

**BYRAM TOWNSHIP COUNCIL MEETING - FEBRUARY 21, 2017**

**CALL MEETING TO ORDER**

Mayor James Oscovitch called the meeting to order at 7:02 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**

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 – General
  - BLD
  - Radio Communications
- b. Contract Negotiations
  - Open Space Acquisition

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 February 21, 2017. Doris Flynn, Municipal Clerk

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

	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 Councilwoman Kash second by Councilman Olson to return to open session. All members were in favor. Motion Carried.

**CALL COUNCIL MEETING BACK TO ORDER**

**FLAG SALUTE AND MOMENT OF SILENCE**

**APPROVAL OF AGENDA** – Motion by Councilman Olson second by Councilwoman Raffay, to approve the agenda as presented. All members were in favor. Motion carried.

**PROCLAMATION** – MS Awareness Month – Tammy Quaisis thanked the Council for inviting her to the meeting and appreciates Byram’s support in MS. Tammy will be going down to Washington, DC in March— this will be her 8<sup>th</sup> trip down. There hasn’t been a new study on MS since 1975. There is finally legislation for this, which was overwhelmingly supported by Congress. Tammy will be advocating for health care and funding. The Mayor read the proclamation and thanked Tammy for coming and sharing her story with the Council. Scott Olson also thanked Tammy for coming and for her dedication. He offered his help in any way possible. Motion by Councilman Olson, second by Councilwoman Kash to adopt the proclamation. All members in favor.

**RENEWAL OF LICENSES – 2017**

- Tilcon N.Y. Quarry – Engineer Cory Stoner and Attorney Megan Ward were present for Byram. Attorney Brian Montaug and Engineer Steve O’Reilly were present for Tilcon. Cory reviewed his report dated February 10, 2017. Quarterly inspections were done in March, June, September and November by the engineer. Byram’s Planner, Paul Gleitz, submitted a reported dated February 15, 2017. The planner’s only concern was that the zoning table on the reclamation plan needs to be updated. Tilcon agreed to update the chart. The Environmental Commission reviewed the renewal application and submitted a memo dated 11/29/17. Cory addressed their concerns in his report. Cory increased the performance bond amount slightly, and Tilcon agreed to the increase and will submit a new bond. Cory commented that there are potholes in the driveway that need to be repaired. Tilcon agreed to repair the driveway. Attorney Monotaug stated that the location will be kept active and they will continue to notify the Township and Engineer when blasting will occur. Cory Stoner will advise Sussex County Soil Conservation when they are doing their quarterly inspections. Attorney Montaug spoke briefly about the litigation between Tilcon and Byram Land Development. An independent LSRP did testing of the small pile of soil that Tilcon brought in. They should be getting results shortly and will keep the Township informed. Mayor Oscovitch and Scott Olson commented on the landscaping improvements to the entrance way and thanked Tilcon for doing it. It really looks good. Motion by Councilman Olson, second by Councilwoman Raffay, to open to the public for any comments. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay, to close to the public. Motion by Councilman Gray, second by Councilwoman Raffay to grant the renewal of the license with the conditions stipulated in Cory’s report and outlined this evening.

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

- Raimos – Cory Stoner reviewed his February 10<sup>th</sup> report with the Council. The site is in good shape and hasn’t changed much from last year. Because of the stricter NJDEP stormwater requirements, the site is cleaner. The deer has damaged some of the trees along Route 206 and several will need to be replaced. There was a brief discussion regarding the boarded up house in the front of the lot. It hasn’t changed since the fire. Motion by Councilman Olson, second by Councilwoman Raffay, to open to the public for any comments. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay, to close to the public. Motion by Councilman Olson, second by Councilwoman Raffay to grant the renewal of the license with the conditions stipulated in Cory’s report and outlined this evening.

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

- North Jersey Auto Wreckers – Cory Stoner reviewed his February 13<sup>th</sup> report with the Council. More tires were removed this year and Cory is starting to see a difference in the pile. The parking of vehicles on the side of the driveway is becoming an issue. There were 30 cars, 2 box cars and 4 buses. Cory suggested putting a limit on the number of vehicles that can be parked along the driveway, because it is getting out of hand. Councilman Olson would like to see the Sussex County Mosquito Control spray the tires. Cory will request that the Sussex County Health Department make a visit. Motion by Councilman Olson, second by Councilwoman Raffay, to open to the public for any comments. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay, to close to the public. Motion by Councilman Olson, second by Councilwoman Raffay to grant the renewal of the license with the conditions stipulated in Cory’s report and outlined this evening.

