

TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, March 15, 2016
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION – 7:30 P.M.

- 1. CALL MEETING TO ORDER**
- 2. OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this meeting has been made in accordance with the Open Public Meetings Act, NJSA 10:4-6 by forwarding the annual notice to the New Jersey Herald posting the agenda on the bulletin board located in the Council Meeting Room and the Township website and by filing same with the Township Clerk.
- 3. ROLL CALL**
- 4. RESOLUTION FOR EXECUTIVE SESSION**
 - a. Attorney Client Privilege Communication – General
 - COAH
 - FEMA
 - b. Contract Negotiations – Update on Health Benefits
 - c. Personnel
 - Staffing
 - Personnel Policies
 - Background Checks
 - Committee Appointments
- 5. RETURN TO OPEN SESSION**
- 6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
- 7. APPROVAL OF AGENDA**
- 8. REPORTS**
 - Township Manager
 - Mayor and Council Members
 - Township Attorney
- 9. PUBLIC PARTICIPATION I – Meeting open to the public for comments on matters not on the agenda or items on the agenda for which no public discussion is provided.**
- 10. FOREST LAKES DAM REHABILITATION IMPROVEMENT – SPECIAL ASSESSMENT COMMISSION RECOMMENDATION**
- 11. APPROVAL OF MINUTES**
 - March 1, 2016 Regular Meeting Minutes
 - March 1, 2016 Closed Session Minutes
- 12. MAYORAL APPOINTMENT**
 - Emergency Management Coordinator – Lieutenant Ken Burke – 3 year term expiring 12/31/18
 - Environmental Commission Member – Nora Amato – 3 year term expiring 12/31/18
 - Environmental Commission Member – Steven Levy – 3 year term expiring 12/31/18
- 13. 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.
 - A. Resolution 56-2016 – Appointment of the Byram Township Emergency Management Council
 - B. Resolution 57-2016 - Resolution to Amend the 2016 Temporary Budget
 - C. Resolution 58-2016 – Resolution to Amend the 2016 Temporary Budget for the Sewer Utility Fund
 - D. Resolution 60-2016 - Resolution Authorizing the 2016 Renewal of Tilcon NY Quarry License
 - E. Resolution 61-6016 – Resolution Authorizing the Submission of a \$1,500 Grant from the 2016 ANJEC Open Space Stewardship Grants for Environmental Commissions
- 14. RESOLUTION 59-2016 – Resolution of the Mayor and Council of the Township of Byram Regarding the 2016 Housing Element and Fair Share Plan**
- 15. APPROVAL OF March 15, 2016 BILL LIST**
- 16. ORDINANCE – Introduction / 1st Reading**
 - **AN ORDINANCE TO AMEND CHAPTER 112 CONSTRUCTION CODES, UNIFORM TO THE CODE OF BYRAM TOWNSHIP.**

Purpose Statement: The purpose of this Ordinance is to amend Chapter 112 of the Uniform Construction Codes.
 - **AN ORDINANCE TO AMEND THE APPENDIX A; FEE SCHEDULE, TO THE CODE OF BYRAM TOWNSHIP**

Purpose Statement: The purpose of this Ordinance is to amend the Fee Schedule to update changes in chapter 287-6 Construction Department fees.
- 17. PUBLIC PARTICIPATION II**
- 18. EXECUTIVE SESSION – Session II (if necessary)**
- 19. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
- 20. ADJOURNMENT**

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 56 - 2016**

Appointment of the Byram Township Emergency Management Council

WHEREAS, the Mayor, Township of Byram, Sussex County N.J., as required by N.J.S.A Appendix A:9-33 et seq. (Chapter 251 P.L. 1942, as amended by Chapter 438, P.L. 1953) shall appoint a Municipal Emergency Management Coordinator from among the residents of the municipality to serve a term of three years; and

WHEREAS, the Emergency Management Coordinator shall appoint one and may appoint more than one Deputy Emergency Management Coordinators with the approval of the Mayor; and

WHEREAS, Chapter 3. Administration of Government, of the Byram Township Codes indicates that an Emergency Management Council, Emergency Management Coordinator and a Deputy Emergency Management Coordinator(s) shall be established as required by the laws and administrative regulations of the State of New Jersey and the Emergency Management Council shall be assigned for administrative purposes of the Office of the Manager; and

