

BYRAM TOWNSHIP COUNCIL MEETING - APRIL 16, 2019
CLOSED 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 included in the list of meetings in our annual notice sent to the newspapers and posted on the bulletin board in the Municipal Building and has remained continuously posted as required. 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 Gray, absent; Councilwoman Kash, absent; Councilman Olson, 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
 - Cranberry Lake Bridge
 - Shared Services
 - SHBP Status
 - VC – Twp. Planner Inquiry
 - SECTV – Video Recording

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 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 April 16, 2019.
 Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilman Roseff to approve the agenda with the removal of the Recreation Committee Appointments. All members were in favor. Motion carried.

PRESENTATION OF RECOMMENDATION REPORT OF THE MUNICIPAL BUILDING SUBCOMMITTEE

Alex welcomed Cris Franco and John Morytko who are the presenters for the Municipal Building Subcommittee. There were other members present in the audience: Dave Romano, Jim Reinhold, Skip Danielson, Larry Rotter, and Don Robbins. John stated that the members of the committee are all residents of the township and one business owner who has been heavily invested in the Township for many years.

John explained that the group has spent a year on this project, debates, analysis

- Started in May of last year – charged with finding a solution to the building needs.
- Looked at the current building and everyone on the committee agreed something had to be done.
- Spent a lot of time looking at the history of the project.
- Talked about the summary of space and what needed to go into the project.
- Had site visits to other municipal buildings, police departments—they gave the group prospective
- Kept the door wide open on the solution
- Looked at constructing a new building, rehabbing existing building, looked at off-site properties, and using open space at the Byram Intermediate School. The off-site properties were ruled out for various reasons as well as the Byram Intermediate School.

- The Nader Group was selected to assist the subcommittee in analyzing the options. They provided the committee with a great amount of information to assist them with their analysis.

Cris reviewed the summary provided in the report as well as the recommendations from the committee.

Summary of Preliminary Findings & Conclusions of the Subcommittee

1. The existing municipal structures have reached the end of their useful life. The Mortar Building may be repurposed by way of a gut renovation and use of existing walls and possibly the roof structure. The recommendations of two independent parties (FKA Architects in 2015 and The Nader Group in 2019) have concluded that the renovation of the existing Shed Roof Building is not a viable option.
2. The present state of the municipal and police facilities is a detriment to the Township due to maintenance costs, inefficient HVAC, a poor and potentially unhealthy work environment, and serves as a poor reflection of the community to potential residents and businesses.
3. The condition of the police facility, in particular, highlights the need for action to provide municipal and police facilities that offer the necessary work environment to provide Byram Township residents with safe and efficient services.
4. The current municipal property on Mansfield Drive is the most cost-effective site for new and improved municipal and police facilities. The benefits of the property include:
 - Township owned
 - Existing sewer connection
 - Plenty of room for municipal, police, and DPW facilities
 - Existing Mortar Building provides potential renovation opportunities
5. The use of the Open Space portion of the Byram Intermediate School was eliminated from consideration when school safety concerns, work efficiency losses, parking/traffic concerns, environmental, and other concerns were combined with a lack of savings on project development costs.
6. The construction of a new police facility will require that it meet New Jersey and International Building Code definitions of an Essential Facility. The options presented in this report separate the police facility from the administrative functions in an attempt to reduce overall project costs by eliminating the need for the entire municipal complex to meet these more stringent requirements.
7. Viable options exist for renovation of the Mortar Building and new construction. Based on the Nader Group preliminary findings, the subcommittee feels Option 1C (as presented in their March 2019 report) provides the preferred concept plan for a cost-effective solution to the Township's needs. This plan provides for:
 - a. Repurposing the existing Mortar Building for municipal administrative offices
 - b. Construction of an expansion to the Mortar Building to house municipal meeting and storage space
 - c. The construction of a separate police building to meet the "essential services building" code requirements
 - d. Continued use of existing municipal and police facilities during the construction and renovation project
8. This phase of the process has yielded preliminary costs associated with each building option. The subcommittee is comfortable with these numbers for comparative purposes but believes that they do not reflect an accurate enough estimate to recommend bonding/financing. The subcommittee believes further investigation and analysis will lead to additional cost saving opportunities and a more accurate estimate of bonding/financing.

