

**TOWNSHIP OF BYRAM
REORGANIZATION TOWNSHIP COUNCIL MEETING
JANUARY 4, 2022
REORGANIZATION MEETING 7:30 P.M.**

CALL MEETING TO ORDER – Deputy Mayor Raymond Bonker 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.

SWEARING IN OF MAYOR ALEXANDER RUBENSTEIN

Alexander Rubenstein was sworn in by the Township Clerk with his wife Jeanne holding the bible.

SWEARING IN OF COUNCILMAN HARVEY ROSEFF

Harvey Roseff was sworn in by the Mayor with Muriel Arfi holding the bible.

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

FLAG SALUTE

INVOCATION by Russel Raffay

APPROVAL OF AGENDA – Motion by Councilman Bonker, second by Councilman Gallagher, to approve the agenda with the following changes: the tabling of the swearing in of the Fire Department Officers, OEM, and the addition of Resolution No. 035-2022. All in favor. Motion carried.

SWEARING IN OF BYRAM TOWNSHIP FIRE DEPARTMENT OFFICERS

Tabled to the January 18, 2022, meeting.

NOMINATION AND SELECTION OF DEPUTY MAYOR - Motion by Councilwoman Franco, seconded by Councilman Gallagher to nominate Raymond Bonker as Deputy Mayor. All in favor. Motion carried.

TOWNSHIP COUNCIL APPOINTMENTS

TOWNSHIP ATTORNEY –Thomas F. Collins, Jr. of Vogel, Chait, Collins and Schneider

Motion by Councilman Bonker, seconded by Councilman Gallagher, to appoint Thomas F. Collins, Jr. of Vogel, Chait, Collins and Schneider as Township Attorney for a 1-year term. All in favor. Motion carried.

LABOR ATTORNEY & CONFLICT ATTORNEY – Tom Ryan of Laddey, Clark & Ryan

Motion by Councilman Bonker, seconded by Councilwoman Franco, to appoint Tom Ryan of Laddey, Clark & Ryan as Labor & Conflict Attorney for a 1-year term. All in favor. Motion carried.

BOND COUNSEL - Robert H. Beinfield of Hawkins Delafield & Wood LLP.

Motion by Councilman Bonker, seconded by Councilwoman Franco, to appoint Robert H. Beinfield of Hawkins Delafield & Wood LLP as Bond Counsel for a 1-year term. All in favor. Motion carried.

TOWNSHIP ENGINEER –Cory Stoner of Harold Pellow & Associates.

Motion by Councilwoman Franco, seconded by Councilman Gallgher, to appoint Cory Stoner of Harold Pellow & Associates as Township Engineer for a 1-year term. All in favor. Motion carried.

TOWNSHIP SEWER ENGINEER - Steve Donati of CP Engineers, LLP

Motion by Councilman Gallagher, seconded by Councilman Bonker, to appoint Steve Donati of CP Engineers, LLP as Township Sewer Engineer for a 1-year term. All in favor. Motion carried.

TOWNSHIP AUDITOR – Raymond Sarinelli of Nisivoccia, LLP.

Motion by Councilwoman Franco, seconded by Councilman Gallagher, to appoint Raymond Sarinelli of Nisivoccia, LLP as Township Auditor for a 1-year term. All in favor. Motion carried.

TOWNSHIP PLANNER - Paul Gleitz of L&G Planning.

Motion by Councilman Gallagher, seconded by Councilwoman Franco, to appoint Paul Gleitz of L&G Planning as Township Planner for a 1-year term. All in favor. Motion carried.

PLANNING BOARD

Motion by Councilman Bonker, seconded by Councilman Gallagher, to appoint Cris Franco as Class III member to a 1-year term. All in favor. Motion carried.

Motion by Councilman Bonker, seconded by Councilman Gallagher, to appoint George Shivas, Jr. as a Class IV member to a 4-year term. All in favor. Motion carried.

Motion by Councilman Bonker, seconded by Councilman Gallagher, to appoint Gregory Smith, Alternate II member to a 2-year term. All in favor. Motion carried. All in favor. Motion carried.

