

BYRAM TOWNSHIP COUNCIL MEETING - January 21, 2020
BUDGET WORKSHOP SESSION – 6:00 P.M.
REGULAR SESSION – 7:30 P.M.

CALL MEETING TO ORDER

Mayor Rubenstein called the meeting to order at 6:00 p.m.

OPEN PUBLIC MEETING STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was advertised in accordance with the OPMA law and posted on the bulletin board in the Municipal Building. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

ROLL CALL

Councilman Bonker, here; Councilwoman Franco, here; Councilman Gallagher, here; Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joe Sabatini, Township Attorney Tom Collins (7:11p.m.) and Deputy Municipal Clerk Cindy Church

FLAG SALUTE AND MOMENT OF SILENCE

BUDGET WORKSHOP – The Mayor stated that Council has reviewed the budget that was presented by the Township Manager. The purpose of the Budget workshop is to review the budget, ask questions and recommend adjustments.

CFO Ashleigh Frueholz, and Ken Burke future Chief of Police were also present.

Joe provided an explanation to the details of the budget preparation. He said that the process started in July 2019. Joe explained that each department head puts together and submits a reasonable budget plan. Many of the items in the budget are contractually obligated. This budget does reflect all the salary increases based on the labor contracts were each union gets at 2% increase in 2020, which is also passed onto the administrative employees as well. Longevity is also factored in as well. Joe explained that most of the operating budgets are not changing significantly from 2019. One of the changes in DPW is an increase of \$40,000 for road salt. The reason for to compensate for increasing prices of salt and increase of usage. This budget presents a deduction of the tax levy of .25% from the previous year. Joe explained that the fund balance will remain flat from 2019. There is an increase in fund balance of about \$523,300.00. The plan is to take part of the \$523,300 and put \$52,000.00 into our sick time and unused vacation time obligation reserve account. That leaves about \$450,000 in fund balance that can be brought into the budget as a onetime event or set up some reserve accounts that can be funded on an annual basis.

Joe provided a summary of capital projects. Joe explained that there is a 10-year plan for streets and roads as well as for DPW equipment. We are collecting about \$843,000 to put towards the capital program.

Joe is looking for direction from the Twp. Council on where they would like to be on streets and roads. He explained that the Township is obligated to adopt a 3-year Capital Plan, however, it can be changed at any time by resolution of the governing body. If we get the budget introduced by the first meeting in March, with adoption at the first meeting in April we would introduce all our capital ordinances that night.

Ray Bonker said that we are getting more interest income and asked Ashleigh what had changed that led to that to happen. Joe explained that in Spring of 2018 we did a banking RFP. We found a bank that had a better interest rate that was more favorable that goes through April 2022. Harvey asked what happens after April 2022. Ashleigh said they will look at the rate at that time. Ashleigh put together an analysis and thinks we can raise the anticipation to \$175,000. Ray asked what the expectation is for the next couple of years as to the

amount of money that we will be depositing at Valley Bank. Ashleigh said that there is never a set amount and that it fluctuates. She also stated that we receive better services and less fees at Valley Bank compared to PNC. Valley Bank also pays for our payroll services. Joe is confident with Ashleigh's analysis. Harvey wanted to recap that we are expecting fund balance to be the same as last year. We currently have about \$450,000 in the fund balance. Harvey said that building department costs have jumped up from last year. Joe said that it is mostly due staffing and that they had to provide more support to service Netcong. Joe said that at the end of 2019 that the old road runner system used in the construction office will no longer be supported, so an additional \$3,000 had to be built in for the new system and licensing fees with Spacial Data Logic (SDL).

Joe said that we will need to do an updates to the gas pumps and do improvements to the DPW facility including locker room, breakroom and bathroom in 2020. Mike is asking for a standby generator and HVAC. He is also asking for upgrade to the DPW garage to shelter some of our equipment.

Joe said that we are working on a grant for \$10,000 for improvements to The Lee Hill Road EMS building. We are also getting money through the HAVA grant (election grant), that will cover about a quarter of the cost. The rest would go toward paving the parking lot.

DPW equipment, we have a 2001 roll off truck to get rid of, Mike would like to replace it with a single axel hook lift truck, it is a multi-use truck, it can be used for more than just roll off. The only thing he would not be able to do with it is hauling the containers for the Lake Musconetcong weed harvesting. The council had a brief conversation about paying our annual fee of \$1,700 to the LMRPB, that is based on the percentage of shoreline on the lake.