WHEREAS, the State of New Jersey Department of Law and Public Safety has reviewed the Township's Emergency Operations Plan determining that it meets their criteria for approval as of May 14, 2015; and

WHEREAS, the Township's Emergency Operations Plan should be updated at least annually, preferably during a scheduled meeting of the Local Emergency Planning Committee and the plan must be submitted again for recertification by May 14, 2019; and

WHEREAS, the New Jersey Civilian Defense and Disaster Control Act, App A:9_41. Local Emergency Management Councils, states that every municipality of the State shall create a local emergency management council that shall be composed of not more than 15 members who shall be appointed by the Mayor or Chief Executive Officer of the municipality and shall hold office at the will and pleasure of the appointing authority; and

WHEREAS, the Township's Emergency Management Council includes the representatives that are responsible for each of the annexes of the Township's Emergency Operation Plan; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Byram, make the following appointments:

1. That the Mayor and Township Council, do hereby approve the appointment of Ken Burke to a three year term as Emergency Management Coordinator, ending December 31, 2018.
2. That the Mayor and Township Council, do hereby approve the appointment of Peter Zabita as Deputy Emergency Management Coordinator, to serve at the pleasure of the Emergency Management Coordinator without a fixed term.
3. That the Mayor and Township Council, do hereby approve the appointment of the following persons to serve on the Emergency Management Council with the Emergency Management Coordinator serving as the chairperson of the council:
 - a. Ken Burke – Emergency Management Coordinator, Chairperson, Township Manager
 - b. Peter Zabita, Deputy Emergency Management Coordinator
 - c. Mayor James Oscovitch and Deputy Mayor David Gray
 - d. Representatives responsible for each of the annexes of the

**TOWNSHIP OF BYRAM
RESOLUTION NO. 57 – 2016**

RESOLUTION TO AMEND THE 2016 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 authorizes temporary appropriations to provide for the period between the beginning of the budget year and the adoption of the budget, where contracts, commitments or payments are to be made prior to the adoption of the budget for any fiscal year; and,

WHEREAS, contracts, commitments or payments are to be made by the Township of Byram for the purpose and amounts requested in the manner and time therein provided; and,

WHEREAS, the original temporary budget resolution was approved by Resolution No. 1-2016 at the January 5, 2016 meeting,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, that the Temporary Appropriations Amendments are hereby authorized to provide for contracts, commitments and payments prior to the adoption of the 2016 Municipal Budget as follows:

<u>Department</u>	<u>Department Code</u>	<u>Amount</u>
See Attached Worksheet		
Total Temporary Budget Amendment		<u>\$171,500.00</u>

BYRAM TOWNSHIP COUNCIL						
COUNCIL MEMBER	Councilwoman Raffav	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch	
Motion						
2nd						
Yes						
No						
Abstain						
Absent						

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on March 15, 2016.

Doris Flynn, Township Clerk

TOWNSHIP OF BYRAM
2016 TEMPORARY CURRENT FUND BUDGET AMENDMENT

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
	General Administration:	
01-201-20-100-020	Other Expenses	\$ 5,000.00
	Mayor & Council:	
01-201-20-110-020	Other Expenses	1,000.00
	Municipal Clerk:	
01-201-20-120-020	Other Expenses	1,000.00
	Financial Administration:	
01-201-20-130-020	Other Expenses	5,000.00
	Tax Collection:	
01-201-20-145-020	Other Expenses	4,000.00
	Environmental Commission:	
01-2001-20-170-020	Other Expenses	500.00
	Planning Board:	
01-201-21-180-020	Other Expenses	5,000.00
	Zoning Commission:	
01-201-21-185-020	Other Expenses	100.00
	Construction Code Official:	
01-201-22-195-020	Other Expenses	1,000.00
01-201-23-220-020	Group Insurance	130,000.00
	Fleet Maintenance:	
01-201-26-292-020	Other Expenses	3,425.00
	Public Buildings & Grounds:	
01-201-26-310-020	Other Expenses	3,000.00
	Animal Control:	
01-201-27-340-206	Other Expenses	1,875.00
	Parks & Playgrounds:	
01-201-28-375-020	Other Expenses	1,000.00
01-201-31-440-020	Telephone	2,500.00
01-201-36-472-020	Social Security	6,000.00
01-201-36-477-020	DCRP	1,100.00
	Total Temporary Budget Amendment	<u>\$ 171,500.00</u>

