coalition with respect to the use of the escrow.
 - c. Designated the Township of Parsippany-Troy Hills as the managing intervenor.
 - d. Parsippany will engage and supervise work of consultants on behalf of all intervenors.

Around Town Items:

- Township wide garage sale is scheduled for Saturday, June 6 and 7.
- Pitch, Hit and Run (Sectional Championship) is scheduled for Sunday, June 7 at CO Johnson Park.
- PASSPORT DAY AT BYRAM TOWNSHIP
 - a. LOCATION: Byram Municipal Courtroom
 - b. DATE: Friday, June 19th, 2009
 - c. TIME: 2:00 p.m. - 7:00 p.m.

Councilman Olson

- Thanked Joe Sabatini, Margaret McGarrity and staff for the all the work that went into the FERC intervention submission and town’s comments.
- The ARC will meet on June 16 at 8:30 p.m.
- There is an E-Waste day planned in Byram. The residents can bring in electronic waste on June 27 from 9 a.m. to 1 p.m. There is also a Sussex Branch Trail clean up on June 27.
- On June 14th NY/NJ Trails Conference will meet at SALT at 9 a.m. to host a training seminar for trail maintainers—it is an all-day event.
- The Planning Board will meet on June 4 at 8:00 p.m.

Councilman Oscovitch

- The service at the Veteran’s Memorial and the Memorial Day Parade were outstanding. He thanked Steve and Sussex County Landscaping for doing a great job in landscaping the area at the veteran’s memorial.

Mayor Danielson

- Thanked the police and fire departments and Rich Bowe for doing a great job on Memorial Day. It was a fantastic turn-out both at the Veteran’s memorial and the parade.
- Thanked the Byram Township Fire Department for hosting the beefsteak dinner on Saturday. A great time was had by all.

PUBLIC PARTICIPATION I

Harvey Roseff, 33 Sleepy Hollow Road, asked several questions about prior Riverbank discussions. In particular, he wanted to know how many times this was discussed and how many people were in attendance regarding Riverbank.

He stated that the township received over 300 postcards from Forest Lake residents objecting to the zone change request from Hudson Farm and at least a hundred of people attended months of planning board hearings and objected. Harvey Roseff feels the Forest Lakes residents have not received the same type of attention as was given to Riverbank and PSE&G. Mr. Roseff will present a letter at the next meeting that Andover Township issued stating that the Hudson Farm will have to show the license for the Commercial Shooting Preserve Permit (CSP) to the Township Council. He stated that we have not taken the same activist approach with the CSP as we have with the other issues. The Hudson Farm’s license expired in May. They are now in the renewal process, and he stated that this is the time that Township could intervene.

Donna Griff, 71 Brookwood Road, informed the Council that she was one of 20 homes that hired an attorney and filed for an appeal. All the neighbors received a certified letter from Tom Collins filing to dismiss the cases because the Assessor and the Clerk did not receive their copies until May 5. Donna Griff stated that the County Tax Board did receive their copy on May 1st which is what the law requires. The attorney for the group contacted the County Tax Board, and wrote a letter asking that the County not consider the dismissal. The Mayor informed Mrs. Griff that the Council does not get involved with the appeal process at all.

Close to the public.

ORDINANCES – Introduction
BE IT RESOLVED that an Ordinance entitled **“ORDINANCE OF THE TOWNSHIP OF BYRAM CREATING CHAPTER 113 CONTINUING CERTIFICATE OF OCCUPANCY”** be introduced and read by title by the Township Clerk and passed on first reading.

COUNCIL MEMBER	Councilman Olson	Councilman Raftery	Councilman Thompson	Councilman Oscoitch	Mayor Danielson
By:		X			
2nd				X	
Yes	X	X		X	X
No					
Abstain					
Absent			X		

The Township Manager summarized the ordinance.

- The Council had discussion regarding establishing a procedure for a Certificate of Occupancy.
- Objectives:
 - a. Promotes Health and Safety, making sure homeowners secured the proper permits and have had any improvements inspected.
 - b. Confirm open permits are closed before new homeowner takes ownership.
 - c. Keep property record cards current.