Joe said that the Fire department put their plan for the exhaust systems for Cranberry Firehouse and Lackawanna Firehouse. They believed that they pursued the AFG grant for 2018 and 2019. Phil Crosson attended the grant session for that and that we would not be eligible for the grant for the exhaust system because we do not have living quarters. Alex explained that there is a never-ending need for capital items. He suggested putting the money a capital account to fund future projects. Joe said that this year he had more money put in capital that went toward funding the streets and roads project, that were underfunded for a very long time. Joe said it takes an enormous amount of money to support our streets and road and he thinks that we need to stay focused on doing that. He expects repairs to North Shore Road in 2020 and expects to get grants for the remainder of East Brookwood Road in 2021. Joe explained the differences between cape sealing, oil and stone, and slurry. Joe said there is always push back on oil and stone.

Harvey asked what about the long-term plan with the Secaucus fire truck. Joe said that he will have to talk with the Chief. There is a need to sit down with the squad and talk about apparatus. Harvey question about the hot box and skid steer. Joe said that the skid steer was just recently delivered. The skid steer will provide us with more sufficient road maintenance, it also has milling component to it. Joe thinks the town should go back to doing crack sealing. Harvey also believes that the roads need more attention, and more care need to be provided before we get to the cape sealing of the streets.

Ray asked about what the expectations are of the council for the \$450,000. Alex said that Joe is looking for the council to look at the budget and address any major issues. Alex asked if he has the consensus of the council to shift the \$450,000 into capital. Alex asked the council to provide their opinion on how they feel about the budget as it presented. Harvey thinks that if we are talking about where to put the \$450,000 long term, then we should also be at 0% in the future as well. Harvey said that if the township is going to fund capital equipment at \$850,000, then there should be a list to identify those projects. Harvey would like to identify the items for capital spending (Cap X). Joes said his project that he would list out as priorities would come to about \$900,000 to \$950,000 anything else would need to be bonded. Joe said that there is a potential for other capital

items as well from the Recreation Committee. They are asking for a Field House, Dog Park and a message board sign. Harvey thinks that the Police Overtime is very high and asked what can be done to bring that down. Joe said we need to give the opportunity to the new Chief to begin first. Alex said the new Chief is aware of the concern.

The Mayor Opened up the public for comments pertaining only to the Budget workshop:

Joann Smith - 57 Lake Drive questioned about the Open Space Money. Is the focus to still use that money on items like the CO Johnson Field House. Alex explained how the money will be used and other possible uses of the money, such as the CO Field House, new playground equipment (at either Riverside Park, CO Johnson Park or Both), dog park, and expanding the football field. Alex said that these are all options. Ms. Smith also asked at what age is the cap for taxes. Ashleigh said it is 65 and there is an income limit as well.

Jack Moran - 7 East Waterloo Road, had a question on the sewerage for town center. Joe said we are required allocate 40,000 gallons, as that is the commitment to COAH. Mr. Moran also asked about what the township is doing to get more grant money. Joes said we are working on a HAVA grant to do improvement at Lee Hill Emergency Building to make it ADH compliant. Joe said that the township is also looking at an ANJEC grant as well. Mr. Moran also asked how much the township collects on the SECTV franchise. Joe said it was about \$32,000 last year.

There were no other questions, closed to public.

Joe said that if there is a need to discuss the capital items, it could be discussed at the first or second meeting in February. Joe would like to introduce the budget the first meeting in March. Harvey would like another work session. Ray does not agree that another work session is needed. Ray say that the budget plan was presented to the council on January 1st, which provided plenty of time for review and questions. Ray see's no reason to delay the budget process. Ray expresses how pleased he was knowing that the budget was going down. Harvey would like to know what will be happening with the long-term funding, and the capital expenditures budget. Alex said they have the option to pass it or not. Alex said we don't even know what they items are and what the impact is at this time as it is a fluid situation. Alex asked if the council felt there was a need for another work session, the consensus was no. The majority of the Township Council were happy with the budget as presented.

Motion by Councilman Bonker, second by Councilman Gallagher to close to the public and have a 5-minute recess. All members in favor. Motion carried.

