

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
APRIL 19, 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
 - Docket No. SSX-C-13-21
- b. Contract Negotiations
 - Cable Franchise Agreement

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 April 19, 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 7:31 p.m. All members were in favor. Motion Carried.

FLAG SALUTE

APPROVAL OF AGENDA – Motion by Councilwoman Franco, second by Councilman Bonker, to approve the agenda with the addition of a discussion item on a letter sent to Miki Sherrill regarding the C.O. Johnson Park Grant / EDI Grant.

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

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager –The ISO Report was received, and will be requesting that the representative, Ray Ball, attend a meeting to discuss that rating. Was informed that the Nader Group will have the final draft construction documents available by Friday, May 6th. They will be posted on the Township’s website and will be available to the subcommittee for review. Mark Alpaugh of MJA Construction Services will receive the documents the same day and will provide an updated estimate that will be posted to the Township’s website by end of day. There will be a special meeting on Tuesday, May 24 at 7:00 PM to discuss the final draft of the construction documents and associated estimate.

Mayor Rubenstein – Attended a ribbon cutting for Drayer Physical Therapy on April 6th. Reported that April 9th and 10th was a very successful cram the cruiser event. CAG held a meeting on April 13th, and they signed an agreement with Suez Water Company. April 23rd is Opening Day for the Lenape Valley Youth Baseball and Softball league. Received information from NJ Natural Gas on what they are planning to do in Byram Township. The Waterloo United Methodist Church Food Bank moved into the old court office in the Byram Township Municipal Building.

Councilman Bonker – There was an Open Space meeting on April 11th. It was a substantive session. They spent the most time reviewing the various options for CO Johnson Park improvements. After, each member ranked their personal preferences, they coalesced around a hybrid plan with elements from both of the French and Perillo designs. There was significant support for realigning CO#6 alongside CO#8. There were extensive conversations about lights at COJ, and they are seeking some price estimates for them. They reviewed a series of letters between the engineer and the Highlands which concluded that the township cannot put a turf field in at C.O. Johnson field without a change in legislation at the state level. As a result, they are not pursuing turf options any longer. They explored various options for reconstructing the existing field house, moving the existing playground, and building a new gazebo for snack sales with bathrooms, expanded paved walking paths and finally additional parking. They are still working with the DEP on the option for transferring parking from the dog park side of Roseville Road to the COJ side of the road. They also talked about receiving the \$5,000 Sussex County trails grant, future trails plans, and the forester is looking into another timber sale, this time in the Mohawk Glen area, which is a revenue opportunity. Finally, they reviewed the Riverside Park improvements which will be approved later tonight.

Councilwoman Franco – Attended the CAG meeting on April 13th as well as the Sussex County Chamber of Commerce meeting.

Councilman Gallagher – On April 18th there was a recreation committee meeting with the new members, their next meeting is on May 16th. Danielle sent everyone a letter regarding porta potties. There was also a suggestion about tree clearing at Neil Gylling Park field one, the branches are overhanging into the field. A ball was hit up into those trees causing branches to come down along with two other balls. They asked about a covering for over the dug outs over the girl’s fields to help protect the children from balls coming overhead and to provide sunshade. Has received some inquiries from residents regarding the work at Little Paint Way. Mayor Rubenstein suggested Councilman Gallagher obtain an email from the softball league with their request.

Councilman Roseff –The Opening Day ceremonies will be held at CO Johnson Park on April 23rd at which the Environmental Commission will be handing out tree seedling. The Logo contest for the Byram 225th Anniversary has been extended to April 29th. The winner will receive \$225.00. Waterloo Village will be holding a Byram History event next year.

PUBLIC PARTICIPATION I

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

Richard Schneider – 73 River Road – Asked what the reason is for not being able to put turf at CO Johnson field. The Mayor explained that the Highlands does not allow it as it is impervious coverage.

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

APPROVAL OF MINUTES

- April 5, 2022 Regular & Closed Session 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					

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 Gallagher, Second by Councilwoman Franco to approve the consent agenda.

