

**BYRAM TOWNSHIP COUNCIL MEETING - AUGUST 11, 2015**

**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, here; Councilman Gray, here; Councilman Olson, here; Councilwoman Kash, here; 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 Councilwoman Raffay, to go into executive session and adopt the below resolution.

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

**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 Privileged Communication - General
- b. Shared Services - Sussex County
- c. Personnel - Staffing
- d. Contract Negotiations
  - Radio Communications
  - PBA

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 August 11, 2015.

Doris Flynn, Municipal Clerk

**RETURN TO OPEN SESSION** - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 7:30 p.m. All members were in favor. Motion Carried.

**CALL REGULAR COUNCIL MEETING TO ORDER**

**FLAG SALUTE AND MOMENT OF SILENCE**

**APPROVAL OF AGENDA** – Motion by Councilman Olson, second by Councilwoman Raffay, to approve the agenda as presented. All members were in favor. Motion carried.

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

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

**TOWNSHIP REPORTS**

**Manager’s Report:** The next council meeting will be on September 1, 2015. Joe Sabatini thanked the seniors for coming in and stuffing envelopes for a recent mailing done at town hall. The Manager received a response from the NJDOT regarding the Resolution that was sent about the problems with the Route 206 improvements. The NJDOT provided a time line for many of the items outlined in the resolution.

**Councilman Olson**

- Byram Day committee met at Waterloo on July 22 moving forward on the plan using the historic village as the main venue. The next meeting is August 17<sup>th</sup>.
- Scott met on July 24 with the Musconetcong Watershed Association regarding the Easement Monitoring process.
- Met on August 4 with a radio communications specialist along with Joe and staff members. There is a resolution on the consent agenda authorizing some initial work.
- The EDAC meeting on 8/13 has been cancelled. Scott announced Nancy Eisenberg’s resignation to the Council and suggested. A motion was made by Scott Olson, second by David Gray, to accept her resignation and write a letter of thanks for her contribution and wishing her good luck in the future. All members were in favor. The Mayor said he would take care of sending a letter.
- Scott will be attending the Musconetcong River Mgmt. Council meeting in Asbury on August 18.
- Update on the Highlands Sustainable Study Team – there is a draft with the questions being reviewed. Interviews are being conducted with stakeholders and business owners and the company is getting positive feedback. David Gray asked if he could be a stakeholder. Scott explained that there will be public hearings and opportunities to talk, but Scott will pass his contact information.

**Councilwoman Raffay** reported that there is a Planning Board meeting on August 20 at 8 p.m. Tickets are available from Marie Raffay and Sunnyside Farms for the Harvest Moon Festival on October 8 at Waterloo Village--more information to come. Marie Raffay commented on the email the Council received an about PODS, and she reported that she spoke with the Planning Board chairman about it. The PB will be talking about PODS and outdoor furnaces in the near future.

**Councilman Gray** – Recycling has been a topic of the Environmental Commission and Board of Health. David stated that we are going out to bid again and one option will be twice a month recycling pickup. These boards are very supportive of increasing the curbside recycling pickup.

**Mayor Oscovitch-** Lieutenant Governor will be visiting Waterloo Village on August 25. When Jim knows the exact time, he will send out an email in case anyone would like to go. The Mayor and Joe will be scheduling a meeting with Senator Oroho to discuss the Route 206 resolution.

**Attorney Thomas Collins** – Filing the declaratory judgment with regard to Mt. Laurel II, and he will be having a status conference with the judge tomorrow. They will be filing a motion for immunity.

**APPROVAL OF MINUTES**

- July 21, 2015 - Regular Meeting Minutes –Motion by Councilman Gray second by Councilwoman Kash.

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

- July 21, 2015 - Executive Meeting Minutes –Motion by Councilwoman 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                | X                 |                 |
| No      |                     |                 |                  |                   |                 |
| Abstain |                     |                 |                  |                   | x               |
| Absent  |                     |                 |                  |                   |                 |

**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. 117 –2015 – Resolution Authorizing the Issuance of Not Exceeding \$98.000 Bond Anticipation Notes of the Township of Byram, in the County of Sussex, New Jersey

- Resolution No. 118-2015 – Resolution Authorizing the Issuance of Not Exceeding \$30,000 Special Emergency Notes of the Township of Byram, in the County of Sussex, New Jersey
- Resolution No. 119-2015 – Resolution Providing for the Combination of Certain Issues of Bonds of the Township of Byram, the County of Sussex, New Jersey, into a Single Issue of General Bonds Aggregating \$1,928,000 in Principal Amount
- Resolution No. 120 -2015 – Resolution Determining the Form and other Details of \$1,928,000 General Bonds of 2014 of the Township of Byram, in the County of Sussex, New Jersey and providing for their Sale
- Resolution No. 121-2015 – Award of Contract for Improvements to Various Roads in Byram Township to Dosch-King Co., Inc.
- Resolution No. 122-2015 – Resolution Authorizing the Interlocal Agreement Between Byram Township and Netcong Borough for Construction Department Services
- Resolution No. 123-2015 – Appointment of the Municipal Emergency Management Coordinator and the Township’s Emergency Management Council
- Resolution No. 124-2015 – Award of Professional Services Contract to V-Comm, L.L.C. for Radio Communication Services
- Resolution No. 125-2015 – Resolution Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 362, Lot 1 for the Tax Year 2015; Beginning January 1, 2015; the Cancellation of Taxes from July 1, 2015 to December 31, 2015 and Refund of Taxes Paid from January 1, 2015 to June 30, 2015
- Approval of Raffle License – 50/50 and Tricky Tray held by BARKS at Cranberry Lake Fire House on 9/19/2015
- Approval of Raffle License – 50/50 held by Byram Township Historical Society at Waterloo Village on 9/26/2015
- Approval of Senior Citizen Bingo License – El Corazon to be held at Tomahawk Lake on August 12, 2015