Recommendations of the Building Subcommittee

In consideration of the forgoing sections of this report, it is this subcommittee's belief that we have concluded the initial phase of a multi-phase effort. While the subcommittee is recommending to move forward with a concept site plan based on The Nader Group's report, there is a substantial amount of work to be done to truly define what that means in terms of cost, time and the final product. While the subcommittee is convinced that, on a comparative basis, the "Combination" option is the best solution, the best version of this option has yet to be developed. Thus, the subcommittee recommends the following:

1. Engage The Nader Group to develop advanced concept plans of the Combination Option 1C, possibly 2 or 3 versions that would include detailed floor plans, elevations with exterior finish options and roof line profiles, fenestration options, structural and mechanical systems narratives and evaluations, and site plan schematics.
2. Engage the services of an independent estimating firm or construction firm to provide detailed cost estimates and value engineering assistance to the subcommittee and The Nader Group.
3. Maintain this subcommittee to manage, monitor and guide the efforts of the professionals, provide feedback on the initial design process, and keep the Township Council informed.
4. The subcommittee shall continue to explore cost-saving opportunities such as a further review of the proposed summary of program space, potential impact of shared services, alternative record storage, construction methods,

energy efficiency, funding sources and other meaningful methods of cost reduction.

Alex thanked the subcommittee for all their service over the past year.

Scott Olson asked what they learned on their site visit to Lafayette. John didn't think there was enough information learned on the site visits to apply it to Byram, but deferred to the entire group if they had additional information. John said they did look at the mortar building for police services but because the PD has to be an essential building the rehab costs would be extremely high. New construction for PD seemed more feasible and using mortar building for administration made more sense.

The option that Alternative C chose allows for personnel to continuing working in the existing space was a cost savings measure.

Jim Reinhold stated that the flood zones (C-1 designation) will affect where the building can be built.

Alex gave the definition of an essential building, which is the specific type of construction that must be adhered to when building a Police Building, and increases costs significantly. Keeping the administration and meeting space in a separate building will reduce the construction costs because that building would not need to be built to the same standard as the PD.

Scott asked if the committee invisions touring more buildings to see different types of construction. John thought the committee would want to do that. Scott asked what was the biggest problem that the subcommittee faced, and what held them back the most. Cris said that for her it was understanding the needs. Also, she expressed her surprise in finding out the rehab costs and environmental constraints for the open space area in the Byram Intermediate School.

Scott thanked all the members for the time spent in this project. He stated it was a job well done. Scott said that now this committee can sell it to the public.

Cris stated that the committee has been a good sense of involvement. John stated that we need to go to the next phase in order to be able to talk numbers and see where savings can be found. He feels that if we continue to show that it has been a great process, that it is important for the public to know that.

Harvey stated that we started out with 16 members and are down to 12-13 members who are active. He said that a few years back we started at \$11 million and went down to \$7.4 million and now we are looking at numbers lower than that. So far, we have had a \$15,000 architectural review. The next step will be able to give us a lot more to look at. The group talked about how to tighten up any cost savings that they could see at this point, such as the location, program space, etc.

Harvey said we still have questions as to how much space do we really need and how do we drive to the best cost effective solution. We visited communities that had buildings that weren't elaborate.

Alex asked if there were any comments from the subcommittee. Skip said the committee did a great job.

Joann Smith, 57 Lake Drive, thanked the committee for all they have done. She has attended many meetings and stated that the committee works well together.

The Council will review what was said tonight and reach out to the building subcommittee if they have any questions. This will be further discussed at the next meeting.

RECOGNITION OF RESIGNATION OF ENVIRONMENTAL COMMISSION MEMBER – Casey McGuffy – She is moving out of town and has been on the committee for the past year. Motion by Councilman Olson, second by Councilman Roseff, to accept the resignation and send a thank you letter for volunteering. All in favor. Motion carried.

COUNCIL REPORTS

Manager's Report:

Parks and Recreation Plan (Survey Still Open):

- Information on Township Website – News and Noteworthy
- Survey is Live.
- The survey asks questions related to each section of the Parks and Recreation Plan, including Open Space and Recreation, Trails, Eco-Tourism, and Stewardship and Asset Management.
- Participants are encouraged to complete the survey and share it with others. Participants do not need to be residents of Byram Township to take the survey.

