

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
JUNE 5, 2024
TRAINING 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 –Councilwoman Franco, here; Councilman Gallagher, here; Councilman Proctor, here; Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joseph Sabatini, Attorney Tom Mollica and Township Clerk, Cynthia Church

TRAINING SESSION – Harassment/ Discrimination Training was provided for Employees, Staff & Council presented by Statewide Insurance Fund – Bill Ruch

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	x
No					
Abstain					
Absent					

PRESENTAION BY TAX ASSESSOR – PROPOSED REASSESSMENT

Byram Township Tax Assessor Penny Holenstein has been ordered to do a reassessment by the count tax board. Two members of the county tax board. Penny will be requesting an extension with the county tax board to extend it to 2025. This will be a reassessment of the entire township. There are different ways to go about it:

1. 100% whole assessment or;
2. Year one 100% whole assessment and then over the next 4 years reinspect 25%.

It’s about a fair and equitable tax base, not an increase in taxes.

Councilman Gallagher – asked how many tax appeals we have annually – Mrs. Holenstein said that there has not been many in the last couple of years.

John Fero – County Tax Board – Has not seen any evidence that levels have leveled off on residential sales because there is no inventory. The asking prices are not coming down on the sales of houses.

Councilman Roseff said he does not understand the rush for reassessment under the current conditions.

There are 12 levels of criteria to determine uniformity / or lack thereof.

Melissa Rockwell – County Tax Board – Based on the Directors Ratio, Byram is at 72%.

Councilman Roseff asked how many home sales last year – Ms. Rockwell said there were 98 in Byram Township in 2023.

Councilman Roseff has concerns about a reassessment with little to no appeals currently in Byram Township. There is no discontent.

Councilman Roseff asked what the cost of a reassessment would be. Mrs. Holenstein said it would have to go out for a bid. Mr. Sabatini said that the last reassessment was \$175,000. Mrs. Holenstein said it can be paid as a special emergency and pay over several years. Reminded the council that they just paid for a reassessment 12 years ago.

John Fero said that annual reassessing is the way to go as it saves with on appeals. If there is a crash or a bubble it can be captured immediately. A townwide revaluation would never need to be done again.

The Township has been ordered by the County Tax Board by the current criteria. If the township is looking for an extension, the County Tax Board is willing to allow it and grant the extension. It is important to educate the public that it

is important to get into the homes to get a proper and accurate inspection. The county is willing to help the township to get that information to the public.

Mr. Sabatini advised the council that in the fall there should be a discussion as to what kind of assessment the council will want to do.

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager –

Byram Township received \$65,000 for improvements to the municipal tennis courts.

Resolution No. 114-2024 – Chapter 159 – 2024 Clean Communities Grant \$27,756.66

Bond Anticipation Note Sale Results:

- The Township received one proposal for the purchase of \$670,900 in notes on May 30, 2024. There was only one bidder - Oppenheimer & Co. at a net interest rate of 4.8339% for one year term. Anything under \$1 million - Valley does not bid on.

Lake Management Plan: - received the Draft of the Lakes and Watersheds Management Plan and appendices. The documents have been posted on the Township's website. It is being shared to give opportunity for the Council and Environmental Commission members to start reviewing. Mr. Sabatini has followed up with Princeton Hydro to understand the expectations and steps to finalize the plan. Asking what the Council's desire is to support approval of the plan.

Sussex County - Flood Damage Prevention Ordinance needs to be updated:

- there is an information session on Tuesday (June 4). Based on the communications below the Township's Flood Damage Prevention ordinance (Chapter 136) will need to be updated and adopted by October 25th, 2024.
- The communication indicates that ordinances need to be reviewed and approved by the NJDEP and FEMA prior to introduction and adoption.
- Mr. Sabatini has asked Mr. Stoner to take the lead and provide directions regarding the updated ordinance.

Mayor Rubenstein – Was on a call on May 28th with green acres regarding various Grant Programs. They were taking input from all municipalities.

Attended a Superfund Site meeting. There is a new waterline project that will affect 20 houses on Brookwood Road. They need an easement from the Board of Education. If homeowners have an issue with that they need to go to the Board of Education.

Councilwoman Franco – The Recreation Department has been getting the word out about upcoming events and programs for the Spring/Summer. To help the residents become aware of what is going on, we have created "yard signs" that will be placed at fields and other "high foot" traffic areas that will advertise the upcoming events on one side and how to get to and create a Community Pass profile and begin to register for our events and programs. Recreation will also be sending a 7-page booklet to the K-4 grade school to go home with the children this Friday in their folders. This will hopefully boost the numbers and get families excited about what we have to offer. On the table are some flyers of our upcoming events.

There are 27 people who signed up through Community Pass to receive the weekly Byram Recreation Buzz.

There were 51 families that participated in the Township Wide Garage Sale this past weekend.

After 2 weeks of rain, we were able to have the first meeting of the 55+ walking club, they had 6 people and already had calls for this week's walk, they walked around CO Johnson for 2 miles, and will walk this week there again, then move to the Rail Trail off Waterloo Road.

Senior Exercise is going extremely well, they get anywhere between 19-22 people consistently and they are having a great time.

Deb met with the Fall Sports Council on Thursday May 30, 2024. She has all the paperwork necessary to begin creating the fall field schedule. Soccer has a change of Board. Walter is no longer leading the organization; he has handed it over to Eric Frueholz. He seems well organized and will do a great job.

Due to low enrollment, there will not be a Miss Byram Pageant this year, instead they will be doing interviews tomorrow evening at the Township Municipal Building and then all will be at the next Mayor and Council meeting for all to meet. We currently have the following applicants:

- 3- Little Miss Byram
- 3- Young Miss Byram
- 1- Miss Byram.

Ginny Lepore, Danielle Conroy, Lynn Apolinaro, and Debbie will be conducting the interviews on Thursday June 6.

The Byram Fest Committee is finalizing Byram Fest layout and after input from the rest of the committee at our next meeting I will bring it back here.

Councilman Gallagher – Attended the Byram Board of Education Emergency meeting, regarding a roof that they need on the Lakes School. They discussed the new bill that will be on the June 19th meeting. Mr. Fritzkey is anticipating leaving at the end of the school year.

Councilman Proctor – Nothing to Report

Councilman Roseff – Asked the Board of Education if they were considering the regionalization study. They are forecasting 90 additional students for next year.

PUBLIC PARTICIPATION I

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

Scott Yappen – Commented on the tax assessment.

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

APPROVAL OF MINUTES

May 21, 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.

- Resolution No. 107-2024 – Resolution Authorizing the Renewal of Liquor License to Byram Beverage Inc. Valid from 7/1/2024 Through 6/30/2025
- Resolution No. 108-2024 - Resolution Authorizing the Renewal of Liquor License to Tomahawk Lake, Inc. Trading as Tomahawk Lake, Valid from 7/1/2024 Through 6/30/2025
- Resolution No. 109-2024 – Resolution Renewing a Plenary Retain Consumption License Issued to Andover Wine and Liquors Inc. Trading as Liquor Factory & Lounge Valid from 7/1/2024 Through 6/30/2025
- Resolution No. 110-2024 – Chapter 159 – Statewide Insurance Grant Risk Control Grant
- Resolution No. 111-2024 - Authorizing Appointment of the Township Special Prosecutor and Award of Professional Service Contract in Connection Therewith
- Resolution No. 112-2024 – Resolution Renewing a Plenary Retain Consumption License Issued to Salt Bar LLC Valid from 7/1/2024 Through 6/30/2025
- Resolution No. 113-2024 – A Resolution of the Township Council of the Township of Byram Authorizing the Demolition and Disposal of the Old Salt Shed Located at the Byram Township Municipal Complex
- Resolution No. 114-2024 – Chapter 159 – 2024 Clean Communities Grant \$27,756.66

	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 – June 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	x
No					
Abstain					
Absent					

ORDINANCE – 2nd Reading / Public Hearing

- **ORDINANCE NO. 008-2024 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM AMENDING CHAPTER 213 ENTITLED “STREETS AND SIDEWALKS” OF THE CODE**

Purpose Statement: The purpose of this Ordinance is to amend Chapter 213 entitled “Streets and Sidewalks” to update the Code section and to establish a five year moratorium on excavation in recently resurfaced or newly surfaced Township streets.

	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 Ordinance No. 008-2024 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. 009-2024 - AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF BYRAM ACCEPTING DEDICATIONS OF PORTIONS OF CARPENTER ROAD**

Purpose Statement: The purpose of this Ordinance is to accept portions of the street known as Carpenter Road.

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

BE IT RESOLVED that Ordinance No. 009-2024 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. 010-2024 - AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF BYRAM TO VACATE, RELEASE AND EXTINGUISH ANY PUBLIC RIGHTS IN PORTIONS OF THE STREETS AND ROADWAYS KNOWN AS DEER TRAIL AND PARTRIDGE ROAD PURSUANT TO N.J.S.A. 40:49-6 AND N.J.S.A. 40:67-21**

Purpose Statement: The purpose of this Ordinance is to vacate portions of the streets known as Deer Trail and Partridge Road and identified herein pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.

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

BE IT RESOLVED that Ordinance No. 010-2024 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

- **BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A NEW AND ADDITIONAL FIRE TRUCK BY THE TOWNSHIP OF BYRAM, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$1,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,235,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION.**

	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 June 18, 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.

ITEMS FOR DISCUSSION

Recreation Projects Summary (COJ Park Improvements) – This is to follow up from the last meeting. French & Parello is looking for the Councils authorization to move forward with public bidding. Mr. Sabatini provided and reviewed a comprehensive email dated June 3, 2024 that was sent to the Township Council summarizing the process that brought them to where they are.

Mayor Rubenstein, agree they need to use the \$65,000 for the tennis courts. Move forward with the projects with the balance from APR funds. The consensus of the council was also to move forward with the tennis courts and use APR funds to fund the difference.

Mayor Rubenstein would like to table the remainder of the conversation to the next meeting allowing him time to send a memo to the Township Council.

The consensus of the council was to use ARP funds to fix the cracks at CO Johnson Field Tennis Courts as well.

FUTURE AGENDA ITEMS

- DOT follow-up – Councilman Roseff would like to follow up with the DOT and request a meeting on status. Mayor Rubenstein will follow up with he DOT.
- Lake Management

PUBLIC PARTICIPATION II

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

Scott Yappen – Asked about premature cracking on the CO Johnson Tennis Court, in the same spots they were before. The Dog Park was the Townships #1 desire in the survey that was done. What cash on hand is available for CO Johnson Improvement from Open Space Funds. Mayor Rubenstein said approximately \$800,000 total with APR and Open Space Funds.

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.

- Attorney Client Privilege Communication
 - General
 - Cannabis
 - Council Reports

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 June 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	x
No					

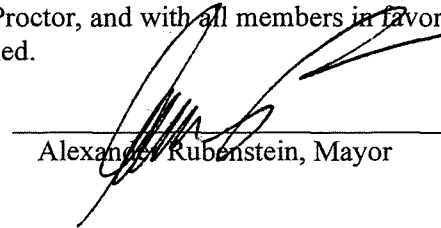
Abstain					
Absent					

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.

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Proctor, and with all members in favor, the meeting was adjourned at 10:55 p.m. All members were in favor. Motion carried.


 Cynthia Church, RMC
 Township Clerk


 Alexander Rubenstein, Mayor