

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
JANUARY 18, 2022
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, here; Councilman Roseff, here; Mayor Rubenstein here. Also present was Township Manager Joseph 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
 - Lakeland Emergency Squad
 - Roseville Utility Electric Service
- b. Shared Services
 - Atlantic Health

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 18, 2022.

Cynthia Church, Municipal Clerk

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

RETURN TO OPEN SESSION - Motion by Councilman Bonker, second by Councilwoman Franco to return to open session at 7:36 p.m. All members were in favor. Motion Carried.

FLAG SALUTE

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

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

SWEARING IN OF BYRAM TOWNSHIP FIRE DEPARTMENT OFFICERS

Mayor Rubenstein sworn in the following officers.

- | | |
|-----------------------------|----------------------------|
| Todd Rudloff – Chief | Casey Margo - President |
| Mike Pellek – Assist. Chief | Gary Card – Vice President |

John McConnell – Captain
Michael Sawicki – Captain
Derek Plantamura – Lieut.
Mark Hopkins – Lieut.
Shawn Pond – Lieut.

Charles Webber –Treasurer
Garrett Lonz - Secretary

MAYORAL APPOINTMENTS:

LAKE MUSCONETCONG REGIONAL PLANNING BOARD – Earl Riley – 4 Year Term expires 12/31/2025

PROCLAMATION – School Board Recognition Month in New Jersey – January 2022

Motion by Councilwoman Franco Second Councilman Gallagher to execute the proclamation, all in favor.

TOWNSHIP MANAGER, MAYOR AND COUNCIL REPORTS

Township Manager – There was a budget workshop meeting on January 10th. All information has been posted on the Byram Township website. The Introduction of the budget is schedule for March 1st with adoption on April 5th.

Mayor Rubenstein – Mayor Rubenstein explained about a double wood process done by the phone company and power companies. A resident recently called the mayor to complement century link for clearing out many double woods in the Forest Lakes area. Mayor Rubenstein thanked the Department of Public Works, Fire Department, Police Department and the Lakeland Emergency Squad for their hard work during the recent storm. Reported that the Omnicron case count is on the decline, and thanked the Township Manager and staff for having no interruptions in service in the municipal offices. New Jersey Natural Gas will start gas mains out of the trade zone toward Byram in the next few months. In February or March they will begin to reach out to the residents of West Brookwood, East Brookwood, and Lake Lackawanna who will receive surveys in the mail asking if they have interest in obtaining natural gas.

Councilman Bonker – There was an extra Open Space meeting on Thursday January 13th to finalize the goals for 2022, and to refined a list of trail-specific items for outsourcing to a open space consultants. The interviews will occur over the next few weeks with the hope to identify a consultant to recommend to the Council at aFebruary meeting. A pre-application meeting with the DEP for the CO Johnson Park extension/Dog Park will occur at the end of this month. They also discussed the ranking of various sub-projects within the CO Johnson Park redevelopment area and anticipate a discussion about potential kayak launches within Byram, and a gazebo at Tamarack Park and/or CO Johnson Park.

Councilwoman Franco – Reported of a Planning Board Meeting that was cancelled due to lack of available members.

Councilman Gallagher – Attended the Board of Education reorganization meeting. Reminded everyone to clean their chimneys and drier vents to prevent fires. Reminded everyone to be careful when out on the lakes, make sure the ice is safe.

Councilman Roseff – At the last council meeting a resolution was passed to allow Elizabethtown Gas to lay pipe in the roadway. Councilman Roseff contacted the commissioners and the day after the meeting in which they then met with the engineers. There should be a resolution at the next County Commissioner meeting. They are meeting with the district 24 representative tomorrow regarding the route 206 tunnel problem.

PUBLIC PARTICIPATION I

Scott Yappen – 5 Catherine Terrace – Thanked everyone in the Byram DPW during the last storm. Explained that he has been on Recreation committee for the last few years with plans to make a difference. They were recently advised that there is interest in disbanding the recreation committee. The Recreation Committee felt it was handled poorly and disagrees with the approach that was taken.

Donna Griff – 71 Brookwood Road – Asked what the council will be doing with the recreation committee. Feels that it was a slap in the face the way it was handled. They worked hard to pull off events and wanted to have more programs for the senior citizens. She never heard anything negative about the handling of the committee. Feels it is important to have recreation in Byram.

Mayor Rubenstein said they cannot disband the recreation committee in one meeting. It needs to be done via resolution and ordinance. Mayor Rubenstein wants to have a discussion with the recreation committee.

Councilman Roseff said that the recreation committee holds a valuable purpose, and their role is important.

Councilman Bonker said that Byram Township has provided recreation in many different formats over the years. The council has been looking at the functionality of the recreation committee over the years and their lack of meetings due to not having a forum. They are looking at what they want in a recreation committee and would like to restructure it accordingly. It is not to pull the plug on the recreation events and wants all the events to occur. Would rather put time and energy into making sure that events occur rather than having a quorum at recreation committee meetings.

Ms. Griff did not agree with the councils take on the lack of meetings occurring, does not believe there is burn out. They are a committee that is dedicated to putting together events in the township.

Councilwoman Franco feels with a restructure there may be more participation and a revitalization of the recreation committee.

Gerri Quirk – Crescent Drive South – Expressed that it is commitment of the committee not “burn out”. Feels that the approach is disheartening.

Mike Pellek- Lee Hill Road – The recreation committee goes out of their way to make the events successful. Would like to see the Open Space Committee and Recreation Committee merged.

Jackie Pellek – Lee Hill Road – Is very impressed with the Recreation Committee and their progress over the years. Jackie and Mike have been doing tunnel to tower races and have grown their team and has raised over \$16k. They are looking for Township support in their activities and to work with the Recreation Committee to get things rolling.

Mayor Rubenstein will be attending the Recreation Committee meeting tomorrow night at 8 p.m. for further discussion on this topic.

Councilman Bonker feels this is not an anti-recreation stance in any way. They are not accusing the current standing members of being burnt out. They want to find a way that will work for everyone. The thought process is to increase recreation in Byram.

Donna Griff read the following email into record:

I would like to Thank You for Volunteering your time and energy to this Committee
We had 2 members step down at the end of last year, and we haven't been able to get any new volunteers to fill the vacant spots.
We understand how much of a commitment of your time to volunteer for a committee between meeting and the events thru out the year
The council has made the difficult decision to disband the Recreation Committee at this time.
We are hopeful that we will enable us to get more volunteers from the community for the events and this way they would not have to attend every meeting and event.
If someone would like to volunteer to help with any events please contact Catherine at the town hall. Catherine will be overseeing the events for the township.
Please give me a call or email me if you have any question.
I would like to personally Thank you all for your Commitment to the town and this Committee.

Thank You
Jack Gallagher
Byram Township Councilmen

Councilman Roseff – expressed his belief in the value in a volunteer committee, and of the public coming out to speak to the council.

APPROVAL OF MINUTES

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

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

- January 4, 2022 Regular & Closed Session Minutes – Motion by Councilman Bonker, seconded by Councilwoman Franco to approve the minutes.

Councilman Roseff requested to table the closed session minutes until they are discussed in executive session.
 Motion by Councilman Bonker, seconded by Councilwoman Franco to approve the regular session minutes only.

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

- January 10, 2022 Budget Workshop Regular Minutes – Motion by Councilman Gallagher, seconded by Councilwoman Franco to approve the minutes.

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

Absent					
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CONSENT AGENDA – All are considered to be routine by the Members of the Township Council and will be enacted on by one motion. Motion by Councilman Bonker, Second by Councilwoman Franco to approve the consent agenda.