- Resolution No. 104-2022 – Resolution Authorizing 100% Disabled Veteran Exempt Status to owner of Block 335 Lot 10.5 Refund of Taxes paid for 1st Quarter for Tax Year 2022 – 4 Andover Mohawk Road

- B. Resolution No. 105-2022 – Resolution for 100% Exempt Veteran Owner of Block 335 Lot 1.05 Cancellation of Taxes for the Remainder of First Half 2022 “Authorizing Taxes Remitted (Cancelled) for 2022 – 4 Andover Mohawk Road
- C. Resolution No. 106-2022 – Resolution Authorizing Environmental Commission to Hold Trail Clean-up Events
- D. Resolution No. 107-2022 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – Block 104 Lot 11.02, 10 Cranberry Ledge Road
- E. Resolution No. 108-2022 – Authorizing the Purchase of One (1) 2022 F150 XL Crew Cab 4x4 Pick-Up with Optional Equipment for the Township of Byram Police Department – Not to exceed \$35,441.75
- F. Resolution No. 109-2022 – Resolution to Award the Bid for Department of Public Works Vehicles – Not to exceed \$100,447.00

	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 – April 19, 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 – 2nd Reading / Public Hearing

ORDINANCE NO. 003-2022 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR IMPROVEMENTS AT RIVERSIDE PARK TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$175,000.00

Purpose Statement: Improvements to Riverside Park including materials, equipment, site work and engineering costs necessary therefor or incidental thereto.

Councilman Roseff expressed his concerns on the costs to Byram Township for this project. For this location a \$250,000 is an outrageous amount of money that could be better spent. This park is dated but is not falling apart. It could use some maintenance.

Councilman Bonker said that providing Open Space and Recreation is exactly what the Open Space tax revenue is designed for. The families in East and West Brookwood deserve a quality local park, which is also ADA accessible. The Township received a \$75,000 grant. They should do this upgrade once and do it right the first time. They have followed a deliberate, iterative process which engaged the State, engineering professionals, the Council, and the Open Space Committee. The project was refined and expanded, and the final product is an improvement over the initial proposal with additional elements which increased the cost beyond the initial estimate. This action is in the long-term interests of Byram Township.

	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 Ordinance No. 003-2022 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ORDINANCE NO. 004-2022 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR IMPROVEMENTS OF VARIOUS STREETS AND LOCATIONS IN AND BY THE TOWNSHIP AND TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$650,000.00

Purpose Statement: Reconstruction and Resurfacing of Various Streets and Locations in and by the Township including without limitation, Tamarack Road, Cranberry Lake North & South Shore Areas, Forest Lakes Community and other streets and roads in the Township to be determined including reconstruction of culverts and headwalls and all curbing, drainage facilities/inlets, landscaping, reclamation, milling, structures, roadway surfaces including milling and paving, oil and stone, cape sealing or similar application, materials, equipment, site work and engineering costs.

Jacqueline Richards – 2 Partridge Road - asked if the potholes in Forest Lakes on Rt. 206 will be fixed.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein

Motion			x		
2 nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

BE IT RESOLVED that Ordinance No. 004-2022 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ORDINANCE NO. 005-2022 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR THE ACQUISITION OF NEW EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS OF THE TOWNSHIP TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$85,000.00

Purpose Statement: Acquisition of new equipment for use by the Department of Public Works of the Township.

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

BE IT RESOLVED that Ordinance No. 005-2022 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ORDINANCE – 1st Reading / Introduction

AN ORDINANCE AMENDING ARTICLE III, SECTION 240-7 AND ARTICLE IV, SECTION 240-21.1 OF THE ZONING ORDINANCE OF THE TOWNSHIP OF BYRAM, SUSSEX COUNTY, TO PERMIT COTTAGE FOOD OPERATIONS AS A PERMITTED HOME OCCUPATION IN ALL RESIDENTIAL USES

Purpose Statement: The purpose of this Ordinance is to allow cottage food operations as a permitted use of a home occupation in all residential uses.

Mr. Sabatini gave a brief explanation of the ordinance. It defines what a cottage food is and that is a permissible home occupation operation.

Councilman Roseff asked about the permitting and what is required.

Motion by Councilwoman Franco, second by Councilman Gallagher to Introduce the Ordinance

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2 nd			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 May 3rd 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 –

Mayor Rubenstein prepared a letter to send to Congresswoman Sherrill regarding grant funding for C.O. Johnson Park. Mayor Rubenstein is asking for the council’s support to send the letter. All council members were in support of the letter being sent out with minor edits. Mayor Rubenstein will also be reaching out to the local sporting groups to have them send a similar letter in support.

FUTURE AGENDA ITEMS -

The council will prepare a resolution for the next meeting in support of posting notices on the township websites rather than posting notices in the local News Papers. The Township Clerk will prepare the resolution.

Councilman Roseff suggested a DOT Resolution supporting a turning lane from Rt. 206 onto North Shore Road. Councilman Roseff will draft the resolution.

PUBLIC PARTICIPATION II

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

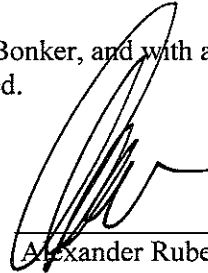
Jacqueline Richards - 2 Partridge Road – Asked for an update on New Jersey Natural Gas.

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

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Bonker, and with all members in favor, the meeting was adjourned at 8:45 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor