

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
FEBRUARY 16, 2021
EXECUTIVE SESSION – 6:30 P.M.
REGULAR SESSION - 7:30 P.M.**

CALL MEETING TO ORDER – Mayor Rubenstein called the meeting to order.

OPEN PUBLIC MEETING STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Law. Both adequate and electronic notice of the meeting has been provided, specifying the time, place. In addition, a copy of this notice is available to the public and is on file in the office of the Municipal Clerk, posted on the main door, the bulletin board of the Municipal Building, on the Township website at: https://www.byramtwp.org/index.php/town_hall/township_council, and has been forwarded to those persons requesting notice.

ROLL CALL OF THE TOWNSHIP COUNCIL – Councilman Bonker here; Councilwoman Franco, here; Councilman Gallagher, absent; Councilman Roseff, here; Mayor Rubenstein here. Also present was Township Manager Mr. Sabatini, Attorney Tom Collins and Municipal Clerk Cynthia Church.

RESOLUTION FOR EXECUTIVE SESSION – Motion by Councilman Bonker, second by Councilwoman Franco, to go into executive session and adopt the below resolution.

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.

- a. Attorney Client Privilege Communication
- General
- b. Anticipated Litigation
- c. Contract Negotiations
- B.A.R.K.S.

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:

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 February 16, 2021.

Cynthia Church, Municipal Clerk

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd		x			
Yes	x	x		x	x
No					
Abstain					
Absent			x		

RETURN TO OPEN SESSION - Motion by Councilwoman Franco, second by Councilman Bonker to return to open session at 7:32 p.m. All members were in favor. Motion Carried.

FLAG SALUTE

APPROVAL OF AGENDA – Motion by Councilwoman Franco, second by Councilman Bonker, to approve the agenda as presented.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2nd	x				
Yes	x	x		x	x
No					
Abstain					
Absent			x		

RENEWAL OF LICENSE – 2021 QUARRY LICENSE –Tom Collins is recusing on this discussion. Steve O’Reilly, Manager of Tilcon, and Tom Ryan were also present. Mr. Stoner Stoner presented the Quarry License as a requirement of chapter 189 of the Township Code. Mr. Stoner Stoner prepared a report dated 2/29/2021. There is not much operations going on in the quarry, they do one blast per year. There is no crushing going on at the facility. They have some stone piles located on the property that they are in the process of having removed from the site. As a requirement of the ordinance, the engineer does quarterly inspections. Mr. Stoner found no issues with the application. They have a

stormwater DEP permit that has expired but is continued until the state comes out with new regulations. They have a performance bond in the amount of \$1,287,600 in place for restoration. There were comments from the Environmental Commission. Some were both procedural and plan comments, which Tilcon will update. Mr. Stoner did not have any objections to the application and is recommending the renewal. Mrs. Church verified that all fees have been paid. Mayor Rubenstein asked Mr. Sabatini about condition 14 and if he heard anything about ATV activity or other complaints. Mr. Sabatini was not aware of any complaints. Mayor Rubenstein said that the permit to use explosives expired in 2019, however the report states that there was blasting in 2020. Mr. O'Reilly said that they do have a current permit and will provide a copy to the Township. Mayor Rubenstein asked Mr. O'Reilly about his plans for the site over the next couple of years. Mr. O'Reilly said the plans are similar to what they are currently doing. He anticipates most of the material on the site will be moved out by the end of 2022. The long-term plans are to remain the same as they are now. Mr. Ryan asked Mr. O'Reilly about the state of Block 226 lot 16. Mr. O'Reilly said that it was inadvertently left on the map and was since removed from the map as that is not owned by them. Mr. Ryan asked if that would have an effect on the access agreement. Mr. O'Reilly said that they have an access agreement through that property. Mr. Stoner said that there is a shared access point.

Open to the Public

Jack Moran, 7 East Waterloo – asked about the 10 thousand truck loads being removed from Tilcon, and if the loads were being spread out. Mr. O'Reilly said that they are being spread out to about 25 loads or less per day. Mr. Moran asked if there are concerns about wear and tear on the roads. Mayor Rubenstein said that it is a county road feeding into a state road, and it does not have a direct impact on the township. Mayor Rubenstein said that the road sees more activity from Anti Trucking than it does from the quarry. Mr. Stoner does not see a concern of it impacting the roadways.

