

**TOWNSHIP OF BYRAM**  
**COUNCIL AGENDA, TUESDAY, SEPTEMBER 2, 2014**  
**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. Attorney Client Privilege Information
    - General
    - Forest Lakes Dam Restoration Special Assessment Ordinance
    - Partridge Run Development
  - b. Contract Negotiations
    - Shared Services
  - c. Personnel – Vehicle Use Policy
    - Tax Collector Position
    - Sergeant Promotion
    - Court Security
5. **RETURN TO OPEN SESSION**
6. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
7. **APPROVAL OF AGENDA**
8. **REPORTS**
  - Township Manager
  - Mayor and Council Members
  - Township Attorney
9. **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.**
10. **APPROVAL OF MINUTES**
  - August 12, 2014 Regular Meeting Minutes
  - August 12, 2014 Closed Session Meeting Minutes
11. **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. 121-2014 – Resolution Authorizing a Professional Services Agreement with Farr Forestry Services LLC, to Prepare the 2015-2019 Community Forestry Management Plan not to Exceed \$3000.00
  - B. Resolution No. 122-2014 – Resolution Amending Resolution No. 114-2014 Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 358.02, Lot 4 and Cancellation of Taxes from March 1, 2014 to December 31, 2014 and Refund of Taxes Paid from March 1, 2014 to Present
  - C. Resolution No. 123-2014 – Resolution Authorizing the Renewal of Liquor License to Levkovitz, Jack W. Valid from 7/1/2014 through 6/30/15
  - D. Resolution No. 124-2013 – Resolution to Authorize and Execute Change Order No. 1 for Improvements to Tamarack Rd-Phase II – Denville Line
  - E. Resolution No. 125-2014 – Resolution to Authorize and Execute Change Order No. 1 for Improvements to Tamarack Rd-Phase II – Tilcon, NY
  - F. Resolution No. 126-2014 – Resolution to Refund Taxes – Blk. 263/Lot 698
  - G. Resolution No. 127-2014 – Resolution to Cancel Taxes – Block 337/Lot 2
  - H. Resolution No. 128-2014 — Resolution to Refund Taxes – Blk. 264, Lot 709/Blk. 265, Lot 273/Blk. 265, Lot 272.02
  - I. Resolution No. 129-2014 – Resolution to Award the Salt Dome Design and Repair to Dome Corporation of America not to exceed \$35,910.00
  - J. Resolution No. 130-2014 – Resolution to Award the Shingling of the Salt Dome Storage Building to Dome Corporation of America not to exceed \$80,970.00
  - K. Resolution No. 131-2014 – Resolution to Authorize a Professional Services Agreement to Strunk-Albert Engineering to Perform and HVAC System Evaluation at the Byram Township Municipal Building not to Exceed \$2000.00
  - L. Resolution No. 132-2014 – Resolution to Accept Donation from SunnySide Garden & Gifts – Thundercloud Plum Tree planted in front of Byram Municipal Building
12. **APPROVAL OF SEPTEMBER 2, 2014 BILL LIST**
13. **DISCUSSION**
  - EDAC
  - Route 206 Improvements
  - Discussion regarding draft Ordinance: Ordinance of the Township of Byram, County of Sussex, State of New Jersey Authorizing a Special Assessment to Ensure the Collection, Proper Administration, and Repayment of Loan Monies for the Forest Lakes Dam Rehabilitation to the 2003 Dam, Lake and Stream Revolving Loan Fund and/or NJDEP Pursuant to Dam Rehabilitation Loan
14. **PUBLIC PARTICIPATION II**
15. **EXECUTIVE SESSION – Session II (if necessary)**
16. **ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
17. **ADJOURNMENT**

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 121 – 2014**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES  
AGREEMENT WITH FARR FORESTRY SERVICES, LLC, TO  
PREPARE THE 2015-2019 COMMUNITY FORESTRY  
MANAGEMENT PLAN**

**WHEREAS**, the Byram Township Council has determined that there is a need to enter into a professional services agreement with Farr Forestry Services, LLC to prepare Byram's second five-year Community Forestry Plan for the years 2015 through 2019; and

**WHEREAS**, funds are available for this purpose through a \$3,000 Green Communities Grant (Grant Agreement FS 14-087); 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 Farr Forestry Services, LLC.
2. The agreement is outlined in the attached letter dated August 22, 2014 from Farr Forestry Services.
3. 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 September 2, 2014 adopted the foregoing resolution.

