

**TOWNSHIP OF BYRAM,  
SUSSEX COUNTY, NEW JERSEY  
ORDINANCE NO. 1 - 2012**

**CALENDAR YEAR 2012  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Township of Byram in the County of Sussex finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township of Byram hereby determines that a 3.5 % increase in the budget for said year, amounting to \$292,918.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Township of Byram, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Byram shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$292,918.00, and that the CY 2012 municipal budget for the Township of Byram be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest:

  
Doris J. Flynn, Township Clerk

**BYRAM TOWNSHIP COUNCIL**

Introduced: 1/17/12

Adopted:

COUNCIL MEMBER	Councilman Laaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
	Motion			✓	
2nd		✓			
Yes	✓		✓	✓	
No					
Abstain					
Absent					

NOTICE is hereby given that the above titled Ordinance was introduced and passed first reading at a meeting of the Township Council of the Township of Byram, held at the Byram Township Municipal Building, Mansfield Drive, Byram Township, New Jersey, on the 17th day of January, 2012. The said ordinance will be further considered for final adoption at a meeting of the Township Council of the Township of Byram, held at the Byram Municipal Building, Mansfield Drive, Byram Township, New Jersey, on the 7th day of February 2012 at 7:00 p.m. at which time all persons will be given the opportunity to be heard concerning said ordinance. Copies are available to the public at the Clerk's office between the hours of 8:30 a.m. and 4:30 p.m.

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION NO. 27 – 2012**

**RESOLUTION CONSENTING TO THE PROPOSED BYRAM TOWNSHIP  
CHAPTER OF THE SUSSEX COUNTY WASTEWATER MANAGEMENT PLAN  
AND AMENDMENT TO THE SUSSEX COUNTY WATER QUALITY  
MANAGEMENT (WQM) PLAN**

Whereas, the Township of Byram desires to provide for the orderly development of wastewater facilities within Byram Township; and

Whereas, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

Whereas, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

Whereas, a proposed WQM plan amendment noticed in the New Jersey Register on January 17, 2012 for Byram Township Chapter of the Sussex County Wastewater Management Plan has been prepared by the NJ Highlands Water Protection and Planning Council, dated December 2011.

Now, therefore, be it resolved on this 17<sup>th</sup> day of January, 2012, by the governing body of the Township of Byram that:

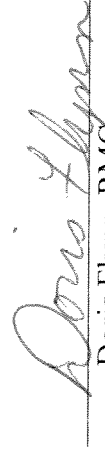
1. The Mayor and Council hereby consents to the amendment entitled “Byram Township Chapter of the Sussex County Wastewater Management Plan” prepared by the NJ Highlands Water Protection and Planning Council for the purpose of its incorporation into the applicable Sussex County WQM Plan.
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

**BYRAM TOWNSHIP MAYOR AND COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffav	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 January 17, 2012.

  
Doris Flynn, RMC  
Township Clerk

TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION NO. 28 - 2012

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO  
CANCEL CERTAIN TAX SALE CERTIFICATES**

WHEREAS, the Township of Byram held a Tax Sale on October 15, 2009 for delinquent 2008 taxes; and

WHEREAS, properties were listed for sale, and being no bids were offered on certain properties, they were struck off to the Township (Tax Title Lien) as follows:

<u>CERTIFICATE #</u>	<u>BLOCK</u>	<u>LOT</u>	<u>2008 TAXES</u>
2009-01	16	119	\$2,988.39
2009-012	268	762	\$1,920.41
2009-013	268.01	1	\$ 122.48

WHEREAS, these properties were sold at previous tax sales, and Tax Title Liens recorded on these parcels as follows:


<u>CERTIFICATE #</u>	<u>BLOCK</u>	<u>LOT</u>	<u>DATE OF SALE</u>
91-05	16	119	11-26-1991
95-40	268	762	06-08-1995
99-34	268.01	1	06-02-1999

WHEREAS, the Tax Collector wishes to consolidate these Tax Title Liens and accrue the 2008 taxes to the original Tax Title Lien

NOW BE IT RESOLVED by the Township Council of the Township of Byram, Sussex County, New Jersey, that the Tax Collector is authorized to cancel the above Tax Title Liens by recording same at the office of the Sussex County Clerk and accrue the delinquent 2008 taxes to the original Tax Sale Certificate.

**BYRAM TOWNSHIP COUNCIL**

HEREBY CERTIFY that the foregoing to be a true copy of a resolution adopted by the Township Council of Byram Township, in the County of Sussex, at its meeting held on January 17, 2012.

  
Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 29 - 2012**

**FINAL ACCEPTANCE OF ROAD IMPROVEMENTS – ROSEVILLE ROAD  
PHASE II AND TOMAHAWK TRAIL**

WHEREAS, on May 17, 2011, by adoption of Resolution No. 54-2011 the Byram Township Council, County of Sussex, State of New Jersey, awarded a contract to Top Line Construction for Road Resurfacing for Road Improvements to Roseville Road, Phase II and Tomahawk Trail; and

WHEREAS, on October 18, 2011, the Council approved a Change Order by adoption of Resolution 120-2011, at the recommendation of the Township Engineer, which resulted in a combined final contract amount of \$415,657.97; and

WHEREAS, in the Township Engineer's memo dated January 9, 2012, he recommended that said projects be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Township of Byram, County of Sussex, State of New Jersey, that it hereby concurs with the Township Engineer's recommendation and accepts the Roseville Road Phase II and Tomahawk Trail projects as complete, with the condition that a One (1) Year Maintenance Bond is secured by the contractor.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor O'Scovich
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 January 17, 2012.