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

**APPROVAL OF AUGUST 11, 2015 BILL LIST**

Motion by Councilman Gray 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                   |                 |                  | x                 |                 |
| Yes     | x                   | x               | x                | x                 | x               |
| No      |                     |                 |                  |                   |                 |
| Abstain |                     |                 |                  |                   |                 |
| Absent  |                     |                 |                  |                   |                 |

**ORDINANCES** – Introduction/First Reading

1.

Be it Resolved that Ordinance entitled, “**ORDINANCE AMENDING ADMINISTRATION AND HOURLY POSITIONS SALARY AND WAGES FOR THE YEARS 2013-2016** ” be read by title on first reading. Motion by Councilman Olson, second by Councilman Gray to introduce this ordinance.

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

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 Tuesday, September 1, 2015 at 7:30 p.m. at the Byram Municipal Building, 10 Mansfield Drive, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

2.

Be it Resolved that Ordinance entitled, “**ORDINANCE AMENDING CHAPTER 3”ADMINISTRATON OF GOVERNMENT” OF THE BYRAM TOWNSHIP CODE TO AUTHORIZE AND ESTABLISH THE OFFICE OF DEPUTY MANAGER BY ADDING A NEW SECTION 3-10.1 ENTITLED “DEPUTY MANAGER” TO THE CODE**” be read by title on first reading. Motion by Councilman Olson, second by Councilman Kash to introduce this ordinance.

**Purpose Statement:** It is the purpose of this Ordinance to authorize and establish the position and office of Deputy Manager.

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

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 Tuesday, September 1, 2015 at 7:30 p.m. at the Byram Municipal Building, 10 Mansfield Drive, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

**ITEMS FOR DISCUSSION**

Committee Chair Meeting – Marie suggested having this meeting on the September 29 at 7:00 p.m. The Council agreed. The clerk will notice it as a special meeting of the council.

Scott stated that we received a letter from Township of Montville and a resolution regarding opposing the JCPL. We also received a proposed resolution from JCP&L asking us to support the project. Scott would like to add it to September 1agenda as a discussion item.

**PUBLIC PARTICIPATION II**

Motion by Councilman Olson, second by Councilwoman Raffay, to open to the public for discussion. All members were in favor. Motion carried.

Joann Smith, 57 Lake Drive, asked if the recent mailing was paid out of the grant. Joe stated that a good portion of the postage was paid for out the grant. She stated that she was having a pine tree taken down in her back yard. She offered it to the township to put up on the corner of Lackawanna and Route 206 for the holidays. We will add this to the next agenda for a discussion.

Skip Danielson, 18 Hunters Lane, stated that the Byram Motel sign should be taken down, and there is also debris on the property that needs to be cleaned up. Joe informed Skip that the zoning officer and construction official have been made aware and are working on these issues. Skip would like to get the BYOB ordinance removed from our code, and asked if that could be discussed soon by the Council.

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

**RESOLUTION FOR EXECUTIVE SESSION** – Motion by Councilman Olson, second by Councilwoman Raffay, to go into executive session and adopt the below resolution.

|                 | Councilwoman Raffay | Councilman Gray | Councilman Olson | Councilwoman Kash | Mayor Oscovitch |
|-----------------|---------------------|-----------------|------------------|-------------------|-----------------|
| Motion          |                     |                 | x                |                   |                 |
| 2 <sup>nd</sup> |                     |                 |                  | x                 |                 |
| Yes             | x                   | x               | x                | x                 | x               |
| No              |                     |                 |                  |                   |                 |
| Abstain         |                     |                 |                  |                   |                 |
| Absent          |                     |                 |                  |                   |                 |

**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

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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 August 11, 2015.

Doris Flynn, Municipal Clerk

**RETURN TO OPEN SESSION** - Motion by Councilman Olson, second by Councilwoman Raffay to return to open session at 8:40 p.m. All members were in favor. Motion Carried.

**ADJOURN**

On the motion of Councilman Olson, second by Councilwoman Raffay, and with all members in favor, the meeting was adjourned at 8:40 p.m. Motion carried.

\_\_\_\_\_  
Doris Flynn, Municipal Clerk

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James Oscovitch, Mayor