

**BYRAM TOWNSHIP COUNCIL MEETING - SEPTEMBER 2, 2014**

**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 Councilman Gray, to go into executive session and adopt the below resolution.

**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 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

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 2, 2014.

Doris Flynn, Municipal Clerk

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

**RETURN TO OPEN SESSION** - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 7:35 p.m. All members were in favor. Motion Carried.

**FLAG SALUTE AND MOMENT OF SILENCE**

**APPROVAL OF AGENDA** – Motion by Councilman Olson, second by Councilwoman Raffay, to approve the agenda with the addition of Resolution 133-2014. All members were in favor. Motion carried.

**TOWNSHIP REPORTS**

**Manager’s Report**

- The Manager announced that Ashleigh Frueholz started August 18<sup>th</sup> as Byram’s CFO. Ashleigh came to us from the City of Clifton where she was the Municipal Treasurer. She will be tremendous asset to the Township.

- SunnySide:
  - The Township is undergoing improvements to the municipal complex.
  - Sunny Side Garden and Gifts – Bob and Scott Weber –donated the plum tree that was planned outside to the Township.
  - We have added a resolution to the consent agenda to recognize their donation and their generosity to the Township.
- Byram Day – September 27:
  - Byram Day is scheduled for Saturday, September 27 at Waterloo Village from 11 a.m. to 5 p.m. (rain date, Sunday, September 28).
- Proposed Sign Ordinance:
  - Provided the Mayor and Council with report from the Township’s Zoning Officer dated August 27, 2014. The report includes photographs that depict signs that are in violation of the Township’s proposed new ordinance.
  - The Council plans on having a workshop with members from EDAC, PB Sign Committee, ARC to discuss the proposed sign ordinance, and the Zoning Officer’s report will aid in the discussion.

**Councilman Olson**

- Attended the EDAC meeting on August 14. The next meeting is September 11.

**Councilman Gray**

- The Environmental Commission discussed their plans for Byram Day at their last meeting. They will be sharing a table with the Board of Health.

**Councilwoman Kash**

- Attended the last Recreation Committee meeting and discussed ADA requirements for parks. Janet Meisner will be submitting a request to the Council to upgrade our parks.
- The Byram Board of Education meeting will be on September 24.
- Youth Guidance Council has not met because they do not have enough members.

**Councilwoman Raffay**

- Marie announced that the FOWV will be holding the Harvest Moon Festival on October 9<sup>th</sup>. Tickets are \$70/couple up to September 25, then the price will go up.
- Lenape Valley Board of Education meeting is scheduled for September 16.

**Mayor Oscovitch**

- He announced that Margaret Sedivy will be turning 100 years young in October.
- The Mayor would like to discuss the parameters in which proclamations are made through the Council.

**PUBLIC PARTICIPATION 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.

Susan Bliss, 5 Spring Trail, asked questions regarding the Septic Management Program and fee. Joe Sabatini explained that the Septic Management Program covers Cranberry Lake, the Byram portion of Lake Mohawk and Lake Lackawanna which requires property owners to pump their septic every three years and submit a \$15.00 fee to offset the management of it. Susan Bliss asked when the fee was established. Joe Sabatini wasn’t sure of the exact date but stated that it has been in existence for Cranberry Lake since at least 2000. Susan expressed her discontent in receiving an aggressive letter regarding non-compliance.

Jackie Espinoza, JCP&L regional representative, commented on the double pole ordinance adopted by Byram, and stated that they working on taking care of the poles in Byram. Jackie also commented about grants available to schools.