APPROVAL OF AGENDA – Motion by Councilwoman Franco, second by Councilman Gallagher to approve the agenda with the addition of Personnel to number 17A in executive session. All members were in favor. Motion carried.

PROCLAMATION – School Board Recognition Month in New Jersey

Mayor Rubenstein read aloud the School Board Recognition Month Proclamation

Motion by Councilwoman Franco, Second by Councilman Bonker sign the proclamation. All members were in favor. Motion carried.

COUNCIL REPORTS

Township Manager – Next Council meeting is scheduled for February 4th at 6 p.m. for a joint meeting with the Municipal Building Subcommittee. Information will be posted to the Township website on the possible lease option. Regular session at 7:30pm.

Mayor Rubenstein – There was a Planning Board meeting on January 9th, there was one application that was before the Planning Board for a person building a garage, the application was approved with some restrictions. Thursday night was the ISO kickoff meeting. There was a Recreation Committee meeting January 13th in which they settled on a date for Byram Fest as June 4th. It will have a similar look and feel as last year's event. It will also include the crowning of Miss Byram. On February 4th the Township Council meeting will include the Vice President of External Affairs of JCP&L (John Anderson) will be here to talk about the Reliability Plus Program. On that day will be the Police Department promotions as well.

Councilman Bonker – On Friday, January 10th attended the installation dinner for the Lakeland Emergency Squad and swore in all the new officers. The Lakeland Emergency Squad just finished their first year with the new staffing model. Congratulated the squad on completing the first year with the new model and recognized that most are volunteers. Attended the New Jersey League of Municipalities for newly elected officials on January 11th. On January 14th attended a meeting about a property located on Rt. 206, that a group was interested in developing, and feels that Route 206 should remain a high priority to the Township. Councilman Bonker made a mention that municipal bonds are currently at an all-time low.

Councilwoman Franco – The New Jersey League of Municipalities orientation was very enlightening. They also have a leadership program and this orientation that they attended is one of the required classes. Councilwoman Franco would like to continue the classes and feels it would allow the Township to make more of a presence at the New Jersey League of Municipalities. Next week is the Board of Health meeting.

Councilman Gallagher – ISO meeting was very informative and productive. Attended the Planning Board meeting, the New Jersey League of Municipalities, and the Byram Township Recreation Committee meeting.

Councilman Roseff – Attended the JCP&L meeting today, not many changes since the last time. Councilman Roseff met last week with Frank Gonzalez with the Byram Township Historical Society and had a tour of the old school house. Mr. Gonzales would like to grow the Byram Township Historical Society, are looking for some helping with displays to maintaining the building. He is looking for some new members.

PUBLIC PARTICIPATION I

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

Kerrie Luaces, 7 Johnson Blvd, spoke on behalf of their neighborhood and the issues they are experiencing with Mr. Alvarez and the property issues, and expressed her frustration. Joe provide updates to the court hearings. He is working with the Special Council. Joe would like to see this moved from the Municipal Court to Superior Court.

Brian Higgins, 16 Pierson, asked about the vehicles on the Alvarez property, Joe explained the challenges that he is facing. All the summons are before the judge. Joe stated that the judge has not issued a bench warrant for him and said that the Municipal Court is failing the Township at this point and needs to take it to Superior Court.

Dave Ramer, 6 Johnson asked if the Township is going to work with the County Board of Health of Human Services, as well as Board of Health. He said that it is more than property maintenance issues, its also about vehicles that are likely leaking fluids, possible discharge from an oil tank that was observed and trenching on the property. Alex said if they witness oil leakage call 1-800-DEPWARN. He also had complaints of rats.

Richard Bruner, 15 Pierson Drive – asked if there is any way to put pressure on the courts. Tom Collins said they have their own rights to sue Mr. Alvarez in superior court. Asked if there could be changes to ordinance to give the township the authority to remove vehicles from property. Alex said that this is something that the township council would need to have a conversation about. Joe said that they are going to talk to the legal counsel, because we would have to go to court to get the right to go onto the property.

Joe said that the next step is to review the letter from the special council to discuss the next steps to move forward.

Jack Moran, 7 East Waterloo Road, asked if there were any updates about WAWA application. Alex said that we have not received it yet. He also asked for the updates on natural gas. Alex reached out to the new mayor in Stanhope, they want to get Stanhope engaged in this as well. Asked about the carryover from last year’s conversation about Energy Consolidation, Alex will review the LFN 2019-15 and will provide more information at the next meeting.

