

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
JANUARY 16, 2024
BUDGET WORKSHOP – 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 Act. 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 –Councilwoman Franco, here; Councilman Gallagher, here; Councilman Proctor, here; Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joseph Sabatini, Ashleigh Frueholz, CFO, Attorney Tom Collins (7:30p.m.) and Township Clerk, Cynthia Church

BUDGET WORKSHOP –

Mr. Sabatini presented the following on the proposed 2024 Budget:

I would like to start by directing everyone to the Township's Website and under the 2024 Municipal Budget Information you will find all the documentation and details supporting the 2024 Budget Plan.

The 2024 Budget Process started with the Township Department Heads July 2023.

I would like to thank all my department heads for their hard work holding the line on departmental expenses contributing to presenting a responsible budget for 2024.

The municipal budget is the Council's most important annual policy statement.

It defines how the local government team will implement its priorities for the next fiscal year, and where the money will come from to carry out that work plan.

The Mayor and Council should identify the goals and objectives for 2024 to identify resources including funding needs to carry out the work plan.

It is critical to link policies and money through the annual budget.

The 2024 Budget was kicked off with Budget Goals and Objectives in September. Key objectives were mainly capital focused which included the following:

- *Municipal building improvements/repairs.*
- *Streets and Roads*
- *More funds allocated to support recreation.*

Proposed Schedule Budget Schedule:

- *Introduction by March 5, 2024*
- *Adoption by April 2, 2024*

- *Preliminary Budget Message was provided and posted November 8, 2023*
- *January 4 - provided update presenting a Net change from November 2023 – increase of \$4,040. Summary of changes as follows:*
 - *Updated for with actual assessment from Statewide for WC/GL*
 - *Admin – addition of SDL license (added December 2023)*
 - *Finance – needed to account for requirement for Noticing of Redemptions*
 - *Nixle/911 – needed to update for annual 911 radio communications contract increase/Nixle Account*

- *As presented, this budget plan has property taxes totaling \$9,187,678. This is a 1.20% or \$110,789 increase of the tax levy.*

Salary And Wages:

Salary and Wages have been populated with contractual obligations (steps, longevity and salary increases), and all known and planned staff changes. Overall, Salary and Wages for all departments total \$3,967,750 which is an increase of \$83,700 or 2.15% from 2023. This budget includes the addition of a permanent part-time clerical administration employee.

Operational expenses for all departments total \$1,638,773 which is an increase of \$47,979.

- *New permanent part-time clerical administration employee - \$26,000*
- *Modest Increase to Buildings and Grounds - \$5,000 - need for repairs, pest control, water usage at Lee Hill, boiler repairs, anticipation of building repairs at Lee Hill and Municipal Building, ie. Roofleaks, electrical repairs, boiler replacement.*
- *Public Works:*

- *Operating Maintenance - \$2,000 - Costs increase - cost to run road repair projects (rentals, nuts, bolts, welding supplies & fuel system).*
- *Drainage Supplies - \$2,000 - Castings need to be replaced and we are already running over this year. 4-5 need replacement @ \$1,000/each approx.*
- *Seminars/Training - \$12,000 - New CDL Laws in effect as of 02/2023. \$4,000/student - 3 need to be sent (3 newest hires).*
- *Miscellaneous - \$10,000 - Pickup in Tree Removal (Dead Ash Trees) at non-open space areas/properties (i.e. properties that Twp has foreclosed on)*
- *Park Maintenance - \$2,000 - Paint costs increases for added sports organizations - numerous locations.*

Overall, the Township's operating budget is increasing \$131,679 or 2.41%.

Other Categories of Expenses (Expenses not associated with a specific department):

- *Garbage/Recycling (Increase of \$40,000/4.06%):*
 - *Annual Garbage/Recycling Contract increase of \$12,000.*
 - *Tipping fees for solid waste are separate and SCUMA has approved a rate increase from \$96 to \$107 per ton. Total increase of \$28,000.*
- *Group Insurance – (Increase of \$117,600/9.40%):*
 - *Group Health Insurance was updated for changes of census and State Health Benefits rate increases. (Active Employees 7.3%, Early Retirees 7.3%, and Medicare Eligible Retirees 8.8%) as well as changes for Medicare reimbursements, waivers and employee life changes.*
- *AVERAGE STATE HEALTH BENEFITS INCREASE 7.4 PERCENT*
- *Group Insurance waivers decreased (-\$6,900) - contributed to change in census.*
- *Workers Compensation/General Liability - increases of 6.5% - 2024 assessments - increase \$18,473:*
- *Pensions decreased - \$18,655 (PERS increased \$13,414 and PFRS decreased \$32,069.*