**TOWNSHIP OF BYRAM
RESOLUTION NO. 58 – 2016**

RESOLUTION TO AMEND THE 2016 TEMPORARY BUDGET FOR THE SEWER UTILITY FUND

WHEREAS, N.J.S.A. 40A:4-19 authorizes temporary appropriations to provide for the period between the beginning of the budget year and the adoption of the budget, where contracts, commitments or payments are to be made prior to the adoption of the budget for any fiscal year; and,

WHEREAS, contracts, commitments or payments are to be made by the Township of Byram for the purpose and amounts requested in the manner and time therein provided; and,

WHEREAS, the original temporary budget resolution was approved by Resolution No. 2-2016 at the January 5, 2016 meeting,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, that the Temporary Appropriations Amendments are hereby authorized to provide for contracts, commitments and payments prior to the adoption of the 2016 Sewer Utility Budget as follows:

Operating:			
Salaries & Wages	05-201-55-501-010		\$1,000.00
Other Expenses	05-201-55-502-020		<u>\$5,000.00</u>
Total Temporary Budget Amendment			<u>\$6,000.00</u>

BYRAM TOWNSHIP COUNCIL						
COUNCIL MEMBER	Councilwoman Raffav	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch	
Motion						
2nd						
Yes						
No						
Abstain						
Absent						

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on March 15, 2016.

Doris Flynn, Township Clerk

**RESOLUTION NO. 59 - 2016
RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWNSHIP OF BYRAM
REGARDING THE
2016 HOUSING ELEMENT AND FAIR SHARE PLAN**

ADOPTED ON MARCH 15, 2016

WHEREAS, in accordance with the Mount Laurel Doctrine every municipality has a constitutional obligation to create a realistic opportunity for producing a fair share of the regional present and prospective need for housing low and moderate income families; and

WHEREAS, the New Jersey Supreme Court issued a Decision and Order on March 10, 2015, In Re Adoption of N.J.A.C. 5:96 & 5:97 by the Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV), wherein the Court held that because COAH failed to adopt amended Third Round Rules, constitutional compliance cannot be evaluated under COAH's jurisdiction which thereby rendered the FHA's exhaustion of administration remedies futile; and

WHEREAS, the New Jersey Supreme Court in Mount Laurel IV ordered that the Courts may resume their role as the forum of first instance for evaluating compliance with Mount Laurel obligations; and

WHEREAS, in accordance with Mount Laurel IV, the Township of Byram filed a Declaratory Judgment action with the Court on July 2, 2015 under Docket No. SSX-L-430-15; and

WHEREAS, this matter is being Case Managed by the Honorable Stephan C. Hansbury, J.S.C. who entered an Order on November 2, 2015, which among other relief, extended the period of temporary immunity to April 6, 2016; and

WHEREAS, pursuant to the Order of November 2, 2015, the Township of Byram was required to submit a Housing Element and Fair Share Plan (HEFSP) to the Court on or before April 4, 2016; and

WHEREAS, the Court entered an Order on February 10, 2016 along with a letter to counsel dated February 23, 2016, which clarified the November 2, 2015 Order and confirmed that it would be acceptable to the Court, if the Planning Board adopted a Resolution accepting the HEFSP with an indication that, if approved by the Court, the Planning Board would proceed to promptly conduct a public hearing and adopt it as part of the Master Plan approval process and that approval of the governing body would also be required; and

WHEREAS, the Township of Byram retained Latini and Gleitz to prepare a HEFSP; and

WHEREAS, Latini and Gleitz has prepared a HEFSP dated March, 2016 which is being reviewed by the Township of Byram Planning Board and the HEFSP is consistent with the goals and objectives of the Township of Byram's Master Plan and that if approved by the Court, the Planning Board will proceed to promptly adopt it as part of the Master Plan approval process in accordance with the requirements of the Municipal Land Use Law; and

WHEREAS, the governing body has reviewed the HEFSP.