Closed to the public

Motion by Councilman Bonker, second by Councilwoman Franco to approve the 2021 Quarry License.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2 nd		x			
Yes	x	x		x	x
No					
Abstain					
Absent			x		

RENEWAL OF LICENSES – 2021 JUNK YARD

North Jersey Auto Wreckers – Mr. Stoner presented his report dated 2/9/2021. He noted that the operation has not changed much in the last couple of years. There are issues that they needed to address.

- Condition Number 3 - They need to minimize the number of vehicles being stacked outside of the facility, as mentioned in condition number three. During Mr. Stoner's visit, approximately 15 vehicles were parked outside of the fence. This number of vehicles was considerably less than what was noted in July of this year when he made a follow up inspection of the 2020 license conditions. The Licensee should keep up the good work in minimizing the number of vehicles outside of the fenced areas in 2021.
- Condition Number 9 – The Licensee has spent considerable time and effort in 2020 to regrade the gravel access road and to construct drainage swales along the access road to address ponding issues and minimize debris being tracked onto Lackawanna Drive during the site visit. While this was completed in 2020, the need to keep maintaining the gravel access road will need to continue as a condition of the 2021 license.
- Condition Number 5 - Receipts for the removal of approximately 3000 used tires were provided as proof of the removal of tires from this pile. The condition of continuing to reduce the size of this tire stockpile should continue in 2021 and onward until all tires are removed from the site.
- Condition Number 6 – The Township Clerk's office contacted the Sussex County Office of Mosquito Control and an inspection was made in June 2020. Based on this inspection, it was found that the large tire pile did have mosquito larvae in the tires. It was also noted that the smaller tire piles on the property that included "newer" tires removed from vehicles contained mosquito larvae as well. The Licensee should continue to remove tires from the large pile in 2021 and they should be more diligent in removing the other smaller tires from the site as soon as possible. Also, since the presence of mosquito larvae in the tires on the property is a recurring issue, it is recommended that the Licensee have a licensed professional spray mosquito control pesticide to control the spread of mosquitos in 2021. As stated previously, it was noted that the access driveway areas have been regraded but there were several pond areas still remaining on the site. The Licensee shall continue to regrade the gravel access driveway areas as needed in 2021 to minimize the amount of ponding of water. The condition of keeping the gravel areas graded in order to minimize ponding of water should be continued in 2021.

Mayor Rubenstein asked about the tires and the mosquitos, and if the tire pile is getting smaller. Mr. Stoner said that he does believe it is getting smaller, but it is hard to know for sure. Mr. Sabatini said that in the ordinance it states how the tires are to be stacked within the facility so that it does not harbor mosquitos. Mr. Sabatini suggests imposing a condition to bring down on the number of tires. Mayor Rubenstein stated that according to Township Code 156 k & l – "it should be unlawful to stack, pile, or place junk upon the premises in such a manner as to cause a fire hazard or to create a place for harboring, or breeding of rats, mice or vermin. It should be unlawful to stack, pile, or place junk upon any licensed premises at a height any greater than any fence, tree, shrub, or other means to obstruct the view Township Council Meeting February 16, 2021

from the public road or joining yards, and in no event shall an uncrushed automobile bodies be stacked in any greater amount or height than two levels thereof.” Mayor Rubenstein asked if we are addressing this issue loud enough in the conditions that they need to get rid of the tires. Mr. Sabatini suggests that a minimum of 500 tires should be removed each year, and if they are not doing that then they are not meeting condition #5. Mr. Sabatini thinks we need to be firmer on condition #5. Mr. Sabatini suggests this to be monitored through the Zoning office to see to it that progress is being made annually. Mayor Rubenstein said that in addition they need to show proof of receipts to show that the tires are going down.

The consensus of the Township Council is to carry the license application to the next meeting to allow everyone to speak and mutually agree on a date for the pile to go away. Mr. Stoner will address this with North Jersey Auto Wreckers with how long it will take them to get rid of the tire pile, and to establish a date so that it can be included along with the conditions. Mayor Rubenstein suggested that a representative from North Jersey Auto Wreckers also attend the next meeting to discuss the issue.

Motion by Councilwoman Franco, second by Councilman Bonker to carry the discussion at the next meeting to discuss bringing town the tire pile and allowing the opportunity for North Jersey Auto Wreckers attend the meeting to discuss the same.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2 nd	x				
Yes	x	x		x	x
No					
Abstain					
Absent			x		

Raimo’s – Mr. Frank Nemeth, and Mr. Charles Sarlo were present. Mr. Stoner presented his report dated 2/11/2021.

Condition No. 2 - *The Licensee shall maintain a copy of the New Jersey Pollutant Discharge Elimination System (NJDEPS) permit and documents related to New Jersey Department of Environmental Protection (NJDEP) compliance on the premises and make these items available to the Township Engineer at the time of any inspection.*

Mr. Stoner noted that the New Jersey Pollutant Discharge Elimination System (NJDEPS) permit did expired, but they can continue with the expired permit until the NJDEP provides the new criteria.

A copy of the June 17, 2020 NJDEP Compliance Evaluations and Assistance Inspection report was obtained. The report illustrated that the facility was out of compliance in regards to the collection of stormwater in the rear of the site being diverted due to the placement of concrete barriers in the rear of the property. Based on Mr. Stoners visits to the site, he beleives this issue has been addressed. It should also be noted that a number of inspection items were listed as “Compliance Not Determined” related to the new crusher that was installed on the site. This crusher was installed prior to obtaining approvals from the Planning Board but is not in operation. It is believed that the inspection notes were made because the inspection was limited to a drive by inspection due to COVID-19 and they had limited information regarding the crusher that was installed. Changes to this site which may be approved by the Planning Board could require that the NJPDES permit for the facility. The 2021 license should include a condition that the facility’s NJPDES permit be updated as needed to agree with the final site plan approval by the Planning Board.

Condition No. 4 – *Netcong Avenue (50' ROW) divides the licensed premises (Block 37, Lots 26 & 27 are to the north of Netcong Avenue and Block 35, Lots 36 & 37 are to the south). At present, Netcong Avenue is 40'-50' wide at the entrance from Route 206 and has a gravel travel way. Licensee may store a maximum of three (3) vehicles, consisting of trailers and/or tandems, on the north side of Netcong Avenue 100' in length starting 50' from the Route 206 right-of-way. All other equipment and piles of materials must be located within the fenced premises.*

During Mr. Stoner’s visit to the property, he found that parking along Netcong Avenue was limited to one (1) vehicle and that the Licensee was in compliant with this condition. Adherence to this condition should continue in 2021 so that Netcong Avenue remains open to vehicular traffic at all times. It should be noted that the application in front of the Planning Board proposes the reconstruction and paving of Netcong Avenue along the frontage of the Raimo of Stanhope operation. Once the roadway is reconstructed, no parking will be permitted along the edge of Netcong Avenue. Until that time, Mr. Stoner has no objection to the parking of vehicles be continued.

Condition No. 6 – *Licensee shall make a good faith effort to keep roll-off containers and other equipment and materials within the fenced area of Block 37, Lot 26 and Block 35, Lot 36. Block 35, Lot 35 is not part of the licensed premises. No roll-off containers or flatbed trailers shall be stored outside of the licensed premises. If the Licensee attempts to keep any roll-off containers, flatbed trucks or similar equipment on the non-licensed premises, then Licensee shall remove them until and unless the Licensee obtains a use variance and site plan approval from the Byram Township Land Use Board for expansion of the operation. During the visit to the site, Mr. Stoner noted several vehicles parked outside of the fenced-in area. It is believed that those cars belonged to employees or individuals that were cleaning up the Block 35 Lot 36 property. The Licensee should keep the Block 35 Lot 35 property free of vehicles, trailers and roll-off containers in 2021.*

As stated above, there biggest items that the Licensee needs to address are 1) obtaining full site plan approval from the Township Planning Board and 2) cleaning up the Block 35 Lot 36 property. It is crucial that both of these items are addressed early in 2021 and the facility comes into agreement with Township regulations and approvals. That being

stated, Mr. Stoner recommended that the license for 2021 be renewed with the condition that the Planning Board approval be obtained, and the cleanup of the Block 35 Lot 36 property be completed by July 1, 2021.

