

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
MARCH 21, 2023
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.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, absent; Mayor Rubenstein, here. Also present was Township Manager Joseph Sabatini, Attorney Tom Collins and Township 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
 - Trails Advisory Committee Member Interviews
- b) Contract Negotiations

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 21, 2023.

Cynthia Church, Municipal Clerk

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

RETURN TO OPEN SESSION - Motion by Councilman Bonker, second by Councilwoman Franco to return to open session at 7:31 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, with the addition of Resolution 073-2023 and a discussion item on Municipal Building Bond Ordinance, and approval of letter.

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

PROCLAMATION – 2023 MS AWARENESS WEEK - Tammy Quasius spoke on behalf of the MS as an MS advocate. It is an autoimmune disease that disrupts the communication between your brain, spinal column, and the rest of your body, and it has no cure. Mrs. Quasius said that she attended the annual public policy conference in Washington DC.

Motion by Councilman Bonker, Second by Councilwoman Franco to sign the proclamation.

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – April 4th will be the adoption of the budget.

Mayor Rubenstein – On March 10th there was a Mayors Zoom conference where they were briefed on stormwater changes. There is a DEP grant, and Highlands grant available.

Councilman Bonker –

Joe Sabatini Sr: Acknowledge the passing of Joseph Sabatini Sr.

Energy Aggregation: the Administration sent out a Nixle notification about the termination letters most of Byram residents are receiving from Energy Harbor. It is unfortunate that market conditions do not permit the continuation of this program however, we should also celebrate our successes when they occur, and this program was clearly a success. The township should remain vigilant if another similar opportunity presents itself in the future.

Open Space: Councilman Bonker distributed a draft letter responding to a letter from the Director of the Sussex County Commissioners, Chris Carney. The mayor will sign it on behalf of the Council, asking for Chris’ help in raising the Sussex County Trails Program maximum grant to at least \$15,000 in time for this year’s grant round. A copy of the letter will also be sent to the Sussex County Open Space Committee staff, as they asked for written comments regarding this year’s program.

Grand Opening: attended the Grand Opening of Grace Nails Salon on Route 206 on March 11th, along with the Mayor. It was a front row seat to the American Dream, and wished them well, and thank them for investing in Byram.

Trails Committee: We are starting to interview candidates for the Trails Committee.

Councilwoman Franco – March 16th was the Planning Board meeting where they had one residential application. The next Board of Health meeting is scheduled for March 28th, and the Rabies Clinic is April 1st. April 2nd is the Historical Society Founders Day.

PUBLIC PARTICIPATION I

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

Luanne Byrne questioned about the electrical generation deal that is going away. Mayor Rubenstein provided the explanation on how the program worked and said that they do not have a deal to provide the township going forward.

Motion by Councilman Bonker, second by Councilwoman Franco to close to the public.

APPROVAL OF MINUTES

March 7, 2023 Regular & Closed Session Minutes – Motion by Councilman Bonker, 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
No					
Abstain					
Absent			x	x	

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. Resolution No. 071-2023 – Township of Byram Resolution to Transfer 2022 Appropriation Reserves – Current Fund
- B. Resolution No. 072-2023 – Resolution to Amend the 2023 Temporary Budget

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

Resolution No. 073-2023 – Refund Authorization for Overpayment – Dylan Rooney

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

BILL LIST – March 21, 2023 – Motion by Councilman Bonker, second by Councilwoman Franco to approve the bill list.

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

ORDINANCE – Adoption / Public Hearing

ORDINANCE NO. 005-2023 - ORDINANCE AUTHORIZING THE APPROVAL OF EASEMENTS TO VEOLIA WATER NEW JERSEY, INC. OF A PORTION OF RIGHT-OF-WAY OF TROUT BROOK ROAD AND A PORTION OF RIGHT-OF-WAY OF MOUNTAIN AVENUE FOR THE CONSTRUCTION AND MAINTENANCE OF CERTAIN WATER SYSTEM IMPROVEMENTS LOCATED IN THE TOWNSHIP OF BYRAM, COUNTY OF SUSSEX AND STATE OF NEW JERSEY IN FRONT OF LOT 1, BLOCK 58.01 (TROUT BROOK ROAD) AND LOT 206.02, BLOCK 43 (MOUNTAIN AVENUE)

Purpose Statement: The purpose of this Ordinance is to convey easements of part of a rights-of-way in front of Block 58.01, Lot 1 and Block 43, Lot 206.02 to Veolia Water New Jersey, Inc., for the construction and maintenance of certain water system improvements (water piping) in the right-of-way of Trout Brook Road and construction and maintenance of certain water system improvements (fence, fence gate, landscaping and water piping) in the right of way of Mountain Avenue.

Motion by Councilwoman Franco, second by Councilman Bonker to Adopt Ordinance.

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

BE IT RESOLVED that Ordinance No. 005-2023 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 –

Streets & Roads – Mr. Sabatini would like to get an understanding of any concerns that the Mayor and Council may have on the maintenance of the roads due to the upcoming gas installation. Mr. Sabatini recommend to buy some time and to do oil and stone on some roads that are due to milling and paving. If there are no objections, they will introduce an ordinance at the next meeting. There were no objections.

Letter – Councilman Bonker drafted a letter to Cris Carney for the mayor to sign on behalf of the council to help in raising the Sussex County Trails program maximum to \$15,000.00. Motion by councilman Bonker, Second by Councilwoman Franco to send the letter.

Municipal Building Bond Ordinance – There was a brief discussion on whether or not there should be a question on an upcoming ballot. Mayor Rubenstein asked the Tom Collins on how that would work. Mr. Collins suggested to discuss this with the bond council and will discuss it again at another time. Mr. Collins will look into it and will report back. The council members in attendance were in favor of putting this on the ballot for a vote and to direct Tom and the administration to look into this process further.

FUTURE AGENDA ITEMS –

Municipal Building Bond Ordinance

PUBLIC PARTICIPATION II

Motion by Councilman Bonker, Second by Councilman Gallagher to open to the public.

Luanne Byrne said that she was having difficulty hearing, Mayor Rubenstein said that the microphones are not working but will be in working order for the next meeting.

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

RESOLUTION FOR EXECUTIVE SESSION – Motion by Councilman Bonker, second by Councilwoman Franco, 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 21, 2023.

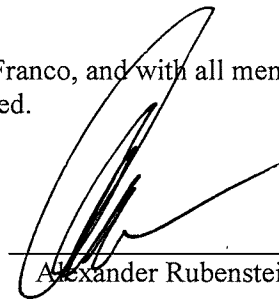
Cynthia Church, Municipal Clerk

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

ADJOURNMENT

On the motion of Councilman Bonker, 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