

BYRAM TOWNSHIP COUNCIL MEETING - DECEMBER 6, 2016

CALL MEETING TO ORDER

Deputy Mayor, David Gray called the meeting to order at 7:00 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, absent; 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
 - Fire Department Assessment
 - Recycling Center
 - Honorary Policy
- b. Personnel
 - Staffing
- c. Contract Negotiations
 - Health Benefits Consultant

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 December 6, 2016. 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		
No					
Abstain					
Absent				x	x

RETURN TO OPEN SESSION - Motion by Councilman Olson second by Councilwoman Raffay to return to open session. 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 as presented. All members were in favor. Motion carried.

TOWNSHIP MANAGER/COUNCIL REPORTS

Township Manager

- The Manager will participate in touring the Sparta Dispatch Center on Friday, December 9.
- Will attend the Emergency Management Council meeting on December 13 at 7 p.m.
- Update on Roseville Road Bridge – information has been posted on our website.

- The Township sold Engine 4 on the on line auction for \$1900.
- Provided the Council with a report of the seminars he attended at the League of Municipalities.
- Toured the Wanaque Municipal Building on December 5. This is a newly constructed building, and they have a lot of common elements in their plan and Byram's.
- Congratulated the Byram Township Police Department in participating in 'no-shave November'. They raised \$1400 towards the fight against cancer.

Councilman Olson

- Met with architect on December 9 with department heads and Joe, Doris, and the Mayor. We went through square foot by square foot, over about 4-1/2 hours. It was a thorough exercise and found there wasn't a whole lot of extra in our original plan.
- 12/9 – Will meet with the Sussex County Economic Development Partnership with Joe and Doris. We feel they could help us with steps to move forward in reforming the Economic Development Committee. Tammy Horsfield will also be available to attend a Council meeting to give a more formal presentation if needed.
- 12/15 – A Reading of a Christmas Carol at Waterloo Village, at 2 p.m. and 7 p.m.
- Thanked Kiwanis Club for donating coats for families in need and the American Legion and Waterloo Methodist Church for donating Shop Rite gift cards.

Councilwoman Raffay - Planning Board meets December 15. Liquor Factory will be coming to the Board on January 19, 2017. They plan to open up in the old CVS site. Quick Check will be returning to the board on January 5, 2017. Sunnyside Gardens will be coming to the Planning Board in January for some modifications on their site.

Deputy Mayor David Gray – No report

PUBLIC PARTICIPATION I – No comments were made.

APPROVAL OF MINUTES

- November 14, 2016 – 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	x		
No					
Abstain					
Absent				x	x

- November 14, 2016 - 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					
Absent				x	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.

- Resolution No. 194-2016 – Resolution approving the Execution of a Shared Service Agreement Between Byram Township and Sparta Township for Fire Prevention Services from January 1, 2017 through December 31, 2017
- Resolution No. 195-2016 – Resolution of Acceptance of a Donation from Richard Bowe
- Resolution No. 196-2016 – Resolution Appointing the Commissioner of the Statewide Insurance Fund for Byram Township
- Resolution No. 197-2016 – Resolution Appointing Risk Management Consultant
- Resolution No. 198-2016 – Resolution Authorizing the Sale of the 2006 Chevy Rescue Truck to the Lakeland Emergency Squad
- Resolution No. 199-2016 – Resolution to Award the Bid for Sanitary Sewer System Pump Station No. 3 Rehabilitation to Fred Devens Construction for \$56,750

- Resolution No.200-2016 - Authorization for the Purchase of a Flash Camera from Q-Star Technology for the Township of Byram in the amount of \$7,830.00
- Resolution No. 201-2016 – Resolution of the Township of Byram, County of Sussex, State of New Jersey Authorizing Taxes be Remitted (Cancelled) for 2016
- Resolution No. 202-2016 Person to Person / Place to Place Transfer of Liquor License from WGB Properties, LLC to Andover Wines & Liquors, Inc.
- Resolution No. 203-2016 – Chapter 159 – Statewide Insurance Fund – Risk Control Grant - \$2,928.57
- Resolution No. 204-2016 – Resolution of Support for a Status Change for the Position of Zoning Officer to Full-Time
- Resolution No. 205-2016 – Resolution Authorizing Harold E. Pellow & Associates, Inc. to Provide Engineering Services Including any Necessary Permits for the North Shore Culvert Replacement

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

Motion by Councilwoman Raffay, 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		
No					
Abstain					
Absent				x	x

ORDINANCE – 2st READING / ADOPTION

Ordinance 29-2016 - Be it resolved that ordinance entitled “An Ordinance Amending Chapter 215 Subdivision and Site Plan Review of the Township of Byram” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Raffay to open to the public for comments. Luann Byrne, Richmond Road, asked if the affordable housing is costing the Township money. Tom Collins, Joe Sabatini and Scott Olson discussed this briefly. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 29-2016 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 30-2016 - Be it resolved that ordinance entitled “An Ordinance Amending Chapter 240 Zoning of the Township of Byram Code” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Raffay to open to the public for comments. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. Scott Olson stated that there has been a lot of work done by our administration staff and professionals. Hopefully, the changes made in this ordinance will help in redevelopment.

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

Be It Resolved that Ordinance 30-2016 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 31-2016 - Be it resolved that ordinance entitled “Ordinance for Administration & Hourly Positions – Salary and Wages for the Year 2017” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Motion by Councilwoman Raffay, second by Councilman Olson to open to the public for comments. Skip Danielson, 18 Hunters Lane, asked about the positions of judge and court administrator that remained in the ordinance. Joe Sabatini stated that these titles and salaries were kept in but we do not anticipate using them in the near future. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 31-2016 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 32-2016 - Be it resolved that ordinance entitled “Amended Ordinance for Police Salary and Wages for the Years 2016-2017” be read by title on second reading and a hearing held there thereon. Motion by Councilwoman Raffay, second by Councilman Olson to adopt the ordinance. Motion by Councilman Olson, second my Councilwoman Raffay to open to the public for comments. Luann Byrne, Richmond Road, asked if the salaries went down. Joe explained that there has been a 2% increase, but several years ago it was negotiated to increase the years from 5 to 7 to get to top pay. Motion by Councilman Olson, second my Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 32-2016 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 33-2016 - Be it resolved that ordinance entitled “Department of Public Works Salary and Wage Ordinance for the Year 2017” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Motion by Councilman Olson, second my Councilwoman Raffay to open to the public for comments. No comments were made. Motion by Councilman Olson, second my Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 33-2016 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

Ordinance 34-2016 - Be it resolved that ordinance entitled “Clerical Salary and Wages for the Year 2017” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Raffay to adopt the ordinance. Motion by Councilman Olson, second my Councilwoman Raffay to open to the public for comments. No comments were made. Motion by Councilman Olson, second my Councilwoman Raffay to close to the public.

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

Be It Resolved that Ordinance 34-2016 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to law.

ORDINANCES – Introduction / 1st Reading

- Be it resolved that ordinance entitled “An Ordinance to Amend the Appendix A; Fee Schedule, to the Code of Byram Township” be read by title on first reading.
Purpose Statement: The purpose of this Ordinance is to amend the Fee Schedule to update changes in Chapter 287-4 Miscellaneous Fees and Chapter 287-4 Construction Department Fees

Motions by Councilman Olson, second by Councilwoman Raffay to introduce the ordinance on first reading.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd	x				
Yes	x	x	x		
No					
Abstain					
Absent				x	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 Tuesday, December 20, 2016 at 7:30 p.m. at the Byram Municipal 10 Mansfield Drive, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

- Be it resolved that ordinance entitled “An Ordinance to Repeal and Replace Chapter 133 Fire Prevention of the Township of Byram Code” be read by title on first reading.
Purpose Statement: The purpose of this ordinance is to repeal and replace Chapter 133 Fire Prevention to designate the local enforcement agency as the Township of Sparta through a Shared Service Agreement effective January 1, 2017.

Motions by Councilman Olson, second by Councilwoman Raffay to introduce the ordinance on first reading.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd	x				
Yes	x	x	x		
No					
Abstain					
Absent				x	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 Tuesday, December 20, 2016 at 7:30 p.m. at the Byram Municipal 10 Mansfield Drive, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

ITEMS FOR DISCUSSION

Township Council Meeting Dates – The Council reviewed the proposed dates for 2017. The Council opted to have one meeting in July and two meetings in August.

No Net Loss Grant II – This is a reimbursement grant for \$317,554 for 1058 trees, with a maximum of \$300/tree. Trees must be planted on public lands. Joe has reviewed this with Township Engineer Cory Stoner. A proposed plan calls for 70 trees at C.O. Johnson, 30 trees at Tamarack Park, 16 trees at Mt. Heights Park, and some additional trees along the new guide rail installed on Stonehedge. If we move forward with our plans to build a new municipal building, we will ask the NJDEP for an extension so that we could develop a planning plan for the municipal site. The Council was in favor of moving forward with the plan that Joe Sabatini outlined.

PAC Appointment – The Council received the memo from the County asking for a representative from Byram to be appointed to this County committee. No one volunteered, and Joe Sabatini stated that either he or Doris Flynn will attend meetings in the future if it is necessary. Meanwhile, we are on the distribution list and have been speaking with Alice Brees regarding our Wastewater Management Plan.

PUBLIC PARTICIPATION II

Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried. There were no comments. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. All members 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 8:25 p.m. Motion carried.

Doris Flynn, Municipal Clerk

David Gray, Deputy Mayor