  
Doris Flynn, Municipal Clerk

# RESOLUTION NO. 30 - 2012

## TOWNSHIP OF BYRAM

Sussex County, New Jersey

### A RESOLUTION AUTHORIZING THE OFFERING OF ALTERNATIVE HEALTH BENEFIT PLANS TO THE EMPLOYEE HEALTH BENEFITS PROGRAM

**WHEREAS**, the Township provides medical and prescription benefits to its eligible employees and dependents through its membership in the North Jersey Municipal Employee Health Benefits Fund, hereinafter, the NJ HIF; and

**WHEREAS**, under the legislative requirements set forth by P.L. 2011 c. 78 (commonly known as Chapter 78), municipalities are encouraged to offer alternate health benefit plans that provide choice to employees afforded such benefits in accordance with the cost contribution requirements set forth by the legislation; and

**WHEREAS**, the Township's Health Benefits Consultant has performed due diligence in obtaining several plan designs from the NJ HIF that provide alternative methods of benefit delivery at costs lower than the existing base plan(s); and

**WHEREAS**, more specifically, the Health Benefits Consultant met with Township Officials to review three (3) Alternate Plan Designs, entitled, Preferred Choice Plan, HMO Plan and a High Deductible (HSA) Plan that offers cost-effective alternative plan designs for consideration by employees looking to control/contain their out-of-pocket contributions.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, the Governing Body hereby endorses and authorizes the specific plans named above be provided as alternate plan offerings for eligible employees to consider in determining the health plan they choose; and

**BE IT FURTHER RESOLVED**, the Township Benefits Consultant and Township Administrative Team are hereby authorized to coordinate these offerings as a part of the Township's Employee Health Benefits Program; and

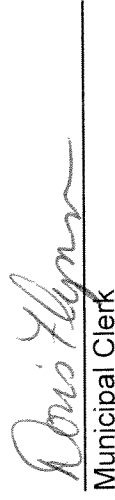
**BE IT FURTHER RESOLVED**, a certified copy of this Resolution shall be forwarded to the Township CFO, Township Auditor and PIA Security Programs, Inc., 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ Benefits Consultant to the Township.

Adopted this day:

January 17, 2012

ATTEST:

  
Mayor

  
Municipal Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 31 – 2012**

**RESOLUTION AUTHORIZING THE EXECUTION OF DOCUMENTS  
ASSOCIATED WITH THE PURCHASE OF ELECTRICITY GENERATION**

**FOR 2012**

**FROM DIRECT ENERGY BUSINESS LLC, THROUGH THE  
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION  
(MRESC)**

WHEREAS the Township purchased electricity generation for 17 of its electric accounts from May through December of 2011 from Direct Energy Business LLC, via a MRESC contract; and

WHEREAS the current estimated savings to purchase from Direct Energy as compared to JCP&L are in the 15-25% range, according to MRESC Executive Director Patrick Moran; and

WHEREAS the Township Council and Manager have reviewed the 2012 contract with Direct Energy.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Byram, County of Sussex, State of New Jersey that the Mayor, Township Manager, and Clerk are hereby authorized to execute any and all documents pertaining to the 2012 electricity generation contract with Direct Energy Business LLC, through the MRESC.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			✓		
2nd		✓			
Yes	✓		✓		✓
No					
Abstain					
Absent					

I HEREBY CERTIFY that the foregoing to be a true copy of a resolution adopted by the Township Council of Byram Township, in the County of Sussex, at its meeting held on January 17, 2012.



Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 32 - 2012**

**RESOLUTION AUTHORIZING THE EXECUTION OF DOCUMENTS  
ASSOCIATED WITH THE CUSTODIAL CONTRACT WITH SCARC INC.  
FOR THE BYRAM TOWNSHIP MUNICIPAL BUILDING**

WHEREAS, the Township Council and Township Manager have reviewed the Custodial Contract from SCARC Inc. for cleaning services for the general office and police station at the Byram Township Municipal Building.

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Byram, County of Sussex, State of New Jersey that the Mayor, Township Manager and Clerk are hereby authorized to execute any and all documents pertaining to the Custodial Contract with SCARC Inc.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffav	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 January 17, 2012.