- Prior concern of the council was related to the scope of the process and the proposed fees.
- The proposed additional fee would be \$40. The total fee would be \$75, which includes the existing \$35 fee required to secure fire code certificate.

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 the 15th of June 2009 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.

BE IT FURTHER RESOLVED, that the Township Clerk be authorized and directed to advertise said Ordinance with the Notice of introduction thereof, in the official designated newspaper according to law.

Consent Agenda – Motion by Councilman Olson, second by Councilman Oscovitch to approve the consent agenda.

- A. Resolution No. 61-2009 – Renewal of Lease 09-006-066-07 - Between the Department of Environmental Protection, Division of Parks and Forestry and the Township of Byram
- B. Resolution No. 62-2009 – Refund of Site Plan Escrow – B29/201.01
- C. Resolution No. 63-2009 – Refund of Balance of Zoning Escrow – B126/6
- D. Resolution No. 64-2009 – Amendment of Adopted Budget for Additional Items of Revenue and Offsetting Appropriation - Chapter 159
- E. Resolution No. 65-2009 – Sale of 1993 Ambulance to the Lakeland Emergency Squad
- F. Approval of Off-Premise 50/50 Raffle – Hopatcong Chapter of Deborah Foundation – 10/21/09

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:	x				
2nd				x	
Yes	x	x		x	x
No					
Abstain					
Absent			x		

Discussion Items:

- Reorganization – Meeting Dates and Times – The Council discussed adding an executive session at the beginning of each meeting, if necessary, to avoid extending a meeting for a long period of time. The Council could be more productive if the closed session took place before the meeting. We could advertise in our annual notice that we would start at 6:30 p.m. with an executive session if necessary and our regular meetings would continue to be at 7:30 p.m. There was discussion to move the start time of the regular meeting to 8:00 p.m. and have the closed session start at 7:00 p.m. The Council will discuss this again on June 15th.
- Draft Ordinance – Amended Fee Schedule – will introduce on July 6th because of reorganization. The Manager reviewed all the changes proposed in the fee ordinance and asked the Council to review it and forward comments over the next few weeks.
- Draft Resolutions – PSAP
EMT Training Fund

PSAP - Mayor Danielson briefly discussed the PSAP resolution that he drafted and stated that other towns are also getting on board with this. This resolution is asking the County to take the lead in establishing a regional 911 center. Police Chief Rafferty said he has met with the Chief's Association three times and they are unanimously in favor of this. SO/DR

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:	X				
2nd		X			
Yes	X	X		X	X
No					
Abstain					
Absent			X		

EMT Training Fund – Mayor Danielson gave an overview of this resolution. He stated that he just found out that Members of Congress of New Jersey are getting on board and will be submitting a letter opposing the removal of funds from the EMT Training Fund for other uses. Councilman Rafferty made a motion, seconded by Councilman Oscovitch, to approve this resolution.

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:		X			
2nd				X	
Yes	X	X		X	X
No					
Abstain					
Absent			X		

Councilman Olson wished a “Happy Birthday” to Jim Oscovitch.

Participation II

No comments were made.

Closed Session

Motion by Councilman Oscovitch, second by Councilman Rafferty to go into closed session at 8:45 p.m. and adopt the below resolution.

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:				X	
2nd		X			
Yes	X	X		X	X
No					
Abstain					
Absent			X		

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 Communication
- B. Contract Negotiations
PBA Update
- C. Anticipated/Pending Litigation
PSE&G Update
Riverbank, LLC

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 foregoing resolution On June 1, 2009.

Doris Flynn
Municipal Clerk

Return to Public – Motion by Councilman Olson, second by Councilman Oscovitch to return to public session at 9:25 p.m. All members were in favor. Motion carried.

COUNCIL MEMBER					
Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson	
By: x					
2nd			x		
Yes	x		x	x	
No					
Abstain					
Absent		x			

ADJOURN

On the motion by Councilman Oscovitch, second by Councilman Olson, and with all members in favor signifying by “Aye”, the meeting was adjourned at 9:27 p.m.