- A. There Resolution No. 036-2022 – Resolution Authorizing the Execution of Documents Associated with the Custodial Contract with Royalty Cleaning Services, Inc. for the Byram Township Municipal Building
- B. Resolution No. 037-2022 – Final Acceptance of Improvement to Fieldstone Trail
- C. Resolution No. 038-2022 – Final Acceptance of Improvement to Cranberry Lake Roadways
- D. Resolution No. 039-2022 - Final Acceptance of Improvements to Various Streets (Jans Way, Rosemarie Lane, Maple Road, Birch Road, Willor Drive, Drexel Drive, Louis Drive, Francis Terrace, Hi Glen Drive, Pierson Drive, Ridge Place, Johnson Boulevard & Jones Lane)
- E. Resolution No. 040-2022 – Final Acceptance of Improvements to Deer Hill Run (North & South)
- F. Resolution No. 041-2022 – Final Acceptance of Improvement to Forest Lake Roadways (Crescent Drive North & Winding Way)
- G. Resolution No. 042-2022 – Final Acceptance of Improvement to Continental Drive
- H. Resolution No. 043-2022 – Refund County Added / Omitted Tax Appeal for 2021 – Block 241 Lot 498, 2 Lake Drive
- I. Resolution No. 044-2022 – Resolution for 100% Exempt Veteran Owner of Block 28 Lot 334 Cancellation of Taxes for the Remainder of First Half 2022 “Authorizing Taxes be Remitted (Cancelled) for 2022” – 12 Lockwood Ave.
- J. Resolution No. 045-2022 – Resolution for 100% Exempt Veteran Owner of Block 336 Lot 3.16 Cancellation of Taxes for the Remainder of First Half 2022 “Authorizing Taxes be remitted (Cancelled) for 2022” – 3 Camelot Drive
- K. Resolution No. 046-2022 – Resolution Authorizing the Submission of Annual Report for 2020-2024 Community Forestry Management Plan
- L. Resolution No. 047-2022 – A Resolution Authorizing the Foreclosure of Tax Sale Certificates Shown on the Attached Foreclosure List
- M. Resolution N. 048-2022 – A Resolution Authorizing the Employment and Contract for Professional Services to Stuart B. Klepesch, Esq. to Represent the Municipality in Foreclosure of Tax Sale Certificates Pursuant to the Tax Sale Law, Title 54 and Other Related Services Associated Therein
- N. Resolution No. 049-2022 – Resolution Executing Contract Agreement By and Between Byram Township and PBA Local 406 for January 1, 2022 Through December 31, 2026
- O. Resolution No. 050-2022 – Refund County Added / Omitted Tax Appeal for 2021 – Block 337.08 Lot 38.52 – 4 Fieldstone Trail

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

BILL LIST – January 18, 2022 – Motion by Councilman Gallagher, 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	x
No					
Abstain					
Absent					

ORDINANCE - Introduction / First Reading

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 Councilman Bonker, second by Councilwoman Franco to Introduce the Ordinance

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	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 1st 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.

ITEMS FOR DISCUSSION

Lake Management – Next Steps – At the last Township Council meeting, a representative from the public was looking to have the Lake Management Plan completed. Mr. Sabatini asked the council if they would want to schedule a special virtual meeting with the Highlands Council specific to this topic. The consensus of the council is in favor of scheduling a public virtual meeting. Mr. Sabatini asked for guidance on having Princeton Hydro’s in attendance at that meeting, or to go out of RFP. Councilman Roseff would like to meet with Princeton Hydro separately. Mr. Sabatini explained that Princeton Hydro wrote the lake management program for the Highlands Council. To date they are the only ones who have done the lake management plans for towns within the Highlands. Councilman Bonker said that all the other towns that are doing the same through the Highlands are not issuing RFP’s. Mr. Sabatini does not know who is qualified to do this, and the Highlands has recommended Princeton Hydro because of their experience. Princeton Hydro is willing to do the upfront work to develop the plan if they are the ones who are awarded the work in the end. To develop a plan on their own they would need to go out for RFP, and it would not be free of charge. If Byram proceeded with the Highlands using Princeton Hydro, Highlands would be covering the cost up to \$150,000.00. Councilman Roseff feels that it should be put in the hands of the Highlands and let them do the work. Mr. Sabatini added that this is part of the Townships conformance process. It was determined to meet with the staff of the Highlands Council. Mr. Sabatini will reach out to the Highlands to put together a virtual meeting for some time in February.

