

**BYRAM TOWNSHIP COUNCIL MEETING - MAY 1, 2018**  
**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**

Adequate notice of this meeting has been made in accordance with the Open Public Meetings Act, NJSA 10:4-6.

**ROLL CALL**

Councilman Gray, here; Councilwoman Kash, here; Councilman Olson, here; Councilman Roseff, here; Mayor Rubenstein here. Also present was Township Manager Joe Sabatini, 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
  - Stag Pond Road
  - Worker Compensation
- b. Personnel
  - Auditor Interview – Dieter Lerch
- c. Contract Negotiations
  - PBA Negotiations

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**

Motion by Councilman Olson second by Councilman Gray to go into closed session and adopt the above resolution.

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

Certification: I certify that the Byram Township Council adopted the above resolution on May 1, 2018.  
 Doris Flynn, Municipal Clerk

**RETURN TO OPEN SESSION** - Motion by Councilman Olson second by Councilwoman Kash to return to open session at 7:50 pm. 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 with adding Byram Day as a discussion. All members were in favor. Motion carried.

**GRANT WRITER PRESENTATION – BRUNO ASSOCIATES**

Chris Brown and Steve Welch presented information about their grant writing services. They provided a listing of municipalities they worked with and successful grant applications they filed. Chris explained that they go through funding needs with the Township, do the administration, reporting requirements, and any follow up necessary. They work under a one-year contract.

David Gray asked how we go about finding what grants are beneficial to us.

We discussed the grant opportunity Bruno Associates provided in the packet from U.S. Soccer Foundation. Harvey asked what our chances would be to get this grant. Chris stated that every grant is different but he feels we would have a good chance. Joe asked what value they would give to the Township. Chris Bruno talked about the Fire Grants that are available: Fire House Subs provides money for equipment \$15,000-25,000; Low Gear – grants for turnout gear.

David asked how the fees worked. Flat fee of \$36,000, payable in equal monthly payments.

Scott questioned the grants that Sussex Borough was awarded and asked if it was loans or grants. Steve stated that they were grants with a small match on the town's side. Scott stated that we don't have public water, and he asked if Bruno Associates could help the private water companies. They stated that the funding that they obtain is only for government agencies.

Joe asked what success he has had for applying for fire trucks. Chris Bruno stated that he hasn't put in for a fire truck, but he has had approximately 50% success with fire equipment.

Steve Welsh stated they could look for grants for sewer improvements.

Harvey would like to start working on getting grants.

Nisha asked how long they have been writing grants for the City of Clifton and the Borough of Rutherford. Chris Bruno handed out a grant activity sheet for the Borough of Rutherford covering 2013-2018. They obtained quite a few grants over that period.

The Council thanked Bruno Associates for coming in.

**PROCLAMATION** - Municipal Clerks' Week May 6-12, 2018

Motion by Councilman Olson, second by Councilman Gray to authorize Mayor Rubenstein to sign the Proclamation. All members were in favor. Motion carried.

## **COUNCIL REPORTS**

**Harvey Roseff** – Harvey met all 16 applicants who applied to be a member of the municipal building project committee. He will discuss this further later in the meeting.

### **Scott Olson**

- 4/24 met with Fire Chief Rudloff, Joe and Ashleigh for further discussion on the fire truck
- 4/25 – George Morrell's retirement party of 15 years.
- 4/26 Environmental Commission meeting – discussion on tree planting

### **Mayor Rubenstein**

- Attended the Conference of Mayors April 25-27. There were 15-20 exhibitors and excellent panel discussions, such as School Safety Officers and Marijuana.
- Attended a Byram Day meeting on April 30. He will discuss this further

## **PUBLIC PARTICIPATION I**

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

Dawn Edwards, 3 Springbrook Street, asked for an update on the flooding situation on Chestnut Street. Joe explained that he is exploring several options on fixing the problem, which has come from a collapsed drain under a resident's driveway. He hopes to have a plan of action for discussion on May 15 and a resolution prepared for the Council to take action. David asked Dawn to explain the flooding. It is on the intersection of Chestnut Street and River Road. Dawn stated that she feels that there are additional reasons besides the collapsed drain for the excessive constant water flow.

Evonne Reeves, River Road, asked for a copy of the Engineer's report. She stated that her property is now being eroded from all the water.

The County should be on alert to check out this area for mosquitos. Doris will call mosquito control.

Todd Rudloff, 9 Whitehall Hill Road, Fire Chief, informed the Council that he was at Washington, DC, and received information about the grants that have been awarded through the Assistance to Firefighters Grants program. We are in the 11<sup>th</sup> District and that District only received \$1,248,861 out of \$52,517,020 available grant money for the entire State over a 7-year period. The grants are awarded to areas with heavy call volume. Sussex County can't compete with the cities. He expressed his concerns about hiring a grant writer for \$36,000 without any guarantees that we can get grants.

Ali Griffith, Old Stage Coach Road, stated that she was not impressed with Bruno Associates, and felt that the cost was too much.

Luann Byrne, 52 Richmond Road, asked if there is a grant company that would collect the grants and forward them to us for a cost but not actually do the work. Luann asked about the Resolution on joining the Cranford Cooperative and the County Sign Agreement.

Tony Chelpaty, 3 Stag Pond Road, came up to introduce himself because he is interested in being part of the municipal building committee. He has been in Byram since 1966 and feels he would be an asset to the committee. He asked why Stag Pond was being discussed in executive session.

Skip Danielson, 18 Hunter Lane, stated that there seems to be a volume of water south of the Exxon Station. He was glad to see Resolution 100-2018 on the agenda. He also stated that he was looking for support on Bill 1597.

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

**APPROVAL OF MINUTES**

- April 17, 2018 – Regular and Closed Session Minutes – Motion by Councilman Gray, second by Councilman Olson, to adopt the minutes as presented.

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

**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 remove Resolution 98-2018 and 100-2018 from the agenda and approve the consent agenda.

- Approval of Raffle – 50/50 & Tricky Tray - Anti Bully Squad, May 5, 2018
- Approval of Raffle – 50/50 & Tricky Tray – New Jersey Forestry Association – June 1, 2018
- Resolution No. 96-2018 – Authorization to Purchase Compact Tractor Loader & Backhoe Under the Educational Services Commission of New Jersey Cooperative Pricing System for Budget Year 2018 – Not to Exceed - \$38,845.74
- Resolution No. 97-2018 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder
- Resolution No. 99-2018 – Resolution Authorizing an Interlocal Service Agreement with the County of Sussex for the Provision of Road and Street Sign Manufacturing Services

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

Resolution No. 98-2018 – A Resolution Authorizing the Township of Byram to Enter into a Cooperative Pricing Agreement – Cranford Police Cooperative Pricing System. Motion by Councilman Gray, second by Councilwoman Kash to adopt this resolution. Harvey asked if this resolution authorizes the leasing of the police vehicles. Alex stated that this resolution is only to join the co-op, not to lease the vehicles. There will be a resolution at the next meeting to lease 2 vehicles. Harvey expressed his opposition to replacing vehicles that have 90,000 miles on them. He feels they can be used for 1-2 more years. Joe Sabatini stated that if the Council did not want to purchase the vehicles he needed to know.

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

Resolution No. 100-2018 – Resolution in Support of the Modification of NJ 8:40-6.3 that Basic Life Support Ambulance may Respond to the Scene of an Incident with only One EMT on Board, while a Second EMT either Meets the Ambulance in Route or at the Scene of the Incident to Accompany a Patient to the Hospital, provided EMT is Medically Equipped to Provide Patient Care – Motion by Councilman Olson, second by Councilwoman Kash to adopt the Resolution. Harvey would like to adjust some of the language in the 7<sup>th</sup> Whereas and David asked to add NJSA in front of the statute numbers. The motion was amended. The Whereas now reads, “this law has resulted in delayed response times within Lakeland’s 50 square mile coverage area, delaying essential patient care and therefore unnecessarily putting lives at risk.”

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

**MAY 1, 2018 BILL LIST**

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

**ORDINANCE – 2<sup>nd</sup> Reading / Public Hearing**

- **ORDINANCE NO. 9-2018 - BOND ORDINANCE APPROPRIATING \$550,000, AND AUTHORIZING THE ISSUANCE OF \$522,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF BYRAM, IN THE COUNTY OF SUSSEX, NEW JERSEY.**

Motion by Councilman Olson, second by Councilman Gray to adopt the ordinance. Joe stated that we will be working with the Chief and enter into an agreement with someone to put together a spec. Scott thanked Todd and the rest of the Capital Committee in getting through this process.

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

Be It Resolved that Ordinance 9-2018 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

**ITEMS FOR DISCUSSION**

- Fracking – Delaware River Basin – Scott, as liaison to the Environmental Commission, told the Council that the EC is recommending that we support this resolution to continue the moratorium on fracking in the Delaware River Basin. The Council had a short discussion and there was a consensus that they were in favor of passing this resolution. Mayor Rubenstein asked the public if they have any comments. Luann Byrne, Richmond Road, asked for clarification on the comments. Ali Griffith, stated that she supports the moratorium on fracking. Alex closed to the public. Motion by Councilman Olson, second by Councilwoman Kash to add Resolution No. 101-2018 to the agenda.

**RESOLUTION NO. 101-2018 – A RESOLUTION CALLING ON THE DELAWARE RIVER BASIN COMMISSION TO PROTECT THE PRECIOUS DRINKING WATER RESOURCES OF THE DELAWARE**

RIVER REGION BY ENACTING A COMPLETE AND PERMANENT BAN ON FRACKING – Motion by Councilman Olson, second by Councilwoman Kash to adopt the resolution.

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

- Paperless Agenda – The Manager has looked at several agenda management systems options with staff. Randolph Township uses Board Docs and Joe thinks it could work well for Byram. Alex asked if there was a webinar or video for the Council to view before a decision is made. David would like to talk about video taping meetings and putting it on the web to view. We can add this to a future meeting discussion.
- School Resource Officer – Alex feels that we should have a joint public meeting with the school. David informed the public that our Police Chief suggested to the school that an officer could do paperwork at a small work station in the school instead of at the police department to have more of a presence in the school. He commended the Chief for coming up with this idea. Scott also commended the Chief for having the police show up at the school or the parking lot each day for additional public presence. Alex asked if he had support to reply back to Andrew McElroy that the Council would like to have a joint meeting with the school. The Council was in favor of doing so.
- Municipal Building Subcommittee – Harvey had an idea of utilizing all the candidates and breaking down into 3 groups to research the different options--build, renovate or lease. Alex asked for comments from the public.

Chief Rudloff said that a report from the committee could be given at each Council meeting  
 Tony Chalpaty, 2 Stag Pond Road, suggested setting up two groups, instead of 3. He mentioned a few strategies  
 Luann Byrne, 52 Richmond Rd., stated that we paid for a lot of research and she would hope that the committee would look over the work.  
 Skip Danielson, 18 Hunter Lane, suggested that the two groups could divide into one for site and the other for need.  
 Chris Franco – She said that first the committee should start with the needs of the Township.

The Council will hold a special workshop with the entire group of the Council on May 14<sup>th</sup> or 21<sup>st</sup>. Doris will reach out to all the applicants and ask their availability. Based on the response, we will set the meeting day which would get the most attendance.

Byram Day – Alex attended a meeting with Jen Kerr, Donna Griff, Mary Schneider, and Robert Androsky. Alex asked if the Council would be interested in changing the structure of Byram Day, such as moving the start time to 3 or 4 and going into the evening and also having a band or fireworks in the evening. Nisha and David would like to see change. David would like to give the committee more resources to work with. David feels it is best to keep the rides either free or paid for by a sponsor so that we don't have exchange of money. Alex asked if he has the support of the Council that he would be the liaison to the Byram Day committee. The Council was in favor.

**PUBLIC PARTICIPATION II**

Motion by Councilman Olson, second by Councilwoman Kash to open to the public. All members in favor. Motion carried. No comments were made. Motion by Councilman Olson, second by Councilwoman Kash, to close to the public. All members in favor.

**Executive Session II**

**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
  - Stag Pond Road

- Worker Compensation
- b. Personnel
  - Auditor Interview – Dieter Lerch
- c. Contract Negotiations
  - PBA Negotiations

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**

Motion by Councilman Olson second by Councilman Gray to go into closed session and adopt the above resolution.

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

Certification: I certify that the Byram Township Council adopted the above resolution on May 1, 2018.  
Doris Flynn, Municipal Clerk

**RETURN TO OPEN SESSION** - Motion by Councilman Olson second by Councilwoman Kash to return to open session at 1135: pm. All members were in favor. Motion Carried.

**ADJOURN**

On the motion of Councilwoman Olson, second by Councilwoman Kash and with all members in favor, the meeting was adjourned at 1135: p.m. Motion carried.

\_\_\_\_\_  
Doris Flynn, Municipal Clerk

\_\_\_\_\_  
Alexander Rubenstein, Mayor