BOARD OF HEALTH –

Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Lauren Shannon to a 4-year term. All in favor. Motion Carried.

OPEN SPACE COMMITTEE – Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Raymond Bonker to a 3-year term. All in favor. Motion carried.

Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Eric Duch to a 3-year term. All in favor. Motion carried.

911 COORDINATOR

Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Chief Kenneth Burke as 911 Coordinator for a 1-year term. All in favor. Motion carried.

SUSSEX COUNTY SOLID WASTE ADVISORY BOARD – Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Michael Busniak to a 1-year term

MUSCONETCONG RIVER MANAGEMENT COUNCIL Motion by Councilman Gallagher, second by Councilwoman Franco to appoint Kathleen Parrish (Primary) and Dana Flynn (Alternate) to a 1-year term.

WATER QUALITY MANAGEMENT PLAN POLICY ADVISOR COMMITTEE (PAC) Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Roxanne Sabatini to a 1-year term

COUNCIL LIAISONS

- Recreation Committee – Councilman Gallagher
- Environmental Commission – Councilman Roseff
- Board of Health – Councilwoman Franco
- Byram Historical Society – Councilman Roseff
- Lenape Valley BOE – Mayor Rubenstein
- Byram BOE – Councilman Gallagher

MAYORAL APPOINTMENTS

- **CLASS II PLANNING BOARD MEMBER** – 1-year term – Andrew McElroy
- **ENVIRONMENTAL COMMISSION** – Eric Duch (3-year term)

TOWNSHIP MANAGER'S APPOINTMENT

- Land Subdivision Search Officer – Planning Board Secretary Caitlin Phillips
- Tax Search Officer – Michele McElroy
- Special Law Enforcement Officer – Class II – Philip Crosson

ACCEPTANCE OF BOARD MEMBER RESIGNATIONS AND RECOGNITION OF BOARD/COMMITTEE MEMBERS NO LONGER SERVING – Mayor Rubenstein expressed his gratitude and thanked the following people for their service:

Kymberli Morris - REC (2020), Jennifer Kerr - REC (2018)

Mayor Rubenstein thanked the residents for volunteering and asked the Township Clerk to send a letter of thanks on the Council's behalf.

Motion Councilwoman Franco, Second by Councilman Gallagher to accept the resignations. All in Favor. Motion Carries.

TOWNSHIP MANAGER, MAYOR AND COUNCIL REPORTS

Township Manager –

- The Budget Workshop meeting is scheduled for Monday, January 10, 2022 with a 6:30 p.m. start time. The budget information has been posted on the Township website. Mr. Sabatini sent an email to the Mayor and Council asking them to submit any topics they would like to discuss to him by Wednesday January 5th so that he will have time to prepare.
- Local Finance Notice 2021-24 extended the budget deadline. Extensions for introduction and approval of the Budget by March 31, 2022, and the adoption by April 29, 2022.
- Byram Township anticipates the Introducing the Budget on March 1, 2022 with the Adoption on April 5, 2022
- LFN 2021-19 Calendar Year 2022 Municipal and County Budget Cap presented COLA for CY2022 budgets at 2.5%. The COLA and CAP bank ordinance will be on the January 18, 2022 agenda for introduction.
- Christmas tree pick up is scheduled to occur on January 19, 2022. Trees must be placed at curbside by 6:00 a.m.
- The Township Manager reflected on the accomplishments of 2021 including the following (information will also be in the Annual Report that will be published by February 1, 2022 and posted to the township website). Mr

Sabatini said that as they entered the new year and began to embark on the goals for 2021 they were still managing under the unexpected effects of the COVID19 pandemic, which still continues to present challenges with the current variants. Everyone worked collaboratively to focus on their efforts on a common goal and working to ensure the efficient and effective continuity of government. He stated that he is proud of the staff for continuing to deliver the level of service that the residents have come to expect with limited interruptions. Mr. Sabatini thanked the township's many volunteers and resident for continuing to remain flexible, patient and understanding while they continue to adapt to the many changes necessary to protect everyone. Below is a list of some of the accomplishments for 2021:

- Entered into agreement with Hopatcong Borough for animal pound services
- Extended the Andover Township Forest Lakes Snow Removal Agreement through December 31, 2023
- Received NJDOT Fiscal year 2022 Municipal Aid Grant for Tamarack Road totaling \$190,500.00
- Received the NJ Department of Law and Public Safety Body Camera Grant exceeding \$32,608.00
- Received the Clean Communities Grant totaling \$34,781.76
- The township was notified that they were eligible to receive \$830,230.92 through the American Rescue Plan Act of 2021.
- Received notification that the Highland Council allocated \$150,00.00 to Byram for the completion of the Township Lake Management and Protection Plan.
- Completed aggressive road resurfacing program including milling and paving of the following:
 - Fieldstone Trail – NJDOT Fiscal year 2021 Municipal Aid Program Grant
 - Cranberry Lake Section
 - Forest Lakes Section
 - Continental Drive
 - Various other Roads
- Continue to with Elizabethtown Gas and NJ Natural Gas
- Worked with Labor Unions to reach agreements for 5 year extensions of collective bargaining agreements.
- Worked with Educational Services Commission of NJ to launch a Government Energy Aggregation program for township residents providing an annual savings of 7% of the basic JCP&L generation service tax price.
- Recognized the retirement of two long time employees:
 - Russel Voight – 27 years of service with DPW
 - Cheryl White – 17 years of service in multiple administrative positions
- Welcomed all new staff that were hired in 2021 – 12 new employees hired in 2021
- Public Meetings of the Township Council and Committees are listed on the Township website and encourages public participation. It is expected that in early 2022 the Township Council will support hybrid meetings.
- Thanked the Byram Township Staff for a challenging yet successful 2021.

Mayor Alexander Rubenstein – Nothing to Report

Councilman Bonker –

Two goals for 2022: 1) Finish the CO Johnson Park expansion and 2) start the municipal building construction.

Open Space: will hold a special meeting on Thursday January 13th regarding the 2022 Open Space goals and to discuss arrangements for consultants for this year's activities, and capital planning for the rest of this decade.

Still waiting on an update from French and Perrello that the DEP pre-application meeting for the Dog Park/CO Johnson Park expansion will occur this month.

Councilwoman Franco – Planning Board meeting on January 19th, with a couple residential applications.

Councilman Gallagher – Recreation meeting is coming up on January 17th.

Councilman Roseff – nothing to report.

PUBLIC PARTICIPATION I – Motion by Councilwoman Franco second by Councilman Gallagher to open to the public. All members were in favor. Motion Carried.

David Pelletier – 23 Frenches Grove Road – Read aloud a statement as to why he does not stay for the meetings.

John Garrity – Asked for the status of the Highlands Grant, Mr. Sabatini explained that it was decided to not act on the resolution as they were to reach out to Princeton Hydro and the Highlands. The state employees are not meeting in person currently. It was suggested that they form a working group with representative from Princeton Hydro and the Highlands. He does not see this moving forward until at least the end of the first quarter 2022. Mr. Garrity said he put work into researching it prior to bringing it to the council's attention. Councilman Roseff said that the plans that were presented were boilerplate and feels that each lake needs different kinds of attention, and therefore they need to understand the outfit that they would be outsourcing to.

Luanne Byrne – Came tonight to honor all those who volunteer to our community.

Motion by Councilwoman Franco, second by Councilman Gallagher to close to the public. All members were in favor. Motion carried.

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 Councilman Bonker, second by Councilman Gallagher to approve the consent agenda.