NOW, THEREFORE, BE IT RESOLVED, that the governing body will proceed to endorse and/or adopt and implement the HEFSP if approved by the Court and the Planning Board.

BE IT FURTHER RESOLVED that Notice of this action shall be printed once in the official Township Newspaper.

This Resolution shall take effect immediately.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	<i>Councilman Olson</i>	<i>Councilwoman Raffav</i>	<i>Councilman Gray</i>	<i>Councilwoman Kash</i>	<i>Mayor Oscovitch</i>
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing Resolution was adopted by the Mayor and Council of the Township of Byram on March 15, 2016.

Doris Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 60 - 2016**

**Approval of Quarry License for Year 2016 for
Tilcon New Jersey, a division of Tilcon New York, Inc.**

WHEREAS, Byram Land Development, LLC (“BLD”) is the owner of certain real property located in the Township of Byram; and

WHEREAS, Tilcon New Jersey (hereinafter “Tilcon”), a division of Tilcon New York, Inc. is its tenant; and

WHEREAS, Tilcon has applied to the Township of Byram (“Township”) for a license to operate a quarry on a portion of the property owned by BLD and designated as Block 226 Lot 8, Block 357 Lot 1, Block 358 Lot 1, Block 362 Lot 5 and Block 363 Lot 2 (“the quarry”); and

WHEREAS, Tilcon submitted reports, data, correspondence, maps and an aerial photograph in support of the application (“the application”) that remain on file with the Township Clerk; and

WHEREAS, the application has been reviewed by Cory L. Stoner, P.E., C.M.E. of Harold E. Pellow & Associates, Township Engineers for compliance with the requirements of Chapter 189 of the Township Code regarding “Quarries”, and the Township Engineer has recommended conditional approval of the application; and

WHEREAS, the Township Engineer submitted a report dated February 9, 2016. The Byram Township Environmental Commission also submitted a memorandum dated January 28, 2016; and

WHEREAS, a public hearing was conducted on February 16, 2016 at which Tilcon was represented by Brian Montag, Esq., Steve O’Reilly, Environmental Manager and Alex McArthur, Operations Support Manager. Mark Morgan, Esq. appeared on behalf of BLD and addressed the Council when the meeting was opened to the public. No other member of the public present chose to comment when provided with the opportunity to do so; and

WHEREAS, due to the severe economic recession, operations at the Byram Quarry have been curtailed and the 2016 application is virtually the same as that submitted and licensed for 2009, 2010, 2011, 2012, 2013, 2014 and 2015; and

NOW, THEREFORE, BE IT RESOLVED, on March 15, 2016, by the Township Council of the Township of Byram that the application for a quarry license for the year 2016 is granted subject to the following conditions:

1. **Wetlands [§189-5(B)(4)]** – In 2002, Tilcon obtained a Letter of Interpretation (“LOI”) from the NJDEP covering the area 500’ beyond the 5-year quarry plan at that time. The limits of the 2002 LOI have been staked and in 2007 an orange construction fence was erected 200’ from its boundary. The plan submitted for 2016 does not reach the limits of the 500’ buffer nor cross the 200’ line demarcated by the construction fence. Tilcon will make application for a new LOI when the limits of clearing/quarrying reach 200’ from the 2002 LOI limit. The Township and Tilcon acknowledge that the NJDEP has sole

jurisdiction over wetlands, and it remains Tilcon's obligation to comply with the regulations and requirements of that agency.