Doris Flynn, RMC

Eskil S. Danielson, Mayor

TOWNSHIP OF BYRAM
RESOLUTION NO. 68 – 2009

RESOLUTION APPROVING SUBMITTAL OF A GRANT APPLICATION
AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR BIKE & WALKING PATHS
AT CARL O. JOHNSON PARK

WHEREAS, Byram Township has received the New Jersey Department of Transportation Resolution, Application, and Agreement for State Aid to Counties and Municipalities Under the New Jersey Transportation Trust Fund Authority Act and Local Bridge Bond Act for proposed improvements for bike and walking paths at Carl O. Johnson Park.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Byram, County of Sussex, State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “BIKE-2010-Byram Township-00096” to the New Jersey Department of Transportation on behalf of Byram Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Byram Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:					
2nd					
Yes					
No					
Abstain					
Absent					

Certified as a true copy of the Resolution adopted by the Council
On this 15th day of June, 2009.

Doris Flynn, Municipal Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST AND AFFIX SEAL

Doris Flynn, Clerk

Eskil S. Danielson, Mayor



HAROLD E. PELLOW & ASSOCIATES, INC.
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CORY L. STONER, ASSOCIATE
NJ - P.E., NJ - C.M.E.,
PA - P.E.

ANN PELLOW WAGNER
NJ - C.L.A., VA - C.L.A., PA - C.L.A.
(526/84 - 7/27/89)

JESSICA C. CALDWELL
NJ - P.P., A.I.C.P.

DAVID B. SIMMONS, JR., VICE PRESIDENT
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.
NY - P.E. & L.S., PA - P.E. & L.S.

THOMAS G. KNUTELSKY
NJ - P.E.

June 3, 2009

MEMORANDUM TO: Ms. Doris Flynn, Byram Township Municipal Clerk

FROM: Cory L. Stoner, P.E., C.M.E., Township Engineer

SUBJECT: FY-2010 Bikeways Application for Bike & Walking Paths at Carl O. Johnson Park

Dear Doris:

The above referenced application was submitted electronically to NJDOT SAGE on June 3, 2009.
Enclosed herewith please find the following paperwork:

1. A copy of the .pdf version of this application for your review and files only.
2. A copy of the e-mail receipt confirming that the electronic submission of this application was received by NJDOT.
3. **Resolution/Agreement which must be completed in triplicate, signed and sealed, and then all three originals returned to our office as soon as possible.** This form is a template provided by NJDOT and must be retyped. The Application ID from NJDOT SAGE is "BIKE-2010-Byram Township-00096".

Our office will submit all three originals to the Local Aid District Office. Failure to submit all three originals of the Resolution/Agreement within 30 days (say July 10, 2009) of the DOT's established electronic submission deadline of June 12, 2009 may jeopardize funding participation from NJDOT; therefore, your prompt attention to this matter is appreciated.

I would like to thank you for all of your help during the application process. Should you have any questions, please feel free to contact me.

Very truly yours,

Cory L. Stoner, P.E., C.M.E.

HAROLD E. PELLOW & ASSOCIATES, INC.
Byram Township Engineer

CLS:mac
K:\PROJECTS\MUNICIPAL\BYRAM\COUNCIL\04-186 - DOT TRUST FUNDS\FY-2010\BIKE & WALKING PATHS AT C.O. JOHNSON PARK\FLYNN.DOC

Enclosures

17 PLAINS ROAD, AUGUSTA, NEW JERSEY 07822-2009 • TELEPHONE: 973-948-6463 • FAX: 973-948-2916
CERTIFICATE OF AUTHORIZATION NO. 24GA2789300



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PA - P.E. & L.S.

ANN PELLOW WAGNER
NJ - C.L.A., VA - C.L.A., PA - C.L.A.
(5/26/84 - 7/27/89)

DAVID B. SIMMONS, JR., VICE PRESIDENT
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.,
NY - P.E. & L.S., PA - P.E. & L.S.

