

**TOWNSHIP OF BYRAM  
TOWNSHIP COUNCIL MEETING  
MARCH 5, 2024  
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 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.byrantwp.org/index.php/town\\_hall/township\\_council](https://www.byrantwp.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, absent; Councilman Proctor, here; Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joseph Sabatini, Attorney Tom Collins and Township Clerk, Cynthia Church

**RESOLUTION FOR EXECUTIVE SESSION** – Motion by Councilwoman Franco, second by Councilman Gallagher, 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) Contract Negotiations
  - Arthur Thibault
- c) 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 March 5, 2024.

Cynthia Church, Municipal Clerk

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	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 Proctor to return to open session at 7:30 p.m. All members were in favor. Motion Carried.

**FLAG SALUTE**

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

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

**RECOGNITION OF RESIGNATION – RECREATION COMMITTEE MEMBER** – Shawn Conner (2022) Motion by Councilwoman Franco, Second by Councilman Proctor to accept the resignation. The Mayor asked the Township Clerk to send a letter of appreciation.

**RESOLUTION NO. 051-2024 – SELF EXAMINATION OF THE BUDGET RESOLUTION**

Motion by Councilwoman Franco, seconded by Councilman Proctor to adopt Resolution No. 069-2023

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

**2024 BUDGET INTRODUCTION / APPROVAL**

**Budget Introduction:**

*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. Located under this link you will find my detailed 2024 Municipal Budget Message.*

*Before I start, I would like to thank all my department heads for their hard work to hold the line on departmental expenses. Secondly, I would like to offer a special thank you to the Township's CFO, Ashleigh Frueholz. Her work has helped deliver a sound budget plan for 2024 with significant consideration to the future economics of the Township.*

*Tonight the Mayor and Council will be asked to approve the budget. Adoption of the budget is scheduled for Tuesday, April 2.*

*Through the adoption of the budget the Mayor & Council are establishing the municipal policy for 2024 and beyond. They must insure the adopted budget adequately satisfies the needs of the community and serves the best interests of the Township*

*The 2024 municipal budget including the Capital Improvement Program and Public and Private Programs Offset by Revenues totals \$12,855,330.82.*

*Each year the budget plan is presented with different challenges on both the appropriations side and revenue side of the budget.*

**Summary of Revenues:**

*On the revenue side of the budget the Township is anticipating a significant increase in the anticipation of Interest on Investments which is due to increased interest rates and the temporary increased balances in various interest-bearing accounts. This increased anticipation of Interest on Investments is a risk to future budgets. As various account balances are spent down and interest rates decrease, the amount of actual Interest on Investments received will decrease. As various account balances are spent down and interest rates decrease, the amount of actual Interest on Investments received will decrease.*

*The total amount of Fund Balance committed to the 2024 budget is \$1,785,000.*

- *\$1,785,000: Support Operations (increase of \$155,000 from 2022, and no change from 2023)*

*Since 2021, there has been an increased (\$219,500) dependency on the use of fund balance to support operations. This increased use of fund balance will need to be assessed for sustainability in future budget cycles.*

*The amount of Total Energy Tax Receipts allocated to Byram Township increased \$2,884 to \$582,337.*

*This budget presents Municipal Relief aid at \$60,025.27 - which is a reserve allocation from 2023.*

*This budget presents Garden State Preservation at \$51,622.*

*State Aid accounts for only 5.40% of the Township's revenues.*

*In 2023, the Township experienced a significant increase in Municipal Court revenues. For this budget plan it was decided to increase the anticipation of court revenues \$10,000.*

**Summary of Appropriations (Expenses):**

*Appropriations are the platform that allows local government to deliver services to its residents. The expenditure side of the budget is assigned by department and divided within each department into "Salary and Wages" and "Other Expenses." Also, there are categories of expenses that are not assigned to the departments. All appropriations are presented in a line-item budget format.*

*General Government, Public Safety, Public Works, and Community Programs include all the Salary & Wages and Operating Expenses for each of the Township's departments. The staff has done an exceptional job for this budget plan holding the line on departmental operating expenses.*

*There were minor changes to Operating Expenses with the main increases in the Department of Road Repair and Maintenance to support the removal of Ash Trees from Township owned properties (+\$10,000) and for new CDL training requirements (+\$12,000).*

*Overall, the Township's departmental budgets are increasing \$131,679 or 2.41%.*

Other Expenses of the Township that are not tracked by department include utilities, insurances, statutory expenses, pension expenses, garbage, debt service, deferred charges, capital improvements and the reserve for uncollected taxes.

