

BYRAM TOWNSHIP COUNCIL MEETING - NOVEMBER 18, 2019
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

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was advertised in accordance with the OPMA law and posted on the bulletin board in the Municipal Building. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

ROLL CALL

Councilman Gray, late (6:53 pm); Councilwoman Kash, late (6:35 pm); Councilman Olson, here; Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joe Sabatini, Township Attorney Tom Collins, and Deputy Municipal Clerk Cynthia 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
 - Municipal Building Leasing Option
 - SHBP Status
 - BARKS

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

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

Certification: I certify that the Byram Township Council adopted the above resolution on November 18, 2019.
 Cynthia Church, Deputy Municipal Clerk

RETURN TO OPEN SESSION – 7:30 p.m.

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilman Gray to approve the agenda, with addition of a discussion item – Municipal Building Subcommittee. All members were in favor. Motion carried.

PRESENTATIONS

- Parks & Recreation Plan by Greener by Design – Ben Spinelli gave a Power Point presentation on the Byram Township Parks and Recreation Plan.

Parks and Recreation Plan – Will guide the responsible management of the Townships shared assets, using \$80,000 from the Highlands Council. The report includes the following:

1. Open Space and Recreation Plan Update:
 - a. Update mapping
 - b. Identify & Update Acquisition Priorities
 - c. Evaluate Supply & Demand for Facilities
 - d. Assess the Condition of Public Assets
 - e. Inventory the Township’s public assets
 - f. Evaluate current management and governance
 - g. Create budgeting tool
2. Trails Master Plan – will create an integrated trails system for the township utilizing municipal, state & private held conservation lands with the goal of improving trail conditions and attracting visitors. The plan will:
 - a. Evaluate existing trail conditions

- b. Parcel acquisition
 - c. Create an open space inventory
 - d. Publicize and market the trails
 - e. Update mapping
 - f. Develop a budgeting tool
3. Eco-Tourism based Economic Development Plan – will establish a sustainable economic development strategy that is consistent with all other municipal goals. It will:
- a. Promote Sustainable Economic Development Methods
 - b. Create a strategy to promote the Township with a destination for tourism
 - c. Develop branding and marketing materials
4. Stewardship and Asset Management Plan:
- a. Update the Township’s current Stewardship and Maintenance Plan
 - b. Account for new acquisitions and new conditions and threats
 - c. Create a budgeting tool
 - d. Evaluate the town’s current management structure for open space assets
 - e. Update existing baseline conditions

Ben will be providing a final report in February or March of 2020

Harvey asked if they met with neighboring towns. Ben answered that they met with Stanhope and Netcong. Harvey asked if the sports leagues should take on part of the responsibility of user groups. Harvey asked if they did a survey as to what load is coming from other towns. Bens said that the bulk of participation still comes from Byram. Ben will include this in his report that he will be providing to the Township. Harvey asked about available grants. Ben will provide a matrix that will list out the available grants and the source of those grants. Ben will also be providing a spreadsheet including the cost of each project. Harvey asked if he looked at our fields and the water resource and the ability to maintain them as grass fields. Ben said that it was looked at. David spoke in reference to the adult activities and the lighting issues. Ben said that these issues were all included in the survey that was done. David would like to see the Recreation Committee concentrate on more adult activities. David asked about the ability to attract businesses to come to Byram. Ben said that there will be the ability to provide for attracting businesses by promoting bed and breakfasts and restaurants. Harvey asked about parking and privacy of homeowners. Ben said that the main parking area is on Waterloo Road and at the Sussex Branch Trail head, and the parking is being taken into consideration. Ben will have a report completed by February/March 2020. Scott thanked Ben, Frank and Genevieve for doing such a thorough job.

Robert Davidson, 9 Mayfair, founder of the Salt Shakers, stated they have worked at Promoting Highlands Trail. He has concerns regarding lost hikers in Allamuchy. There needs to be an effort to increase the signage. Safety is a big concern.

Scott Yappen, 5 Catherine, commented on the survey results for numbers 11, 13 & 18 as well as the drainage issues on Field 8.

2020 Census – Marvin Joss of the US Census Bureau gave a presentation on the 2020 Census. The census is done every 10 years. The census determines the number of seats each state has in the US house of Representatives. It defines congressional and state legislative districts, schools, and voting districts. It determines the annual allocation of \$675 billion dollars in federal funding. Provides insight to governments. The data that is provided is fully protected and kept confidential. They will start counting people Mid-March. This will be the first time they will ask people to “self-respond”. They are looking for people to be census takers and is looking for help to get the word out.

COMMITTEE APPOINTMENT – Architectural Review Committee - Motion by Scott, Second by Nisha, all in favor to appoint Andrew McElroy to the Architectural Review Committee

MANAGER AND COUNCIL REPORTS

Manager’s Report: - The next meeting is on Tuesday, December 3rd. At that meeting we will be introducing an amendment to chapter 188, with public hearing on the December 18th. Alex would like the planner to be there for the public hearing. By the end of November, we will no longer be using E-Gov email system to provide community notifications and will be replacing it with Nixel. There are upcoming Holiday Events being hosted by the Recreation Committee, more information on the events are available on our website and on Facebook. Holiday Party and tree lighting at the Cranberry Lake Fire House will be on Dec 8th at 6pm. Information regarding Letters to Santa and the Holiday Lights contest are available on our website.

Mayor Rubenstein – Alex and his wife had their flu shots at the new Atlantic Health located in Byram. On December 6th there was a Planning Board meeting where the interviewed for attorneys. December 21st is the next scheduled Planning Board meeting.

Councilman Gray – Congratulated Cris Franco, Jack Gallagher and Mr. Bonker. Thanked former Mayor Rich Bowe for leading the Veterans Day Ceremony. Would like the new council members to think about changing the Christmas Lights to LEDs to save some money in the future.

Harvey Roseff – No report

Nisha Kash – extended her Congratulations to Chris Franco and Jack Gallaher on the last election.

Councilman Olson – Congratulations to Cris Franco and Jack Gallagher on the last election. Thanked Mr. Rubenstein for a trail meeting that Scott attended on his behalf on November 5th with the Stanhope, Netcong and Green Township trail committee members. They are looking to extend the Morris Canal Greenway Trail, that will run through Byram Island. Thanked Rich Bowe for the Veterans Day Ceremony. Rich is looking to form a committee for next year to help honor our veterans. On November 14th representatives from Congresswoman Mikie Sherrill’s office were here during the Senior Citizens Meeting and did a program called “Case Work On Your Corner” they set up a table with information on what they can do help assist the public, such as with Social Security, Medicare, Immigration, Passports, IRS, Veterans and Military Services, Educational Opportunities and Federal Grants. Next Planning Board meeting is on Thursday, November 21st.

PUBLIC PARTICIPATION I - Motion by Councilman Olson, second by Councilwoman Kash to open to the public.

Jack Moran, 7 East Waterloo, looking for updates on Energy Aggregation – Alex replied that there have been some changes as to the way the program is bid, still waiting for State action on how to move forward with the procurement process. Also looking or updates on Natural Gas – Alex provided an update to the meeting that him and Joe attended with New Jersey Natural Gas and Elizabethtown. There will be a conference call about this on December 4th. Mr. Moran asked where we stand with the ISO rating. Harvey said that they have not had their meeting yet on this.

Luann Byrne, 34 Richmond Road, agrees that more needs to be done for the next Veterans Day Ceremony. Luanne had a question about the Skid Steer, she looked up the cost on E-Bay and just wanted to advise the Township of this. She commented on the scanning of documents and wanted to know what value it brings to the Township. Joe provided the explanation that it will ease the burden of OPRA requests, and the labor involved. It will also eliminate the paper files and the space that it takes up.

Jeannie Moran, 7 East Waterloo, asked if the Township is assessing conditions of the trees, Joe said that project is not happening because we did not receive the grant. Jeannie would also like to see the Christmas lights going up earlier. Jeannie had a complaint about the Blue Diamond leaf pickup. They came through her neighborhood at 5:30 a.m. Jeannie commented on the road conditions between Waterloo Road and Continental Drive.

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

APPROVAL OF MINUTES

- November 4, 2019 –Regular & 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		
2 nd	x				
Yes	x	x	x	x	x
No					
Abstain					
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.

- Resolution No. 233-2019 – Resolution Authorizing the Continuation of the 2019/2020 Byram Ski Program Headed by Volunteers
- Resolution No. 234-2019 – Resolution Appointing the Commissioner of the Statewide Insurance Fund for Byram Township

- C. Resolution No. 235-2019 – Resolution Appointing Skylands Risk Management Inc. as Byram’s Risk Management Consultant
- D. Resolution No. 236-2019 – Final Acceptance of Replacement of Parking Lot Stairs at Carl O. Johnson Park
- E. Resolution No. 237-2019 – Resolution to Transfer 2019 Budget Appropriations – Current Fund
- F. Resolution No. 238-2019 – Resolution of the Mayor and Council of the Township of Byram Authorizing the Transfer of Sewer Gallons from Block 41, Lots 88.01, 88.02 and 89 to the New Single Consolidated Lot know as Block 41, Lot 89 with a Total New Allocation of 10 Equivalent Dwelling Units (“EDUS”) & Approval of New Sewer User Permit
- G. Resolution No. 239-2019 – Governor’s Council on Alcoholism and Drug Abuse – Fiscal Grant Cycle July 2021- June 2025
- H. Resolution No. 240-2019 – Authorizing Foveonics Document Solutions to Perform Scanning and Document Management Services through the Education Services Commission of New Jersey (ESCNJ) – Not to Exceed \$99,447.71
- I. Resolution No. 241-2019 – Resolution Authorizing a Professional Services Agreement for PBA Retiree Medical / Prescription Plan Review

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

NOVEMBER 18, 2019 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	x
No					PO 21418 Recusal
Abstain					
Absent					

ORDINANCE – 2nd Reading / Public Hearing

Ordinance 15-2019 - An Ordinance Amending and Supplementing Chapter 240 Zoning of the Township of Byram Code

Purpose Statement: The purpose of this ordinance is to modify the Byram Land Use Code as it relates to LED Message Signs.

Motion by Councilman Olson, second by Councilman Gray to consider this ordinance for adoption.

This has been an ongoing process with the Planning Board. Scott said that this is a newer technology that needs to be addressed for the future. There have been inconsistencies with approvals in the past, and this will set the standards that will now be applied.

Mayor Rubenstein opened to the public.

Luanne Byrne, 34 Richmond Road, voiced her opposition to the approval to the ordinance, she feels that there are many drawback to LED lights, she finds them repulsive, and feels that if this ordinance is passed, there is no going back.

Mayor Rubenstein closed to the public.

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	x
No					
Abstain					
Absent					

Be It Resolved that Ordinance 15-2019 is passed on final reading and that a notice of final passage shall be published in the official designated newspaper according to the law.

ITEMS FOR DISCUSSION

- A. East Brookwood, Alternate Access – Received an updated proposal from Harold Pellow & Associates. Joe is looking for final input and direction from the council. Scott proposed putting this in the Capital

Budget for next year to do a study to come up with a potential plan. Alex would like to see this get into the Capital Budget this year. Harvey believes the Quick Check will impact how the residents will view this. Harvey thinks we should look to use grants to fund the project and would like to get East Brookwood's input as to what they might need or issues that they may see. Joe thinks that this could be done as a special assessment. Scott agrees with getting the neighborhood involved. Jack Moran, 7 East Waterloo Rd., believes this is a public safety issue and is in favor of spending the money to do the study. Cris Franco, 4 Debbie Drive, asked why this was not pursued prior to the approval of the Quick Check. Joe stated that it was pursued prior and it was opposed by that community. Jeannie Moran, 7 East Waterloo Rd., is in favor of an emergency road. Motion by Scott to do a budget transfer to put this into this year's budget for the study.

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

- B. Travel Expense Reimbursement Policy** – Harvey believes that meal reimbursement should be provided during overnight stays during functions that they attend. Scott disagreed with Harvey and explained his reasoning. He feels that there is a difference between being required to attend a function and voluntarily attending. He felt that attendance at the League event was voluntary. He stated that during his 12 years on Council, he has never sought reimbursement for anything he voluntarily attended. He also did not recall any other member of the Council seeking reimbursement during that time. Scott stated that the Council receives an annual \$3500 stipend, and he believes that money should be considered as covering these types of expenses as part of his civic obligation as a council person. Joe believes it is a privilege to attend a conference. After further discussion there was consensus among the council that they do not find a need to change the policy.
- C. Municipal Building Subcommittee** – The lease option has been reviewed and the numbers have been compared along with other factors. It has been determined that it is not financially feasible to proceed with the lease option. The Township Council will present their findings to the subcommittee at the next special joint public meeting on December 2nd at 7:00 p.m., along with a summary. They will put together the next steps to move the project forward. The Township Council authorized Joe to reach out to Mr. Romano, David will coordinate this with Joe.

Motion to Open to the Public.

Scott Yappen, 5 Catherine Terrace, asked if there will be financial analysis on the Municipal Building Lease Option. Joe said that he will be provided with an executive summary.

Jeannie Moran, 7 East Waterloo Road, was concerned that this was added to the discussion items at the last minute, and that the public was not made aware of this in advance.

Motion to close to the public.

FUTURE AGENDA DISCUSSION ITEMS – No comments

PUBLIC PARTICIPATION II

Motion by Councilman Olson, second by Councilman Gray, to open to the public.

Scott Yappen, 5 Catherine Terrace, questioned why there was an update to the Nader Group Report. Joe said that the floor plan had left out employees, as well as a financial analysis component. Mr. Yappen also said that the police station (page 16) was removed from the plan. Joe said that may be because of the discussion of merging the police department with Andover Township. Alex said there will be discussion on December 2nd in which this can be discussed at that time.

Luanne Byrne, 34 Richmond Road, reported Beaver activity across Lackawanna near Richmond Road.

Motion by Councilman Olson, second by Councilman Gray to close to the public.

ADJOURNMENT – Motion by Councilman Olson, second by Councilwoman Kash to adjourn at 11:00 p.m. All members in favor. Motion carried.