

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
SEPTEMBER 20, 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.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
 - MOU - ETG

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 20, 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 7:37 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.

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

ACCEPTANCE OF RESIGNATION OF ENVIRONMENTAL COMMISSION MEMBER - Kymberli Morris
Motion by Councilwoman Franco, Second by Councilman Gallagher to accept the resignation. The Township Clerk will send out a letter thanking her for her service.

	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 – There will be a Joint Township Council & Municipal Building Subcommittee meeting on September 21st at 7pm to collect comments on the final draft of the construction documents site plan specifications. Mr. Sabatini thanked the following people for their help in delivering a successful Byram Fest: Byram Fire Department, Lakeland Emergency Squad, Members of the Recreation Committee, Catherine Biancone, Phil Crosson, Ken Burke, Mike Ogera & Staff, and the Byram Township Police Department. Hoping to have the draft soil importation ordinance available by Friday for the council to review. Recreation Survey is still available and will remain open through the Fall Charity Hike. Looking to fill a part time position in the finance office.

Mayor Rubenstein – Byram Fest was a big success. Asked the council to think about what changes are wanted for next year.

Councilman Bonker –

ShopRite Bagging Hunger Charity Event: On Thursday September 15th multiple members of the Council, Administration, Police and EMS participated in the annual ShopRite Bagging Hunger charity event.

TopShelf Grand Opening: On Saturday September 10th Councilman Bonker, the Mayor, Manager, and the Zoning Officer participated in the Grand Opening of TopShelf Fitness Center in the ShopRite Plaza.

Open Space: There was an Open Space meeting on Monday, September 12th. They discussed implementation plans for the new trails grant, plans for the next timber harvest and timber stand improvements off of Lee Hill Road, and software for trail mapping, for Trail Forks. They also reviewed the latest plans for park improvements at CO Johnson, Riverside Park and Neil Gylling Park.

Lackawanna Cutoff Tunnel Project: An advance team from Schiavone Construction has been gathering in CO Johnson Park every morning for the last week or so to begin planning the tunnel reconstruction work.

Skip Danielson: was recently hospitalized. Wishing him a quick recovery.

Councilwoman Franco – Byram Fest was a great turn out. Attended the bag for hunger and chamber of commerce meeting, and participated in Sussex County Day.

Councilman Gallagher – Was not able to make the Recreation Committee meeting on September 19th. September 21st is the Board of Education meeting. Byram day was a big success.

Councilman Roseff – Historical Society was active a Byram Day and at Sussex County Day. They continue with the 225th Anniversary planning.

PUBLIC PARTICIPATION I

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

Jack Moran, 7 East Waterloo Road – asked about New Jersey Natural Gas, Mayor Rubenstein did not have any updates. Asked about if they received the contact for AT&T and for an update on Energy Harbor. Mayor Rubenstein provided update to the most recent communications with them.

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

APPROVAL OF MINUTES

September 6, 2022 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	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 Bonker, Second by Councilwoman Franco to approve the consent agenda.

- A. Resolution No. 193-2022 – 2022 Capital Budget Amendment Resolution - \$175,000
- B. Resolution No. 194-2022 - Resolution for 100% Exempt Veteran Owner of Block 279 Lot 291.01 Cancellation of Taxes for the Remainder of 2022 and the First Half Of 2023 “Authorizing Taxes be Remitted (Cancelled) For 2022/2023

- C. Resolution No. 195-2022 – A Resolution for Authorization for Submission of the Byram Township Chapter of the Sussex County Wastewater Management Plan to the New Jersey Department of Environmental Protection Pursuant to N.J.A.C. 7:15-3.5(G)6
- D. Resolution No. 196-2022 – Resolution of the Mayor and Council of the Township of Byram Authorizing a Hearing by the Public Officer Pursuant to N.J.S.A. 40:48-2.5 Relating to the Need for the Demolition of the Structure Located at 7 Rose Trail, Block 181, Lot 24 and 29.01 Assessed in the Name of Alan Ungerleider and Carol Ungerleider in the Township of Byram Sussex County, New Jersey

	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 – September 6, 2022 – Motion by Councilwoman Franco, second by Councilman Gallagher to approve the bill list.