CORY L. STONER, ASSOCIATE
NJ - P.E., NJ - C.M.E.,
PA - P.E.

JESSICA C. CALDWELL
NJ - P.P., A.I.C.P.

THOMAS G. KNUTELSKY
NJ - P.E.

June 3, 2009

MEMORANDUM TO: Ms. Doris Flynn, Byram Township Municipal Clerk

FROM: Cory L. Stoner, P.E., C.M.E., Township Engineer

SUBJECT: FY-2010 Municipal Aid Application for Tomahawk Trail

Dear Doris:

The above referenced application was submitted electronically to NJDOT SAGE on June 3, 2009.
Enclosed herewith please find the following paperwork:

1. A copy of the .pdf version of this application for your review and files only.
2. A copy of the e-mail receipt confirming that the electronic submission of this application was received by NJDOT.
3. Resolution/Agreement which must be completed in triplicate, signed and sealed, and then all three originals returned to our office as soon as possible. This form is a template provided by NJDOT and must be retyped. The Application ID from NJDOT SAGE is "MA-2010-Byram Township-00161".

Our office will submit all three originals to the Local Aid District Office. Failure to submit all three originals of the Resolution/Agreement within 30 days (say July 10, 2009) of the DOT's established electronic submission deadline of June 12, 2009 may jeopardize funding participation from NJDOT; therefore, your prompt attention to this matter is appreciated.

I would like to thank you for all of your help during the application process. Should you have any questions, please feel free to contact me.

Very truly yours,

Cory L. Stoner, P.E., C.M.E.

HAROLD E. PELLOW & ASSOCIATES, INC.
Byram Township Engineer

CLS:mac
K:\PROJECTS\MUNICIPAL\BYRAM\COUNCIL\04-186 - DOT TRUST FUNDS\FY-2010\TOMAHAWK TRAIL\FLYNN.DOC

Enclosures

17 PLAINS ROAD, AUGUSTA, NEW JERSEY 07822-2009 • TELEPHONE: 973-948-6463 • FAX: 973-948-2916
CERTIFICATE OF AUTHORIZATION NO. 24GA27959300

TOWNSHIP OF BYRAM
RESOLUTION NO. 70 – 2009

RESOLUTION AUTHORIZING HEYER, GRUEL & ASSOCIATES TO
PROVIDE PLANNING SERVICES IN CONNECTION WITH PREPARING
MODULE 2 – LAND USE AND RESOURCE CAPACITY ANALYSIS UNDER
THE 2009 PLAN CONFORMANCE GRANT PROGRAM FOR THE
TOWNSHIP OF BYRAM

WHEREAS, the Township of Byram has received a 2009 Plan Conformance Grant from the Highlands Council; and

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 in connection with preparing Module 2 – Land Use and Resource Capacity Analysis under the 2009 Plan Conformance Grant Program for the Township of Byram; and

WHEREAS, funds are available for this purpose through the Highlands Council, Grant No. 09-033-011-1904; 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:

- 1. The Township of Byram hereby authorizes the execution of a professional services agreement with Heyer, Gruel & Associates.
- 2. A notice of this contract shall be printed once in the official newspaper of the Township of Byram.

BYRAM TOWNSHIP COUNCIL

ATTEST:

I certify that the Byram Township Council at a meeting held on June 15, 2009 adopted the foregoing resolution.

Doris J. Flynn, Township Clerk

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:					
2nd					
Yes					
No					
Abstain					
Absent					



Memorandum

TO: Township of Byram Mayor and Council

CC: Christopher Hellwig, P.P., AICP
Director of Planning and Development

FROM: Heather M. Zieziula, P.P., AICP

RE: Highlands Council Plan Conformance Module 2 Proposal

Date: June 3, 2009

We have prepared the following proposal outlining the tasks required to secure \$10,000 of grant funding through the Highlands Council Plan Conformance Grant Program for the completion of Module 2.