Banking RFP: The Banking RFP's were received and being reviewed by the CFO and Manager.

Baseball/softball opening day – 4/27 – 10 a.m.

Rabies Clinic: Saturday, March 30, 2019 – The Manager thanked everyone involved to make it a successful event.

- Township Employees: Vicky Proskey, Donna Fett, Don Boroughs, Joe Sabatini, Cheryl White volunteered
- Byram Anima Hospital, Dr. Carlos Adul-Chani
- Board of Health Members: Roxanne Sabatini, Don Bogardas
- High School student earned Community Hours: Logan White
- Total rabies vaccines administered 219

Free E-waste Day – May 11 at Sussex County Municipal Utility Authority

Councilman Roseff – no report

Councilman Olson

- 4/4 – Planning Board meeting – A residential application was carried until 5/4. Anty Trucking received phasing approval.
- Two new signs were erected in town thanks to the Byram Historical Society. One on the corner of Route 206 and Lackawanna and the other on Route 206 and Willor Drive

Mayor Rubenstein

- Attended the 4/8 Open Space meeting – update on park and rec survey was provided
- 4/6 – visited a new store, “Make it Personal” on the first floor of the Frogmore building.

PUBLIC PARTICIPATION I

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

Larry Rotter, 80 Tamarack Road, asked about the e-waste day – Joe reported it.

Skip Danielson, 18 Hunters Lane, stated that 48 years ago was the inauguration of the Byram Police Department. They were housed in a trailer by the DPW building.

Richard Schneider, 73 River Road, asked Skip Danielson why the State police were terminated in Byram Township. Skip explained that many years ago the State allowed a township to appoint 2 officers without training. When laws changed mandating Police training, Byram decided to hire officers and advertised in the fall of 1970. At that time, the State police was discontinued. On 4/15/71 the Byram Township Police Department went into operation.

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

APPROVAL OF MINUTES

- April 2, 2019 – Regular & Closed Session Minutes – Motion by Councilman Olson, second by Councilman Roseff, 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 Councilman Gray, second by Councilwoman Kash to approve the consent agenda.

- Resolution No. 083-2019 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Authorizing Taxes be Remitted (Cancelled) for 2018” – Block 226 Lot 26, Old Indian Spring Road
- Resolution No. 084-2019 – Authorization to Purchase Fuel Oil #2 (Heating Oil) under the Morris County Cooperative Pricing Council for Budget Year 2019
- Resolution No. 085-2019 – Authorization to Purchase Gasoline & Diesel under the Morris County Cooperative Pricing Council for Budget Year 2019
- Resolution No. 086-2019 – Chapter 159– State of New Jersey, Highlands Water Protection & Planning Council Highlands Plan Conformance Grant- \$80,000

- Resolution No. 087-2019 – Confirming the Redemption of TTL #08-00016 – Block 140 Lot 58, Hill Crest Trail
- Resolution No. 088-2019 – Resolution Authorizing Environmental Commission to Hold Trail Clean-Up Events
- Resolution No. 089-2019 – Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop – April 27th & 28th
- Resolution No. 090 – 2019 - Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop – October 19th & 20th
- Resolution No. 091-2019 – Chapter 159 – 2019 Municipal Aid Program - \$208,000.00
- Resolution No. 092-2019 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – Block 320 Lot 14.02, 44 Strawberry Pt. Dr.
- Resolution No. 093-2019 – Resolution to Award the Bid for Pump Station emergency Power Generator Replacements to Innovative Electrical Contracting, Inc. – Not to Exceed \$95,668
- Resolution No. 094-2019 – Resolution Recommending Corrections to the NJ State Senate Bill S2505 and Sate Assembly Bill A2558 Know As “Vegetation Management Response Act”
- Resolution No. 095-2019 – Resolution of the Township Council of the Township of Byram Establishing the Adopt-A-Spot Program and Authorizing the Procurement of Concessions for Landscaping Services for the Public Properties Pursuant Thereto

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

APRIL 16, 2019 BILL LIST

Motion by Councilman Olson, second by Councilman Roseff 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 – 2nd Reading/Public Hearing**
 - **ORDINANCE NO. 4- 2019 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR THE ACQUISITION OF NEW FINGERPRINTING SYSTEM FOR USE BY THE POLICE DEPARTMENT OF THE TOWNSHIP TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$24,000.00**

Purpose Statement: Acquisition of new fingerprinting system for use by the Police Department of the Township.