Cranberry Lake Preservation of Footbridge - Councilman Roseff presented the Township Council with a proposed resolution that would designate the Cranberry Lake Footbridge as an Extremely Significant Historic Structure. Would like to ask the Planning Board to consider amending the Master Plan to include this. If considered by the Planning Board they would do a Master Plan amendment.

Resolution No. 051-2022 - A Request of The Mayor and Council for Byram's Planning Board to Consider Adding the Cranberry Lake Foot Bridge to The Master Plan as an "Extremely Significant Historic Structure"

Motion by Councilman Roseff, second by Councilman Gallagher to pass Resolution No. 051-2022

Councilman Bonker expressed that with the designation of the footbridge as “the greatest footbridge in the history of the world” it will not necessarily generate any money for its maintenance and does not feel that it is in the best interest of the average Byram taxpayer to contribute to the maintenance of the bridge. Mr. Bonker expressed however, that he does see the bridge as an iconic Byram Township feature. He does not want this exercise to pass as anything significant, as designation is easy, but funding is hard. Councilman Bonker stated clearly that the Byram Township taxpayers have no compelling interest in maintaining the footbridge, and this Council represents all taxpayers, he will however, vote in favor of the resolution.

Mayor Rubenstein believes that designating the bridge as a historical marker may help get it more attention and may be beneficial to the Save our Bridge organization.

Bill Collins – Trustee of the Save our Bridge organization – Would like the support of Byram Township as it relates to getting the historic designation. They will help with getting them to the next level working with the State, County and DEP. Their goal is to get the bridge rehabilitated and preserved going forward.

Donna Griff – Has always looked at the Cranberry Lake bridge as part of Byram Township history.

Bill Grabler – 15 Meteor Trail – Would like to see the bridge restored, thinks very highly of the bridge, and appreciates the assistance of the Byram Township Council by passing this resolution.

Scott Yappen – Byram turns 225 years old next year and feels bringing attention to this is important to the history of Byram.

Carol Barry – 7 Bridge Trail – this is a step in the right direction to help the Save our Bridge organization.

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

FUTURE AGENDA ITEMS

- Master Plan Reexamination
- ARC funds usage
- Budgeting for referendum

PUBLIC PARTICIPATION II

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

Donna Griff – Asked if the recreation committee will be discussed in executive session tonight. Mayor Rubenstein said it would, but no action will be taken.

Motion by Councilman Bonker, Second by Councilwoman Franco Motion to Close to public.

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.

- c. Attorney Client Privilege Communication
 - General
 - Lakeland Emergency Squad
 - Roseville Utility Electric Service
- d. Shared Services
 - Atlantic Health

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 18, 2022.


Cynthia Church, Municipal Clerk

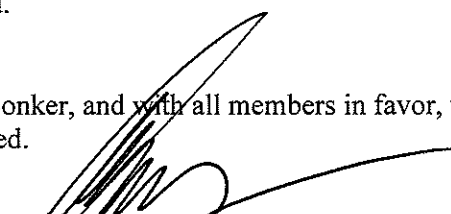
	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

RETURN TO OPEN SESSION - Motion by Councilman Bonker, second by Councilwoman Franco to return to open session at 11:26 p.m. All members were in favor. Motion Carried.

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Bonker, and with all members in favor, the meeting was adjourned at 11:26 p.m. All members were in favor. Motion carried.


 Cynthia Church, RMC
 Township Clerk


 Alexander Rubenstein, Mayor