

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
SEPTEMBER 17, 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 Collins and Township Clerk, Cynthia Church

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.

- A. Attorney Client Privilege Communication
 - General
 - LES
 - Local Leaders for Responsible Planning
 - Chapter 272 – Sewage Disposal Systems – Article 1
 - Prestia

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 September 17, 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.

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					

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – There will be a bid opening for CO Field 8 reconstruction September 26th. He is working with the department heads on the 2025 budget. Budget requests are due by the end of September.

Councilwoman Franco – Recreation meeting September 10th. They need new members. The Environmental Commission teamed up with recreation on a scavenger hunt.

Councilman Gallagher –The next Board of Education meeting is next Wednesday.

Councilman Proctor – Planning Board meeting had one application and two discussion items.

Councilman Roseff – Byram Township Historical Society upcoming events – Saturday is Sussex Count History Day in Newton. Will have Sprit of Byram Event on November 22nd.

Mayor Rubenstein – Nothing to report

PUBLIC PARTICIPATION I

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

Peter Smith – Weasaug Trail. Is having a problem with water mitigation. Everything is graded down towards him at the end of the road on a cold-a-sac. Mayor Rubenstein suggested that he contact the DPW Superintendent.

Sergio – Owner of the General Store- Stanhope Road - Went to the Planning Board for an addition. He is having a problem with zoning. Mayor Rubenstein suggests seeing the Planning Board Secretary for direction. Mr. Sabatini said that the Township Engineer needs to be involved and needs County Board of Health approval for the septic. Also, needs Sussex County Planning Board approval as well. Cory needs to do a compliance letter. Mr. Sabatini will have a conversation with Caitlin and Cory.

John Garrity – Asked for an update on the gas line on the website. Mr. Sabatini said that there is no commitment yet for that section of town and anticipate updates in 2025.

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

APPROVAL OF MINUTES

September 3, 2024, Regular & Closed Session Meeting Minutes - Motion by Councilwoman Franco, seconded by Councilman Proctor to approve the minutes. Mr. Roseff suggested an update and more in-depth detail to what the Federal Grant was based on. Minutes will be tabled until the following meeting.

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

LAKES AND WATERSHED MANAGEMENT PLAN – Chris Mikolajczyk presented the Township Lake and Water Shed Plan to the Byram Township Council for discussion and acceptance. The full plan is available for all to view on the Byram Township website at [Byram Township | DRAFT - Township of Byram Lakes and Watersheds Management Plan \(byramtwp.org\)](http://Byram Township | DRAFT - Township of Byram Lakes and Watersheds Management Plan (byramtwp.org))

Mr. Mikolajczyk and Mr. Sabatini said that Section 8 reorganization / modification is needed.

Councilman Roseff had follow-up from the last Council meeting discussion of the Lake Study. – He asked about waterfowl values used for the Forest Lakes modeling.. Forest Lakes waterfowl phosphorous values were very low at 0.08, or one goose for 4 months, when using Princeton Hydro’s value of 0.5lbs phosphorous/goose/yr. He asked how Princeton Hydro obtained the numbers. Mr. Mikolajczyk responded it was based on observations at the time by the field crew and the model. Roseff asked if water treatments applied to a lake by the Lake Community affects the modeling. Mr. Mikolajczyk said it does not. Roseff asked if Princeton Hydro had a good survey of waterfowl. Mr. Mikolajczyk was confident on the survey provided and that the recommendation for goose management does not change regardless. Roseff asked if the State-mandated improvement to new septic systems are showing improvement in human contribution for the modeling.. Mr. Mikolajczyk said they will see it improving soon. Roseff had concern that the road salt impact portion of the study unfortunately did not have a good salt loading/forcing function because of the mild winter and this should be explained better. Mr. Mikolajczyk said they will further clarify this. Roseff said that the Study should present that the NJDEP mandated improved new standards for septic system installation and that this does not seem to be included in the study to show improvements to community septic system infrastructure. Roseff suggested that the treatment of lakes should also be included in the document. Councilman Roseff said that he will help with getting information from the lake communities regarding treatment. Roseff referred to the Highlands Council Lake Study Guide, Section 7 regarding including a QA/QC log. Mr. Mikolajczyk said he helped write it.

Mr. Peter Smith from Cranberry Lake, is in charge of lake management at Cranberry and stated the Cranberry Lake community treats the lake and their lake management plan is on the website. He volunteered to help Princeton Hydro document the Cranberry Lake treatments. He stated the report presents that 4 residential geese are present, but his knowledge is that Cranberry Lake has at least 20 pairs of residential geese that stay and have 4 babies/yr, 2 swans and 20-40 geese that fly in and hibernate. He provided his number for contact to get more information regarding treatment.

Kevin Prokup asked what the common denominator for lakes in Byram Township is and what is the recommended remediation. Mr. Mikolajczyk said that Phosphorus, nitrogen and sediment are the common denominators. The remediation plan is specific to the lake.

Peter Dlugos – Resident of Forest Lakes – Lake management is dealing with the end of the process and what to do now. **FOX ARCHITECTURAL DESIGN P.C. PROPOSAL** – A proposal and scope of work was received from Fox Architectural Design dated September 12, 2024 for the council’s approval for a concept presentation using the existing older section of the Byram Municipal Building for a Police Department. Mr. Fox was present to discuss his experience, and the proposal presented.

