

BYRAM TOWNSHIP COUNCIL MEETING - JULY 17, 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 late (6:32); Councilman Olson, late (6:39); 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. Contract Negotiations
 - PBA
 - Shared Services:
 - Joint Court with Andover
 - Construction Services - DCA
- b. Attorney Client Privilege Communication
 - General
 - Policy Restoration/Repair ROW
 - Tomahawk Lake
- c. Anticipated /Pending Litigation

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 Gray second by Councilman Roseff 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
No					
Abstain					
Absent		x	x		

Certification: I certify that the Byram Township Council adopted the above resolution on July 17, 2018.
 Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson second by Councilman Roseff to return to open session at 7:30 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. All members were in favor. Motion carried.

APPOINTMENT OF RECREATION COMMITTEE MEMBER – Nicole C. Halajian – filling unexpired 3-year term expiring 12/31/2019 – Motion by Councilman Olson, second by Councilman Gray to appoint Nicole to the committee. All members in favor. Motion carried.

PROCLAMATION – The Mayor read the proclamation which recognized Miss Byram, Junior Miss Byram, Young Miss Byram, and Little Miss Byram. Little Miss Byram and Young Miss Byram were present and Recreation Director Jen Kerr presented them each with a sash and crown. Motion by Councilman Olson, second by Councilman Kash to authorize the Mayor to sign the Proclamation.

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

COUNCIL REPORTS

Township Manager – Due to our summer schedule, there will be one Council meeting in August, which is on August 14.

Mayor Rubenstein

- Attended the Sussex County Transparency Committee meeting.
- Kids Triathlon – Good day and lots of fun was had by everybody
- Attended the July 5th Planning Board meeting
- Attended a Special Council meeting on July 10 for a DCA presentation on Construction Services
- Participated in a meeting at Tomahawk Lake with George Shivas, Cory Stoner, Sparta and Byram Chief of Police, and the Township Manager to review the site in preparation for the Planning Board meeting.

Councilman Roseff – Attended the DCA special council meeting and building subcommittee meeting

Councilman Olson – Environmental Commission will meet on July 26 and the Open Space committee will meet on August 13.

PUBLIC PARTICIPATION I

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

Motion carried.

LeeAnn and Bill Clark, 6 Joan Drive, asked if a decision was made regarding planting trees and bushes in the right-of-way in front of her property. Alex stated that the Council discussed the matter and has decided that no further restoration will done at the ROW bordering her property. LeeAnn stated that she is very disappointed in the decision of the Council.

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

APPROVAL OF MINUTES

- July 2, 2018 – Regular and 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		x			x
Absent					

- July 10, 2018 – Regular 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	x	x			
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 Olson, second by Councilman Gray to approve the consent agenda. Councilman Roseff referred to Resolution 145-2018 and asked what the impact

on the park would be. Joe stated that the hunting occurs where the trail is and the hunters have to abide by the State laws. Scott described the area where the hunting takes place.

- Resolution No. 141-2018 – Confirming the Redemption of TTL #2010-031 – Block 337.08, Lot 42.11 – Matthew Drive
- Resolution No. 142-2018 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – Block 403 Lot 81- 8 Sandys Road
- Resolution No. 143-2018 – Resolution Authorizing the Acceptance of a 2018 Radon Awareness Program (RAP) Grant from the New Jersey Department of Environmental Protection in the Amount up to \$2,000
- Resolution No. 144-2018 – Resolution Extending Grace Period for Payment of 2018 Third Quarter Taxes
- Resolution No. 145-2018 – Resolution of the Governing Body of the Township of Byram for Deer Hunting on Municipally-Owned Property for the 2018-19 Hunting Season

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

JULY 17, 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					

ITEMS FOR DISCUSSION

- Municipal Building – Mark Alpaugh, MJA Architecture, came to the subcommittee meeting on July 16 to explain the estimate that he provided 2 years ago. The estimate was based on a conceptual plan with little information, which is why the estimate appeared high. He talked about ways to reduce the cost and felt it could get brought down to \$400 per square foot. Alex stated that he feels Mark could be an asset at future meetings when they develop ideas. Mark was involved with the buildings in Hardyston, Sparta and Howell. Harvey spoke to Fred Braun who was one of the contractors who built the original building, and he is available Tuesday, July 24 at 7 p.m.

The next meeting is August 6 at 7 p.m.

- BPU Meeting – Joe, Harvey and Alex will be attending a meeting and would like to have an agenda. Tom said to ask about the BPU requirements. Harvey said you have to distinguish Federal and State regulations. David stated that we need to talk about Internet. Jackie Espinoza texted Alex to let him know the JCPL is proposing a rate increase of approximately \$12/household to fund the capital program for the JCP&L footprint by \$400 million. She was asking for Byram’s support. Alex emailed the BPU to ask when the hearing would be. They did not have a date, but stated there would be at least 3 weeks notice. Alex would like the Council to pass a resolution that he could bring to the hearing.
- Email from Trevor Patterson, NGKF, to Zoning Officer inquiring about the Township’s position on allowing areas and buildings for a company to obtain space to grow marijuana indoors and in a controlled environment if the State passes laws to allow it. David Gray stated that he is not opposed to allowing marijuana to be grown in Byram Township once it becomes legal in New Jersey. He thought it could be something good for the farmers in Sussex County. Scott stated that it is grown inside of buildings, but there are issues with impervious coverage in the Highlands area. There will be further discussion on this.

PUBLIC PARTICIPATION II

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

73 River Road, asked for clarification on what was said about the estimate of a new municipal building. Alex stated that the estimator came to the building committee meeting to explain how he arrived at the \$7 million estimate for the concept municipal building plan presented in 2017. He asked if the BPU meeting the Township officials are attending is public. Harvey stated that it is a meeting with 2 Council members with staff of BPU. The BPU hearing for JCP&L rate increase will be public but a date has not been set yet.

Jack Moran, asked if natural gas was going to be discussed with BPU. Alex said they will be talking to the BPU about telecommunications, but it is something they will talk to the BPU about in the future. Alex talked to several companies at length at the Mayor’s convention. Unfortunately, the gas company that is in Netcong does not have the franchise rights in Byram, however, Elizabeth Town has the franchise for natural gas in Byram. As of now there is no interest in bringing it through Byram.

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BYRAM TOWNSHIP COUNCIL

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

Certification: I certify that the Byram Township Council adopted the above resolution on July 17, 2018.
Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson second by Councilman Roseff to return to open session at 9:45 pm. All members were in favor. Motion Carried.

ADJOURN

On the motion of Councilwoman Olson, second by Councilman Roseff and with all members in favor, the meeting was adjourned at 9:45 p.m. Motion carried.

Doris Flynn, Municipal Clerk

Alexander Rubenstein, Mayor