\_\_\_\_\_  
Doris J. Flynn, Township Clerk

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

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 122 – 2014**

**RESOLUTION AMENDING RESOLUTION NO. 114-2014 AUTHORIZING 100%  
DISABLED VETERAN EXEMPT STATUS TO OWNER OF BLOCK 358.02, LOT  
4 AND CANCELLATION OF TAXES FROM MARCH 1, 2014 TO DECEMBER 31,  
2014 AND REFUND OF TAXES PAID FROM MARCH 1, 2014 TO PRESENT**

WHEREAS, Donald A. Zamora, lawful owner of Block 358.02, Lot 4, has been deemed 100% disabled by the Veteran's Administration; and

WHEREAS, Donald A. Zamora has applied to the Tax Assessor for a 100% Disabled Veteran exemption in accordance with 54:4-3:30, which will be granted for the year 2015; and

WHEREAS, the Tax Assessor has recommended that this exemption be retroactive to the date his disability as declared by the Veteran's Administration which is March 1, 2014, and that the Tax Collector make the necessary adjustment for the year 2014; and

WHEREAS, the Tax Collector has determined that the property taxes are paid through third quarter 2014.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram, Sussex County, New Jersey, that the property be classified as exempt effective March 1, 2014, and that the Tax Collector be authorized to cancel the amounts from March 1, 2014 through December 31, 2014 and to refund the amount paid from March 1, 2014 to present.

**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 September 2, 2014.

\_\_\_\_\_  
Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION NO. 123 – 2014**

**RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSE TO  
LEVKOVITZ, JACK W. VALID FROM 7/1/2014 THROUGH 6/30/15**

**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 Levkovitz, Jack W., located at 239 Route 206S, Stanhope New Jersey 07874. The same license being No. 1904-33-005-008. Said license shall be valid from July 1, 2014 through June 30, 2015.

**BYRAM TOWNSHIP COUNCIL**

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
<b>Motion</b>					
<b>2nd</b>					
<b>Yes</b>					
<b>No</b>					
<b>Abstain</b>					
<b>Absent</b>					

**ATTEST:**

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on September 2, 2014.

\_\_\_\_\_  
Doris Flynn, RMC  
Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 124 - 2014**

**AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 1  
FOR IMPROVEMENTS TO TAMARACK ROAD – PHASE II – DENVILLE LINE  
PAINTING, INC.**

WHEREAS, the Township of Byram (Owner) and Denville Line Painting, Inc. (Contractor) entered into an Agreement for improvements to Tamarack Road – Phase II in the amount of \$3,754.50; and

WHEREAS, in the process of completing the work, certain changes were determined to be necessary; and

WHEREAS, the revised work was determined by the Township Engineer, Harold Pellow & Associates and the Contractor and was found to require a net increase of \$707.07 in the total amount of the contract as outlined in the Engineer’s report dated August 28, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Township of Byram in the County of Sussex, State of New Jersey to authorize the Mayor to execute Change Order No. 1 for a net increase of the contract price in the amount of \$707.07 for a total adjusted contract price of \$4,461.57.