CAPITAL IMPROVEMENT PROGRAM:

- *December 17, 2023 –a Draft 2024 Capital Budget was posted to the Township's website.*
- *Total Amount Being Raised in CIF = \$634,223 (Reduction of \$8,350 - shift to debt service, but still includes a \$195,000 hat was to be a one-time funding to the Capital Improvement Fund which in 2023 was offset by an increase in Fund Balance.)*
- *Capital Supplement to Streets and Roads = \$100,000*
- *Capital Supplement to Drainage Projects = \$5,000*
- *Operating Budget:*
 - *\$100,000 DPW Equipment*
 - *\$225,500 Improvements to Streets and Roads - which includes \$120,000 coming from Health Savings - WAIVERS*

Summary of Estimated Revenues:

Municipal Operations and the Capital Improvement Program are supported by a variety of revenues. These sources include miscellaneous revenues generated by municipal operations, fund balance, and current property taxes.

Miscellaneous revenues are the revenues that are generated by fees & permits, municipal court, interest on investments, interest and costs on taxes, receipts from delinquent taxes, grants, and State Aid. The forecasting of these revenues is based upon the performance of each category in the previous year. State statute prevents the Township from anticipating more than what was realized in the prior year. The following assumptions have been made for Miscellaneous Revenues. When the 2023 calendar year is closed out, the anticipated miscellaneous revenues will be reviewed for any final adjustments.

- *Fees and Permits – no change (Actually increased \$17,446)*
- *Municipal Court – increased \$10,000. (Actually increased \$20,461.95)*
- *Interest on Costs on Taxes – no change. (Actually increased \$13,799.15 - have needed to reduce over last 4 years)*
- *INTEREST ON INVESTMENTS – increased \$325,000.*
- *State Aid (Energy Receipts Tax, Garden State Preservation Trust & Municipal Relief Fund Aid) – anticipating the same amount for Energy Receipts Tax. (\$579,4525.89)*
 - *Per Local Finance Notice 2023-12, the FY 2024 State Budget doubles the amount of Municipal Relief Fund aid to \$150 million versus the prior year. Calendar Year municipalities having already adopted their CY 2023 budgets were to establish a reserve for the Municipal Relief Fund Aid revenue and the receipt of the revenue should be anticipated in the CY 2024 budget.*
 - *This budget presents Municipal Relief aid at \$60,025.27 (+\$30,006.27 - not sure can expect 2025).*
 - *The Garden State Preservation Trust monies were slightly increased to \$51,622 (+\$9,702).*
- *Receipts from Delinquent Taxes – Presented as no change. (actually received \$383,700.94 2023)*

FUND BALANCE:

- Currently, we are anticipating \$1,785,000, a reduction of \$195,00 from the 2023 Budget, which was supporting one-time funding of the Capital Improvement Program.
- This 2024 Budget Plan has a higher dependency on an increased use of fund balance to support operations.
- This increased use of fund balance will need to be assessed for sustainability to offset operations and it will have impact on future budget cycles.

As presented, this budget plan has property taxes totaling \$9,187,678. This is a 1.22% or \$110,789 increase of the tax levy.

Mayor Rubenstein - Would like to see Fund Balance regenerated for 2024.

Mr. Sabatini would not like to depend on Fund Balance to offset operations.

Councilman Roseff asked about the Police Department overtime pay. What is contributing to the increases in overtime. What was the reason for the decrease in 2023. Mr. Sabatini said that sick and personal time coverage contribute to most of the overtime in the Police Department. Chief Burk said that in 2023 they did not have any workers compensation coverage.

Councilman Roseff recapped that Cap X will remain the same without pulling from fund balance.

Councilman Roseff recommended holding off on vehicle purchases to help pay for new fire truck.

Mayor Rubenstein suggested revisiting the fund balance interest income after the AFS comes out.

FLAG SALUTE

APPROVAL OF AGENDA – Motion by Councilwoman Franco, second by Councilman Gallagher to approve the agenda adding 8.5 Mayoral Appointment of an Emergency Management Coordinator.

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

PROCLAMATION – School Board Recognition Month in New Jersey – January 2024

PROCLAMATION – Arbor Day – April 20, 2024

MAYORAL APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR – Kevin Dishinger

APPOINTMENT OF RECREATION COMMITTEE MEMBERS

Motion by Councilwoman Franco, Second by Councilman Gallagher; all in favor to appoint the following to the recreation committee:

- Marla Rodriguez (term ends 12/31/2026)
- Lynn Apolaro – Alternate I (term ends 12/31/2025)

APPOINTMENT OF OPEN SPACE COMMITTEE MEMBER – Don Bogardus (REC)

Motion by Councilwoman Franco, Second by Councilman Gallagher; all in favor to appoint Don Bogardus to the Open Space Committee as the representative from the Recreation Committee.