Per the Highlands Council Module 2 Land Use and Resource Capacity Analysis Instructions: Module 2 is based on the results of Module 1. Module 2 evaluates whether and to what extent the build-out for potentially developable lands under current municipal zoning exceeds the current utility capacity conditions, based on the Regional Master Plan (RMP). The Highlands Council will use this build-out information to determine whether there is sufficient water to support the projected RMP Municipal Build-out for both utility serviced areas and septic system lands.

Per a letter dated, May 29, 2009, from Eileen Swan, Executive Director of the Highlands Council, the Module 2 submission is to be returned to the Highlands as soon as possible. Please note the Township has been waiting to receive data from the Highlands in order to begin Module 2, since its Module 1 Submission on March 23, 2009.

We propose the following deliverables for this project:

Task 1: Review Module 2 database information and municipal zoning (used by the Highlands in Module 1) to address any errors/edits. Follow Module 2 instructions for "Type A and B" edits. [Timeframe: Maximum of 15 days, per Module 2 instructions].

Task 2: Results from Task 1 will be used to evaluate the municipal build-out results as related to utility capacity conditions. These results will be used to determine whether the land-based build-out from Module 1 is constrained by wastewater utility capacity, or whether surplus wastewater capacity can support additional sewer growth. Results will be submitted to the Highlands for verification and for the next steps of the build-out analysis. [Timeframe: 5 days].

Task 3: After Tasks 1 and 2 are complete, the Highlands will provide a Final Municipal Build-out Summary report, which the Township will use for Module 3. The report will include the municipal build-out conditions reflective of utility capacity and water availability constraints as relevant.

Estimate of Costs	
Total Project Cost	\$10,000
Project Cost Breakdown	
Geodatabase & zoning assessment and build-out results analysis. Data submission and verification document filing with Highlands.	\$10,000

TOWNSHIP OF BYRAM
RESOLUTION NO. 71 – 2009

BE IT RESOLVED by the Mayor and Township Council, Township of Byram, Sussex County New Jersey, that the Renewal of a Plenary Retail Distribution License be issued to Byram Beverage Inc., trading as Shop Rite Liquors of Byram, located at 90-70 Route 206, Stanhope New Jersey 07874. The same license being No. 1904-44-012-006. Said license shall be valid from July 1, 2009 through June 30, 2010.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER		Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:						
2nd						
Yes						
No						
Abstain						
Absent						

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on June 15, 2009.

Doris Flynn, RMC
Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION NO. 72 – 2009

BE IT RESOLVED by the Mayor and Township Council, Township of Byram, Sussex County New Jersey, that the renewal of a Plenary Retail Consumption License be issued to Byram Liquor’s LLC, trading as Byram Liquors, located at 11 Route 206, Stanhope New Jersey 07874. The same license being No. 1904-33-009-003. Said license shall be valid from July 1, 2009 through June 30, 2010.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Raftery	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on June 15, 2009.

Doris Flynn, RMC
Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION NO. 73 – 2009

BE IT RESOLVED by the Mayor and Township Council, Township of Byram, Sussex County New Jersey, that the renewal of a Plenary Retail Consumption License be issued to June M. Wallace, trading as Tomahawk Lake, located at Tomahawk Trail, Sparta New Jersey 07871, subject to the following conditions: 1) a plan setting forth security, parking and traffic control measures to be submitted to the Byram Township Police Department at least seven days prior to the Independence Day holiday and in response to the Police Department’s request as to other holidays or events, 2) Township personnel may be assigned to Tomahawk Lake in furtherance of public order, safety and welfare and at the expense of Tomahawk Lake, in the sole discretion of the Byram Township Police Department, 3) any invoice for services rendered by personnel of Byram Township must be paid within thirty days of receipt, 4) prohibition on service of alcohol immediately upon police/emergency services being summoned due to an alleged breach of the peace, until and unless instructed otherwise by police personnel. The same license being No.1904-33-013-001.

Said license shall be valid from July 1, 2009 through June 30, 2010.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on June 15, 2009.