Mr. Nemeth agreed with the conditions. He is ready to move forward once he receives an approval from the Planning Board. He said that it is difficult because he needs temporary space for storage while the building are going up. Mr. Nemeth said the pile on Block 35 Lot 36 should be gone by the end of the year. Mayor Rubenstein said the same thing was said last year. Mr. Sabatini asked if they could have it cleaned up by the end of June 2021. Mr. Nemeth agreed. Mayor Rubenstein asked what the current approvals are for the south side of the yard. Mr. Nemeth said it is approved for a junkyard. Mr. Stoner said that it is questionable as the property has been around for a long time, and that has always been the use of the fenced in area. Historically it has been part of the operations, but there is not an approved site plan. Mayor Rubenstein asked Mr. Nemeth if there is anything in the report provided by Mr. Stoner that he does not think he can do. Mr. Nemeth said that he can meet the conditions as discussed. He does not want to have a problem with the stuff that is being stored there in the interim while he is cleaning up one side of the yard. Mayor Rubenstein said that he is concerned because it has been a year since they started with the right of way realignment with the Planning Board, and it needs to get straightened out. Mayor Rubenstein does not have any issues with the license, but he feels that Mr. Nemeth needs to make it more of a priority with getting things done with the Planning Board. Mayor Rubenstein feels that because the presentation is not easy to follow that is holding up the process with the Planning Board. Mr. Sabatini said that there are elements of the application that are being added that continue to add complications. Mayor Rubenstein recommended breaking it down into two applications. The next hearing before the Planning Board will be in March. Charles Sarlo said they are trying to address all the comments that were made in Mr. Stoners report. He said that they are not making any other changes. He said that the plans before the Planning Board, have been scaled down.

Mr. Sabatini recommended to the Council to approve the license for 6 months pending a report on what happens with Block 35 Lot 36 and the scale house.

Open to the Public

Jeanne Moran, 7 East Waterloo Road – Asked for more detail on what they do for pest control as stated in condition #9. Mr. Nemeth said that they hire Accurate Pest Control to come in quarterly to take care of any pests. Ms. Moran asked about the DEP inspection for water, Mr. Stoner said they test the water coming out of the water quality chamber.

Close to the public.

Motion by Councilwoman Franco, second by Councilman Bonker to approve the Raimo’s Junk Yard License for 6 months (through June 30th) upon the conditions in the 2/11/2021 report.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2 nd	x				
Yes	x	x		x	x
No					
Abstain					
Absent			x		

APPOINTMENT OR ARCHITECTURAL REVIEW COMMITTEE MEMBER – Martin Ekhelar

- Motion by Councilman Bonker, seconded by Councilwoman Franco to appoint Martin Ekhelar as a member of the Architectural Review Committee.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2 nd		x			
Yes	x	x		x	x
No					
Abstain					
Absent			x		

PROCLAMATION – ARBOR DAY

Motion by Councilwoman Franco, second by Councilman Bonker to sign the proclamation. All members in favor. Motion carried.

TOWNSHIP MANAGER, MAYOR AND COUNCIL REPORTS

Township Manager – The budget will be introduced March 2nd with the adoption on April 6th and on the same night they will be introducing the capital ordinances. Mr. Sabatini virtually attended the funeral services for Det. Todd Duffy and acknowledge his passing. He was a retired Byram Township Police Officer who served as Detective for 20 years. He worked for the Township for 25 years. He was also the D.A.R.E. officer.

Mayor Rubenstein – There was a Planning Board hearing on Feb 4th. There was a completeness review and a residential hearing on solar panels that was carried. There was also a hot tub approval. On February 18th, the Planning Board will have two residential hearings, and 1 commercial hearing for Adam Todd. Last week he received a phone call from Elizabethtown Gas to install meters on Birch Parkway, Glenside Trail, Glenside South, Westshore Trail and

Whippoorwill. They will be starting the surveying of homeowners to find out interest in getting natural gas on Ranger Trail, Lee Hill Road, Marine, Meadowbrook, and other areas. Over the next few months, they will also be surveying areas near Stonehedge Lane and Manor Lane. Still in the process of negotiating the agreement with Verizon. Mr. Sabatini and the Mayor had a meeting with the DOT today about a repair to a tunnel going through Andover Borough. They were suggesting some time in 2025 there will be major bridge work done causing closures on Route 206 for 6 months to a year. This will affect Byram and how traffic will flow through the town.

Councilman Bonker – Acknowledged the passing of Mr. Duffy, and his service to the community. John Morytko was nominated as Chair of Open Space committee and welcomed Russ Raffay to the Open Space committee as well. There is still one open seat on that committee. The meeting that they had last Monday was very productive, the committee recommended two contracts which are on tonight’s Township Council Agenda for consideration. They provided several comments on the French and Parrello conceptual plans for C.O. Johnson Park redesign. He feels that they need to authorize phase 1B of the Municipal Building project. Emphasized that tonight they need be prepared to authorize the final construction documents so they can bid on the project. The township needs to move forward, as interest rates are at an all time low, and they should lock into these rates as quickly as possible.