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – The introduction to the Budget will take place on March 5, 2024, and the Adoption of the Budget on April 2, 2024. Had a kickoff meeting for the procurement of a new fire truck, he’s expecting Todd to reach out to the truck committee to schedule a meeting. The CFO is going to be reaching out to the Canning Group who acts as the township QPA to discuss a couple options. Since the last meeting the DPW has been out a couple times due to snow and expressed his appreciation for their hard work and commitment to keeping the township roads safe and accessible.

Mayor Rubenstein – Announced that there have been several meetings regarding Jakes Law. Went to the LVR Board of Education reorganization meeting to introduce himself.

Councilwoman Franco – There was Recreation Committee meeting on January 9th where they spoke about Completely Inclusive Playgroup (CIP). The reorganization meeting on January 9th was postponed to February 13th because of the weather. Upcoming Events: Crochet 1/22, Mahjong 1/24, Polar plunge 2/18, family game night 1/26, senior exercise is every Monday. There will be a hat and coat drive at the Pet Supply Plus in Byram on 1/21.

Councilman Gallagher – There is a Byram Board of Education meeting tomorrow night.

Councilman Proctor – The Planning Board held their reorganization meeting on January 4th, and at that meeting one residential application was heard. February 18th is the next scheduled Planning Board meeting.

Councilman Roseff – Advised that he met with county on the noise ordinance and its enforcement.

PUBLIC PARTICIPATION I

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

Joanne Smith – Spoke of the Byram Township Tennis Courts at the Byram Municipal Building being unusable. Pickle Ball has taken over and has ruined it for Tennis people. Encouraged to put lines on for both sports to appease both.

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

APPROVAL OF MINUTES

January 2, 2024, Regular & Closed Session Meeting Minutes - Motion by Councilwoman Franco, seconded by Councilman Proctor to approve the minutes.

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

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 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 Proctor to approve the consent agenda as presented.

- A. Resolution No. 034-2024 – Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop – April 13th & 14th
- B. Resolution No. 035-2024 - Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop – August 3rd & 4th
- C. Resolution No. 036-2024 – Resolution Authorizing the Submission of the Annual Report for the 2020-2024 Community Forestry Management Plan
- D. Resolution No. 037-2024 – Amending Resolution to Purchase Rock Salt under the Sussex County Cooperative Pricing System for Budget Year 2024

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

BILL LIST – January 16, 2024 – Motion by Councilman Gallagher, second by Councilwoman Franco to approve the bill list.

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

ORDINANCE – 1st Reading / Introduction

- **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Purpose Statement: The purpose of this ordinance is to exceed the State mandated COLA percentage of 2.5% and increase to 3.5% and to bank the difference between the Township's final appropriation subject to the cap and 3.5%.

Motion by Councilwoman Franco, second by Councilman Gallagher to introduce the ordinance.

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

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 February 6, 2024, at 7:30 p.m. at the Municipal Building, 10 Mansfield Drive, Byram Township, at which time and place all persons interested shall be given an opportunity to be heard.

- **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM TO VACATE, RELEASE AND EXTINGUISH ANY PUBLIC RIGHTS IN PORTIONS OF THE STREET AND ROADWAY KNOWN AS NETCONG AVENUE AND MILLSTREAM LANE PURSUANT TO N.J.S.A. 40:49-6 AND N.J.S.A. 40:67-21 AND ACCEPTING DEDICATIONS OF REPLACEMENT PORTIONS OF NETCONG AVENUE AND MILLSTREAM LANE**

Purpose Statement: The purpose of this Ordinance is to vacate a portion of the streets known as Netcong Avenue and Millstream Lane and identified herein pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.

Motion by Councilwoman Franco, second by Councilman Gallagher to introduce the ordinance.

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

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 February 6, 2024, at 7:30 p.m. at the Municipal Building, 10 Mansfield Drive, Byram Township, at which time and place all persons interested shall be given an opportunity to be heard.