2. **Noise** - The Council reserves the right to suspend or revoke the license if Tilcon's operation does not comply with the Byram Township Noise Control Ordinance. There was no report of noise complaints being received during 2015. Tilcon will respond to any complaint that may be received, investigate the complaint, and determine (including cause appropriate testing to be done) if the sound is/was emanating from the quarry. If the sound is/was emanating from the quarry then Tilcon will take necessary measures to mitigate.
3. **Performance Bond [§189-7]** - A guarantee in the form of \$50,000.00 cash held by the Township and a performance bond in the amount of \$1,150,000.00 shall be posted and maintained throughout the license period. A copy of this bond shall be provided to the Township.
4. **NJPDES Permit** – Tilcon applied for a renewal of its NJPDES Permit for Industrial Stormwater Runoff and operates under an extension of this permit until renewal or further action by NJDEP. Tilcon will provide the Township Engineer with any updates regarding this permit and will provide the Township Engineer with a copy of the permit when obtained. Tilcon will also provide the Township Engineer with confirmation that it has complied with all conditions of the permit.
5. **Storage of solvents prohibited** - There will be no storage of industrial solvents on the quarry property other than *de minimus* quantities. "Industrial solvents" does not include motor fuels, motor oil or hydraulic oils. Tilcon was found to have taken satisfactory steps to address the storage and appropriate handling of fuel.
6. **Equipment auctions** - The Township does not approve of Tilcon or BLD transporting surplus equipment from other locations for storage or auction at the Byram site. There shall be no equipment auctions on the site unless proper permits are first obtained from the Township.
7. **Soil Erosion Permit** - Tilcon will abide by the terms and conditions of its soil conservation and sediment control re-certification permit (effective April 27, 2014 and valid through October 26, 2017) and will provide the Township Engineer with a copy of all inspection reports and/or correspondence from the Sussex County Soil Conservation District. No violations were received in 2015. Tilcon shall continue to comply with the conditions of its soil conservation and sediment control permit during 2016.
8. **Dust Control** – Tilcon will continue to use water from the on-site detention basin for dust control instead of groundwater from on-site wells.
9. **Payment of fees** - Tilcon must pay all fees pursuant to Chapter 189 of the Byram Township Code, including the Township's professional fees.
10. **Environment** – For more than a dozen years BLD has stored unused, derelict equipment on Block 226, Lot 16. The equipment is readily visible from Lackawanna Drive and BLD has not responded to requests that it be removed, moved and/or screened. The equipment was moved to permit stream restoration work by NJDOT and remains on Block 226, Lot 16. The Township repeats its disapproval of BLD's failure to remove its equipment.

11. **Water and Wetlands** - Tilcon engaged the environmental firm of Leggette, Brashears & Graham, Inc. to provide an updated report regarding the ongoing wetlands monitoring program being conducted at the Quarry and the possible influence of the quarry operation upon wetlands located north of the quarrying operation. The report was prepared by Karen Benson and Frank J. Getchell, P.G. and was dated October 5, 2015. The report illustrated that no change in groundwater condition occurred and no impact to the wetlands has occurred due to the quarry operation. Tilcon has agreed to provide updated reports with each year's license application to ensure that no change in the wetlands occurs as a result of the quarry operation.
12. **Driveway** - Tilcon will continue to maintain the paved driveway on Block 226, Lot 16 from Lackawanna Drive in a condition acceptable to the Township Engineer in 2016 and repair the driveway as needed if any potholes occur and restripe it as needed.
13. **Access Road** - Tilcon will continue to maintain the access driveway to the upper quarry tract and regrade it as is needed to minimize dust and noise that may be caused by ruts or potholes.
14. **Fencing** - The orange construction safety fence around the perimeter of the quarried portion of the premises has been mostly replaced by permanent fencing and ATV traffic in the quarry has been greatly reduced. Tilcon shall keep the fence in good repair.
15. **Haybale Protection of Wetlands** - Tilcon shall be diligent in maintaining the haybale protection of the wetlands on the side of the mountain. The overall protection of these wetlands shall be continued by Tilcon in 2016.
16. **Stone Check Dams** - The stone check dams must remain in place and free of silt throughout 2016.
17. **Asphalt Berms for Paved Equipment Parking** - The asphalt berms that surround the paved equipment parking pads were in satisfactory condition during inspection of the site in 2015. These asphalt berms should be monitored to assure that they are in good condition and that any oil that may drop from the parked equipment is not washed into the ground that surrounds the pads.
18. **Aerial Photograph Exhibit** - Tilcon submitted an orthometric photograph dated April 5, 2015 to show the current topographic conditions. Tilcon shall continue to include with its future applications for a quarry license an updated orthometric photograph or an overlay that illustrates the updated topography and other changes that occurred on the site during the prior license year.
19. **Inspections** - The Township Engineer will advise the Secretary of the Township's Environmental Commission in advance of inspections.
20. **Listing only the properties that have quarrying rights on New Jersey State and Byram Township license application documents** - Tilcon will continue to list only the quarry properties licensed by Byram Township on future New Jersey State and Township license application documents. These properties are Block 226 Lot 8, Block 357 Lot 1, Block 358 Lot 1, Block 362, Lot 5 and Block 363, Lot 2.
21. **Allegations Regarding Contaminated Soil** - During review of the 2015 and 2016 quarry license applications, the Township was advised of allegations by BLD that