Councilwoman Franco – Acknowledged the passing of Officer Duffy, her family and children were very sad to hear of his passing. Updated on the Haden Harris Memorial Fund, the Go Fund me page is up to \$4203.00. Was pleased with the productive meeting the Township Council had with the Municipal Building Subcommittee.

Councilman Roseff – no report.

PUBLIC PARTICIPATION I

Jack Moran, 7 East Waterloo Road – Asked about ISO testing. No reports currently as Councilman Gallagher was not in attendance. Asked if the Township heard anything from Service Electric. Mayor Rubenstein said there is not much of an update. Asked about updates on the East Brookwood Ingress / Egress. Mr. Sabatini said he requested a meeting with property owner, but the property owner had medical issues and cannot meet at this time. Until that meeting happens there will be no further activity on the project. Mr. Bonker said that the Township Council took action on Energy Aggregation. There will be a bid for Energy Aggregation on Friday February 19th.

Close to the public.

APPROVAL OF MINUTES

- 02-02-2021 Regular & Closed Session Minutes – Motion by Councilman Bonker, seconded by Councilwoman Franco to approve the minutes with discussed changes.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2 nd		x			
Yes	x	x		x	x
No					
Abstain					
Absent			x		

- 02-09-2021 Regular & Closed Session Minutes – Motion by Councilwoman Franco, seconded by Councilman Bonker to approve the minutes with discussed changes.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2 nd	x				
Yes	x	x		x	x
No					
Abstain					
Absent			x		

CONSENT AGENDA – All 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 Councilwoman Franco, second by Councilman Bonker to approve the consent agenda.

- Resolution No. 065-2021 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder
- Resolution No. 066-2021 – Resolution Authorizing the Execution of the Sewer Capacity Allocation Reservation Agreements between Byram Township, Stanhope, and Weber Brothers Properties, LLC.
- Resolution No. 067-2021 - Resolution Authorizing the Execution of the Sewer Capacity Allocation Reservation Agreements between Byram Township, Stanhope, and 16 Route 206 Stanhope, LLC.
- Resolution No. 068-2021 - Resolution Authorizing the Execution of the Sewer Capacity Allocation Reservation Agreements between Byram Township, Stanhope, and 10 Route 206, LLC.
- Resolution No. 069-2021- Resolution Authorizing the Execution of the Sewer Capacity Allocation Reservation Agreements between Byram Township, Stanhope, and Byram 206 Developers, LLC

- Resolution No. 070-2021- Resolution Authorizing Gracie & Harrigan Consulting Foresters, Inc. to Provide Various Forest Stewardship Services for the 2021 Season – Not to exceed \$5,000
- Resolution No. 071-2021 – Resolution Authorizing Greener by Design, LLC., to Provide Various Services to Byram Township in Connection with the Township’s Acquisitions, Stewardship and Management of its Open Space and Recreational Holdings – Not to exceed \$12,000
- Resolution No. 072-2021 – Authorization for the Purchase of one (1) Chassis F550 Regular Cab with Optional Equipment for the Township of Byram Department of Public Works – Not to exceed \$77,426.00

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2nd	x				
Yes	x	x		x	x
No					
Abstain					
Absent			x		

BILL LIST – February 16, 2021 – Motion by Councilman Bonker, second by Councilwoman Franco to approve the bill list as presented.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd		x			
Yes	x	x		x	x
No					
Abstain					
Absent			x		

ORDINANCE – 2nd Reading / Public Hearing

- Ordinance 002-2021 - **AN ORDINANCE AMENDING & REPLACING CHAPTER 211 - STORMWATER CONTROL OF THE TOWNSHIP OF BYRAM CODE**

Purpose Statement: The purpose of this ordinance is to amend the existing Stormwater Control Ordinance to address the New Jersey Department of Environmental Protection’s adopted amendments to the New Jersey Stormwater Management Rules at N.J.A.C. 7:8.

Motion by Councilwoman Franco, second by Councilman Roseff to adopt ordinance 002-2021.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2nd				x	
Yes	x	x		x	x
No					
Abstain					
Absent			x		

Be It Resolved that Ordinance 002-2021 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ITEMS FOR DISCUSSION

Municipal Building Resolutions -

Mayor Rubenstein gave a summary of where we are in the Municipal Building process. There was a joint Township Council / Municipal Building Subcommittee meeting on 2/9/2021 regarding the design documents and estimates which brought back a lot of useful information.