Again, this year on the appropriations side, the budget plan driven by spending in the areas of public health (garbage), healthcare, workers compensation insurance and general liability insurance costs.

The following other expenses are the main contributors to the increase of the 2024 budget and each category as a percentage increase exceeds the COLA (2.5%) for calendar year 2024.

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.

Workers Compensation/General Liability: 2024 assessments increased (6.5%) for 2024 resulting in a combined increase of \$18,473.

Group Insurance:

- 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.
- Overall Increase of \$117,600 or 9.4%

**Summary of Capital Budget and Capital Improvement Program:**

The Budget includes a three-year capital improvement program and an aggressive 2024 Capital Budget includes proposed projects totaling \$4,923,000. The proposed capital budget does not include necessary improvements to the municipal building.

The Capital Improvement Program is the vehicle that allows the Township to plan and prioritize large expenditures. The Capital Improvement Fund is used as a means of financing down payments for bond ordinance appropriations. Also, the Governing Body can decide to fund a capital ordinance partially or fully from the Capital Improvement Fund.

- The total appropriation to the Capital Improvement Fund for 2024 is \$634,223 which is a reduction of \$8,350 compared to 2023.
- Includes \$25,000 that is raised annually to fund the Capital Improvement Fund.

As in recent years, this budget plan continues to support the shifting of funds between line items to increase the amount of spending for capital improvements. Please review the Capital Budget and three-year Capital Program to understand the varying capital projects that are being considered.

**Summary of Tax Levy:**

The 2024 municipal budget results in an increase of the tax levy. This is an estimated increase of \$38.11 for the average assessed home of \$256,000.

**Open Space:**

The Township's Open Space Dedicated Trust Fund is funded through the dedication of an Open Space Tax that is not to exceed \$0.02 per \$100 of assessed valuation of each annual tax levy. For 2023, the Township again anticipates raising \$110,430 or approximately \$.011 for each \$100 of assessed valuation.

In summary, the proposed budget plan adequately satisfies the needs of the community and serves the best interests of the Township. This is a responsible budget plan and I very much appreciate the hard work of all the Township's department heads and staff for holding the line on departmental operating expenses.

The public hearing will be held April 2, 2024.

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

**TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS**

**Township Manager** –Budget Adoption is scheduled for April 2, 2024. The capital budget discussion will be on March 19, 2024. Updates were made to the budget section of the township website. Reminded the council of a couple opportunities to attend. 1. Meeting with the County Tax Administrator of Sussex County regarding the ordered reassessment, held on the 3<sup>rd</sup> Wednesday of every month. 2. On Friday April 12<sup>th</sup> there will be a personal invitation being sent to the Mayor for a Sussex County Tax Board sponsored breakfast. 3. Mr. Sabatini suggested inviting the Byram Township Tax Assessor to come and speak at a future council meeting. Requested an extension to do a reassessment in 2025.

**Councilwoman Franco** – The recreation meeting will be held a week from today at 8pm at the Byram Municipal Building.

**Councilman Proctor** – The Planning Board has not met. Attended the February 24<sup>th</sup> Fire Department Annual Dinner.

**Councilman Roseff** – Nothing to Report

**Mayor Rubenstein** – Attended the February 24<sup>th</sup> Fire Department Installation Dinner. Attended the Cub Scout Gold Dinner on February 26<sup>th</sup>.