Doris Flynn, RMC
Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION NO. 74 – 2009

BE IT RESOLVED by the Mayor and Township Council, Township of Byram, Sussex County New Jersey, that the renewal of a Plenary Retail Consumption License be issued to BBG Restaurant LLC, trading as NJ Bar and Grill West, located at 172 Lackawanna Drive, Stanhope New Jersey 07874. The same license being No.1904-33-003-007. Said license shall be valid from July 1, 2009 through June 30, 2010.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Raftery	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on June 15, 2009.

Doris Flynn, RMC
Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION NO. 75 – 2009

BE IT RESOLVED by the Mayor and Township Council, Township of Byram, Sussex County New Jersey, that the renewal of a Plenary Retail Consumption License be issued to The Pink Elephant of Cranberry Lake, trading as Golden Nugget Saloon, located at 50 Lackawanna Drive, Stanhope New Jersey 07874. The same license being No.1904-33-008-001. Said license shall be valid from July 1, 2009 through June 30, 2010.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on June 15, 2009.

Doris Flynn, RMC
Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION NO. 76 – 2009

BE IT RESOLVED by the Mayor and Township Council, Township of Byram, Sussex County New Jersey, that the renewal of a Plenary Retail Consumption License be issued to Adam Todd Inc., trading as Adam Todd Inn, located at 263 Route 206, Andover New Jersey 07821. The same license being No. 1904-33-001-002. Said license shall be valid from July 1, 2009 through June 30, 2010.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovich	Mayor Danielson
By:					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on June 15, 2009.

Doris Flynn, RMC
Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION NO. – 2009

RESOLUTION TO AWARD THE
BID FOR BYRAM TOWNSHIP VEHICLE WASH FACILITY

WHEREAS, the Township of Byram opened bids for the proposed construction of the Byram Township Vehicle Wash Facility at 10:00 a.m.; and

WHEREAS, six (6) bids were received from:

- 1. Tony’s Concrete Construction Co., Inc. in the amount of \$42,500.00.
- 2. Bob Viersma & Sons, Inc. in the amount of \$54,747.00.
- 3. Mountain View Development & Contracting Co. in the amount of \$62,331.00.
- 4. Ranco Mechanical, Inc. in the amount of \$74,000.00
- 5. T.M. Brennan Contractors, Inc. in the amount of \$74,750.00.
- 6. T. Slack Environmental Services in the amount of \$81,888.00.

WHEREAS, the low apparent bid for the Byram Township Vehicle Wash Facility was submitted by Tony’s Concrete Construction Co., Inc. for \$42,500.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council, County of Sussex, State of New Jersey to award the bid to Tony’s Concrete Construction Co., Inc. for the Byram Township Vehicle Wash Facility.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovich	Mayor Danielson
	By:				
	2nd				
	Yes				
	No				
	Abstain				
	Absent				

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on June 15, 2009.

Doris Flynn, RMC
Township Clerk

TOWNSHIP OF BYRAM
RESOLUTION NO. – 2009

RESOLUTION TO AWARD THE
BID FOR BYRAM TOWNSHIP VEHICLE WASH
FACILITY – BUILDING ONLY

WHEREAS, the Township of Byram opened bids for the proposed construction of the Byram Township Vehicle Wash Facility-building only, at 10:00 a.m.; and

WHEREAS, two (2) bids were received from:

- 1. FreeSpan Structures, Inc. T/A Cover-All Buildings of NJ in the amount of \$57,100.00
- 2. T.M. Brennan Contractors, Inc. in the amount of \$63,700.00.

WHEREAS, the low apparent bid for the Byram Township Vehicle Wash Facility-building only, was submitted by FreeSpan Structures, Inc. T/A Cover-All Buildings of NJ for \$57,100.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council, County of Sussex, State of New Jersey to award the bid to FreeSpan Structures, Inc. T/A Cover-All Buildings of NJ. for the Byram Township Vehicle Wash Facility-building only.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilman Rafferty	Councilman Thompson	Councilman Oscovitch	Mayor Danielson
By:					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on June 15, 2009.

Doris Flynn, RMC
Township Clerk