  
Doris Flynn, Municipal Clerk

**TOWNSHIP OF BYRAM  
SUSSEX COUNTY, NEW JERSEY  
RESOLUTION NO. 33 - 2012**

**Authorization to Purchase a 2012 GMC Sierra 3500HD 4 WD Extended Pickup Truck with Optional Equipment for the Township of Byram Department of Public Works**

**WHEREAS**, the State publicly bid Contract T2754 (78847) Light Duty trucks and Cargo Vans; and

**WHEREAS**, the State awarded a contract for the period April 14, 2011- April 13, 2012; and

**WHEREAS**, Flemington Buick Chevrolet is identified as the approved vendor; and

**WHEREAS**, Byram Township has the ability under cooperative purchasing to purchase directly without competitive bidding under price line 61 and 62:

3.4.5.6 Truck, Pickup, Class 3, Extended Cab, 4-Door, 8' Body, 4WD (PL-61)  
Option: 8.5 Ft. Snow Plow (PL-62)

TOTALPURCHASE PRICE - \$29,530.00

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Byram does hereby authorize the execution of the necessary purchase order in the total amount of \$29,530.00 to obtain the GMC Sierra extended pickup truck with optional equipment; and

**BE IT FURTHER RESOLVED**, that upon receipt, inspection and approval of voucher therefore by the Township of Byram, payment, pursuant to said purchase order, is hereby authorized with the same to be charged against funds established in the appropriate account for said purpose.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Luces	Councilwoman Raffar	Councilman Olson	Councilwoman Kash	Mayor Oscovich
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 January 17, 2012.



Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 34 – 2012**

**RESOLUTION AUTHORIZING MSI SERVICES, INC. (AKA NAVITEND) TO  
PROVIDE WEB SITE HOSTING COMPUTER SERVICES TO THE  
TOWNSHIP OF BYRAM**

**WHEREAS**, Byram Township has determined that there is a need to enter into an Extraordinary Unspecifiable Services agreement with MSI Services, Inc. (aka Navitend) to provide Web Site Hosting Services to the Township of Byram; 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 Extraordinary Unspecifiable 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 the attached agreement dated January 1, 2012 with MSI Services, Inc. (aka Navitend) for web site hosting services for one year at a cost of \$1,200 billed on a monthly basis of one hundred dollars (\$100.00).
2. A notice of this contract shall be printed once in the official newspaper of the Township of Byram.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	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 January 17, 2012 adopted the foregoing resolution.

  
Doris J. Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 35 – 2012**

**RESOLUTION AUTHORIZING MSI SERVICES, INC. (AKA NAVITEND) TO  
PROVIDE COMPUTER SUPPORT SERVICES TO THE  
TOWNSHIP OF BYRAM**

**WHEREAS**, Byram Township has determined that there is a need to enter into an Extraordinary Unspecifiable Services agreement with MSI Services, Inc. (aka Navitend) to provide computer support services to the Township of Byram; and

**WHEREAS**, the Contract is in the amount of \$9,966.00 and 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 Extraordinary Unspecifiable 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 the attached agreement dated January 1, 2012 with MSI Services, Inc. (aka Navitend) for computer support services for one year in the amount of \$9,966.00.
2. A notice of this contract shall be printed once in the official newspaper of the Township of Byram.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffar	Councilman Olson	Councilwoman Kash	Mayor O'scovitch
Motion			✓		
2nd		✓			
Yes	✓	✓	✓	✓	✓
No					
Abstain					
Absent					

ATTEST:

I certify that the Byram Township Council at a meeting held on January 17, 2012 adopted the foregoing resolution.

  
Doris J. Flynn, Township Clerk

**TOWNSHIP OF BYRAM  
RESOLUTION NO. 36 – 2012**

**RESOLUTION OF SALE OF A 1998 FORD EXPEDITION WAGON TO THE  
BYRAM TOWNSHIP FIRE DEPARTMENT THAT WAS DONATED TO THE  
TOWNSHIP OF BYRAM FOR USE BY THE BYRAM TOWNSHIP FIRE  
DEPARTMENT**

WHEREAS, the Township of Byram accepted as a donation a 1998 Ford Expedition Wagon (VIN #: 1FMPU18LIWLA48049) to be used by the Byram Township Fire Department; and

WHEREAS, Byram Township retired the vehicle from its active fleet in 2011; and

WHEREAS, the Byram Township Fire Department has requested to purchase the 1998 Ford Expedition Wagon (VIN #: 1FMPU18LIWLA48049) for \$1.00; and

WHEREAS, Byram Township will remove the vehicle from the Township's auto insurance policy, and the vehicle will be removed from the schedule of vehicles; and

WHEREAS, the Byram Township Fire Department recognizes the vehicle is not safe and they will not register and insure the vehicle; and

WHEREAS, the Byram Township Fire Department is planning to use the vehicle to conduct an extrication drill; and

WHEREAS, it is both fitting and proper that such a kind sale and transfer be recognized officially in the records of the Township.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Byram, County of Sussex and the State of New Jersey does hereby sell the 1998 Ford Expedition Wagon (VIN #: 1FMPU18LIWLA48049) to the Byram Township Fire Department for the amount of \$1.00 to be used for an extrication drill and have agreed not to register the vehicle; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of the Byram Township Fire Department with transfer of vehicle title in exchange for \$1.00.

**BYRAM TOWNSHIP COUNCIL**

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffar	Councilman Olson	Councilwoman Kash	Mayor Osoitch
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 January 17, 2012.

  
Doris Flynn, Municipal Clerk