contaminated soils were brought on site and Tilcon's denial thereof. Tilcon has specifically denied that asphalt millings have been brought on site. It is a condition of this license that no contaminated soils be brought to the quarry site and if it is confirmed that contaminated soils are present, they must be promptly and properly removed and all appropriate remediation measures undertaken. Tilcon will keep the Township informed of all matters related to the alleged contaminated soil. These items shall include, but may not be limited to, correspondence and reports, orders entered in any court proceedings, reports by LSRPs, and a record of any action taken as a result.

22. **Advance Notification of Blasting** – In addition to the advance notice required by Township Code, Tilcon will advise the Township Engineer when blasting is to take place.

TOWNSHIP OF BYRAM

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

Adopted: March 15, 2016

ATTEST:

By: _____
Doris Flynn, Clerk

By: _____
James Oscovitch, Mayor

**TOWNSHIP OF BYRAM
RESOLUTION NO. 61 - 2016**

**RESOLUTION AUTHORIZING THE SUBMISSION OF A \$1,500 GRANT
FROM THE 2016 ANJEC OPEN SPACE STEWARDSHIP GRANTS FOR
ENVIRONMENTAL COMMISSIONS**

WHEREAS Byram Township recognizes the need to update and redesign the webpage with regards to parks and trails, providing a more descriptive and interactive trail map to easily access individual trails from the full Trails Guide, and to create a new Distribution List that informs individuals of upcoming outdoor events and activities; and

WHEREAS a greater awareness of Byram's natural resources will help promote pride and enjoyment in the Township's parks and trails; and to encourage community involvement with trail building and maintenance; and

WHEREAS to highlight specific trails in Byram that connect with other trails in surrounding areas; the Sussex Branch Trail, Highlands Trail, Tri-Community Trails Link, Allamuchy State Park, etc.

WHEREAS, the grant requires an in-kind match only; Environmental Commission members and local volunteers will provide and track a minimum of 80 hours toward the project.

NOW THEREFORE BE IT RESOLVED that the Byram Township Council approves the submission of an application to the Association of New Jersey Environmental Commissions for a \$1,500 grant to fund the redesign of the parks and trails section of the Byram Township website.

BYRAM TOWNSHIP COUNCIL

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

ATTEST:

I, Doris J Flynn, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on March 15, 2016

Doris Flynn, Township Clerk

TOWNSHIP OF BYRAM
COUNTY OF SUSSEX

ORDINANCE NO. - 2016

AN ORDINANCE TO AMEND CHAPTER 112 CONSTRUCTION CODES, UNIFORM IN THE CODE OF BYRAM TOWNSHIP

Purpose Statement: The purpose of this Ordinance is to amend Chapter 112-3 of the Uniform Construction Codes.

WHEREAS, the Township Council of the Township of Byram hereby desires to amend Chapter 112-3 of the Uniform Construction Codes; and

WHEREAS, the amendment of Chapter 112-3 shall revise Section (A); and

WHEREAS, the amendment of Chapter 112-3 shall delete section (H) Elevator devices and replace it with Mechanical Inspections.

NOW, THEREFORE, BE IT ORDAINED by the Byram Township Council that Chapter 112, Uniform Construction Codes; Section A and H, are hereby amended as follows to the code of the Township of Byram:

Chapter 112-3, Uniform Construction Codes, is amended to the Code of the Township of Byram as follows:

Section 1. Chapter 112-3(A), shall be deleted and replaced with the following:

- A. The fee for plan review shall be 20% of the amount to be charged for a construction permit. Plan review fees are not refundable.

Section 2. Chapter 112-3(H), Elevator devices, shall be deleted and replaced with the following:

H. Mechanical inspections

Fees for replacement or new installation of:

Item

- a. Wood or gas-fired stove or fireplace, water heater, boiler, furnace, Air-conditioning unit, pool heater, oil and propane tanks, oil or gas Lines existing R-3, R-4 and R05
- b. For each additional appliance on the same permit

Section 3. Severability. If any part of this Ordinance is for any reason held to be invalid such decision shall not affect the validity of the remaining portion of the Ordinance. Any Ordinance or portions thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Section 4. Repealer. All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this Ordinance are to the extent of such inconsistency repealed.

