

TOWNSHIP OF BYRAM

NEW JERSEY

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April 26, 2013

Commissioner James Simpson
NJ Department of Transportation
P.O. Box 601
Trenton, NJ 08625

Dear Commissioner Simpson:

Byram Township has been patiently dealing with multiple construction projects through a 3-mile stretch of the main artery through our municipality. State Route 206 serves as a commuter route for much of Sussex County to reach Interstate 80. Within the past decade our business owners and residents have patiently navigated safety projects at the intersection of North Shore Road and Rt. 206 as well as the widening of the road at Cat Swamp Hill. While these two projects were problems for commuters and residential circulation, they did not directly impact access to our local businesses.

The current dualization project for the one mile stretch from Acorn Street to just north of Shop-Rite has directly had a severe impact on our business owners and therefore the residents of the town. Groundbreaking on this project occurred in the fall of 2009. We acknowledge there were initial delays due to utility relocation and can appreciate the problems associated with that portion of the schedule. With that being said, the lack of progress and the perceived absence of work by the contractor and subsequently the DOT are leading business owners and residents to believe that proper measures are not being taken to bring this project to a swift completion. Rumors are circulating about improper manufacturing and/or measuring of the bridge deck over Lubbers Run as well as other aspects of the project. As town officials, we have not officially been made aware of any problems that would prevent the movement toward completion of this project. These actions by the DOT are eerily similar to our dealings with JCP&L during recent Superstorm Sandy.

The public perception of this project has reached a tipping point with residents and business owners alike. Recently, we have been receiving an increased number of complaints regarding the work. Frankly, DOT's lack of communication with our business owners and residents is alarming. A recent switchover of lanes was accomplished during a midnight shift without any notification to the business owners or commuters, causing severe delays and loss of profits and resources for businesses that service the morning commuters.

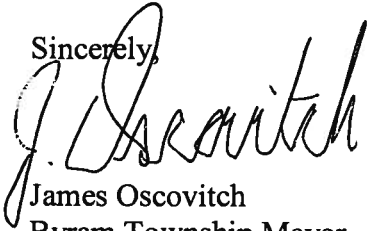
To quell the rumors and inform our residents and business owners, we are requesting the following aid from DOT:

- A meeting on a weeknight evening of your choosing before May 14 to allow the public and the business owners to ask questions. We feel that your presence at this meeting is important and in the best interest of this project because of the negative impact it has had on our community. This will dispel the rumors and allow people to have an opportunity to have their concerns answered by your organization. We would also request that officials from Tilcon be in attendance at this meeting.
- A business assistance component to assure that information is disseminated to the owners affected by this project. This includes but is not limited to advance notice of traffic flow patterns and changes that affect ingress and egress for their patrons. This can be in the form of letters or emails, which can be supplemented by VMS notifications. Additionally these businesses should be helped with advertising in local media outlets in a good faith effort to compensate them for the lack of growth they have experienced through this extended construction schedule.
- A notice in writing of the scheduled completion of this project, including the fines for the general contractor for non-compliance with deadlines.
- The true cost of the project up to this point and the projection of how much is left. We would like to know who is paying for these overruns, since we feel strongly that the taxpayers should not be held responsible for paying for the contractor's overruns.
- From this point forward, what monetary penalties will be placed on the contractor if the completion date of August is not met?
- An understanding of where our communications will be coming from now, that our local DOT project manager has been instructed to forward any Byram inquires to the Assistant Commissioner's office. This hardly seems like an efficient method of getting accurate and timely on-the-ground information about the project.
- We have an issue with the delivery of the bridge. Based on the recovery schedule, the bridge was scheduled to be delivered March 25 and then delayed to April 22. These dates have all come and gone with no official explanation about the true status of the missing bridge. Since this seems to be a pivotal part of the project, we would like some honest communication pertaining to the completion of the Lubbers Run bridge.
- Additionally, the Township was told that the week of April 8, the contractor would start working six days a week with double shifts to meet the August

completion date. As of today, the contractor has not begun this schedule. Actually, no workers are located on the project today.

Thank you for your anticipated cooperation and the opportunity to help our residents and business owners get accurate and timely information about the status of the Rt. 206 project in Byram. We believe that working together on this project will lead to a safer and more pleasant experience for all involved.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Oscovitch". The signature is written in a cursive style with a large initial "J".

James Oscovitch
Byram Township Mayor

Cc: Senator Steve Oroho
Sussex County Board of Chosen Freeholders
Byram Township Mayor and Council