**PUBLIC PARTICIPATION I**

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

No Comments.

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

**APPROVAL OF MINUTES**

February 20, 2024, Regular & Closed Session Meeting Minutes - Motion by Councilman Proctor, seconded by Councilwoman Franco to approve the minutes.

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

**RESOLUTION NO. 054-2024** – Resolution Approving the Intergovernmental Transfer Agreement for a New Hire for the Byram Township Police Department

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			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 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. Approval of Raffle & 50/50 License for Cranberry Lake Volunteer Fire Department – April 20, 2024
- B. Resolution No. 050-2024 – Revised Annual Notice of the Calendar Dates of the Scheduled Meetings of the Byram Township Council From 1/1/2024-12/31/2024 and the beginning of 2025
- C. Resolution No. 052-2024 – Resolution to Amend the 2024 Temporary Budget
- D. Resolution No. 053-2024 – Authorization for the Purchase of One (1) 2024 Odra MT4H Sweeper with Optional Equipment for the daily Operations of the Township of Byram Department of Public Works

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

**BILL LIST** – March 5, 2024 – Motion by Councilwoman Franco, second by Councilman Proctor to approve the bill list.

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

**ITEMS FOR DISCUSSION**

Model Sound Ordinance – Councilman Roseff and Mayor Rubenstein met with Sussex County who are willing to help providing they have a model ordinance approved by the DEP. Mayor Rubenstein provided the township council with a draft model ordinance for their review. He recommends keeping all the items in the optional section of the ordinance. The ordinance will be introduced at the March 19, 2024 meeting.

Mr. Andrew Schwartz, is very pleased to see this on the agenda for tonight. Thanked the Township Council for keeping to their word, as his situation has become a public nuisance.

Isabella Hettel – Thanked the Township Council for pushing this ordinance through. Since the last time here she encountered 8 more situations with excessive music.

Open Space Trust – Mr. Sabatini requested a discussion to follow up from the last meeting regarding the utilization of the Open Space Trust Fund to support capital improvements relating to recreation. Mr. Sabatini provided the council with two debt schedules for consideration. Mr. Sabatini is looking for interest from the council. Councilman Roseff is still in sticker shock for the cost of one field. Would like to go back and reconfirm that number of \$1.6 million. It is a large amount for one existing field and press box. Feels that the price on the press box alone is far too much.

Councilman Proctor along will reach out to Dennis from FPA for a lower cost approach for the press box.

The Township Council Authorized Mr. Sabatini to reach out to the bond council to see what needs to be done to proceed.

**FUTURE AGENDA ITEMS**

Councilman Roseff attended a meeting with the Highlands Council. The Highlands Council are taking comments up through April 1<sup>st</sup> for Public Comments filed with the Highlands Council for amendments to the Regional Master Plan.

Councilwoman Franco will reach out to Pat Seppe regarding the water at the school affected by the Mansfield Trail Dump Site.

**PUBLIC PARTICIPATION II**

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

No Comments

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**

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**BYRAM TOWNSHIP COUNCIL**

Certification: I certify that the Byram Township Council adopted the above resolution on March 05, 2024.

Cynthia Church, Municipal Clerk

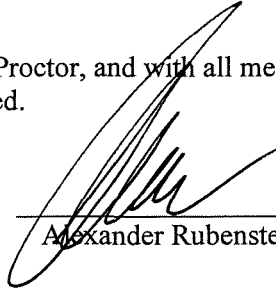
	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			x		
Yes	x			x	x
No					
Abstain					
Absent		x			

**RETURN TO OPEN SESSION** - Motion by Councilwoman Franco, second by Councilman Proctor to return to open session at 9:20 p.m. All members were in favor. Motion Carried.

**ADJOURNMENT**

On the motion of Councilwoman Franco, second by Councilman Proctor, and with all members in favor, the meeting was adjourned at 9:20 p.m. All members were in favor. Motion carried.

  
Cynthia Church, RMC  
Township Clerk

  
Alexander Rubenstein, Mayor