

**BYRAM TOWNSHIP COUNCIL MEETING - OCTOBER 16, 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, absent; Councilwoman Kash, here; Councilman Olson, late (6:45 p.m.); Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joe Sabatini 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
  - Fire Department Request for Donation
  - Stag Pond
- b. Contract Negotiations
  - PBA / DPW / Clerical
  - RFPs for Architects

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 Councilwoman Kash 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 October 16, 2018.  
Doris Flynn, Municipal Clerk

**CALL COUNCIL MEETING BACK TO ORDER** – 7:35 p.m.

**FLAG SALUTE AND MOMENT OF SILENCE**

**APPROVAL OF AGENDA** – Motion by Councilman Olson, second by Councilman Gray to approve the agenda with the removal of B, C, E, F and G and the closed session minutes. All members were in favor. Motion carried.

**COUNCIL REPORTS**

Township Manager – Best Practice Inventory was distributed yesterday through LFN2018-26. We are required to return the questionnaire to the State by November 12, 2018. It could impact 5% of the State aid that the municipality receives. There are 61 questions this year and 30 of them are new.

Mayor Rubenstein

- Attended Planning Board meeting on 10-4. They completed their review on LED and will be submitting their suggested changes to the ordinance.
- PB meeting on 10/18 – Deck permit and Sunnyside Landscaping

Councilman Olson

- The Environmental Commission meets on October 25
- Committee Head Meeting is on October 30 at 7 p.m.
- Scott commented on the monster footprints and feels they are getting out of hand

Councilman Roseff – Harvey has continued conversations with the Elizabethtown Gas and CenturyLink to find affordable natural gas service and faster internet for the Township.

Attorney Tom Collins – Stated that the Sign Ordinance is scheduled for second reading and public hearing on November 5. We can discuss the ordinance tonight but it also could get adopted at the next meeting in the format that it was introduced. There was discussion among the Council with regard to the process. He explained that if the Council wanted to adopt the ordinance as written, they would need to adopt a resolution stating their reasons for moving forward to adopt.

**PUBLIC PARTICIPATION I**

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

Don Robbins, 233 Lake Drive, hopes that the Council would consider the Elder Cottage Housing Opportunity (ECHO) here in Byram. He said that this would be much less expensive than assisted living.

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

**APPROVAL OF MINUTES**

- October 2, 2018 – Regular 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	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 Kash to approve the consent agenda.

- Resolution No. 179-2018 – Resolution Authorizing the Execution of an Animal Control Agreement Between the Township of Byram and the Township of Mt. Olive – Shared Service Agreement from January 1, 2018 – December 31, 2020
- Resolution No. 182-2018 – Governors Council on Alcoholism and Drug Abuse – Form 1B – Lenape Valley Municipal Alliance Grant for Fiscal Year 2019
- Resolution No. 187-2018 – Resolution Authorizing the Renewal of Liquor License to Adam Todd Inc Valid from 7/1/2018 Through 6/30/2019
- Resolution No. 188-2018 – Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Whitehall Hill Road Improvement Project.
- Resolution No. 189-2018 – Resolution Authorizing 100% Disabled Veteran Block 342.01 Lot 15 Refund of Taxes Paid from January 1, 2018 thru June 30, 2018 (1<sup>st</sup> & 2<sup>nd</sup> Quarter 2018)
- Resolution No. 190-2018 – Authorization to Purchase LED Lighting Upgrades for the Fire Department on Rescue 3, Tanker 5 & Tanker 7- Not to Exceed \$29,910.20
- Resolution No. 191-2018 – Resolution Appointing the Commissioner of the Statewide Insurance Fund for Byram Township for 2019
- Resolution No. 192-2018 – Resolution Appointing Risk Management Consultant – Statewide Insurance Fund for 2019
- Resolution No. 193-2018 – Resolution Authorizing the Continuation of the 2018/2019 Byram Ski Program Headed by Volunteers

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

**OCTOBER 16, 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
No					
Abstain					
Absent	x				

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

- **ORDINANCE NO. 17-2018 - ORDINANCE FOR ADMINISTRATION & HOURLY POSITIONS SALARY AND WAGES FOR THE YEAR 2018-2021”**

Motion by Councilman Olson, second by Councilman Kash to consider this ordinance for adoption. Scott stated that this ordinance is being amended because there were a few numbers that needed correction. Mayor Rubenstein opened to the public for discussion on this ordinance. No comments were made. Roll call was taken by the clerk.