Section 5. Effective date. This Ordinance shall take effect in the time and manner prescribed by law.

BYRAM TOWNSHIP COUNCIL

Introduced: March 15, 2016

Adopted:

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

DORIS FLYNN, TOWNSHIP CLERK

JAMES OSCOVITCH, MAYOR

NOTICE is hereby given that the above titled Ordinance was introduced and passed first reading at a meeting of the Township Council of the Township of Byram, held at the Byram Township Municipal Building, 10 Mansfield Drive, Byram Township, New Jersey, on the 15th day of March, 2016. Said Ordinance will be further considered for final adoption at a meeting of the Township Council of the Township of Byram, held at the Byram Municipal Building, Mansfield Drive, Byram Township, New Jersey, on April 5, 2016, at 7:30 p.m. at which time all persons will be given the opportunity to be heard concerning said Ordinance. Copies are available to the public at the Township of Byram Clerk's office, located at the Byram Township Municipal Building, 10 Mansfield Drive, Byram Township, New Jersey, between the hours of 8:30 a.m. and 4:30 p.m.

**TOWNSHIP OF BYRAM
COUNTY OF SUSSEX**

ORDINANCE NO. - 2016

AN ORDINANCE TO AMEND THE APPENDIX A; FEE SCHEDULE, TO THE CODE OF BYRAM TOWNSHIP

Purpose Statement: The purpose of this Ordinance is to amend the Fee Schedule to update changes in Chapter 287-6 Construction Department fees.

WHEREAS, the Township Council of the Township of Byram hereby desires to amend its Construction Department Fee Schedule; and

WHEREAS, the amended Fee Schedule shall amend Appendix A, Chapter A287 of the Township Code of the Township of Byram, in accordance with this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Byram Township Council that Appendix A; Fee Schedule, is hereby amended as follows to the code of the Township of Byram:

Section 1. Appendix A Chapter A287, Fees, is amended to the Code of the Township of Byram as follows:

Appendix A Chapter A287, in Section A287-6, Construction Department fees

Section B(1), add:

Plan Review fee for a construction permit (non-refundable) 20% of cost of construction permit

Section B(5) shall be deleted and replaced with the following:

§ A287-6 B(5) Mechanical inspections

Fees for replacement or new installation of:

Item	Fee	Code Location
a. Wood or gas-fired stove or fireplace, water heater, boiler, furnace, Air-conditioning unit, pool heater, oil and propane tanks, oil or gas Lines existing R-3, R-4 and R05	\$100	112-3H(1)
b. For each additional appliance on the same permit	75	112-3H(2)

Section 2. Severability. If any part of this Ordinance is for any reason held to be invalid such decision shall not affect the validity of the remaining portion of the Ordinance. Any Ordinance or portions thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Section 3. Repealer. All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this Ordinance are to the extent of such inconsistency repealed.

Section 4. Effective date. This Ordinance shall take effect in the time and manner prescribed by law.

BYRAM TOWNSHIP COUNCIL

Introduced: March 15, 2016

Adopted:

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

DORIS FLYNN, TOWNSHIP CLERK

JAMES OSCOVITCH, MAYOR

NOTICE is hereby given that the above titled Ordinance was introduced and passed first reading at a meeting of the Township Council of the Township of Byram, held at the Byram Township Municipal Building, 10 Mansfield Drive, Byram Township, New Jersey, on the 15th day of March, 2016. Said Ordinance will be further considered for final adoption at a meeting of the Township Council of the Township of Byram, held at the Byram Municipal Building, Mansfield Drive, Byram Township, New Jersey, on April 5, 2016, at 7:30 p.m. at which time all persons will be given the opportunity to be heard concerning said Ordinance. Copies are available to the public at the Township of Byram Clerk's office, located at the Byram Township Municipal Building, 10 Mansfield Drive, Byram Township, New Jersey, between the hours of 8:30 a.m. and 4:30 p.m.