Motion by Councilman Bonker, second by Councilwoman Franco to close to the public. All members in favor. Motion carried.

APPROVAL OF MINUTES

- January 7, 2020 – Regular & Closed Session Minutes – Motion by Councilman Gallagher, second by Councilman Roseff, to adopt the minutes as presented.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
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 Roseff, second by Councilman Gallagher to approve the consent agenda.

- Resolution No. 037-2020 – Final Acceptance Cape Sealing of Various Streets
- Resolution No. 038-2020 – Grant Agreement – New Jersey Department of Environmental Protection – NJUCF Stewardship Grant – Reforestation and Tee Planting - \$10,000.00
- Resolution No. 039-2020 – Establishing Salaries for Non-Union Employees for Calendar Year 2020
- Resolution No. 040-2020 – A Resolution of the Township Council of the Township of Byram Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion				x	
2nd			x		
Yes	x	x	x	x	x
No					
Abstain					
Absent					

JANUARY 21, 2020 BILL LIST

Motion by Councilman Gallagher, second by Councilwoman Franco to approve the bill list as presented.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion			x		
2nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

- **ORDINANCES – Introduction/First Reading**

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

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 Councilman Bonker, second by Councilwoman Franco to approve introduce the ordinance.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd		x			
Yes	x	x	x		x
No				x	
Abstain					
Absent					

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 4th 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

Recreation Committee Follow-up:

There was a recreation committee meeting on January 13th at that time there was a discussion about capital improvement suggestions, and what they would like to see to done in the future.

Approve June 5th as Byram Fest - The Recreation Committee made a motion recommending that the Mayor and Council approve Friday, June 5, 2020 as Byram Fest. The Township Council agreed to this date.

Update Field House at CO Johnson –The recreation committee is asking if they should get a consensus among all the sports groups as to what they would like to see done. Ray said that Greener by Design (GBD) had a sit-down with all sports groups within the township, they also had thousands of surveys returned. Ray believes that this information may be with the Greener by Design (GBD) records. The Recreation Committee should invite Greener by Design (GBD) to their next meeting. The Township Council were in agreement to this recommendation to have Greener by Design (GBD) at the next Recreation Committee Meeting to have a discussion about the CO Johnson Field House.

Consideration of Dog Park at the Mohawk View Park – Rec Committee should have a meeting with Soccer and sports council to have a conversation. Joe would recommend that the Recreation Committee to do some research on Dog Parks. Alex is asking if there is any support by the Township Council to eliminate a sports field for a Dog Park. Harvey, Cris and Alex think it is worth looking into either at Mohawk View or any another Location. Joe thinks research needs to be done before we continue the conversation. No one on the Township Council were against the idea of a dog park.

Electronic Sign Board on Rt. 206 for community messages – The Recreation Committee made a motion recommending that the Mayor & Council give consideration to erecting an electronic sign board on Route 206 for the purpose of delivering community messages. Harvey recommended the use of banners. Joe said that they can no longer get approvals from the state to put banners across the highway. Joe said that the does not look at this as a Recreation Committee item and believes that there is possible funding and will ask staff to start researching. There was no opposition from the Township Council. The administration will research and report back.

PUBLIC PARTICIPATION II

Motion by Councilman Bonker, second by Councilwoman Franco, to open to the public.

Jack Moran, 7 East Waterloo Road asked if there were any updates from Cory Stoner about the egress on East Brookwood. Joe said there is no information yet. Mr. Moran also asked if there are any plans about introduction an ordinance about no parking along Brookwood Road. Alex said that this will be discussed administratively and will report back at an upcoming meeting.

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 Communication
 - Proposal for Byram Plaza Municipal Offices
 - State Health Care Benefits Status
 - Personnel

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

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			x		
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Certification: I certify that the Byram Township Council adopted the above resolution on January 21, 2020.
Cynthia Church, Deputy Municipal Clerk

ADJOURNMENT – Motion by Councilman Bonker, second by Councilman Roseff to adjourn at 10:54 pm. All members in favor. Motion carried.

Cynthia Church, Deputy Municipal Clerk

Alexander Rubenstein, Mayor