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
No					
Abstain					
Absent	x				

Be It Resolved that Ordinance 17-2018 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**

- A. Municipal Building - Alex reviewed highlights from the October 3<sup>rd</sup> building subcommittee meeting. There was discussion on the possibility of moving the Police Department to the Cranberry Lake Fire House. Tom stated that the Council should have Cory look at the septic capacity. The requirements depend on the use and the square footage. The Mayor stated that this idea is just in the infancy stages, and many discussions would need to take place to determine if this is feasible. Harvey added that he feels the group is working well together and great discussion is happening at the meetings.
- B. Chapter 164 – Licensing – Alex felt the solicitation section of the ordinance needed clarity. There was discussion about the ordinance, and we will have further discussion at a future meeting on the possibility of amending the ordinance. Joe and Doris will work with Tom Collins.
- C. Ordinance Repealing Chapter 195 – Signs – Joe reviewed the memo from the Planning Board regarding the amendments to Chapter 240. The Council wanted to amend 240-63 to be more permissive with regard to special events. Presently, special events can’t take place from November 1 through March 31. The Council would like to eliminate the timeframe. The Council suggested a few changes in accordance with the Planning Board memo and will reintroduce the ordinance on November 5.
- D. 2019 Budget – Joe distributed a revised 2019 municipal budget memo, based on items received from individual Council members and the goals and objective meeting held earlier in the year. The purpose of discussion tonight is to begin prioritizing items for the 2019 budget.
  - Sign Ordinance Changes - Harvey did not think we should spend a lot of money on a sign ordinance.
  - Marijuana Laws in NJ– Tom Collins stated that new laws regarding the use of marijuana will take place in 2019. Joe stated that we need to be ready to address it. It could involve the drafting and adopting of ordinances. Harvey stated that there will be sample ordinances, which he feels the Council can mark up and put forth. The Council will need to decide the amount that should be allocated to do this.
  - Fleet Management/Vehicle Tracking - \$20,000/year for all township vehicles. – Medium priority
  - Notification System Change – High Priority
  - Video taping of council meetings – Harvey will contact SECTV to check on free video taping
  - Paperless Agenda – High Priority
  - Computer Upgrades – Alex and Joe are working on it – High Priority for 2019
  - Management System – Alex suggested that Joe should decide whether this is really necessary and how much efficiency this would add – Low Priority
  - Records Management – Stanhope uses an imaging company – They budget an amount each year and will continue each year. Alex is in favor of looking into this.
  - Adopt a Spot Program – High Property
  - Municipal Liens – Joe stated that a good deal of prep work has gone into this during the summer. Joe will work with Tom and Doris to move forward on foreclosing on properties and/or auctioning off appropriate properties.
  - Municipal Building – After an architect is selected, we will have a better idea of what funding we will need for 2019.
  - Recreation Capital Plan – Alex would like to see the Open Space Committee work on this. Scott stated that we have the Recreation capital plan from last year. He will review it and make comments on it. Alex would like to discuss responsibilities between the OS, EC and Recreation at the 10/30 committee head meeting.

Streets and Roads

- o NJDOT Grant for Whitehall Hill Road – We are hopeful that we will get the grant but will need to budget a portion of the project from the budget.
- o Other roads – Forest Lakes Roads – Harvey feels roads are a priority. Years ago we mill/pave projects for the roads which lasts 15 years, and now we are just maintaining roads, but not budgeting enough money to do a thorough job. Harvey stated that the shoulders need to be repaired. The maintenance line item should be increased to properly maintain the roads and extra care should be given to the shoulders of the road. He feels putting QP would work. Joe suggested putting swales. Joe will look further into it and make a recommendation.

Speed Bumps – A resident came at the last meeting and asked for help on Birch Parkway to slow down the traffic. Scott was not in favor of speed bumps. Alex stated that he did research after the last meeting and found a type of speed bump that can be removed in the winter. Scott suggested calming methods such as signage and striping on the road. The Police Chief stated that they analyzed the speed for 1 week with a new piece of technology. There was only one vehicle that went significantly over the speed limit. Alex asked Pete for the data, and he will call Robin to discuss.

E. Holiday Lights – The Council did not feel the need to put the holiday lights up earlier than usual. They will be hung the first week in December and taken down the second week of January.

**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 Councilman Kash to close to the public. All members in favor.

**RESOLUTION**

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BYRAM TOWNSHIP COUNCIL

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

Certification: I certify that the Byram Township Council adopted the above resolution on October 16, 2018.  
Doris Flynn, Municipal Clerk

**RETURN TO OPEN SESSION** - Motion by Councilman Olson second by Councilwoman Kash to return to open session at 11:29 pm. All members were in favor. Motion Carried.

**ADJOURN**

On the motion of Councilman Olson, second by Councilwoman Kash and with all members in favor, the meeting was adjourned at 11:30 p.m. Motion carried.

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Doris Flynn, Municipal Clerk

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Alexander Rubenstein, Mayor