

BYRAM TOWNSHIP COUNCIL MEETING - APRIL 18, 2017
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION – 7:30 P.M.

CALL MEETING TO ORDER

Deputy Mayor David Gray called the meeting to order at 7:07 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, absent; 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
 - Forest South Homeowners Association
 - Health Benefits
 - Sale of Non Conforming Parcel – Block 362 Lot 12
 - Sidewalks

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 April 18, 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		
No					
Abstain					
Absent				x	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 Raffay, to approve the agenda as presented. All members were in favor. Motion carried.

- **PROCLAMATION:** Child Abuse Prevention Month

Motion by Councilman Olson, second by Councilwoman Raffay to have the Deputy Mayor sign the Proclamation. All members in favor. Motion carried.

TOWNSHIP MANAGER/COUNCIL REPORTS

Manager’s Report

- Next joint Planning Board/Township Council Meeting is April 27 at 7 p.m.
- Tamarack Park grand opening is May 13 at 10 a.m. It starts with a hike and the ribbon cutting ceremony is scheduled for noon.
- Three public information sessions regarding the proposed municipal building have been scheduled for April 26, April 29, and May 6.

Councilman Olson

- 4/10 - Attended the Fire Department meeting with Joe, Todd and Mike. The next meeting is May 8. We are making progress.
- 4/10 – Open Space meeting. Eric Duch attended to see if it was something he would be interested in.
- 4/13 – Attended the senior’s meeting to review the new building floor plan. Scott was very happy with how the meeting went.
- 4/17 – Tour Warren Township Municipal Building with Joe and Doris. We learned a lot about the process they went through, and found we are experiencing some of the same things.

Councilman Gray – Attended the senior’s meeting and thought the presentation went very well. The seniors asked a lot of questions. Tom Kosten gave a great presentation, and Tom and Joe did a good job answering the questions.

Councilwoman Raffay - Planning Board meeting on April 20 at 8 p.m.

PUBLIC PARTICIPATION I

Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried. Jackie Espinoza, JCP&L Area Manager, reported that there were not any circuits in Byram that made the list for repair—which is a good thing. Jackie stated that Sussex County Day is September 17. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

APPROVAL OF MINUTES

- April 4, 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		
No					
Abstain					
Absent				x	x

- March 21, 2017 - Executive Meeting 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		
No					
Abstain					
Absent				x	x

COUNCIL APPOINTMENT – Eric Duch was appointed to the Open Space committee as the Environmental Committee Representative. Michelle Rehse stepped down. His term will expire December 31, 2018. Motion made by Councilman Olson, second by Councilwoman Raffay, to make this appointment. All members in favor. Motion carried.

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 Raffay to approve the consent agenda.

- Resolution No. 70-2017 – Resolution of Acceptance of a Donation of a Trophy Case from the Lenape Valley Patriots at C.O. Johnson Park
- Resolution No. 71-2017 – A Resolution of the Township Council of the Township of Byram Authorizing the Disposal of Non Usable Equipment Not Suitable for Sale
- Resolution No. 74-2017 – Resolution Confirming the Increased Sewer Gallons to Block 226, Lot 21 Effective April 1, 2017
- Resolution No. 75-2017 - Authorization to Purchase New Wheel Loader under the Hunterdon County Educational Services Commission Cooperative Pricing System for Budget Year 2017

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

APRIL 18, 2017 BILL LIST

Motion by Councilman Olson, second by Councilwoman Raffay, 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		
No					
Abstain					
Absent				x	x

ORDINANCE – 2nd Reading / Public Hearing

Ordinance 3-2017 - Be it resolved that ordinance “**An Ordinance to Authorize a Capital Expenditure for the Replacement of North Shore Road Culvert to Provide Funding in the Amount Not To Exceed \$70,000.00**” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 3-2017 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 4-2017 - Be it resolved that ordinance “**An Ordinance to Authorize a Capital Expenditure for the Acquisition of New Vehicular Equipment for Use by The Department of Public Works of the Township to Provide Funding in the Amount Not To Exceed \$70,000.00**” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 4-2017 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 5-2017 - Be it resolved that ordinance “**An Ordinance to Authorize a Capital Expenditure for Drainage Improvements on Little Paint Way to Provide Funding in the Amount Not To Exceed \$52,500.00**” be read by title on second reading and a hearing held there thereon. Motion by Councilwoman Raffay,

second by Councilman Olson to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 5-2017 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 6-2017 - Be it resolved that ordinance “**An Ordinance to Authorize a Capital Expenditure for Improvements at Tamarack Park to Provide Funding in the Amount Not To Exceed \$110,000.00**” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 6-2017 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 7-2017 - Be it resolved that ordinance “**An Ordinance Amending Chapter 213 Entitled “Streets and Sidewalks” of The Code of The Township of Byram to Amend Article I Entitled “Street Excavations” to Add New Sections 213-11a through 213-11d to Authorize a Deadline for Excavation of Streets to be Paved**” be read by title on second reading and a hearing held there thereon. Motion by Councilwoman Raffay, second by Councilman Olson to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 7-2017 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

ORDINANCES – Introduction / First Reading

- BE IT RESOLVED that Ordinance entitled “An Ordinance Amending Section A287-8 Sewer System Fees of the Byram Township Code Regarding Sewer User Charges and Maintenance Fees” be read by title on first reading.

Purpose Statement: An Ordinance amending Section A287-8 Sewer System Fees of the Byram Township Code lowering the Per Equivalent Dwelling Unit (EDU) commencing January 1, 2017 to \$274.00 per quarter.

Motion by Councilman Olson, second by Councilwoman Raffay to introduce this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
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 2nd 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. No comments were made.

Motion by Councilwoman Raffay, second by Councilman Olson to close to the public. All members 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 9:58 p.m. Motion carried.

Doris Flynn, Municipal Clerk

Deputy Mayor David Gray