

BYRAM TOWNSHIP SPECIAL COUNCIL MEETING - APRIL 7, 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:

- 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 April 7, 2020.
Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Mayor Rubenstein stated that the Council was in executive session for one hour.

FLAG SALUTE AND MOMENT OF SILENCE

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

2020 GET HEARING -

The Manager thanked his Department Heads and staff for their support of the budget process. The budget process with the Department Heads started at the end of June with the initial departmental budgets due by August 21. The Department Heads were asked to provide detailed justification for each budget expenditure based on the needs for 2020 and were informed not to expect an increase in operating budgets from 2019.

Joe Sabatini's initial budget memo was presented to the Mayor and Council on June 28, 2019 requesting the Mayor and Council to identify the goals and objectives for the 2020 budget to identify resources including funding needs to carry out the work plan. The municipal budget is the Council's most important annual policy statement. It defines how the local government will implement its priorities for the next fiscal year. The Manager and Staff prepare recommendations, but the Council must ensure the adopted budgeted adequately satisfies the needs of the community and services the best interest of the Township.

This budget plan presents a reduction of the Property Tax Levy by .27%.

- Budget divided into several categories:
 - Anticipated Revenues
 - Appropriations
 - Capital Program
 - Also, includes the budget for OS Trust and Sewer Utility.

REVENUES

FUND BALANCE:

- Total Fund Balance committed to the 2020 budget is \$2,095,000 which is an increase of \$485,000 from 2019.
- Breakdown of Fund Balance as follows:
 - \$1,610,500 Supports Operations
 - \$450,000 One-time used of Fund Balance to support equal appropriation to Capital Improvement Fund.
 - \$35,000 Offset changes Construction Code Salary & Wage, and Operating Expenses.

MISC REVENUES:

- Due to change of banking relationship in 2019 and revenues received in 2019, we were able to increase anticipation of Interest Income by \$130,000.

APPROPRIATIONS:

- Appropriations are the platform that allows local government to deliver services to residents.
- The expenditure side is assigned by department divided into S&W and Other Expenses. Also, there are categories of expenses not assigned to individual departments.
- Departmental Budgets:
 - 2% adjustment to S&W
 - Longevity and steps.
 - Increased Salt Budget - \$40,000
 - Celebration of Public Events increased - \$14,515
 - Construction Department:
 - Construction Department budget is anticipating changes due to recent resignation of subcode officials and discussions regarding shared services. It is expected these items will be resolved by year-end 2020.

- Key reduction of expenses for this budget is related to the transition to the State Health Benefits Program effective June 1, 2019. This presents as an approximate \$350,00 reduction compared to the 2019 total net cost summary.

Capital Improvement Program:

- The Capital Improvement Program allows the Township to plan and prioritize large expenditures.
- This budget is funding \$1,436,343 toward various capital items.
- The 2020 Capital Budget included proposed projects totaling \$2,653,900

OPEN SPACE:

- This budget anticipates raising \$110,430 or approximately \$.011 for each \$100 assessed valuation.

SEWER UTILITY:

- Supported by fees collected from user of the system.
- There is no change to the user fees.

FINAL COMMENTS:

- Sound budget that results in a small reduction of the municipal tax levy.
- Gives consideration to future years.
- Characterized by basically two one-time elements:
 - \$130,000 of anticipation of interest income
 - Reduction of insurance cost due to transition to State Health Care Benefits.

Township Auditor Ray Sarinelli stated that he feels Joe Sabatini and staff did a great job with the budget, and Joe explained it perfectly. Ray recommends that the Council move forward and adopt the 2020 budget.

The Mayor asked if there were any comments or questions from the Council. Councilman Bonker stated that he doesn't have any questions and plans on voting for it. Councilwoman Franco stated that she will be voting yes to adopt the budget. Councilman Gallagher stated that he didn't have any questions and would also be voting yes to adopt the budget this evening.

Councilman Roseff asked about potential changes to State Aid from the State level because of the COVID-19. Harvey also asked about grants for roads. Joe stated that we have received an award for the grant for our road improvements. Funding for road improvements comes from the gas tax and not from the State budget. Harvey suggested tabling the budget for 2-4 weeks to let the problems we are experiencing air out. Joe doesn't feel we should table the budget. We have 3 important ordinances on the agenda to move forward on our capital projects. Harvey says we are dealing with unknown economic circumstances. Joe said that we are in a good position to handle challenges that could come our way because of sound planning practices. Harvey asked how the interest income affects us for next year's budget. We have an agreement with Valley National Bank for interest at 0.4% which is good through April 2022. We won't be able to anticipate as much interest income in 2021 as we did in 2020. Joe said we will start looking at the 2021 budget in June.

Mayor Rubenstein opened to the public. No comments were made.

RESOLUTION NO. 061 – 2020 – RESOLUTION TO AMEND INTRODUCED BUDGET - Mayor Rubenstein read the resolution and asked for motion to approve. Motion by Councilman Bonker, second by Councilwoman Franco. Joe Sabatini summarized the need for the amendment to the budget.

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

RESOLUTION NO. 062 - 2020 - BUDGET ADOPTION RESOLUTION - Motion by Councilman Gallagher, second by Councilwoman Franco, to adopt the 2020 budget resolution.

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

MANAGER AND COUNCIL REPORTS

Township Manager Joe Sabatini - Announced that the dog license renewal has begun. There will not be a rabies clinic due to COVID 19. Joe thanked all employees and first responders for supporting our residents in this time of crisis.

Mayor Rubenstein - He has been in constant communication with Joe Sabatini and many officials in the County on a daily basis. He expressed his appreciation to the Police, DPW, Lakeland, Fire Department and town staff for working hard during this emergency.

Councilman Bonker

- Conspicuous by its absence tonight from the agenda is any reference to the decision we need to make regarding the future site of our municipal building. I understand we are dealing with unusual times, and I am willing to be a team player and let it slide, for tonight. However, we need to make our decision soon. The building sub-committee has done its work. For two months all of their work product has been on the Byram website for all to see. We need to keep our eyes on the most important decision we will make. But I agree we will not make that decision tonight.
- Open Space: we are continuing to work on the new plan, and we are still targeting June 16th for the Council presentation. The State today closed all State parks. Byram parks remain open for passive recreation. As the weather warms up, please help us keep the parks and trails open by respecting social distancing when using them.
- Volunteerism makes America work, it makes Byram work. It is prominently on display now, but it has been noted as a particularly American trait since the publication of Alexis de Tocqueville's classic **Democracy in America** way back in the 1830's. We see it all around us as people make face masks and work at food banks and donate to multiple causes. One of the unfortunate side effects of the shelter-in-place order has been the cancellation of most blood drives. I am donating blood this Friday, and I encourage my fellow citizens to go online and make an appointment to volunteer. Fortunately, the Governor on April 2nd announced that blood drives are critical health care and can now continue to operate. Please volunteer to give blood.
- Finally, we are in the midst of a pandemic, and reports of deaths will unfortunately increase. However, Byram lost a great citizen this past Friday to natural causes. Clara Goble Milens passed away at the age of 90. Clare was born in Byram in 1930 (when our population was 245 people) and lived her entire 90 years here. She attended the Amity one room school house and Byram Consolidated school. Among many other things, Clare was the deputy tax collector for Byram for 25 years, retiring in 1992. Her husband Fred

Milens passed away three years ago, and it must be remembered that Fred served on the Byram Planning Board for 49 years. Clare was also the president and treasurer of the Byram Senior Citizens group, where she was Senior of the Year in 1996. Byram was extremely fortunate to have both Clare and Fred Milens in our town for almost a century, and we mourn their loss even as we celebrate their tremendous contributions to our town. And just for the record, I am a blood relative of Clare, and I am so proud of my “Aunt Clare” and her husband Fred. May they rest in peace.

Councilwoman Franco said that she is eternally grateful to all the first responders and the great people of Byram for stepping up in the COVID-19 disaster.

Councilman Gallagher wanted to let everyone know that when the Fire Department responds to a house call or auto accident they will have air on. Jack appreciates all the help that the Township is giving all of our residents.

APPROVAL OF MINUTES

- Motion by Councilman Gallagher, second by Councilwoman Franco to approve the March 17, 2020 Regular & Closed Meeting Minutes - All members in favor. Motion carried.

APPROVAL OF APRIL 7, 2020 BILL LIST - Motion by Councilwoman Franco, second by Councilman Gallagher to approve the bill list.

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

PUBLIC PARTICIPATION – 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. No comments were made.

- **ORDINANCES - Introduction / First Reading**
 - **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 introduce the ordinance.

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

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 the 21st day of April, 2020 at 7:30 p.m., on an audio conference call using Zoom and the public may call in at any of the following telephone numbers +1 646 558 8656; +1 877 853 5247; +1 888 788 0099. When prompted, enter the Meeting ID Number: 852 951 430 followed by the # sign, at which time and place a public hearing will be held thereon and all persons and citizens interested shall have an opportunity to be heard.

- **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 Councilwoman Franco, second by Councilman Bonker to introduce the ordinance.

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

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 the 21st day of April, 2020 at 7:30 p.m., on an audio conference call using Zoom and the public may call in at any of the following telephone numbers +1 646 558 8656; +1 877 853 5247; +1 888 788 0099. When prompted, enter the Meeting ID Number: 852 951 430 followed by the # sign, at which time and place a public hearing will be held thereon and all persons and citizens interested shall have an opportunity to be heard.

- **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 Councilman Bonker, second by Councilwoman Franco to introduce the ordinance.

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

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 the 21st day of April, 2020 at 7:30 p.m., on an audio conference call using Zoom and the public may call in at any of the following telephone numbers +1 646 558 8656; +1 877 853 5247; +1 888 788 0099. When prompted, enter the Meeting ID Number: 852 951 430 followed by the # sign, at which time and place a public hearing will be held thereon and all persons and citizens interested shall have an opportunity to be heard.

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 Councilwoman Franco, to approve the consent agenda.

- **PROCLAMATIONS**

1. Arbor Day 2020
 2. Child Abuse Prevention Month
- Resolution No. 058-2020 – Chapter 159 – State of New Jersey, Department of Transportation – 2020 Municipal Aid Program
 - Resolution No. 059-2020 – Resolution Waiving Late Fees for the 2020 Dog Licenses through June 1, 2020
 - Resolution No. 060-2020 – Resolution Authorizing the Execution of a Revised Lease Agreement and Shared Services Contract for Community Animal Impound Services Between the Township of Byram and Byram Animal Rescue Kindness Squad Inc. (BARKS)

	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

Councilman Roseff asked if we were still going to having Verizon at an upcoming meeting. Alex asked if we want Verizon to join a virtual meeting or wait until we resume Council meetings at town hall. There was a consensus to wait until we resume meetings. Postpone to 2nd meeting in May.

ADJOURNMENT – Motion by Councilman Roseff second by Councilwoman Franco to adjourn at 8:25 pm. All members in favor. Motion carried.

Doris Flynn, Municipal Clerk

Alexander Rubenstein, Mayor