

BYRAM TOWNSHIP COUNCIL MEETING - SEPTEMBER 1, 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. Personnel
 - Vehicle Use Policy
 - Staffing
- c. Contract Negotiations
 - Change in recycling services

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 September 1, 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 Gray, second by Councilwoman Raffay, to approve the agenda with removing Res. 136-2015 from the consent agenda. All members were in favor. Motion carried.

PUBLIC PARTIPATION I –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 Gray, second by Councilwoman Raffay to close to the public. All members were in favor. Motion carried.

TOWNSHIP REPORTS

Township Manager- Amity Road completed today. The Oil and Stone Project on Forest Lakes roads will be started on or about September 14.

The budget project has started—departmental budget requests are due September 14. The subcommittee will be the same as last year—Jim Oscovitch and Marie Raffay.

Joe reported on an email he received from the NJDOT. Joe responded to the email with some pictures and did not agree with the State’s position.

PSE&G has finally responded positively regarding Glenside Trail South – they have agreed to do repairs that were recommended by the Township.

Councilman Gray –.Discussed the change in recycling at the EC meeting. It was Margaret’s last EC commission meeting. She has been a valiant force on the EC for the last 22 years. On September 16 Congressman Frelinghuysen is doing superfund tour and he is coming to Byram. David asked for the BYOB be added as a discussion item at the next meeting.

Councilman Olson

Attended Margaret’s retirement party on 8/26, which was a wonderful celebration of her years at Byram.

September 10th is the regularly scheduled meeting of the EDAC. The steering committee of the Economic Development Study needs to meet and they picked September 10. Scott suggested that the EDAC could hold off having a meeting until after the study is done. Three members of the EDAC are part of the steering committee. The October EDAC meeting is on the same night as the Harvest Moon festival.

Scott thanked Joe for getting Amity Road paved because it desperately needed it.

Councilwoman Raffay reported on the 10/8 annual Harvest Moon festival - \$70/two tickets until September 25. After that the price goes up. The next meeting for the Planning Board is September 3rd – the Village Apartments is on the agenda.

Councilwoman Kash – attended the Byram Day Committee meetings – everything is coming together and it should be a wonderful Byram Day.

Mayor Oscovitch- Met with the representative conducting interviews for the economic study. Jim is looking forward to seeing the product of the study. Jim was not able to make her farewell party, but was at the Township send off on Monday. Margaret will be sorely missed at town hall.

APPROVAL OF MINUTES

- August 11, 2015 - Regular Meeting Minutes –Motion by Councilman Gray second by Councilwoman Raffay.

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

- August 11, 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	x
No					
Abstain					
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. 126–2015 – Resolution Confirming the Redemption of TTL # 2014-008
- Resolution No. 127-2015 – Resolution Confirming the Redemption of TTL # 2014-017

- Resolution No. 128-2015 – Resolution Authorizing Award of Professional Services Contract with Darren Raymond, SCGREA
- Resolution No. 129-2015 – Resolution Authorizing Change Order No. 1 for the Design and Repair of Salt Dome Building in the amount of \$5,100.00
- Resolution No. 130-2015 – Resolution Authorizing the Adoption of the Community Forestry Plan for January 2015 – December 2019
- Resolution No. 131-2015 – 2015 Capital Budget Amendment Resolution
- Resolution No. 132-2015 – Resolution Authorizing the Execution of the Highlands Plan Conformance Supplemental Amended Grant Agreement
- Resolution No. 133-2015 – Resolution Accepting Hazard Mitigation Grant
- Resolution No. 134-2015 – Resolution Authorizing Final Acceptance of the Shingling of the Salt Dome Building
- Resolution No. 135-2015 – Resolution Approving Change of Recycling Services and to Exercise Options for Years 4 and 5 as Set Forth in the Bid Specifications and Contract Documents
- Resolution No. 137-2015 – Resolution Authorizing MSI Services, Inc. to Provide Computer Support Services to the Township of Byram for the Workstation Installation Project not to exceed \$2,156.00
- Resolution No. 138-2015 - – Resolution Authorizing MSI Services, Inc. to Provide Computer Support Services to the Township of Byram for the Server Installation Project not to exceed \$4,343.00
- Resolution No. 139-2015 - Resolution Authorizing Final Acceptance of Design and Repair of Salt Dome Building
- Approval of 50/50 Raffle – Anti Bully Squad holding raffle at Byram Day, September 26, 2015

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

Resolution No. 136-2015 – Resolution Authorizing and Appointing Assessment Commissioners Pursuant to N.J.S.A. 40:56-22 for the Making, Enforcement and Collection of the Special Assessment Relating to the Forest Lakes Dam Rehabilitation – David Gray recused himself from this.