Mayor Rubenstein would like to touch on the following topics:

1. Authorizing of site plan work
2. Utilizing the MJA consultant as a resource during the design process
3. Phase I Environmental Study
4. Utilizing Ben Spinelli from Greener by Design to assist with grant opportunities

Councilman Bonker –would like to approve Phase 1B, and would like to retain Mr. Alpaugh as a resource. Does not agree with the need of the Phase 1 (environmental assessment). Would like to hire Mr. Spinelli to assist with obtaining grants.

Councilwoman Franco – Does not see how Phase 1 would pertain to this site and does not see it being necessary. Agrees to Mr. Alpaugh from MJA helping us along the way. Would like to enlist Mr. Spinelli from Greener by Design knowledge on grants.

Councilman Roseff -- Thought the meeting on 2/9/2021 was excellent with great insight from the professionals and the Building Subcommittee. Contingency conversation at the last meeting was a concern to him and with the next step he would like to see the final project cost. Not sure how the quotes bundle up to the \$250,000 that the architect provided. Would like to give the contractors the options to raise the municipal building and build up from the pad. Would also like to consider looking at a quote for prefab construction. Though Mr. Alpaugh provided a lot of value and would like him to be on board to help with more than just estimating, but rather as an owner’s representative. Does not know what “submit invoices as he goes along” that is on the Nader Group quote and thinks there should be a balloon payment at the end of the Township Council Meeting February 16, 2021

project. Does not know who the team is that makes up the Nader Group team. Does not see that the Phase I environmental assessment is necessary. Thinks we need a grant writer, however, does not necessarily think it should be Greener by Design that would be the right group to provide it.

Mayor Rubenstein thinks we should have Greener by Design to attend the next meeting to talk about what they can offer and to provide a proposal, Councilwoman Franco and Councilman Bonker both agreed.

The consensus of the council is to:

1. Move forward with authorizing of site plan work for Phase 1B
2. Move forward with utilizing the MJA consultant as a resource during the design process and to have a conversation with him on expectations.
3. Not to move forward with Phase I Environmental Study
4. Move forward with asking Ben Spinelli from Greener by Design to attend the next Township Council meeting to discuss what he can offer in grant opportunities

RESOLUTION NO. 073-2021 - Resolution Authorizing the Nader Group to Provide Architectural, Civil Engineering, Environmental/Permitting & Construction Administration Services for the New Byram Township Municipal Building not to exceed \$61,500.00

Motion by Councilman Bonker, second by Councilwoman Franco to approve Resolution No. 073-2021 - Resolution Authorizing the Nader Group to Provide Architectural, Civil Engineering, Environmental/Permitting & Construction Administration Services for the New Byram Township Municipal Building not to exceed \$61,500.00

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2 nd		x			
Yes	x	x		x	x
No					
Abstain					
Absent			x		

SOIL ORDINANCE

Mayor Rubenstein provided a summary of the previous conversation on the Soil Ordinance. Councilman Roseff provided a background and his concern of how it was going to be verified and how the paperwork would be handled. Over the last week he renewed some of his contacts and considered the following: More than 25 yards of fill from a farm would fail based on how the ordinance is written, and how stringent the requirements are. He said that 25 yards of soil is quite a small amount. No paperwork will show that it is NJDEP certified. Councilman Roseff said that the way it is currently worded is a burden on the homeowner and the township. He does not think this would protect against dirty dirt. Mr. Sabatini thinks the council should look at the documentation from the state and the model that they put out and should go the route of why it was being originally considered. The NJDEP has a sample ordinance that can be reviewed. A consensus of the council was to table discussion until there is time to review the sample ordinance. Mr. Sabatini will circulate an email with a link to the NJDEP site.

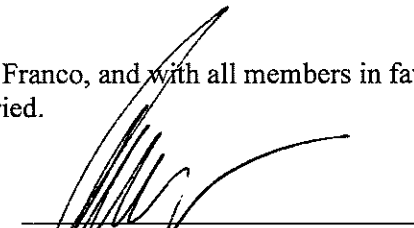
PUBLIC PARTICIPATION II

Scott Yappen, 5 Catherine Drive – Commented on the soil as it relates to the Municipal Building. Contaminated soil could impact cost. May want to reconsider the environmental assessment. Greener by Design’s website does not show any indication that they work on grants. They focus on energy and environment. Consider looking into other grant writers.

ADJOURNMENT

On the motion of Councilman Bonker, second by Councilwoman Franco, and with all members in favor, the meeting was adjourned at 10:41 p.m. All members were in favor. Motion carried.


 Cynthia Church, RMC
 Township Clerk


 Alexander Rubenstein, Mayor