

**TOWNSHIP OF BYRAM  
TOWNSHIP COUNCIL MEETING  
AUGUST 16, 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 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.byrampwp.org/index.php/town\\_hall/township\\_council](https://www.byrampwp.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, absent; 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 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
  - Private Road Maintenance & Repair
- b. Contract Negotiations
  - Lakeland Emergency Squad

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 August 16, 2022.

Cynthia Church, Municipal Clerk

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

**RETURN TO OPEN SESSION** - Motion by Councilman Bonker, second by Councilman Gallagher to return to open session at 7:34 p.m. All members were in favor. Motion Carried.

**FLAG SALUTE**

**APPROVAL OF AGENDA** – Motion by Councilman Bonker, second by Councilman Gallagher with the addition of the appointment of Kevin Molton as a Recreation Committee Alternate

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

**APPOINTMENT OF BOARD OF HEALTH COMMITTEE MEMBER - Sheyenne O'Grady -- 4-year term expiring 12/31/2023**

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

**APPOINTMENT OF RECREATION COMMITTEE MEMBER – Kevin Moulton**

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

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

**Township Manager** – The next Township Council meeting is scheduled for September 6<sup>th</sup>, at that meeting there will be a presentation from Mike Vreehland and the Highlands Council for the adoption of the Wastewater Management Plan. The Lake Management Plan meeting for the stakeholders has been scheduled for September 14<sup>th</sup>. The Township Council ethics training is scheduled for September 20<sup>th</sup> during the 6:30pm executive session. An urgent notice was sent out to the residents regarding enforcement of clean recyclable standards. Byram Fest is scheduled for September 10<sup>th</sup> from 5pm-9pm. Special thanks to the Recreation Leader for putting together the events for Byram Fest. There will be a special joint Township Council and Municipal Building Subcommittee meeting on September 21<sup>st</sup> at 7pm. Congratulated Miss Byram Joellen Gray on being crowned Queen of the Fair.

**Mayor Rubenstein** – Reported that on August 1<sup>st</sup> Mayor Rubenstein, Mr. Sabatini, Councilwoman Franco and Anthony Sitco of the NJDOT got together over a variety of issues on the Route 206 tunnel improvement and the impact it will have on Byram, and the Forest Lakes Drive North intersection and the concerns about the North Shore Road intersection and the washout to the Mansfield Bike Trail. Mayor Rubenstein felt that it was a productive meeting. Mayor Rubenstein received a letter from James and Patricia Parrish who use to reside in Byram Township, commending the Byram Police Department for saving the life of her son.

**Councilman Bonker** – attended the Grand Opening of KPODJ on Thursday July 28<sup>th</sup> along with the Town Administrator, the Zoning Officer and the Mayor. They are happy to be here and pleased with their interactions with the Township.

DPW and Parks: Since the last Council meeting Tamarack Road has been re-paved and is very nice, right along with the Little Paint Way improvements. There is new playground equipment going up in Riverside Park. There was a small sinkhole that developed by the fieldhouse in CO Johnson Park, and within one day the DPW had it marked off, and within 2 days it was fixed, along with a big section of roadway leading to the steps. Reported that at Tamarack Park and CO the fields were green, despite the drought, thanks to the irrigation system at Tamarack Park. It was an additional expense, but it was the right decision. At CO Johnson, the DPW has been putting out the water cannon every day to keep the soccer fields, the baseball fields, and the football fields green. Councilman Bonker thanked the DPW, Mike Orgera and his staff, for their diligence with keeping the fields green and playable. Councilman Bonker pointed out that as they redevelop CO Johnson Park, they need to invest in the internal irrigation systems like it was done at Tamarack and CO#8 so the water cannons and the extra DPW work are no longer required. Councilman Bonker mentioned that the parking lot on Roseville Road at CO was beyond full again last night. They are working with French and Perello on expanding that parking lot at CO along with the dog park expansion. CO Johnson had activity on almost every field last night, and it was wonderful to see it. There is a need to learn from our own experiences that when we do the job right, the long-term results serve our residents best.

**Councilman Gallagher** – There was a Recreation Committee meeting on August 15<sup>th</sup>. Byram Fest is coming up on September 10<sup>th</sup>. Councilman Gallagher asked if any committees would like to have a table at the festival. There will also be a will have a cornhole event at Byram Fest, as well. September 17<sup>th</sup> there will be a tree planting and a hike at Tamarack Park. Will be doing a house decoration event for Halloween. Need feedback on the recreation survey and asked if those survey questions be made available at Byram Fest. The next Recreation Committee is September 19<sup>th</sup>.

**Councilman Roseff** – 225<sup>th</sup> Anniversary Committee members met to review a June 2023 event. They are also exploring a Bourbon Whiskey Tasting fundraiser for later in the year. The Environmental Commission has meet. There will be a meeting on September 17<sup>th</sup> at 7pm at the Route 206 Firehouse regarding the Mansfield Test Results.

