

**BYRAM TOWNSHIP COUNCIL MEETING - JANUARY 15, 2019**

**EXECUTIVE SESSION – 6:30 P.M.**

**REGULAR SESSION – 7:30 P.M.**

**CALL MEETING TO ORDER**

Mayor Rubenstein called the meeting to order at 6:30 p.m.

**OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this meeting has been made in accordance with the Open Public Meetings Act, 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.

**ROLL CALL**

Councilman Gray, absent; Councilwoman Kash, here; Councilman Olson, here; Councilman Roseff, absent; Mayor Rubenstein, here. Also present was Township Manager Joe Sabatini, Township Attorney Tom Collins and Deputy Municipal Clerk Cindy Church.

**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. Contract Negotiations – PBA/DPW
- b. Attorney Client Privilege Communication
  - General
  - Lightpath
  - Stag Pond

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**

Motion by Councilwoman Kash second by Councilman Olson to go into closed session and adopt the above resolution.

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion		X			
2nd			X		
Yes		X	X		X
No					
Abstain					
Absent	X			X	

Certification: I certify that the Byram Township Council adopted the above resolution on January 15, 2019.  
Cindy Church, Deputy Municipal Clerk

**CALL COUNCIL MEETING BACK TO ORDER** – Mayor Rubenstein called the meeting back to order at 7:30 p.m.

**FLAG SALUTE AND MOMENT OF SILENCE** – Alex noted that three years ago on January 16<sup>th</sup> the Township lost a dear member of the Lakeland Emergency Squad.

**APPROVAL OF AGENDA** – Motion by Councilman Olson, second by Councilwoman Kash to approve the agenda as presented with the removal of item 18 as this is a duplicate. All members were in favor. Motion carried.

**APPOINTMENT OF RECREATION COMMITTEE MEMBER** – Jennifer Kerr – Term to expire – 12/31/21 – Motion by Councilman Olson second Councilwoman Kash.

**PROCLAMATION** – School Board Recognition Month in New Jersey – January 2019. Mayor Rubenstein read the proclamation and asked for a motion to authorize the Mayor to sign it. Motion by Councilwoman Kash, second by Councilman Olson. All members in favor. Motion carried.

### **COUNCIL REPORTS**

Township Manager - Tuesday, January 22nd at 7pm is a Committee Head Meeting which is a public meeting made up of the Mayor, Council and various committee heads. Tuesday, January 29<sup>th</sup> at 7pm will be a public budget workshop meeting. Information is available on the Township website.

Mayor Rubenstein – Thursday, January 3<sup>rd</sup> was the Planning Board re-organization meeting. There was a Budget Subcommittee meeting that was held on Tuesday, January 8<sup>th</sup>.

Nisha Kash – No report

Councilman Olson – Scott announced he is now sitting on the Planning Board with the Mayor. January 11<sup>th</sup> there was a Capital Budget committee meeting. There will be further discussion at the budget meeting on Tuesday January 29<sup>th</sup> at 7pm.

**NADER GROUP PRESENTATION** – Mr. Wassim Nader has had several meetings with the Building Subcommittee and has been provided with very good feedback. On February 12<sup>th</sup> they are planning on having a much more advanced status update. They are in the process of creating a matrix and are looking at three different alternatives. They are planning on looking deeper into utilization of the existing buildings. Mr. Nader plans on having a report ready by February 12<sup>th</sup> that will include a preliminary estimate. Alex asked the council for their opinion on how much civic space they think is needed. Alex feels that with more space would be able to be utilized by many different groups. Scott provided his thoughts of what he would like to see in the civic space and would like cost versus space usage time to be considered. Scott would also like to see more security added throughout the building. Nisha said that an additional 400 square feet added to the meeting room would be ideal, but anything additional would be too much. Mr. Nader asked that if there are any further questions to please let him know. All questions can be forwarded through the Township Manager. Scott also would like to see the Township Council look into using the open space as a civic space if it is not going to be utilized it as administrative offices.

### **PUBLIC PARTICIPATION I**

Motion by Councilman Olson, second by Councilwoman Kash to open to the public. All members in favor. Motion carried.

Joanne Smith – 57 Lake Drive – had a question regarding consent agenda items I & J. Joanne asked if there are any stipulations on the grant and how it can be used. Alex explained and answered all of Joanne’s questions regarding the grant program and how the money can be used, and what it can be used for. There will be opportunities for public input on how the grant money will be spent at a later time.

Skip Danielson – 18 Hunters Lane - also had a question regarding consent agenda items I & J. Skip questioned if this has to do with our Forestry Management Plan. Joe explained that this is not about the

Forestry Plan. This plan will touch on maintenance and improvements to all Open Space properties. The discussion regarding the Forester will happen at the February 19<sup>th</sup> Township Council meeting. Skip again asked the council for support of a resolution supporting the workers comp law.

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

**APPROVAL OF MINUTES**

- January 2, 2019 – Regular & Closed Session Minutes – Motion by Councilman Olson, second by Councilwoman Kash, to adopt the minutes as presented.