Motion by Councilman Olson, second by Councilman Roseff to consider this ordinance for adoption.

Mayor Rubenstein opened to the public. No comments were made. Mayor Rubenstein asked the clerk to call the vote.

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

Be It Resolved that Ordinance 4-2019 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

- **ORDINANCE NO. 5 - 2019 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR IMPROVEMENTS OF VARIOUS STREETS AND LOCATIONS IN AND BY THE TOWNSHIP AND TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$324,500.00**

Purpose Statement: Reconstruction and Resurfacing of Various Streets and Locations in and by the Township including without limitation, Briar Lane, Joan Drive, Ross Road, Manu Trail, Hunters Lane, Colby Drive, Old

Indian Springs Road and Ghost Pony Road including reconstruction of culverts and headwalls and all curbing, drainage facilities/inlets, landscaping, reclamation, milling, structures, roadway surfaces including oil and stone, cape sealing or similar application, materials, equipment, site work and engineering costs.

Motion by Councilman Olson, second by Councilman Roseff to consider this ordinance for adoption.

Mayor Rubenstein opened to the public. No comments were made. Mayor Rubenstein asked the clerk to call the vote.

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

Be It Resolved that Ordinance 5-2019 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

- **ORDINANCE NO. 6 - 2019 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR THE ACQUISITION OF NEW EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS OF THE TOWNSHIP TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$83,000.00**

Purpose Statement: Acquisition of new equipment for use by the Department of Public Works of the Township.

Motion by Councilman Olson, second by Councilman Roseff to consider this ordinance for adoption.

Mayor Rubenstein opened to the public. No comments were made. Mayor Rubenstein asked the clerk to call the vote.

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

Be It Resolved that Ordinance 6-2019 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ORDINANCE – 1st Reading / Introduction

- BE IT RESOLVED that Ordinance entitled “**AMENDED ORDINANCE FOR ADMINISTRATION & HOURLY POSITIONS – SALARY AND WAGES FOR THE YEAR 2018-2021**” be read by title on first reading.

Motion by Councilman Olson, second by Councilman Roseff to introduce this ordinance.

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion			x		
2 nd				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 May 7th 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

Government Energy Aggregation – Alex spoke to several Mayors, Manager in Wharton, and a clerk in Union County. They all said that there were savings to the residents. They felt they were doing the residents a service by entering into this program. The transition period of getting into the program did cause a few problems, but it was worked out.

Harvey would like to bring in the 2 other groups who provide energy services. He thinks it is important for us to do our homework to let the public know we are doing our due diligence. The Council was in favor of having the administration reach out to the other groups to invite them to come in for a presentation.

Scott Yappen, 5 Catherine Terrace, stated that he has heard about it but hasn’t changed to another company. It wasn’t high on his list. Scott would like the Township to move forward with it.

PUBLIC PARTICIPATION II

Motion by Councilman Olson, second by Councilman Roseff, to open to the public.

Chief Zabita announced that on April 27 there will be drug collection at Shop Rite and CVS and they always have the box at the PD.

Mandy Coriston, Township Journal Reporter, asked Joe to repeat the info on tire recycling – Monday April 29 through Friday May 3 from 8 a.m. 3 and Saturday, May 4, 9-12, 8 tires per car. Mandy also asked if the Council is taking the same stand on Forest Lakes as we are for CLCC with regard to mandatory membership. The Council stated that they are not getting involved because it is not a municipal matter.

Joann Smith, 57 Lake Drive, asked if Is there an Easter egg hunt. It is on Saturday, April 27 at 10 a.m. at Wild West City

PUBLIC PARTICIPATION II

Motion by Councilman Olson, second by Councilman Roseff, to open to the public. Closed to the public.

ADJOURNMENT – Motion by Councilman Olson, second by Councilman Roseff to adjourn at 8:50 p.m. All members in favor. Motion carried.

Doris Flynn, Municipal Clerk

Alexander Rubenstein, Mayor