- A. Resolution No. 001-2022 – Resolution to Provide Temporary Budget Appropriations until the Adoption of the 2022 Current Fund Budget
- B. Resolution No. 002-2022 – Resolution to Provide Temporary Budget Appropriations until the Adoption of the 2022 Sewer Utility Budget
- C. Resolution No. 003-2022 – Custodian of Funds / Signatories
- D. Resolution No. 004-2022 – Resolution Adopting the 2022 Cash Management Plan
- E. Resolution No. 005-2022 – Resolution Authorizing the Chief Financial Officer to Maintain a Petty Cash Fund in the Amount of \$150.00
- F. Resolution No. 006-2022 – Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7-29
- G. Resolution No. 007-2022 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Establish the Rate of Interest to be Charged for Non-Payment of Taxes on or Before the Due Date”
- H. Resolution No. 008-2022 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Cancellation of Small Tax Balances”
- I. Resolution No. 009-2022 – Resolution Designating Official Newspapers
- J. Resolution No. 010-2022 – Annual Notice of the Calendar Dates of the Scheduled Meetings of the Byram Township Council from 01/01/2022-12/31/2022 and the Beginning of 2023
- K. Resolution No. 011-2022 – Resolution Authorizing Compliance with the United States Equal Employment Opportunity Commissions “Enforcement Guidance on the Consideration of Arrest and Conviction Records” in Employment Decisions under the Title VII of the Civil Rights Act of 1964
- L. Resolution No. 012-2022 – Resolution Authorizing Annual Appointment of a Public Agency Compliance Officer (PACO) for the Township of Byram, Sussex County, New Jersey
- M. Resolution No. 013-2022 – Resolution Appointing Tax Assessor and Municipal Attorney to Represent the Township of Byram before the County Board of Taxation for Calendar Year 2022
- N. Resolution No. 014-2022 – Authorizing Appointment of legal Counsel and Award of Professional Service Contract in Connection Therewith
- O. Resolution No. 015-2022 – Authorizing Appointment of the Township Labor Counsel and Award of Professional Service Contract in Connection Therewith
- P. Resolution No. 016-2022 – Authorizing Appointment of the Township Engineer and Award of Professional Service Contract in Connection Therewith
- Q. Resolution No. 017-2022 – Authorizing Appointment of the Sewer Consulting Engineer and Award of Professional Service Contract in Connection Therewith
- R. Resolution No. 018-2022 – Authorizing Appointment of Bond Counsel and Award of Professional Service Contract in Connection Therewith
- S. Resolution No. 019-2022 – Authorizing Appointment of Township Planner and Award of Professional Service Contract in Connection Therewith
- T. Resolution No. 020-2022 – Authorizing Appointment of the Township Auditor and Award of Professional Service Contract in Connection Therewith
- U. Resolution No. 021-2022 – Authorizing Appointment of the Township Architect and Award of Professional Service Contract in Connection Therewith
- V. Resolution No. 022-2022 – Resolution Authorizing the Execution of the 2022 Agreement by and Between Byram Township and Phoenix Advisors, LLC Covering Continuing Disclosure Agent Services and Appointment as Independent Registered municipal Advisor “of Record”
- W. Resolution No. 023-2022 – Appointment of Darren Raymond for Appraisal Services Relating to the State Tax Court Residential Appeals
- X. Resolution No. 024-2022 – Appointment of Scott J. Holzhauser for Appraisal Services Relating to the State Tax Court Commercial Appeals
- Y. Resolution No. 025-2022 – Resolution Authorizing the Execution of Documents Associated with the Payroll Contract with R&L Data Centers
- Z. Resolution No. 026-2022 – Authorizing Appointment of Linda L. Maxwell of Insurance Administrator of America Inc. as Third-Party Administrator for Matters Related to Retiree Health Insurance Reimbursement
- AA. Resolution No. 027-2022 – Resolution Authorizing Navitend to Provide Proventiv Managed Services – Not to Exceed \$45,413.60
- BB. Resolution No. 028-2022 – Resolution of the Township of Byram Ratifying and Authorizing the Award of a Contract for Professional Services to French & Parrello Associates
- CC. Resolution No. 029-2022 – Authorizing Appointment and Award a Professional Service Contract to MJA Construction Services for Cost Estimating and Construction Consulting for the Proposed New Byram Township Police & Renovations to the Municipal Building
- DD. Resolution No. 030-2022 – Resolution Authorizing Gracie & Harrigan Consulting Foresters, Inc., to Provide Various Forest Stewardship Services for the 2022 Season
- EE. Resolution No. 031-2022 – Resolution for Removal of Deer Carcass from Byram Township Municipal Roadways
- FF. Resolution No. 032-2022 – Authorization to Execute Change Order No. I Township of Byram for Proposed Improvements to Continental Drive – Denville Line Painting, Inc. – Net Increase \$563.63

