

BYRAM TOWNSHIP COUNCIL MEETING - SEPTEMBER 5, 2017

EXECUTIVE SESSION – 7:00 P.M.

REGULAR SESSION – 7:30 P.M.

CALL MEETING TO ORDER

Councilman Olson called the meeting to order at 7:05 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, late 7:07 p.m., 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 Litigation
 - Mid American Salt
- c. Personnel
 - Employee Handbook – Sick Time Policy
- d. Contract Negotiations
 - PBA Negotiations
 - Forest South Homeowners Association

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 5, 2017.
Doris Flynn, Municipal Clerk

Motion by Councilwoman Raffay second by Councilwoman Kash 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	
No					
Abstain					
Absent		x			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 Raffay to approve the agenda. All members were in favor. Motion carried.

TOWNSHIP MANAGER/COUNCIL REPORTS

Manager’s Report

- Byram Day is September 9, 11 am. – 5 p.m. at Neil Gylling Park

- Amity Road is scheduled for milling and paving the week of September 18.
- Acknowledged the Police Department, Fire Department and Squad for collecting and delivering items to Texas due to the devastation by Hurricane Harvey

Councilman Gray – David announced that there was a sign dedication for Fireman Rich Choate who passed away. They will be placing a sign “Rich Choate Way” on top of the Crescent Drive North sign on Friday, September 8 at 6 p.m.

Councilwoman Raffay stated that there is a Planning Board meeting on September 7 at 8 p.m.

Councilman Olson

- Byram Historical Society meets here on September 6, 2017 at 7 p.m.
- The switch to the 911 to the County has been moving along quite smoothly and will be completed by the end of the year.
- Announced that Congressman Frelinghuysen will be walking the Mansfield superfund site on September 19 at 9 a.m.
- Asked to put the discussion of next steps on the municipal building at the next meeting.

PUBLIC PARTICIPATION I

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

Joann Smith, 57 Lake Drive, read a prepared statement responding to Marie and Scott’s comments made at the end of the public hearing on the repeal of the bond ordinance.

Skip Danielson, 18 Hunter Lane, commented on the workman’s compensation situation. He feels the law is antiquated.

Helene Jaros, 460 Stanhope Road, is one of the vendors for Byram day and is looking for a layout plan. Joe said that will be given to the vendors on Friday.

Charles Iulo, 101 North Shore Road, asked if we could make the audios public after each meeting. He offered to volunteer as a resource for planning a new municipal building. He stated that Frogmore is 14,000 square feet and is available. The price is negotiable at approximately \$1 million. He would like to see discussion about the push for County wide boards of education consolidation. David Gray replied that we are looking into audio and video. David thanked him for offering to assist the Township in future planning of the municipal building.

Alex Rubenstein, 3 Partridge Run, commented that he has been working with the Freeholders on setting up video recording of their meetings and offered his assistance to us.

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

APPROVAL OF MINUTES

- August 1, 2017 – Regular Minutes – Motion by Councilman Olson, second by Councilwoman Raffay, to adopt the minutes as presented.

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

- August 1, 2017 - Executive Meeting Minutes –Motion by Councilman Olson, second by Councilwoman Raffay, to adopt the minutes as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd	x				
Yes	x	x	x		
No					
Abstain				x	
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 consent agenda.

- A. **Resolution No. 132-2017** – Resolution Authorizing the Execution of Documents Associated with the Real Estate Contract for Block 337.01, Lots 82 and 85 by and between the Township of Byram and Forest South Homeowners Association, Inc.
- B. **Resolution No. 133-2017** – Resolution Authorizing PK Environmental to Provide a Preliminary Assessment and Environmental Site Assessment of Block 337.01, Lots 82 & 85 for Open Space Purposes
- C. **Resolution No. 135-2017** – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Withholding From Tax Sale Delinquent Special Assessment” – Block 406 Lot 94 – 7 Peachtree Street
- D. **Resolution No. 136-2017** – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Withholding from Tax Sale Delinquent Special Assessment” – Block 276 Lot 536 – 5 Lake View Drive
- E. **Resolution No. 138-2017** – Resolution Authorizing Finelli Consulting Engineers, Inc. to Provide Professional Surveying Services for Block 226, Lots 26 & 26.08 for Open Space Purposes
- F. **Resolution No. 139-2017** – Resolution of Acceptance of Donations for raffle baskets for the Environmental Commission Raffle for the Celebration of Byram Day
- G. **Resolution No. 140-2017** – Resolution for Environmental Commission to Purchase Miscellaneous Items Not to Exceed \$40.00 for Byram Day Raffle Baskets

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

RESOLUTIONS

- A. Resolution No. 134-2017 Resolution Authorizing Submittal of CY2017 Best Practices Inventory Certification Form – Joe Sabatini stated there were 25 questions on the Inventory Form. Byram scored 96% and should receive 100% of State Aid. Marie Raffay asked if there were any new questions and Joe stated that there were not. Motion by Councilman Olson, second by Councilwoman Kash to adopt the resolution.

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

- B. Resolution No. 137-2017 – Authorize Payments in Lieu of Health Benefits for Calendar Year 2018
Joe Sabatini stepped down for this discussion because he receives a waiver for Health Benefits. Deputy Mayor Gray asked if the Council had a comments on this resolution. No comments were made. Motion by Councilman Olson, second by Councilman Raffay to adopt the ordinance.

	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 Councilman Olson, second by Councilwoman Kash 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		
No					
Abstain					
Absent					x

ITEM FOR DISCUSSION

Committee Head Meeting – October 30 at 7 p.m. – Marie Raffay will notify all the groups. The notice will be published as a Special Council meeting.

PUBLIC PARTICIPATION II

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

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.

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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on September 5, 2017. Doris Flynn, Municipal Clerk

Motion by Councilman Olson second by Councilwoman Kash to go into closed session and adopt the above resolution at 8:05 p.m. All members in favor. Motion carried. Councilwoman Kash did not stay for the executive session portion of the meeting. She left after the vote to go into executive session.

	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. 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 10:10 p.m. Motion carried.

Doris Flynn, Municipal Clerk

James Oscovitch, Mayor