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

**TOWNSHIP MANAGER/COUNCIL REPORTS**

Township Manager

- Budget will be introduced at the March 7<sup>th</sup> Council meeting. The public hearing will take place on April 4, at 7:30 p.m.
- Improvements to website are now live. It is now mobile-friendly and more user-friendly.

Councilman Olson

- Subcommittee met to review the most recent architectural plan of the proposed municipality building.
- Attended the Open Space meeting on February 13. Spinelli & Pinto have become part of Greener by Design, which will give them more support staff.
- The next CAG meeting is February 23 at 7:30 p.m. State health officials will be making a presentation.
- Scott will attend a Fire Department Study kickoff meeting on February 22 at 9 a.m.

Councilwoman Kash –Reported on the Recreation Committee meeting held on February 15. They discussed Byram Day which will be on September 9.

Councilman Gray – Attended the Fire Department Installation Dinner. It was a very nice event and the newly renovated fire house looks great.

Councilwoman Raffay

- Attended the Fire Department Installation Dinner and commented on how great the facility looks now. It is a great banquet hall.
- Marie reported that she attended the 2/16 Planning Board meeting, which was a workshop on ordinance amendments to the Neighborhood Commercial Zone. The board will continue the work sessions for several months on the 2<sup>nd</sup> meeting of each month.

Mayor Oscovitch

- Jim announced that Byram was rated the 66<sup>th</sup> safest small town.
- A resident complimented the Township on the Tamarack Trail, but noted that a few of the trail markers needed replacing.

**PUBLIC PARTICIPATION I**

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

Barbara McLoughlin, 42 River Road, asked a few questions about the rating of Byram Township. Luann Byrne, 34A Richmond Road, asked about the web changes and asked about the Wellness Program and who paid for it. Joe stated that the first year was fully funded by the insurance company. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

**APPROVAL OF MINUTES**

- February 7, 2017 – Regular Minutes - Motion by Councilman Gray, second by Councilwoman Raffay, 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					

- February 7, 2017 - Executive Meeting Minutes – Motion by Councilwoman Raffay, second by Councilman Gray, 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 Gray, second by Councilwoman Raffay to approve the consent agenda.

- Approval of Raffle – 50/50 and Tricky Tray – Byram Twp. Education Foundation on April 1, 2017
- Resolution No. 48-2017 – Resolution Authorizing the 2017 Cleanup and Trail Maintenance of Designated Byram Township Trails

- Resolution No. 49-2017 – Resolution Authorizing a Professional Services Agreement for Forest Stewardship Work on Open Space Parcels in Byram Township – Ronald Farr – Farr Forestry Services, LLC
- Resolution No. 50-2017 – Final Acceptance of No Net Loss Tree Reforestation – Phase I
- Resolution No. 51-2017 – The Governing Body of the Township of Byram Authorizing Participation by the Township of Byram in the North Jersey Health Insurance Fund Employee Wellness Program
- Resolution No. 52-2017 – Resolution of the Township of Byram Ratifying and Authorizing the Award of a Contract for Professional Services to Greener By Design, LLC
- Resolution No. 53-2017 – Resolution of Support to Establish The Traffic Regulations along Route 206, Northbound Between Mileposts 97.90 to 98.38 and Southbound Between Mileposts 98.38 to 98.18 in the Borough of Stanhope

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

**BILL LIST**

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

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

**PUBLIC PARTICIPATION II**

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

Barbara McLoughlin, 42 River Road, asked if something could be done about the condition of the Venture II property owned by Tony Reis. Joe will speak to our Engineer about it.

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

**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

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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 matter:

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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 February 21, 2017.

Doris Flynn, Municipal Clerk

Motion by Councilman Gray, second by Councilwoman Raffay to go into closed session and adopt the above resolution.

	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 Gray second by Councilwoman Raffay to return to open session at 9:49 pm. All members were in favor. Motion Carried.

**ADJOURN**

On the motion of Councilman Olson, second by Councilwoman Raffay and with all members in favor, the meeting was adjourned at 9:50 p.m. Motion carried.

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Doris Flynn, Municipal Clerk

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James Oscovitch, Mayor