CO JOHNSON PARK CIP PROJECT UPDATE – Mr. Sabatini said this has been a team effort to get this grant completed for the CIP. The website has a dedicated section on the Township website and has been updated along the way. They should have the full application available prior to the public hearing scheduled for January 30th. The full application package will be made available. They currently have a concept plan that meets the requirement of the checklist and a copy of the design received from the playground company. There is a cost estimate, as the followed the recommendations on the cost estimate. There is a hard cost and a construction contingency. This is a reimbursement grant up to 75%. There is an added 50% contingency on the cost added onto the construction costs. There are other elements involved as well, including an environmental impact assessment. The majority of that was done in house by the township engineer. All this information is on the township website. The more support received from the public the more positive the application will be looked at. There is a form letter on the website for anyone to use to support the project. This will be collected as part of the final package to receive the grant. More information on the project will be going out to the public via Nixle, Facebook and on the township website. A CIP playground goes beyond normal ADA requirements. It requires a surface that provides accessibility to the equipment, the plan has a small area for younger kids that is ramped, a section that has transition points, 20% shading requirements and fencing.

Mayor Rubenstein said there have been numerous meetings and working on several checklists. Vernon has dropped out of the running for the grant. The township will need to do a good job over the next two weeks collecting support for the project and getting information out to the public prior to the public hearing meeting on January 30th.

A resolution will be adopted at the February 6th meeting along with the minutes.

ITEMS FOR DISCUSSION

Noise Ordinance / Enforcement – Councilman Roseff said there have been complaints from residents. Upon a meeting with the county, they found that the township did not have the proper ordinance to enforce the issue. They have had several meetings with the county to help them assist the township until they have an appropriate update to the ordinance. Mayor Rubenstein said because of that meeting they learned that can also use a nuisance ordinance in its place as well that may allow for more latitude. The county can also help by visiting the nuisance neighbor at the time of the occurrence. There is a model state ordinance that they can use as a model. Mayor Rubenstein would like to get moving on the updating of the ordinance. Mayor Rubenstein will work on getting the ordinance from the state.

COJ Park Improvements – Mr. sabatini said that this is a follow up to a December conversation to get field 8 back on a schedule. Suggests establishing a subcommittee set up to work with Joe, Mike, Phil, and Dennis from French & Parello to tackle some of the issues. They need to decide on the big project now to get moving on the improvements to field 8. Mr. Roseff asked about a budget and what that would be. It is hard to anchor anything without knowing the costs associated with it. Mr. Sabatini said there is a Scope of Work that provides a timeline. More work needs to be done to get to a concept of potential cost. Mr. Sabatini is managing the authorization of plans and now field 8 is becoming a critical path with decisions needing to be made now. Councilman Roseff said that the original discussion also spoke of no tax increases to the residents and does not want to lose sight of that. Councilman Gallagher said that it is up to the council to manage the funding of the budget. They need to meet with French & Parello to get a better understanding on what needs to be done next. Councilman Proctor and Councilman Gallagher will be on the subcommittee. Mr. Sabatini will reach out to them to schedule a meeting next week. Councilman Gallagher and Councilman Proctor will send Mr. Sabatini their availability.

Y24 Local Recreation Improvement Grant – Mayor Rubenstein mentioned the possibility of updating the tennis courts on Mansfield Drive with the grant should it be awarded. Mr. Sabatini said that this grant was used previously on Riverside Park. The Tennis Courts would be an easy project to do. Joanne Smith said the simpler the project the better and more cost effective. Mr. Sabatini would like to see the project done right even if it is a higher cost associated with it.

The consensus of the council is to go after the grant to use towards the improvements to the tennis courts on Mansfield Drive.

Mr. Sabatini will authorize Cory Stoner to go forward with the grant planning.

FUTURE AGENDA ITEMS

PUBLIC PARTICIPATION II

Motion by Councilwoman Franco, Second by Councilman Proctor to open to the public.

Don Bogardus – asked if it is possible to make this facility four pickle ball courts in place of tennis courts.

Motion by Councilwoman Franco, Second by Councilman Proctor to close to the public.

RESOLUTION FOR EXECUTIVE SESSION – Motion by Councilwoman Franco, second by Councilman Proctor, 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) Personnel

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 16, 2024.

Cynthia Church, Municipal Clerk

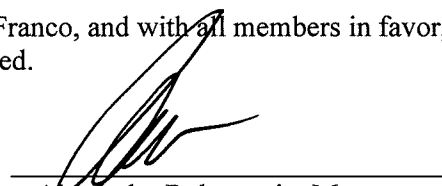
	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			x		
Yes	x	x	x	x	x
No					
Abstain					
Absent					

RETURN TO OPEN SESSION - Motion by Councilwoman Franco, second by Councilman Gallagher to return to open session at 10:15 p.m. All members were in favor. Motion Carried.

ADJOURNMENT

On the motion of Councilman Proctor, second by Councilwoman Franco, and with all members in favor, the meeting was adjourned at 10:15 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor