

BYRAM TOWNSHIP COUNCIL MEETING - SEPTEMBER 19, 2017

EXECUTIVE SESSION – 7:00 P.M.

REGULAR SESSION – 7:30 P.M.

CALL MEETING TO ORDER

Deputy Mayor Gray called the meeting to order at 7:02 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

Councilwoman Raffay, here; Councilman Gray, here; Councilman Olson, here; Councilwoman Kash, here; Mayor Oscovitch, absent. Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Doris Flynn were also present.

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
 - Health Benefits
 - Raimos License
- b. Anticipated / Pending Litigation
 - Mid American Salt Update
- c. Personnel – Staffing
- d. Contract Negotiations – Labor 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

Certification: I certify that the Byram Township Council adopted the above resolution on September 19, 2017.
Doris Flynn, Municipal Clerk

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

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd	x				
Yes	x	x	x	x	
No					
Abstain					
Absent					x

RETURN TO OPEN SESSION - Motion by Councilwoman Raffay second by Councilwoman Kash 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 with the removal of item B and C from the consent agenda to allow discussion. All members were in favor. Motion carried.

TOWNSHIP MANAGER/COUNCIL REPORTS

Manager’s Report

- The Manager thanked the Byram Day Committee and everyone else who contributed to making Byram Day a successful event.

- Joe reported the results of the bond anticipation note sale. We purchased \$562,500 and the low bidder was determined to be Roosevelt & Cross at a net interest rate of 1.6928%.

Nisha Kash – Thanked the Byram Day committee and volunteers for a great day. It was a great layout and enjoyed by many.

Councilman Olson

- Scott announced that there was no superfund site visit this morning because Congressman Frelinghuysen went to visit the areas devastated by the hurricanes. He will reschedule.
- Scott commended the committee and the employees that helped to make Byram Day such a great event. It was well attended.

Councilman Gray

- Byram Day was a hit. The bounce rides for free is a great idea, and no one had to deal with money. The touch a truck was also terrific. David Gray thought we should consider going back to having Byram Day at CO Johnson. People have been saying that fireworks would be great. If fireworks could be funded by a business association, we may be able to do it again.
- On September 8 we unveiled a new street sign for Fireman Rich Choate who had passed away. There are two signs above the Crescent Drive North sign with Rich’s name.
- We received a notice from the NJ Office of Attorney General letting us know about the Safe Care Cam Program. It is a program to protect elderly and disabled New Jerseyans. If a caregiver is suspected of engaging in misconduct, the Attorney General’s office will loan a hidden micro-camera, free of charge, for the purpose of assuring that the caregiver is acting appropriately. David suggested bringing this to the senior’s attention at their next meeting.

Councilwoman Raffay – Marie thanked the employees and committee for a great Byram Day. There is a Planning Board meeting on September 21 at 8 p.m.

PUBLIC PARTICIPATION I

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

Joann Smith, 57 Lake Drive, asked why there hasn’t been discussion about the resolution the Mayor of Newton came to speak about. She would like to see the Council have a group public discussion. Scott stated that he felt that the resolution was poorly written and he hasn’t had time to draft anything else up. He also had conversation with School Board President Andrew McElroy and he brought up many more facts to consider. David likes the concept but isn’t quite sure if it would work for Byram. He definitely feels a study would need to be done.

Skip Danielson, 18 Hunter Lane, commented on Resolution 142-2017 and asked if there were other grants that Statewide gives out. Joe stated that this was the only grant he was aware of, and Statewide started doing this about 3 years ago. Statewide potentially gives back 1% of the Workers Compensation and/or All Lines assessment premium to members based on the purpose and benefit of the project. Skip stated that his committee is working hard on changing the workman’s compensation law. This is not for a specific case--it is a resolution to address that the law needs to be revised. He is asking that Byram support this movement by adopting the Resolution.

Kevin Danielson, a resident of Hackettstown, commented that events like Byram Day takes many volunteers. All types of volunteers are very valuable. He asked that the Council consider passing the resolution support change in the workman’s compensation law that Skip talked about.

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

APPROVAL OF MINUTES

- September 5, 2017 – Regular Minutes – Motion by Councilman Olson, second by Councilwoman Kash, to adopt the minutes as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

- September 5, 2017 - Executive Meeting Minutes –Motion by Councilwoman Raffay, second by Councilman Olson, to adopt the minutes as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
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 Councilwoman Raffay to approve the resolutions with adding Resolution 142-2017 back to the consent agenda since it was already discussed during public participation.

