

**BYRAM TOWNSHIP SPECIAL COUNCIL MEETING - APRIL 21, 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 has been electronically sent to the newspapers and uploaded to Byram’s website, not less than 48 hours in advance of the meeting. In addition, a copy of this notice 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:

- Government Energy Aggregation
- Byram Docks

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 <sup>nd</sup>				x	
Yes	x	x	x	x	x
No					
Abstain					
Absent					

Certification: I certify that the Byram Township Council adopted the above resolution on April 21, 2020.  
Doris Flynn, Municipal Clerk

**RETURN TO OPEN SESSION** - Mayor Rubenstein stated that the call in number for the meeting is 1-646-558-8656 and the Web ID No. is 924 6311 2365. The Mayor stated that the Council meeting was called to order at 6:30 p.m. at which time the Council went into executive session until 7:30 pm.

**FLAG SALUTE AND MOMENT OF SILENCE**

**APPROVAL OF AGENDA** - Motion by Councilwoman Franco, seconded by Councilman Gallagher to approve the agenda as presented. All members in favor. Motion carried.

**MAYORAL APPOINTMENT OF DEPUTY OEM COORDINATOR** – Ken Burke - Alex had conversation with OEM Coordinator Thomas Koundry who recommended that Police Chief Ken Burke be appointed Deputy OEM Coordinator. The Mayor agreed and authorized the appointment.

## **MANAGER AND COUNCIL REPORTS**

### **Township Manager Joe Sabatini**

- The Manager thanked the Township employees and first responders for their assistance during these difficult times. He would like to offer his support and appreciation to all healthcare and essential workers.
- The Governor’s executive shutdown order has been extended to May 15.
- The Township building may be closed but all employees are working and available to support the residents.
- On the Township’s website under News and Noteworthy:
  - Byram Township: COVID-19 Pandemic & Continuity of Government – Links to information for Township Services.
  - COVID-19: Assistance Programs for Businesses Suffering Economic Hardship
  - Information regarding Coronavirus
- Important with warm weather that we continue to practice social distance. The parks and trails are open for passive recreation. They are not open for active recommendation until we get further guidance from the Governor. We continue to ask for your support.

**Mayor Rubenstein** - Echoed Joe Sabatini’s comments of appreciation of all healthcare workers and first responders. The Mayor is sad to report that there was a house fire on Winding Way in Forest Lakes. Police and Fire were on the scene very quickly but the house was a total loss. The Mayor has been very busy on daily conference phone calls with local, county, and state officials. He feels that the local and county governments have been doing a good job.

### **Councilman Bonker**

1. Open Space: Ray stated that we held an online Open Space meeting last Monday, April 13<sup>th</sup>. The committee continues to work with Greener by Design to complete all aspects of the Parks and Recreation Plan for a presentation to this Council on June 16<sup>th</sup>. The document will include a new 10 year Open Space plan, a Trails Plan, an Economic Development plan, a long term maintenance planning tool and several updated maps. Our next Open Space meeting will be online on May 11<sup>th</sup>.
2. April is Autism Awareness Month. In past years the Council has hosted members of the Byram Schools highlighting their programs and outreach. Clearly it is appropriate, although unfortunate, that this year we will not be able to host them, but Councilman Bonker looks forward to their return to us next year.
3. Finally, Ray stated, just for the record, the Municipal Building is not on our agenda again tonight. Yes, we are in unusual times. However, this Council has had two months to consider all of the options before us. We need to move forward soon, but it will not happen tonight.

**Councilwoman Franco** - no report

**Councilman Gallagher** - The next Recreation Meeting will be May 18

**Councilman Roseff** - No report

**PUBLIC PARTICIPATION 1**– Meeting open to the public for comments on matters not on the agenda or items on the agenda for which no public discussion is provided. The Mayor instructed the audience how they can participate.

Helene Walsh, 10 Bells Lane, asked if the town has anyone that can assist a person looking for help regarding any of the programs online, such as unemployment, stimulus, etc. Alex stated that he will look into it and give her a call on Wednesday with any information he can find.

**APPROVAL OF MINUTES**

- Motion by Councilman Bonker, second by Councilwoman Franco to approve the April 7, 2020 Regular & Closed Meeting Minutes - 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 Gallagher, second by Councilman Roseff, to approve the consent agenda. Harvey asked if we have seen big drops in gasoline and oil. Joe stated that he won't see what the change is until we receive our new bills. Harvey asked if we should hold off till we see the numbers. Joe said he would not recommend it because we would need to go out to bid, pay a QPA to write a bid, etc. When you use the co-op, you pay the price on the date of delivery, plus delivery.

- Resolution No. 063-2020 – Resolution by the Byram Township Mayor and Council Adopting the IT Continuity / Disaster Recovery Plan
- Resolution No. 064-2020 – Resolution by the Byram Township Mayor and Council Adopting the Cryptographic Controls Policy and the Mobile Device Policy
- Resolution No. 065-2020 – Resolution Authorizing the Execution of the Electric Distribution Company Aggregation Agreement and the Professional Energy Consulting Shared Services Agreement
- Resolution No. 066-2020 – Authorization to Purchase Rock Salt under the Sussex County Cooperative Pricing Systems for Budget Year 2020 – Not to Exceed \$200,000.00
- Resolution No. 067-2020 – Authorization to Purchase Oil #2 (Heating Oil) under the Morris County Cooperative Pricing Council for Budget Year 2020 – Not to Exceed \$70,000.00
- Resolution No. 068-2020 – Authorization to Purchase Gasoline & Diesel under the Morris County Cooperative Pricing Council for Budget Year 2020 – Not to Exceed \$120,000.00
- Resolution No. 069-2020 – Authorization to Use Strom Recovery Trust Fund for Coronavirus Mitigation
- Resolution No. 070-2020 – Resolution to Award the Bid for Proposed Improvements to Whitehall Hill Road – Not to Exceed \$284,788.10

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

**APPROVAL OF APRIL 21, 2020 BILL LIST** - Motion by Councilman Gallagher, second by Councilwoman Franco to approve the bill list.

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

- **ORDINANCES - 2<sup>nd</sup> Reading/Public Hearing**

- **ORDINANCE NO. 2-2020 - 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 \$372,900.00**

Purpose Statement: Reconstruction and Resurfacing of Various Streets and Locations in and by the Township including without limitation, North Shore Road, Strawberry Point, Cranberry Ledge and Side Streets and Mohawk View Parking Lot including reconstruction of culverts and headwalls and all curbing, drainage facilities/inlets, landscaping, reclamation, milling, structures, roadway surfaces including paving, oil and stone, cape sealing or similar application, materials, equipment, site work and engineering costs.

Motion by Councilwoman Franco, second by Councilman Gallagher to adopt the ordinance. Joe stated that these are all our road projects for 2020. We received a \$160,000 from NJDOT for North Shore Road to offset the Township's expense. We received \$29,100 in PSE&G funds several years that is being put toward the cost of paving Mohawk View Parking lot.

Mayor Rubenstein opened to the public. No comments were made. The clerk called the vote.

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

Be It Resolved that Ordinance 2-2020 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. 3-2020 - 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 \$241,000.00**

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

Motion by Councilman Bonker, second by Councilwoman Franco to adopt the ordinance. Joe reviewed all the equipment that will be purchased for the DPW Department. Mayor Rubenstein opened to the public. No comments were made. The clerk called the vote.

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

Be It Resolved that Ordinance 3-2020 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. 4-2020 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR BUILDING & GROUNDS IMPROVEMENTS BY THE TOWNSHIP TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$52,400.00**

Purpose Statement: **Building & Grounds improvements by the Township.**

Motion by Councilwoman Franco, second by Councilman Gallagher to adopt the ordinance. The two improvements are the gas pumps and the parking lot improvements at Lee Hill Road. We are working on a grant to do some ADA improvements at the Lee Hill Safety Building for Elections. Mayor Rubenstein opened to the public. No comments were made. The clerk called the vote.

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

Be It Resolved that Ordinance 4-2020 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

**FUTURE AGENDA DISCUSSION ITEMS**

The Mayor asked Councilman Bonker his opinion as to whether we should enter into discussion about the Municipal Building project while we are doing virtual meetings. Ray stated that we have had two months to think about our options, and he does feel it is time to move forward. Alex agreed. Cris feels it is time to start discussing and moving forward on the municipal building project. Jack feels that we need to be together in person versus a virtual meeting. Harvey agrees with Jack and feels there is more work to do and would like to see it done in public. Alex feels we need to set a date because we don't know when the public meetings will start again, and we need to start talking about the building. Alex suggested having a discussion at the 2<sup>nd</sup> meeting in May. Harvey agreed and feels that we should be having public meetings by then.

Harvey stated that we should have discussions on the natural gas map for Byram to petition it and start delivery in the southern section of Byram. He feels we should reach out to the BPU and request a meeting in June and have the natural gas companies join in. Alex stated that the last conversation that he recalls with NJ Natural Gas, they were going to get in contact with the Stanhope Mayor and Administrator because the lines would need to go through the center of Stanhope. Alex will reach out.

**PUBLIC PARTICIPATION II**

Jeanne Moran, 7 E. Waterloo Road, wanted to let us know that the virtual meetings are working out very well, and she is able to hear everything. She asked why the OEM requested a Deputy. Alex stated that it was actually his suggestion. He feels it is important to have a deputy because Tom Koundry has a full time job and sometimes he may not be readily available.

**ADJOURNMENT** – Motion by Councilwoman Franco second by Councilman Gallagher to adjourn at 8:07 pm. All members in favor. Motion carried.

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Doris Flynn, Municipal Clerk

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Alexander Rubenstein, Mayor