**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 September 2, 2014.

\_\_\_\_\_  
Doris J. Flynn, RMC  
Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 125 - 2014**

**AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 1  
FOR IMPROVEMENTS TO TAMARACK ROAD – PHASE II – TILCON, NY**

WHEREAS, the Township of Byram (Owner) and Tilcon New York, Inc. (Contractor) entered into an Agreement for improvements to Tamarack Road – Phase II in the amount of \$119,401.00; and

WHEREAS, in the process of completing the work, certain changes were determined to be necessary; and

WHEREAS, the revised work was determined by the Township Engineer, Harold Pellow & Associates and the Contractor and was found to require a net increase of \$3,466.13 in the total amount of the contract as outlined in the Engineer’s report dated August 13, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Township of Byram in the County of Sussex, State of New Jersey to authorize the Mayor to execute Change Order No. 1 for a net increase of the contract price in the amount of \$3,466.13 for a total adjusted contract price of \$122,867.13.

**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 September 2, 2014.

\_\_\_\_\_  
Doris J. Flynn, RMC  
Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 126 – 2014  
2014 TAX REFUND**

WHEREAS, a duplicate third quarter tax payment was made on August 11, 2014 for Block, 263, Lot 698, 219 Lackawanna Drive, by Keystone Asset Management Inc. in the amount of \$1,686.70; and

WHEREAS, the Keystone Asset Management has requested that the duplicate payment in the amount of \$1,686.70 be refunded; and

WHEREAS, it is recommended by the Finance Department that the duplicate payment of \$1,686.70 be refunded to Keystone Asset Management Inc..

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram that the Finance Department refund \$1,686.70 to Keystone Asset Management Inc., Attn: Kate Baunach, 3015 Advance Lane, Colmar, PA 18915.

**BYRAM TOWNSHIP COUNCIL**

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

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on September 2, 2014.

\_\_\_\_\_  
Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 127 – 2014**

**RESOLUTION TO CANCEL TAXES**

WHEREAS, the Chief Financial Officer has established that the property listed below is now tax exempt due to ownership by the Township of Byram; and

WHEREAS, the taxes for 2014 can be cancelled due to the property being Township owned.

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>2014 TAXES TOTAL AMT</u>
337/2	Lee Hill Road	6,987.38

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Byram, Sussex County, State of New Jersey that in accordance with the recommendation of the Chief Financial Officer, the Tax Collector is hereby authorized to cancel taxes from 2014 in the amount of Six Thousand, Nine Hundred Eighty-Seven and Thirty-Eight Cents, subject to verification by the Municipal Auditor.

**BYRAM TOWNSHIP COUNCIL**

**ATTEST:**

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on September 2, 2014.

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



**TOWNSHIP OF BYRAM  
RESOLUTION NO. 128 – 2014  
2014 TAX REFUND**

WHEREAS, a duplicate third quarter tax payment was made on Block, 265, Lot 272.02; Block 264, Lot 709 and Block 265, Lot 273, 201 Lackawanna Drive, owned by Blain and Carole Tomlin in the amount of \$64.89, \$2,129.00 and \$110.38 respectively; and

WHEREAS, the property owner has requested that these duplicate payment totaling \$2,304.27 refunded; and

WHEREAS, it is recommended by the Finance Department that a refund of \$2,304.27 be sent to the property owner.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram that the Finance Department refund \$2,204.27 to Blain and Carole Tomlin, 201 Lackawanna Drive, Stanhope, New Jersey 07874.

**BYRAM TOWNSHIP COUNCIL**

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

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on September 2, 2014.

\_\_\_\_\_  
Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 129 – 2014**

**RESOLUTION TO AWARD THE SALT DOME DESIGN AND REPAIR TO  
DOME CORPORATION OF AMERICA**

**WHEREAS**, the Township of Byram opened bids for the Salt Dome Design and Repair on August 21, 2014 at 10:30 a.m.; and

**WHEREAS**, only one bid was received from the following contractor:

Dome Corporation of America, 5450 East St., Saginaw, MI 48601  
for \$35,910.00

**WHEREAS**, the lowest responsible bidder is Dome Corporation of America in the amount of \$35,910.00; and

**WHEREAS**, Qualified Purchasing Agent Sean P. Canning reviewed and recommended the award to Dome Corporation of America.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Township Council, County of Sussex, State of New Jersey to award the bid to Dome Corporation of America in the amount of \$35,910.00. Certification of funds has been provided. The Mayor, Township Manager and Clerk are hereby authorized to sign any document associated with this award.