- A. **Resolution No. 141-2017** – Authorize Refund of Redemption Monies to Outside lien Holder – Block 183 Lot 1
- B. **Resolution No. 142-2017** – Resolution Authorizing the Submittal of a 2017 Statewide Insurance Fund Grant for Security Cameras
- C. **Resolution No. 144-2017** – Resolution of Acceptance of Donations for the Celebration of Byram Day
- D. **Resolution No. 145-2017** – Resolution Directing the Township Manager to participate in a Reverse Auction for Electricity Generation Through Energy Market Exchange (EMEX) on October 17, 2017
- E. **Resolution No. 146-2017** – Award of Bid to Contractor under the Morris County Cooperative Pricing Council for Proposed Improvements to Amity Road – Phase II – Guide Rail – Not to exceed \$3,330
- F. **Resolution No. 147-2017** – Resolution to Award the Bid for Well Pump, Piping & Accessories at Tamarack Park to DPS Pump Services, LLC – Not to Exceed \$49,604
- G. **Resolution No. 148-2017** – Resolution of the Mayor and Council Approving the Attached Grant Agreement Between the Township of Byram and Morris Habitat for Humanity Regarding an Affordable Single Family House
- H. **Resolution No. 149-2017** – Resolution Authorizing the Sale of the 2003 Ford Wagon to the Lakeland Emergency Squad – For \$1.00

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2 nd	x				
Yes	x	x	x	x	
No					
Abstain					
Absent					
					x

Resolution No. 143-2017 – Authorize the Purchase of Radio Communication Equipment and Services for Byram Township – Not to Exceed \$136,882.11 - Motion by Councilman Olson, second by Councilwoman Raffay, to adopt this Resolution.

Councilman Olson stated that quite a while ago we had decided not to support the Assistant Chief’s Vehicle with gas or equipment. He is asking the Council if we are going to now start supporting this vehicle. When we purchased the new Chief’s vehicle, we stated that we would not support the Assistant Chief ‘s vehicle. It has a radio in it now and David Gray thought we should put a new radio in it. David did not want to upset the operation of the Fire Department. Marie thought Scott had a valid point because we had made a decision to not support the Assistant Chief’s vehicle. Joe stated that he could inform Todd that putting a radio in this vehicle, does not mean that we are supporting it. Scott said that he would be satisfied with that as long as we make it clear to Todd that it is not a change in policy.

Motion by Councilman Olson, second by Councilwoman Kash to open to the public. All in favor. Skip Danielson, 18 Hunter Lane, asked how many portable radios are being purchased. Joe Sabatini went over the list for each department. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. Motion carried.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2 nd	x				
Yes	x	x	x	x	
No					
Abstain					
Absent					
					x

SEPTEMBER 5, 2017 BILL LIST

Motion by Councilwoman Kash, second by Councilman Olson to approve the bill list as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion				x	
2 nd			x		
Yes	x	x	x	x	
No					
Abstain					
Absent					x

ITEM FOR DISCUSSION

Municipal Building – David Gray stated that this has been an ongoing discussion. We are looking at new options and getting ideas from other towns. Scott Olson stated that we are at an impasse because we do not have funding. David said we need an emergency stop gap for repairs. There was a lengthy discussion regarding how we could move forward. We could move forward with interviewing architects. We could put money in the budget in 2018 to fund work to move forward on a plan, or we could do bonding. Joe explained how the bonding works and talked about the good rates we are getting right now. Joe stated that he felt we had a good plan, but we were not able to move forward. David said we should take small steps and do bonding in stages. David would like to start up the subcommittee again and find out our next step. We can look at options to possibly remodel the finance end of the building and build an addition. Scott would like to spend some more money to get professionals in here to come up with a plan. It was a consensus among the Council present to take this route. They felt the Mayor would be supportive of this. We can review the list of architects and schedule interviews. We will need to allocate an hour for each interview. This is a fact-finding approach. Doris will reach out to the Council to get dates for interviews.

Marie would like a letter written under the Mayor’s signature to the County Engineer’s office regarding the condition of guide rails on our County roads outlining some of the deficiencies. She feels they are not maintained and need attention. Marie would like to see some systematic replacements done.

PUBLIC PARTICIPATION II

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

Luann Byrne, Richmond Road, commented on the discussion on the municipal building. She stated that we shouldn’t second guess all the work we have done, because we have done a lot of great work. She feels that it is a good plan to get a firmer number and get more facts about the site work. Luann thought it would be wise to get 3-4 people who disagreed with the plan to include them in the meetings. Scott said he would first like to get a professional on board and then include people in a meeting who are for and against. Luann thought that was a good plan.

Skip Danielson, 18 Hunter Lane, asked if we looked at the Blirstown municipal building. He said it looks functional without a lot of bells and whistles. Skip stated that on October 17, the LES would be dedicating the Gooddale building in Scott’s name and they would like the Mayor and Council in attendance. He reported on a telephone pole just north of the Mountainside restaurant that looks unstable and dangerous. Marie asked if Mike Orgera could take a look at it and see who owns the pole and give them a call to look at it.

Skip mentioned that many years ago, Pete Kero offered to do the blasting to put in Indian Springs Road and as payment he would take the rock. Skip said that maybe Tilcon would be interested in something like that.

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

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

RESOLUTION

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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

Certification: I certify that the Byram Township Council adopted the above resolution on September 19, 2017.
Doris Flynn, Municipal Clerk

Motion by Councilman Olson second by Councilwoman Kash to go into closed session and adopt the above resolution at 9:07 pm. All members in favor. Motion carried.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2 nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

RETURN TO OPEN SESSION - Motion by Councilwoman Raffay second by Councilman Olson to return to open session. Councilwoman Kash left the closed session meeting at 9:40 p.m. All members were in favor. Motion Carried.

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Raffay and with all members in favor, the meeting was adjourned at 11:00 p.m. Motion carried.

Doris Flynn, Municipal Clerk

David Gray, Deputy Mayor