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion			X		
2nd		X			
Yes		X	X		X
No					
Abstain					
Absent	X			X	

**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 Councilwoman Kash, second by Councilman Olson to approve the consent agenda.

- A. Resolution No. 034-2019 – Resolution Authorizing Navitend to Provide Datto S3X2 On-Site Backup with Cloud Replication and Disaster Recovery Services – Not to Exceed \$2,840.00
- B. Resolution No. 035-2019 – A Resolution of the Township Council of the Township of Byram Authorizing the Disposal of Outdated, Non-Functioning Truck Lights from Rescue 3 and on Tanker 5 & 7 from the Byram Township Fire Department
- C. Resolution No. 036-2019- Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – Block 212, Lot 2 – 249 Rt. 206
- D. Resolution No. 037-2019 – A Resolution Appointing Skyland Risk Management Inc., as the Agent/Broker of Record and Representative on Insurance matters in Connection with the Standard Insurance Company – Group #148109
- E. Resolution No. 038-2019 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Authorizing Taxes be Remitted (Cancelled) for 2016 – Block 57 Lot 53 – 4 Shadybrook Rd.
- F. Resolution No. 039-2019 – Resolution of the Township of Byram, County of Sussex and State of New Jersey Authorizing Amending the Agreement with Lakeland Emergency Squad
- G. Resolution No. 040-2019 – Resolution of the Byram Township Mayor and Council Appointing Detective Robert Tierney as the Humane Law Enforcement Officer (HLEO) for Byram Township
- H. Resolution No. 041-2019 – A Resolution Authorizing the Renewal of the Group Life Insurance Policy for Eligible Employees through the Standard Life Insurance Company
- I. Resolution No. 042-2019 – Resolution Authorizing the Acceptance of a 2019 Grant from the New Jersey Highlands Council Funded from the 2019 Highlands Protection Fund Capital Budget in the Amount Up To \$80,000
- J. Resolution No. 043-2019 – Resolution Authorizing the Award of a Contract for Professional Services to Greener by Design to Update Byram’s Open Space & Recreation Plan, Create a Trails Master Plan, an Eco-Tourism Based Economic Development plan, and a Stewardship/Asset Management Plan – Not to Exceed \$80,000

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion		X			
2nd			X		

Yes		X	X		X
No					
Abstain					
Absent	X			X	

**JANUARY 15, 2019 BILL LIST**

Motion by Councilman Olson, second by Councilwoman Kash to approve the bill list as presented.

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion			X		
2nd		X			
Yes		X	X		X
No					
Abstain					
Absent	X			X	

**ORDINANCE - Introduction / First Reading**

BE IT RESOLVED that Ordinance entitled “**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**” be read by title on first reading.

**Purpose Statement:** The purpose of this ordinance is to exceed the State mandated COLA percentage of 2.5% and increase to 3.5% and to bank the difference between the Township's final appropriation subject to the cap and 3.5%.

Motion by Councilwoman Kash, second by Councilman Olson to introduce this ordinance.

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion		X			
2 <sup>nd</sup>			X		
Yes		X	X		X
No					
Abstain					
Absent	X			X	

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 February 5th at 7:30 p.m. at the Municipal Building, 10 Mansfield Drive, Byram Township, at which time and place all persons interested shall be given an opportunity to be heard.

**ITEMS FOR DISCUSSION**

**Joint Meeting of Planning Board & Township Council – February 7, 2019** – Alex is looking to put together agenda items for the meeting. Anything the council wishes to have on the agenda should be sent to Doris. Alex already provided his list of items to Doris and read them aloud. Scott would like to add a discussion regarding form-based code for the Village Center and Marijuana usage. Joe recommends adding a topic about sewer gallonage opportunities within the village business area for redevelopment opportunities. Alex would like to add a discussion item about the regulation of 5G cellular micro cells on telephone poles.

**Lake Musconetcong Regional Planning Board** – Alex explained that there is a small piece of land “Byram Island” which is land locked and not contiguous. The Township receives an annual request for funding because of this piece of land. He asked the Council if this is something that they would like to entertain fixing. Tom

does not think that this would be easy to do. Not sure if anyone would be interested in purchasing the property. Alex asked the Council on how they feel about funding it. Scott does not have an issue with the funding because of how the watershed could affect the East and West Brookwood neighborhoods.

**PUBLIC PARTICIPATION II**

Motion by Councilman Olson, second by Councilwoman Kash to open to the public. All members in favor. Motion carried.

Skip Danielson – 18 Hunters Lane – Thanked the council for passing resolution 39-2019 on behalf of Lakeland Emergency Squad.

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

**ADJOURN**

On the motion of Councilman Olson, second by Councilwoman Kash and with all members in favor, the meeting was adjourned at 8:53 p.m. Motion carried.

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Cynthia Church, Deputy Municipal Clerk

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Alexander Rubenstein, Mayor