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

**APPROVAL OF MINUTES**

- August 12, 2014 Regular Meeting Minutes –Motion by Councilman 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					

- August 12, 2014 Executive Meeting Minutes –Motion by Councilman 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. 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
- 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
- Resolution No. 123-2014 – Resolution Authorizing the Renewal of Liquor License to Levkovitz, Jack W. Valid from 7/1/2014 through 6/30/15
- Resolution No. 124-2013 – Resolution to Authorize and Execute Change Order No. 1 for Improvements to Tamarack Rd-Phase II – Denville Line
- Resolution No. 125-2014 – Resolution to Authorize and Execute Change Order No. 1 for Improvements to Tamarack Rd-Phase II – Tilcon, NY
- Resolution No. 126-2014 – Resolution to Refund Taxes – Blk. 263/Lot 698
- Resolution No. 127-2014 – Resolution to Cancel Taxes – Block 337/Lot 2
- Resolution No. 128-2014 — Resolution to Refund Taxes – Blk. 264, Lot 709/Blk. 265, Lot 273/Blk. 265, Lot 272.02
- Resolution No. 129-2014 – Resolution to Award the Salt Dome Design and Repair to Dome Corporation of America not to exceed \$35,910.00
- 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
- 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
- Resolution No. 132-2014 – Resolution to Accept Donation from SunnySide Garden & Gifts – Thundercloud Plum Tree planted in front of Byram Municipal Building
- Resolution No. 133-2014 – Resolution to Authorize Execution of a Shared Services Agreement by and between the Township of Byram and Town of Newton to Provide Certified Tax Collection Services

	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 SEPTEMBER 2, 2014 BILL LIST**

Motion by Councilman Olson second by Councilwoman Raffay, to approve the bill list as presented. Scott Olson recused from P.O. No. 13456.

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

**DISCUSSION ITEM**

- EDAC – Joe Sabatini stated that there is an opening on the committee and the Council was given two resumes for review. Scott Olson commented on some of the discussions that have taken place at their meetings. Scott feels the Committee need s to be more focused. The Mayor feels the EDAC is new and needs time to settle in. They need to generate their mission statement. The EDAC doesn’t feel that the Byram Business Owner’s Association will get off

the ground. Joann Smith is a member of the EDAC and stated that she thinks it is a great idea if the Council did give the EDAC more focus. David Gray suggested a tax abatement program. Joann thought that would be something good to look into. Joe suggested that the EDAC reach out to other towns that have went through this process. Our planner has been authorized to send a letter to the Highlands to reallocate funds for economic development. David suggested having the EDAC give the Council a mission statement and 5 bullet points that they would like to address in the short term, within the parameters of the ordinance. Everyone was in agreement with this. Scott Olson will relay this to the EDAC at the next meeting.

Scott Olson suggested having another Committee Chair group meeting. The Mayor stated that he has two more residents interested in the EDAC, and he will forward them to Scott so that the EDAC can review them.

- Route 206 Improvements – Joe Sabatini had staff draft a letter to the NJDOT about the all the problems Byram is having with the Route 206 improvements. The Council had a lengthy discussion and were in agreement to send the letter under the Mayor’s signature.
- Forest Lakes Special Assessment Ordinance  
Joe Sabatini has recused on the matters of the Forest Lakes Dam Restoration and special assessment because he is a resident of Forest Lakes. Attorney Tom Collins is handling the matter along with the Clerk Doris Flynn and Township Assessor Penny Holenstein. The attorney and the clerk have prepared a draft ordinance which could be introduced at the end of September, with a hearing in October. This ordinance would notify each property owner that would be affected by the special assessment.

**PUBLIC PARTICIPATION II**

Motion by Councilman Olson, second by Councilwoman Kash to open to the public for discussion. All members were in favor. Motion carried. No comments were made. Motion by Councilwoman Raffay, second by Councilwoman Kash to close to the public. All members were in favor. Motion carried.

**RESOLUTION FOR EXECUTIVE SESSION** – Motion by Councilman Olson, second by Councilwoman Kash, to go into executive session at 8:53 p.m. and adopt the below resolution.

**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 Information
  - General
- b. Contract Negotiations
  - Shared Services
- c. Personnel – Vehicle Use Policy
  - Tax Collector Position
  - Sergeant Promotion
  - Court Security

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 2, 2014.

Doris Flynn, Municipal Clerk

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

**RETURN TO OPEN SESSION** - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 10:30 p.m. All members were in favor. Motion Carried.

**ADJOURN**

On the motion of Councilman Olson, second by Councilwoman Kash, and with all members in favor, the meeting was adjourned at 10:31 p.m. Motion carried.

---

Doris Flynn, Municipal Clerk

---

James Oscovitch, Mayor