**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 September 2, 2014.

\_\_\_\_\_  
Doris Flynn, RMC  
Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 130 – 2014**

**RESOLUTION TO AWARD THE SHINGLING OF THE SALT DOME  
STORAGE BUILDING TO DOME CORPORATION OF AMERICA**

**WHEREAS**, the Township of Byram opened bids for the Shingling of the Salt Dome Storage Building on August 21, 2014 at 10:30 a.m.; and

**WHEREAS**, two bids were received from the following contractors:

Dome Corporation of America, 5450 East St., Saginaw, MI 48601  
for \$80,970.00

Arch Concept Construction, 351 West Clinton St., Haledon, NJ  
07508 for \$124,000.00

**WHEREAS**, the lowest responsible bidder is Dome Corporation of America in the amount of \$80,970.00; and

**WHEREAS**, Qualified Purchasing Agent Sean P. Canning reviewed and recommended the award to Dome Corporation of America.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Township Council, County of Sussex, State of New Jersey to award the bid to Dome Corporation of America in the amount of \$80,970.00. Certification of funds has been provided. The Mayor, Township Manager and Clerk are hereby authorized to sign any document associated with this award.

**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 September 2, 2014.

\_\_\_\_\_  
Doris Flynn, RMC  
Township Clerk

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NJ  
RESOLUTION NO. 131 – 2014**

**RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT  
TO STRUNK-ALBERT ENGINEERING TO PERFORM AN HVAC SYSTEM  
EVALUATION AT THE BYRAM TOWNSHIP MUNICIPAL BUILDING**

WHEREAS, the Byram Township Council has determined that there is a need to enter into a professional services agreement with Strunk-Albert Engineering to perform an HVAC system evaluation at the Byram Township Municipal Building; and

WHEREAS, funds are available for this purpose; 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 Strunk-Albert Engineering not to exceed \$2,000.00.
2. The agreement is outlined in the attached letter dated August 29, 2014 from Strunk-Albert Engineering.
3. A notice of this contract shall be printed once in the official newspaper of the Township of Byram.

**BYRAM TOWNSHIP COUNCIL**

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

ATTEST:

I certify that the Byram Township Council at a meeting held on September 2, 2014 adopted the foregoing resolution.

\_\_\_\_\_  
Doris J. Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 132 – 2014**

**RESOLUTION ACKNOWLEDGING DONATION FROM SUNNYSIDE GARDEN  
& GIFTS**

WHEREAS the Byram Township Council has embarked upon a program to improve the appearance of the Byram Township Municipal Building; and

WHEREAS that program includes planting a tree at the entrance to the Finance and Court offices; and

WHEREAS SunnySide Garden & Gifts has assisted in the selection of a tree suited to the site and has donated to the Township a Thundercloud Plum tree and planted it on site; and

WHEREAS SunnySide's \$365.00 donation has helped beautify Byram's municipal building and improve our community;

NOW THEREFORE BE IT RESOLVED that the Byram Township Council and Mayor extend their appreciation to SunnySide Garden & Gifts and its owners the Weber family for their valuable assistance and their generosity. The Council and Mayor welcome SunnySide and owners Bob, Debbie, Scott, and Bobby Weber to the Byram community and look forward to a successful future for this new local business and an ongoing partnership for the betterment of Byram.

**BYRAM TOWNSHIP COUNCIL**

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

ATTEST:

I certify that the Byram Township Council at a meeting held on September 2, 2014 adopted the foregoing resolution.

\_\_\_\_\_  
Doris J. Flynn, Township Clerk