**PUBLIC PARTICIPATION I**

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

Jack Moran – 7 East Waterloo Road – Looking for updates on DOT Tunnel, no updates; the Cellular Tower, Mayor Rubenstein provided an update; Dirty Dirt, there will be more information available by October; Installation of Equipment

for Hybrid meetings, will be updates by October; NJNG, no updates; Asked about posting recording of meetings on the township website; ISO publications, has been posted on the website under fire prevention; Energy Harbor renewal.

Sean Connor – Birch Road on behalf of the Recreation Committee – is looking for a commitment from the Township Council on the Recreation Committee Survey. Looking to implement the survey at the Byram Fest as well.

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

**APPROVAL OF MINUTES**

- July 19, 2022 Regular & Closed Session Minutes – Motion by Councilman Bonker, seconded by Councilman Gallagher to approve the minutes.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2 <sup>nd</sup>			x		
Yes	x		x		
No				x	
Abstain					x
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. Motion by Councilman Bonker, Second by Councilman Gallagher to approve the consent agenda.

- Resolution No. 172-2022 – Resolution Authorizing the Renewal of Liquor License to 239 Route 206 LLC Trading as Stonewood Tavern Valid from 07/01/2022 through 06/30/2023
- Resolution No. 173-2022 – Resolution Authorizing Participation in an Electronic Tax Sale
- Resolution No. 174-2022 – Resolution Authorizing Electronic Tax Sale Notice Fees
- Resolution No. 175-2022 – Resolution Authorizing the Renewal of Liquor License to Adam Todd Inc Valid from 7/1/2022 through 6/30/2023
- Resolution No. 176-2022 – Resolution Authorizing the Issuance of Not Exceeding \$913,500 Bond Anticipation Notes of the Township of Byram, in the County of Sussex, New Jersey
- Resolution No. 177-2022 – Resolution to Award Bid for the Re-Bid of Township of Byram Rehabilitation of Pump Stations 1&2 to Rapid Pump & Meter Service Company LLC – Not to Exceed \$235,590.00
- Resolution No. 178-2022 – Confirming the Redemption of TTL #2019-001
- Resolution No. 179-2022 – Resolution of the Mayor and Council of the Township of Byram Opposing a Proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club to Change the Federal Designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve Until a Formal, Comprehensive Plan is Presented for the Public to Review and Comment
- Resolution No. 180-2022 – Resolution of the Byram Township Council Requesting Funding from the New Jersey Highlands Council for the Byram Township 2022 Master Plan Reexamination Report

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

**BILL LIST** – August 16, 2022 – Motion by Councilman Bonker, second by Councilman Gallagher to approve the bill list.

Councilman Gallagher does not believe the Nader deliverable have been completed specifically on the specification page. Councilman Roseff has concerns about the mechanical engineer and drawings, and a missing estimate. Does not want to pay the Nader Bills. Councilman Bonker disagreed and thinks that what is being requested is a bad business practice as they delivered what was contracted.

Councilman Gallagher rescinded his comments if the relationship with Nader will be affected.

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

**ITEMS FOR DISCUSSION**

Creation of New Trails Committee – Mr. Sabatini presented the Mayor and Council with the requested changes that came up at the previous meeting. The consensus of the council was to move forward with the creation of the new Trails Committee as presented. Mr. Collins will review what as presented.

Recreation Committee Survey – Mr. Gallagher explained the purpose of the survey.

Councilman Bonker has concerns with the survey and does not support proceeding with it at this time. Councilman Bonker said that the township has just completed a major survey only a few years ago, with professional help and tools, in which they received a tremendous response from over 1000 residents. The Township Council has been actively working to fulfill the insights gained from that survey, particularly with CO Johnson and the Dog Park, but also with Riverside Park and Neil Gylling Park improvements and believes that they need to implement more of those specific recommendations first before going out to the public again. Councilman Bonker also had concerns about the upcoming budget year and does not want to ask the public about new programs when it is becoming clearer that they are facing a very difficult situation with next year's budget. Councilman Bonker would like to put all their efforts with public communication right now focusing on the upcoming municipal building redevelopment.

Councilman Roseff believes that the funding is independent from the budget and feels that they should continue forward with the survey with possible utilization of ARP or OS funds to be used toward the programs. Feels that the Recreation Committee should define the survey. Does not think it will cost the town too much. Wants to see the survey go out.

Councilman Gallagher said that there will be no impact on the budget.

Mr. Sabatini disagreed and said there is an impact on the budget and staff when they go to coordinate and facilitate the programs. The chairman of the recreation committee would like the administering of the survey to be placed upon the administrative staff and is concerned about Townships ability to affectively deliver the survey. If the Township Council would like to proceed with the survey he is looking for direction and the message that they want delivered to the public as to why the survey is being done and the expectation of the public after they receive the survey.

Sean Conner, explained that the recreation committee is looking to put out a survey to allow the residents to respond as to what they would like to see in the Township, not just for 2023 but for future years as well.

Daniel Conroy, 65 Lynn Drive - feels that the survey is important to put out post COVID-19.

Kelly Eller, 14 River Road – feels the fact finding that would come out of the survey is very important.

Councilman Bonkers said he is listening to what is being said and he would also like to know what the most popular program ideas are for Byram Township in which people would be most likely to participate.

Mayor Rubenstein read aloud the following:

*Having heard what the community has said in our OS/Rec plan a couple years ago, and also taking into account the opinions expressed by the public and the committee the first half of this year, I feel as though the general structure of this survey is not what was originally discussed.*

*As I recall, and have mentioned, the three things that stuck out at me from those meetings were: a) spaces/places, b) desires for programs, and c) communications with the public. Further, I recall the earlier survey discussions were centric to understanding the public desire for programs. So, to that end, as I mentioned in the last recreation meeting, I think the approach should be taken: what are we trying to learn?, and work backwards from that to arrive at a collection of questions.*

*Based on what I recall, this is what I remember we are trying to understand:*

- *General demographic information, to qualify the response (live in town or not, number of children and age range, etc.)*
- *Does the public desire programmed recreation, such as summer camps, swimming lessons, yoga, and so forth? To me, "programmed recreation" means more than just a single event on a single day.*
- *Free-form question, what sort of programs do you think would be attractive to you?*
- *If such programs were offered, would you partake?*
- *Do you utilize recreation programs in other municipalities?*
  - o *If so, free-form answer describing nature of use, which municipalities, and so forth. We should fully understand what programs our residents leave town for.*

*I think trying to run a survey with structure multiple-choice questions will not result in providing us true sentiment from the public. I think it will limit what people can say.*

*If we want to later discuss spaces/places and things such as facilities features, that should be a different survey and/or forum.*

Mr. Sabatini will work together with Danielle on the list of questions that will be presented at the next meeting. The council will provide Mr. Sabatini with the questions they want by the end of the week. Jack and Alex will also help with the gathering of questions.

Neil Gylling –A fence contractor has provided a quote for a fence, both quotes by that contractor are over the bid threshold, a resolution will be needed to at the next meeting. Mr. Sabatini said they will need to decide on funding. Mr. Sabatini will have a resolution on the next agenda.

2023 Budget Goals & Objectives – Mr. Sabatini provided the Mayor & Council with a budget memo on July 19, 2022 and asked that they identify the goals and objectives for 2023. Mr. Sabatini received responses from three of the five members and those responses had been included in the agenda packet for the August 16<sup>th</sup> meeting. Mr. Sabatini combined those responses. Mr. Sabatini expect the department budgets by the end of the month from the department heads. This is the most important annual policy statement that the Township Council makes. It defines the local government team will implement its priorities for the next fiscal year, and where the money will come from to carry out that work plan. The budget is:

- A statement of priorities for the community
- A management blueprint for providing services
- The document that translates policies into action
- A tool for protecting the government's long-term financial health
- A communication document for the public

The Mayor and Council should identify the goals and objectives for 2023 to identify resources including funding needs to carry out the work plan. It is critical to link policies and money through the annual budget. It is being planned that all budget meetings will be done as advertised meetings of the Mayor and Council. The first budget meeting is scheduled to be in the fall.

Mr. Sabatini would like to define the needs and goals.

Councilman Bonker asked based on the numbers provided, the contractual obligations have already doubled and are already over the 2%. Therefore, they are looking at doubling the appropriation cap. This is a huge change to what was presented in the last few years. Councilman Bonker said if they do not want to go to 4% and take from fund balance, what do they have as options to stop doing.

Councilman Roseff suggested submitting their thoughts on that over the next few weeks.

Councilman Bonker suggested looking to the manager on his suggestions as to where there can be cuts.

Mayor Rubenstein said it is not for the manager to decide what to cut. It is up to the council to make that decision.

Joe suggested reviewing this again at the second meeting in September.

#### **FUTURE AGENDA ITEMS -**

Municipal Building Subcommittee Meeting – Wednesday September 21<sup>st</sup> at 7 p.m.

#### **PUBLIC PARTICIPATION II**

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

Todd Rudloff – Thanked Phil Crosson on the Governor’s Grant. Asked where the council stands with the feasibility study on the Fire Truck. Mayor Rubenstein said there has been no discussion, and no decision.

Motion by Councilman Gallagher, Second by Councilman Bonker Motion to Close to public.

**RESOLUTION FOR EXECUTIVE SESSION** – Motion by Councilman Bonker, 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.

- c. Attorney Client Privilege Communication
  - General
  - Private Road Maintenance & Repair
- d. Contract Negotiations
  - Lakeland Emergency Squad

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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 August 16, 2022.

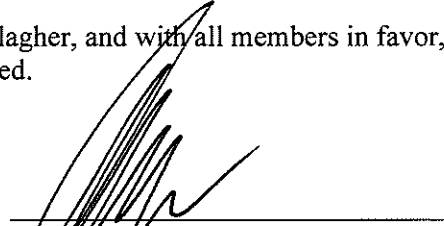
Cynthia Church, Municipal Clerk

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

**ADJOURNMENT**

On the motion of Councilman Bonker, second by Councilman Gallagher, and with all members in favor, the meeting was adjourned at 10:33 p.m. All members were in favor. Motion carried.

  
Cynthia Church, RMC  
Township Clerk

  
Alexander Rubenstein, Mayor