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

APPROVAL OF SEPTEMBER 1, 2015 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			x	
Yes	x	x	X	x	X
No					
Abstain					
Absent					

ORDINANCES – Introduction/First Reading

1.

Be it Resolved that Ordinance entitled, “BOND ORDINANCE PROVIDING FOR THE REMOUNT OF AN AMBULANCE BY THE TOWNSHIP OF BYRAM, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$150,000 AND AUTHORIZING THE ISSUANCE OF \$142,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION

” be read by title on first reading. Motion by Councilman Olson, second by Councilman Gray to introduce this ordinance. Scott Olson thanked Joe for the work he did on this and the Lakeland Emergency Squad for their patience as this took a bit of time to get this going – it is definitely needed.

	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 15, 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 TO AUTHORIZE A CAPITAL EXPENDITURE FOR THE ACQUISITION OF A STANDBY GENERATOR TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$11,000.00” be read by title on first reading. Motion by Councilman Olson, second by Councilwoman Kash to introduce this ordinance. This is the township’s portion and the township is receiving a \$25,000 grant to fund this project. There will be an automatic transfer switch.

	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 15, 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.

ORDINANCE NO. 12-2015 – 2nd reading/public hearing

Be it Resolved that Ordinance entitled, “**Amended Ordinance for Administration & Hourly Positions Salary and Wage for the Years 2013-2016**” be read by title on second reading and a hearing held thereon. Motion by Councilman Olson, second by Councilwoman Kash. Motion by Councilman Olson, second by Councilwoman Kash to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Kash to close to the public.

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

Be it Resolved that said Ordinance is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ORDINANCE NO. 13-2015 – 2nd reading/public hearing

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 second reading and a hearing held thereon. Motion by Councilman Gray, second by Councilwoman Raffay. Motion by Councilman Gray, second by Councilman Olson to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

	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 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ITEMS FOR DISCUSSION

JCPL/Montville - Proposed Montville-Whippany 230kV Transmission Project – Jim Oscovitch announced that Jackie Espinoza, from JCP&L, was here tonight in case anyone had any questions. JCP&L is asking us to pass a resolution supporting their project. We also have a resolution from Montville. Jim asked Scott Olson to lead to discussion. Scott provided a little history and stated that he would like to make a motion to support the Montville resolution, which states that “We will not endorse the project until such time the concerns of Montville are addressed”. David Gray stated that it is important to improve infrastructure. He asked Jackie Espinoza a few questions about the transmission line. He appreciates the problems that Montville is experiencing but he is hard-pressed to support it. Scott stated that he made a motion, and said that someone should second it so that there could be discussion. Marie Raffay seconded it for purposes of discussion. Marie stated that she would prefer to be silent on it. She does not know all the details about it, and would rather not take a stand either way. David does not know what the individual issues are in Montville but he supports redundancy and doesn’t want to see the problems we had in Sandy happen again. He feels our country is built on developing infrastructure and modernizing. Nisha Kash feels we should remain silent because she doesn’t know enough about the issue. Jim Oscovitch said that he felt that the JCP&L line will go through, but would vote to approve the Montville resolution because he would like to support them.

Motion by Councilman Olson, second by Councilman Gray to open to the public for comments. Skip Danielson, 18 Hunter Lane, stated that he was familiar with the transmission lines that run through Montville. Much of it runs through the Troy Meadows Swamp. Skip stated that JCP&L has made some adjustments, and he feels we should be pro-active and support the project.

Jackie Espinoza, representative of JCP&L, thanked Skip for speaking. It was a project identified by PJM. She feels it is an insult if we support Montville.

The following vote was taken on the motion to support the Montville resolution.

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

The motion did not pass.

PUBLIC PARTICIPATION II

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

Skip Danielson, 18 Hunters Lane, thanked the Council for the introducing the ordinance for the remount of an ambulance and for the generator. The tower site was originally built by Lakeland Emergency Squad. He commented on the Jones Lane project and said he was happy to see the improvement going on. He asked about the getting the mowing machine on Tamarack Road. Joe said that the machine is out of commission because the part has to come from abroad. He also complained about the sensors at Tamarack Road and Route 206, and asked that the Council contact the NJDOT to have them moved.

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

ADJOURN

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

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor