

**BYRAM TOWNSHIP COUNCIL MEETING - AUGUST 14, 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, late(6:55); Councilwoman Kash, Absent; Councilman Olson, here; Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joe Sabatini, Tom Collins and Deputy Municipal Clerk Cindy Church.

**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
  - Lakeland Emergency Squad Agreement
- b. Shared Services
  - Joint Court Agreement
  - Construction Department
  - Other
- c. Personnel – Professional Appointments for 2019
- d. Contract Negotiations - PBA

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 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 August 14, 2018.  
 Cynthia Church, Deputy 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 Councilman Roseff to approve the agenda with the removal of the Introduction to the Ordinance pertaining to the Amendment of Section 112-1. All members were in favor. Motion carried.

**PROCLAMATION** –Childhood Cancer Awareness Month. The Mayor read the proclamation which recognized September as Childhood Cancer Awareness Month. Motion by Councilman Olson, second by Councilman Gray 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
No					
Abstain					
Absent		x			

**COUNCIL REPORTS**

Township Manager – Next meeting is scheduled for September 4, 2018

Mayor Rubenstein – On July 16, 2018, Alex, Harvey and Joe attended a meeting with the DCA in regard to what services they could offer. They also met with the BPU, which led to a meeting with Elizabeth Town on how to bring Natural Gas into certain sections of the municipality. On August 6, 2018 there was a Municipal Building Subcommittee meeting. This Thursday, August 16, 2018 there is a Planning Board meeting.

Councilman Roseff – Had another municipal building subcommittee meeting and a tour of the Stillwater facility which was done as a rehab. Also met with Fred Braun who built the shell around the trailers. He explained how he did it and what the foresight was in terms of a transition path to a permanent municipal facility. The foundation and trailers are separate from the outer shell. He was also with Alex at the BPU meeting, and pursued natural gas, POTS, Internet service, and cable franchise agreement.

Councilman Olson – In regard to Elizabeth Town Gas, Lake Mohawk County Club is taking a lead on taking a survey on interest. Open Space committee met last night and reviewed the Open Space, Recreation, and Farmland Historic Preservation Plan and the DEP requires any town receiving money to have a new plan starting this year. Ben Spinelli from Greener by Design is working on updating this plan so that it meets the DEP standards. The Environmental Commission meeting is on August 23, 2018 at 7:30 pm.

Councilman Gray – Since the last meeting he had a chance to meet with Andover Township’s leadership and business administrator with Joe regarding various shared services including the court. Although nothing is locked in yet, both Byram Township and Andover Township are happy with the arrangement that they have, and the relationship is expected to continue. He hopes it will continue indefinitely, but there may be at least a 10-year agreement. Had another discussion with internet and utilities, and Andover will support Byram Township.

Tom Collins – Nothing to report.

**PUBLIC PARTICIPATION I**

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

Richard Schneider – River Road – What parts of the Township is Elizabethtown Gas interested in? Alex stated Forest Lakes, Lake Mohawk and Forest West. Elizabethtown Gas will be sending out survey money for interest.

Joanne Smith – 57 Lake Drive – Questioned the Irrigation System for Tamarack Park. Joann asked if this is being funded by the Open Space. Alex, responded that yes it will.

Skip Danielson – 18 Hunters Lane – Asked if we had street addresses for consent agenda items D, E & F? Joe provided him with the addresses. Still fighting for the resolution, for his son and his family.

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

**APPROVAL OF MINUTES**

- July 17, 2018 – Regular and Closed Session Minutes – Motion by Councilman Olson, second by Councilman Gray, 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
No					
Abstain					
Absent		x			

**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.

- Approval of Raffle - Jr. Woman’s Club of Sparta – September 8, 2018 – Byram Day
- Resolution No. 146-2018 – Resolution Authorizing the Issuance of Not Exceeding \$1,012,000 Bond Anticipation Notes of the Township of Byram, In the County of Sussex, New Jersey
- Resolution No. 147-2018 – 2018 Parks and Recreation Summer Program Refunds
- Resolution No. 148-2018 – Resolution Authorizing the Execution of Contract for Repair Under a Rehabilitation Grant to Francen Contracting for Block 111, Lot 3 in Accordance with the Byram Township Housing Rehabilitation Program – Not to Exceed \$8,200
- Resolution No. 149-2018 – Resolution Authorizing the Execution of Contract for Repair Under a Rehabilitation Grant to Francen Contracting for Block 364, Lot 3 in Accordance with the Byram Township Housing Rehabilitation Program – Not to Exceed \$10,000

- F. Resolution No. 150-2018 – Resolution Authorizing the Execution of Contract for Repair Under a Rehabilitation Grant to Francen Contracting for Block 209, Lot 22 in Accordance with the Byram Township Housing Rehabilitation Program – Not to Exceed \$9,500
- G. Resolution No. 151-2018 – Resolution Authorizing the Signing of the Updated Recreation and Open Space Inventory (ROSI)
- H. Resolution No. 152-2018 – Resolution Authorizing Ruderman, Horn & Esmerado, P.C. to Update the Personnel Policies and Procedures Manual – Not to Exceed \$8,930
- I. Resolution No. 153-2018 – Resolution to Award the Bid for Proposed Automatic Irrigation System for Tamarack Park – Not to Exceed \$45,000

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

**AUGUST 14, 2018 BILL LIST**

Motion by Councilman Olson, second by Councilman Gray 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
No					
Abstain					
Absent		x			

**ORDINANCES – 1<sup>st</sup> Reading / Introduction**

- BE IT RESOLVED that Ordinance entitled “**Ordinance for Administration & Hourly Positions Salary and Wages for the Year 2018-2021**” be read by title on first reading

Motion by Councilman Olson, second by Councilman Gray to introduce this ordinance.

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion			x		
2nd	x				
Yes	x		x	x	x
No					
Abstain					
Absent		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 September 4th 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.

**ITEMS FOR DISCUSSION**

- Municipal Building – Council received a memo from Mayor Rubenstein and the subcommittee. Mayor Rubenstein stated that this memo is intended to be a status of where the subcommittee is at. The idea is for the Council to ask any questions on the memo that was provided to them. Councilman Olson commented on storage and suggested a compact system of storage that is on rollers and stated that Doris has the paperwork on these types of systems. The Council together reviewed the memo.
  - Question #1, are we comfortable with the design of new building not having provisions for a Court? Scott stated that this was taken into consideration in the original plan. They made provisions before, however, they made it usable space that could be used for things other than a court. David said that tweaks could be made later, should a court need to be brought back. Joe mentioned that in the preliminary design, layout of the facility was to avoid having multiple entrances to the building.
  - Question #2, Is the Council comfortable with a smaller meeting space? Scott Olson provided his input on square footage and how they came up with the numbers in the past. David was comfortable with a smaller meeting space but said that we need to weigh the needs of the community for a public meeting space with the cost. Harvey would like to have a meeting with the committees, commissions, community groups and seniors in to see what their needs are. The space should be useful.
  - Question #3 - Requesting authorization for expenditure for structural analysis for the footings, foundation, piers and understand the feasibility of their re-use, further, for a structural analysis of the existing shed roof to understand the suitability for re-use. David was in favor of authorizing this expenditure. If the consensus of the Council is that this is a good idea, Alex would work with Joe to write an RFP, and have a resolution ready for the next meeting. Joe recommends having Cory and the structural engineer from

his office to attend the next subcommittee meeting to help set parameters of what needs to be looked at structurally. The benefit of using Cory is to use his Professional Service Agreement.

- Question #4 - Asking the Council for a properly qualified civil engineer to attend their next meeting to get a clearer understanding of the permitting process? Harvey said that this person should be more independent, including DEP permitting expertise. David said that he does not have an issue with Cory attending the meeting as he has a lot of background knowledge. Scott believes that we should have Cory do the work. He has the experience and has always done what Township has requested of him. Harvey Roseff said that he thinks that the engineer that they hire should have a re-habilitation specialty.

Alex added that they will be taking a tour of the Roxbury Municipal Building. Alex asked if anyone present from the subcommittee would like to provide any comments. Mr. Romano said that he agrees with the Council with having Cory meet with the subcommittee. He said that the members of the subcommittee have plenty of knowledge and expertise to question and/or challenge Cory. This would save a lot of money and time. He is also inviting the subcommittee for a site visit to his corporate office to see a total rehab on a private sector building.

- Scheduling of Committees, Commissions and Community Groups - Harvey would like to ask the Committees, Commissions and Community Groups to come to a Council meeting to present to us what is important to them. It was decided to hold a special committee head meeting on October 30<sup>th</sup> at 7 p.m. The Council will invite the Cranberry Lake Community Club and the DEP to attend the Byram Township Council meeting on September 18, 2018 to discuss the Cranberry Lake Bridge.
- Videotaping Council Meetings – David would like to see the Byram Township Council meetings videotaped. SECTV provides free videotaping. Scott said that Vernon, Lopatcong, and West Milford video tape their meetings. Lopatcong has a simple camera in the back of their meeting room that streams and is published on Youtube. David said that we should ask at the committee head meeting to see if there is any interest. This will need to be investigated further.
- BPU/Cable Franchise Agreement Discussion - Cable Franchise agreement is going to expire 6/2020. Any challenges of service, needs to be documented two years prior to the expiration. Need to identify service issues allowing them the opportunity to fix the issues. The only thing that is regulated by the BPU is video only. Joe made a recommendation to look at the document and see if there are any changes or directions to which to go.
- 2019 Budget – The Department Head Budgets are due by the end of August. Joe will be updating the salary & wage line items. Any specific items that the Council is considering need to be defined ASAP. There was discussion on the makeup of the Budget Finance Committee. Alek and Harvey will be on the Budget Committee, and Scott and David on the Capital Committee.

## **PUBLIC PARTICIPATION II**

Motion by Councilman Olson, second by Councilman Gray to open to the public. All members in favor. Motion carried. No Comments.

## **ADJOURN**

On the motion of Councilwoman Olson, second by Councilman Roseff and with all members in favor, the meeting was adjourned at 10:05 p.m. Motion carried.

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Cynthia Church - Deputy Municipal Clerk

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Alexander Rubenstein, Mayor