Mayor Rubenstein asked for an update on qualifications of staff for the project. Mr. Fox spoke of Fred, who has worked for him for 36 years. He is the key and lead employee and runs all the municipal jobs and is licensed in NJ.

Councilman Roseff – Asked if the rehab will need electrical work. Mr. Fox said they go out to bid for that. Asked how he handles fire suppression systems. They use a “Design Build” scenario, where the bidder is responsible for designs for the sprinklers and alarms.

Mayor Rubenstein - reiterated that Mr. Fox had just finished Jefferson Police Department last year. Mr. Fox explained what was included in the Jeffer Police Department project. They are working on a project for Wharton.

Councilman Roseff – asked about requirements to “ruggedize” the building. Mr. Fox said that in the UCC code they use risk category that they use to determine. Asked about the roof, risks and unknowns. Mr. Fox said they would pitch the roof. They are looking to do a preliminary design. The only risk would be to the size. They will assess that. They use an estimator.

Mayor Rubenstein – Suggested using his services and having a Professional Services Agreement for the services that could also cover other projects such as the DPW breakroom renovations.

Councilman Proctor – Questioned items listed under Fees for Services. “Services After completion of Construction Documents” – Mr. Fox said that this does not apply to this proposal. Mr. Fox spoke of a Facilities Survey done for Stanhope, Mr. Proctor asked if he seen any in progress for towns in Sussex County. Mr. Fox did a project several years ago in Newton. Asked if he has any experience in finding funding sources for Sussex County towns. Mr. Fox does not look for funding sources but provides documentation and information to the towns to help facilitate the process.

Mayor Rubenstein asked about the quality of construction cost estimate would be. How accurate would it be. Mr. Fox could not answer at the time but could have a better answer tomorrow.

Councilwoman Frano asked Mr. Fox his thoughts of the tour he had of the existing police department.

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 50/50 Raffle License to the Byram Township Historical Society – November 22, 2024
- B. Resolution No. 149-2024 – Resolution of Acceptance of a Donation from Anneliese DeMagistris, Owner of Creative Kid Kare to the Township of Byram to Provide Gift Card Prizes for the Family Nature Scavenger Hunt
- C. Resolution No. 150-2024 – Chapter 159 – American Rescue Plan \$517,817.22
- D. Resolution No. 151-2024 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – Block 288 Lot 80, 3 Winding Way
- E. Resolution No. 152-2024 - Authorization to Execute Change Order No. 1 For Proposed ADA Ramps for Various Streets (Bridget Way, Catalina Drive, Camelot Drive, Mayfair Lane & Sandra Lane) – Net Increase of \$1,432.65
- F. Resolution No. 153-2024 – Authorize the Purchase of One (1) 2024 Chevrolet Tahoe 4WD with Optional Equipment for the Township of Byram Police Department – Not to Exceed \$49,725.92

	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 – September 17, 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. 014-2024 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM AMENDING SECTION 22-3 ENTITLED “QUALIFICATIONS FOR MEMBERSHIP” OF CHAPTER 22 ENTITLED “FIRE DEPARTMENT TO ALLOW MEMBERSHIP BY OUT OF TOWNSHIP FIREFIGHTER IN GOOD STANDING”**
Purpose Statement: The purpose of this Ordinance is to allow nonresident firefighters in good standing to become members of the Byram Township Fire Department

	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. 014-2024 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. 015-2024 - AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 211 ENTITLED “STORMWATER CONTROL” OF THE CODE OF THE TOWNSHIP OF BYRAM**
Purpose Statement: The purpose of this Ordinance is to amend Chapter 211, the existing Stormwater Control chapter of the Code to comply with the requirements of the New Jersey Department of Environmental Protection (“NJDEP”).

	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. 015-2024 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

AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR THE ACQUISITION OF SELF-CONTAINED BREATHING APPARATUS (SCBA) FOR USE BY THE BYRAM TOWNSHIP FIRE DEPARTMENT TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$25,000.00

Purpose Statement: Acquisition of Self-Contained Breathing Apparatus (SCBA) for use by the Byram Township Fire Department.

	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 October 1, 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.

- **AN ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE TOWNSHIP OF BYRAM CODE OF ORDINANCES TO REPEAL CHAPTER 136 – FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 136 – FLOOD DAMAGE PREVENTION; TO ADOPT FLOOD**

HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

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ITEMS FOR DISCUSSION

Eagle Scout Project – Trey Hydock would like to make a new sign at the Byram Township Municipal Building for his Eagle Scout project. The plan has not been completely designed. It may need financial backing from the township to acquire the sign. Mayor Rubenstein asked if they would like to consider an electronic messaging sign. The council wanted to stay with a regular sign. The Byram Township Council were in support of the project. He will need to work with DPW superintendent to get quotes.

FUTURE AGENDA ITEMS

School House vegetation maintenance

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.

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BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on September 17, 2024.

Cynthia Church, Municipal Clerk

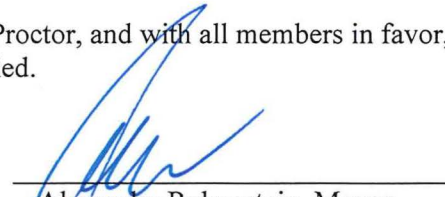
	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			x		
Yes	x	x	x	x	x
No					
Abstain					
Absent					

RETURN TO OPEN SESSION - Motion by Councilwoman Franco, second by Councilman Proctor to return to open session at 10:45 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 10:45 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor