

BYRAM TOWNSHIP COUNCIL MEETING - MARCH 21, 2017
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION – 7:30 P.M.

CALL MEETING TO ORDER

Deputy David Gray called the meeting to order at 7:00 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, late (7:02); Mayor Oscovitch, absent. 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
 - LMRPB – 2017 Weed Disposal
 - Health Benefits

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 March 21, 2017.
 Doris Flynn, Municipal Clerk

Motion by Councilman Olson 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	
No					
Abstain					
Absent					x

RETURN TO OPEN SESSION - Motion by Councilman Olson second by Councilwoman Raffay 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 Kash, to approve the agenda as presented. All members were in favor. Motion carried.

PRESENTATION BY FKA ARCHITECTS- PROPOSED MUNICIPAL BUILDING

Deputy Mayor Gray introduced Tom Kosten. As a Council we have been discussing whether to renovate the building we are in or construct a new building and comparing the cost benefits. We previously went through some plans and went to the public and then went back to the drawing board. Over the past six months, we created two subcommittees. One group met with Department Heads to review space needs. Another group worked with the architect to talk about what a potential floor plan would look like. The subcommittee, consisting of David Gray, Scott Olson, Joe Sabatini, Doris Flynn and Tom Kosten, is now showing the rest of the Council what they have been working on. The entire Council is seeing the plans together for the first time.

After Tom Kosten's presentation, the Council will discuss the plan and then the public will get a chance for input. If the Council wants to move forward exploring this option after this evening, the Council will go out to several communities to present the plan.

Tom Kosten was hired initially in 2015 to identify space concerns by preparing a programming document and an analysis of the existing building and determine the quality and condition to see if it was worthwhile renovating it or if it was past its life expectancy. These documents are located on the Township's website.

The existing municipal building is 10,827 square feet. After speaking with all departments the first time, we came up with an original program 20,464. Immediately, the committee looked for ways to reduce the overall square footage and the first modification reduced it to 16,300 square feet. The Council moved forward with a bond ordinance which was later repealed.

In November, the Council passed a resolution and authorized FKA to do an additional scope of work exploring other options to reduce square footage. We went through several plans, which included removing the DPW from the main building, removing corridors, reducing entrances, and rearranging administrative offices and meeting room to better utilize the space. After reviewing all the options, the subcommittee is recommending Option #5, which is 14,285 square feet. There are only two closed offices on the administration side, and men and women bathrooms will be shared with public and staff. There is one unisex bathroom located in the rear side of the building. The multi-purpose room in Option 5 would be 200 square feet larger than the present one. If the Council likes the utilization of space, we would then proceed with neighborhood meetings to review the plans with the residents.

The Council had discussion regarding Option 5.

Scott stated that we spent time checking out other municipal buildings, such as Hardyston and Wanaque, which was very helpful working on our floor plan. He explained that we wanted an open floor plan so that residents can be helped easily.

Marie asked what was a sallyport and why do we need one. Joe Sabatini explained what it was and how it would be utilized. There are new guidelines that mandate what is needed in the Police Department, which is why there is an increase in square footage in the PD.

Marie asked about the comments in the audit regarding the Finance Department. Joe explained that we are planning for a central cashier who will handle all the money, which will address some of the statutory requirements and recommendations made by the auditors.

Scott stated that Option 4, had a larger meeting space, but square footage increased to 15,600. The subcommittee did not feel the additional square feet was worth it.

Marie asked about long term storage. Scott stated that we need large storage areas because of state regulations for maintaining records. We will look to utilize space saving file cabinets.

David said Option 5 was a workable template. We don't have elevations or building styles yet--that would be looked at in the next phase.

Scott said that the numbers provided by Cory Stoner and Tom Kosten are overly conservative. There is room for flexibility, and he feels we will end up with a lower number.

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

Peter Frangos, 17 Lake Drive, asked if explosives would be stored in the armory. He expressed concerns with the walls in that room. He also commented about the door located near the cashier. He felt it was an unsafe area to have a door.

Joe Condon, Tamarack Road, questioned the \$350/square foot cost. The Manager stated that it was cost of construction for the building, and he provided all the other estimated costs involved in the site plan. Mr. Condon asked how would the Township pay for it. Joe stated that we would bond for \$8.2 million. The actual cost could be lower—we would bond for an estimated cost, and won't know the actual costs until we go out to bid. Bonding is only the mechanism to allow money to be spent. The Council must approve all the expenditures.

Barbara Rolph, 10 Sussex Street, asked how is this going to affect her taxes. By law we are required to put 5% down, and then we would bond about \$7.8 million with a 20 year schedule. David stated that based on an

estimate of \$8.2 million and assuming an interest rate of 4%, and based on the averaged assessed home in Byram, it would equate to \$152/year for 20 years, or a total of approximately \$3000 over 20 years.

Skip Danielson, 18 Hunters Lane, stated that the EPA recently relaxed some of the boundaries on waterways. Scott stated that laws are not relaxed in NJ.

Cory Stoner stated that the permitting process would be the same whether that we build a building on the existing site or across the street. Skip stated that the lobby area looks large and asked if it could be reduced.

Harvey Roseff, 33 Sleepy Hollow Road, asked to explain the savings that the Township has been doing. He asked if we have addressed the excessive health costs.

Eric Gerant, 2 Mayne Avenue, strongly urged the Council to put a question on the ballot to let the public decide if a municipal building should be built.

Richard Schneider, River Road, asked if the tax increase is subject to the 2% cap. Joe stated that capital projects are outside of cap. He asked if there any contingency costs in the \$8.2, like there was last year. Joe stated that contingencies are built into the \$8.2 million. We have to use prevailing wages.

Peter Frangos, commented on a proposed new tax plan by President Trump that could affect residents negatively. Joe stated that 12% of our annual budget is for a reserve for uncollected taxes. Joe stated that we have over 97% collection rate in Byram, even though we have over 60 foreclosures. Banks are paying the taxes.

Eric Serilli, 199 Glenside Trail, asked what entity would be in charge of cost control when the project gets going. Joe stated that the architect would play a role, along with the Township manager and CFO.

Greg Smith, 26 Crescent Drive South, stated that the new building is approximately 50% bigger, and he asked to explain the increase in spaces. Joe stated that the police department is 36% of the footprint. Mr. Smith asked how you get back to the recycling center. Tom Kosten showed the site plan on the screen.

Ali Griffith, 22 Old Stage Coach, stated that she is very impressed with the progress. She asked why we haven't been saving in prior years for a new municipal building. Joe stated that municipal budgeting is very different than personal budgeting. Joe gave a brief overview of some of the budget process.

Michael Muldoon, 16 Carlson Lane, asked if we have done any testing on the site to see about the ledge. Cory explained we expect to hit ledge rock—it's inevitable.

Bill Koelhoffer, asked if the \$152/year would be in addition to the regular increase in the budget that normally occurs. Joe stated that it would be in addition.

Joe Sabatini stated that he works very hard on saving money for the town every day. He has lived in town all his life and has owned a house and paid taxes for 26 years and cares deeply about Byram. Joe stated that he would not be recommending this plan if he didn't think it was a good thing for Byram.

Has been here since 1975, he asked if there is something that can be put into the budget to give credits to senior citizens. Joe stated that the senior deduction is a State program.

Earl Riley, 5 Louis Drive, commended the Council for all the work they have done. He stated in 2006 he was on the Council and they looked preliminarily into what a new building would cost, and there were estimates of about \$6.5 million.

Mary May, 19 Hunter Lane, has been a lifelong resident, and well aware of the condition of the building. She appreciates the work that has been done and would like to see the project move forward. She stated that it is only \$12/month and feels it would be well worth it.

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

PUBLIC PARTICIPATION I

Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried. Mr. Schneider asked about Tamarack Park. He asked if we had a brine system. Joe said we do not have a brine system, but we spray the truck full of salt with calcium chloride, which is effective.

Earl Riley, Chairman of the Lake Musconetcong Regional Planning Board asked if the Council will support the weed disposal. Joe stated that a letter will go out stating that the Township will support 36 pulls in 2017 at \$100/pull.

Greg Smith, 26 Crescent Drive South, stated that the DPW did an awesome job in the storm. He said that Byram is doing a fantastic job with the roads compared to other towns. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

TOWNSHIP MANAGER/COUNCIL REPORTS

Manager's Report:

PB Workshops – Thursday April 13 and 27 – 7:00 p.m.

- Advertising as Special Joint Meeting of the Byram Township Planning Board and the Mayor and Council.
- Amend Form Based Development Code and incorporate for Village Center.
- Address Planning Area and Preservation Area components associated with the model Highlands Ordinances.
- Address items identified with Housing Element and Fair Share Plan and items from the Master Plan Exam and Sustainable Economic Development Plan.

Tamarack Park Grand Opening – Saturday, May 13

- We are kicking off the day at 10 a.m. with a morning hike on Tamarack Trail which begins at the trail head on Roseville Road across from C.O. Johnson Park.
- Parking is available at the COJ park, and a shuttle bus will be running to bring you back to your car.
- The opening ceremonies will start at noon with a flag salute, ribbon cutting and a barbecue.
- Events will wrap up by 2:00.

Route 206 – Resurface Project:

- 14 Day Notice of project received Wednesday, February 22.
- Duration of project – roughly from Salt location to Andover Borough.
- Primarily mill and resurfacing.
- New compliant traffic signal at Route 206 and Tamarack Road intersection.
- Initial proposed start date was Monday, March 6 with initial work being installation of construction signs. Notified today that date was pushed to March 13.

Monthly Communication and Coordination Conference Call:

- Received notification from James McDonald, Acting Sussex County Division Head/Chief Department of Health and Human Services.
- Initiating a monthly conference call to review 2-3 topics of current interest and first call was March 15.
- Topics discussed: Septic Review for Building Additions and Soil Importation Survey.

The Sussex County Chamber of Commerce has announced the nominees for the 2017 "Quality in Business, Quality in Living" Awards:

- Byram was nominated for a Beautification Award –NOMINATED FOR OUR TRAILS
- Awards dinner is Thursday, March 23.

Councilman Olson

- Congratulations to Greg Poff for his appointment as Sussex County Administrator. Byram looks forward to working with Greg again.
- Participated in the Facilities and Equipment Subcommittee meeting at Lackawanna Fire House to look at Engine 6. The engine needs some serious attention. DPW Superintendent Mike Orgera is part of this committee, which is extremely helpful. The committee will continue to evaluate the equipment
- The Byram Historical Society will meet on March 29th at 7 p.m. at Town Hall
- Honored to attend the Eagle Scout ceremony for Brendan Raffay.

Councilman Gray

- Performed a wedding on St. Patrick's Day at Town hall.
- Participated in the Fire Department tour of Lackawanna Fire House. Mike Orgera, DPW Superintendent, is a great contributor to the committee because of his experience with fire department equipment. He has been working well with the Fire Chief.

Councilwoman Raffay

Marie stated that the Planning Board had a long meeting working on the ordinance amendments. This work will continue with the two upcoming special workshop meetings scheduled in April. Quick Check is coming back to the Planning Board on April 6.

APPROVAL OF MINUTES

- March 7, 2017 – Regular Minutes - Motion by Councilman Olson, 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	
No					
Abstain					
Absent					x

- March 7, 2017 - Executive Meeting Minutes – Motion by Councilman Olson, second by Councilwoman Kash, 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	
No					
Abstain					
Absent					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 Councilman Olson, second by Councilwoman Kash to approve the consent agenda.

- Resolution No. 62-2017 – 2016 Tonnage Grant Application Resolution
- Resolution No. 64-2017 – Resolution to Award the Bid for No Net Loss Tree Reforestation – Phase II to Cerbos’s Hampton Nursery

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

PROCLAMATION – NATIONAL POISON PREVENTION WEEK – MARCH 19-25, 2017

Motion by Council Kash, second by Councilwoman Raffay to adopt the proclamation. All members were in favor. Motion carried.

BILL LIST

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

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

ORDINANCE – Introduction/1st Reading

- BE IT RESOLVED that Ordinance entitled “**Ordinance for Administrative & Hourly Positions – Salary and Wages for the Year 2017**” be read by title on first reading. Motion by Councilman Olson, second by Councilwoman Kash to introduce this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2 nd				x	
Yes	x	X	x	x	
No					
Abstain					
Absent					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 April 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 concerning said ordinance.

PUBLIC PARTICIPATION II

Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried. Rich Schneider, asked about the salary ordinance. Joe stated that we were adding the title of Land Use Technical Assistant. Motion by Councilwoman Raffay, second by Councilwoman Kash to close to the public. All members in favor. Motion carried.

OTHER BUSINESS

Scott Olson stated that we should plan some special meetings with the public to present the municipal building plans. We can meet with the seniors on April 13. The Council discussed having two Council members attend meetings. We can find out when LLIC and Forest Lakes Club meet and go to their facility for a meeting.

We can look at when shred day is and possibly hold a Saturday information session at Town Hall. Earl Riley suggested have a meeting at Lee Hill Fire Station to give that end of town representation. We could see if Lake Mohawk can give us a room to hold a meeting.

Doris and Joe will look into this and coordinate with the Council and Tom Kosten.

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Raffay and with all members in favor, the meeting was adjourned at 10:12 p.m. Motion carried.

Doris Flynn, Municipal Clerk

David Gray, Deputy Mayor