GG. Resolution No. 033-2022 – Authorization to Execute Change Order No. I Township of Byram for Proposed improvements to Fieldstone Trail – Concrete Sidewalk & Detachable Warning Surface – Net Increase \$3,385.00

HH. Resolution No. 034-2022 – Authorization to Purchase Body-Worn Cameras and Support Equipment for the Township of Byram Police Department – Not to exceed \$38,449.00

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

PROCLAMATION – Radon Action Month – January – Mayor Rubenstein read the proclamation and asked for a motion to authorize the Mayor to sign it. Motion by Councilwoman Franco, second by Councilman Gallagher to sign the proclamation. All members in favor. Motion carried.

APPROVAL OF MINUTES

- December 21, 2021 Regular & Closed Session Minutes – Motion by Councilman Gallagher, seconded by Councilwoman Franco to approve the minutes.

Councilman Roseff asked to add a section to the minutes, he will send the requested edits to the Township Clerk via email.

The approval of the minutes was Tabled to January 18, 2022 meeting.

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

BILL LIST – January 4, 2022 – Motion by Councilwoman Franco, second by Councilman Gallagher 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	x
No					
Abstain					
Absent					

RESOLUTION NO. 035-2021 - AUTHORIZATION TO REQUEST THE COUNTY COMMISSIONERS TO ALLOW THE INSTALLATION OF GAS MAIN BY ELIZABETHTOWN GAS, UNDER COUNTY ROUTE 605, DURING THE WINTER MONTHS PRIOR TO THE PAVING OF SAID ROAD

Mayor Rubenstein said that the township council has been working hard to get ETG into the township. They have already installed some lines throughout various streets in the township. They are now looking to install lines on Sparta Stanhope Road (which is a county road), to complicate matters, the county has decided to pave the road in April 2022. The Sussex County Engineering Department has a policy that says once a road has been paved it cannot be ripped up for three years if it is not an emergency. If ETG does not get the gas lines laid by April 2022 they will not be able to install them for another three years. This is a problem as this road acts as the gateway to getting a variety of other roads gas lines. Normally the county would not allow roads to be opened in cold weather for fear of improper settling, and the availability of asphalt to repair the road. To get the authorization to work in the winter it must be done by a resolution of the Sussex County Commissioner. The Sussex County Commissioners and the Sussex County Engineering Department and ETG are asking Byram Township to provide a resolution of support asking the Sussex County Commissioners to approve ETG to work in the winter to get a permit.

Mayor Rubenstein would also like a cover letter to go along with the resolution. Mayor Rubenstein will draft the letter to be sent.

Motion by Councilwoman Franco, second by Councilman Roseff to approve Resolution No. 035-2022.

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

Absent					
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FUTURE AGENDA ITEMS – Councilwoman Franco asked about the status of the discussion on Dirty Dirt.

PUBLIC PARTICIPATION II – Motion by Councilman Bonker, second by Councilwoman Franco to open to the public. All members were in favor. Motion Carried. No comments were made.

John Garrity asked about the gas lines and the paving. Asked if it is being rushed because of the paving.

Motion by Councilwoman Franco, second by Councilman Gallagher to close to the public. All members were in favor. Motion carried.

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
 - 36 Belton Street, Block 5 Lots 682 & 684
 - B.A.R.K.S. Move
- b. Shared Services
 - Lakeland Emergency Squad

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 January 4, 2022.

Cynthia Church, Municipal Clerk

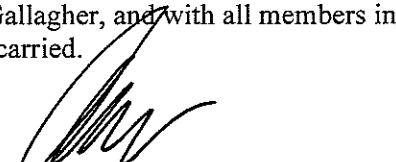
	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2 nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

RETURN TO OPEN SESSION - Motion by Councilman Gallagher, second by Councilwoman Franco to return to open session at 10:05 p.m. All members were in favor. Motion Carried.

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Gallagher, and with all members in favor, the meeting was adjourned at 10:05 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor