

BYRAM TOWNSHIP COUNCIL MEETING - MARCH 17, 2020

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

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, and Municipal Clerk Doris Flynn

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
 - State Health Care Benefits - Local PBA 138 Grievance
 - Property Maintenance – Block 220 Lot 25 & Block 336 lot 23

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				
2 nd				x	
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Certification: I certify that the Byram Township Council adopted the above resolution on March 17, 2020.
Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION

FLAG SALUTE AND MOMENT OF SILENCE

The Mayor announced that because of the coronavirus emergency and the governor’s curfew, the agenda has been shortened, and we will handle only the essential business that needs immediate attention.

APPROVAL OF AGENDA – Motion by Councilman Bonker, second by Councilman Roseff to approve the agenda as presented with the removal of Resolution No. 52-2020 from the consent agenda to be discussed and voted on separately. All members were in favor. Motion carried.

ANNOUNCEMENT OF EMERGENCY DECLARATION - EXECUTIVE ORDER 2020-1 – The Township Manager declared that this Executive Order is now in effect. The municipal buildings are closed to the public to try to protect the environment and employees due to COVID-19. Joe reviewed the order with the Council which has been posted on the website and sent out electronically as a Nixle alert.

PUBLIC PARTICIPATION

Motion by Councilman Bonker, second by Councilman Roseff to open to the public. All members in favor. Motion carried. No comments were made. Motion by Councilman Bonker, second by Councilman Roseff to close to the public. All members in favor. Motion carried.

APPROVAL OF MINUTES

- March 2, 2020 Regular Joint Township Council / Building Subcommittee Meeting Minutes

Motion by Councilman Bonker, second by Councilman Roseff, to adopt the minutes. Harvey said he received a phone call from a municipal building subcommittee member who stated he felt that the minutes should be reviewed and approved by both the Council and the subcommittee. Harvey agreed that the subcommittee should be part of the process. Ray Bonker did not agree that the subcommittee should also vote on them. He stated that the Council is the authority and the subcommittee is advisory. In the past, the minutes from the joint meetings have been prepared by the Clerk and approved by the Council. As soon as they are approved, they will be loaded onto the website so that the subcommittee can see them. Joe stated that we received 2 emails from members of the subcommittee and the chair responded back to the members letting them know that it has been past practice that the Council adopts the minutes and then they will be shared. Alex, Cris and Jack all agreed that the Council should adopt the minutes and then share them with the committee and post on the website for the public.

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

- March 3, 2020 Regular & Closed Session Meeting Minutes

Motion by Councilman Bonker, second by Councilwoman Franco, to adopt the minutes.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2 nd				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.

- A. Approval to Release July 2019 – December 2019 Closed Session Minutes

- B. Resolution No. 053-2020 - Resolution Amending the Post-Accident Drug and Alcohol Policy of the Employee Handbook Version 5.0
- C. Resolution No. 054-2020 – Resolution Authorizing the Submission of a \$1,500 Grant from the Association of New Jersey Environmental Commissions (ANJEC) 2020 Open Space Grant for Environmental Commissions
- D. Resolution No. 055-2020 – Resolution to Amend the 2020 Temporary Budget
- E. Resolution No. 056-2020 - Approval of Quarry License for Year 2020 for Tilcon New Jersey, a division of Tilcon New York, Inc.
- F. Resolution No. 057-2020 – Resolution Approving a Coronavirus Emergency Policy for the Employees of Byram Township
- G. Proclamations:
 - MS Awareness Month
 - National Poison Prevention Week

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

RESOLUTION NO. 052-2020- Motion by Councilman Roseff, second by Councilman Bonker to move the resolution for purposes of discussion. Councilman Bonker provided a revised resolution with several edits to the Mayor and Council. Ray doesn't have a problem with calling out JCJP&L for having poor service for a long time. He feels our statement should be that we are dissatisfied customers and we are asking them to fix it. By telling them how to manage their corporate finances, he feels we are diluting the message Harvey said that it has been a well-kept secret that the parent company went into bankruptcy and has made a lot of mistakes. Harvey said that he feels the two whereas clauses delineate what has been draining their funds. The current CEO of First Energy was in charge of the divisions that went into bankruptcy. He is the person who now is going to make decisions on how to allocate funds, and it needs to have a better rebalance. Harvey said he could agree to remove the dividend cut clause. Alex agreed with Harvey that the two whereas are important, but he would agree with Ray to remove the language about a dividend cut. Ray thinks it looks amateurish to muddy the waters with the two Whereas's. Cris agrees we should remove the two Whereas's and the language about a dividend cut. Jack would keep the whereas clauses and delete the dividend cut language. Harvey stated that this resolution should also go to JCP&L, BPU, and the ratepayer advocate.

Councilman Roseff withdrew his motion and made a new motion to adopt Resolution No. 52-2020 and outlined the changes, which removed the words "and consider a dividend cut" in the heading and in the 1st "now therefore be it resolved". There were also a few additional names added for distribution.

Mayor Rubenstein seconded the motion. Councilman Bonker stated that he is going to vote no because he does not want to have the language that Harvey added in about how they managed their corporate finances.

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

MARCH 17, 2020 BILL LIST

Motion by Councilman Bonker, second by Councilman Roseff to approve the bill list as presented.

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

OTHER BUSINESS

The Mayor stated that we are investigating a few options such as Zoom and Web-ex to conduct meetings. We have talked to our attorney and will be working out a way. Everyone should be on the lookout for announcements.

ADJOURNMENT – Motion by Councilman Bonker second by Councilman Roseff to adjourn at 8:02 pm. All members in favor. Motion carried.

Doris Flynn, Municipal Clerk

Alexander Rubenstein, Mayor