	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 009-2022 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM AMENDING ARTICLE XV ENTITLED “BOARDS AND COMMISSIONS” OF CHAPTER 3 ENTITLED “ADMINISTRATION OF GOVERNMENT” OF THE CODE OF THE TOWNSHIP OF BYRAM TO ADD A NEW SECTION 3-53 ENTITLED “TRAILS ADVISORY COMMITTEE”

PURPOSE STATEMENT: The purpose of this Ordinance is to amend the Township Code Article XV entitled “Boards and Commission” to add a new Section 3-52 entitled “Trails Advisory Committee”.

Motion by Councilman Bonker, second by Councilwoman Franco to Adopt Ordinance No. 009-2022

Eric Duch, 2 Crows Nest Road –commented on the creation of the trail advisory committee, does not agree with the idea of it consisting of residents not serving on other committees. Asked that it be changed to allow all residents regardless of committee status. Suggests that a councilperson should sit on this committee as well. Councilman Bonker provided an explanation as to why it was put together the way it is written. Mr. Sabatini also provided additional background on the formation of the committee. They are trying to make this committee different then other committees and to allow the members to be more active on the trails.

Jack Moran, 7 East Waterloo Road – Suggests adding flexibility due to the lack of volunteerism.

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

BE IT RESOLVED that Ordinance No. 009-2022 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 TO AUTHORIZE A CAPITAL EXPENDITURE FOR THE ACQUISITION OF VARIOUS VEHICLES FOR USE BY THE TOWNSHIP OF BYRAM TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$175,000.00

Purpose Statement: Acquisition of various vehicles for the use by various Departments of the Township.

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

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	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 4th 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

2023 Goals & Objectives – Mr. Sabatini wanted to continue the discussion from August 16, 2022 and stated that he had provided a memo back in July of 2022. He is looking for input on what should be considered for the 2023 budget. Mr. Sabatini believes they are not in a position to be making cuts. Mayor Rubenstein agreed that they do not want to cut services. Councilman Bonker believes that the determination can not be made without looking at both sides of the spectrum. Mr. Sabatini stated that there will be increases in garbage and healthcare, along with current inflation. Councilman Bonker does not want to go past a 2% cap. Councilman Bonker believes that the conversation needs to be had on cutting services if they are going over the 2% cap. Mr. Sabatini believes that there is a need to increase services to support some departments that are struggling (Construction and Recreation Departments). The operating budget are anticipated to stay flat. The Police Department is looking to increase their fleet. Suggests using the fund balance. Mr. Sabatini would like to get more input from the council on the Capital Budget. Mr. Sabatini is looking to get a consensus of the councils focus for 2023. Mayor Rubenstein said even though we need to be sensitive on the Municipal Budget because of inflation but realize that inflation is affecting the Township Budget as well. He agrees with Mr. Sabatini and does not want to cut any Municipal Services. Mr. Sabatini will try to approach the Budget Process differently for 2023. Mr. Sabatini will be moving forward with the budget as usual unless he hears specifics from the council. Councilman Roseff requested a spreadsheet. Mr. Sabatini would like to prioritize the Capital Budget for November. Mr. Sabatini will have the salary workbook by October.

FUTURE AGENDA ITEMS --

D.O.T.

Mansfield Trail Dump – Mayor Rubenstein will reach out to Pat Seppe.

PUBLIC PARTICIPATION II

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

No comments were made.

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

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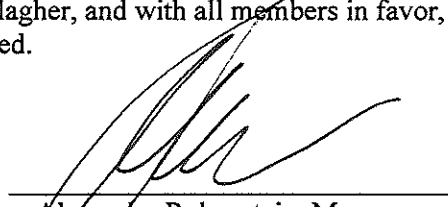
Cynthia Church, Municipal Clerk

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

ADJOURNMENT

On the motion of Councilman Bonker, second by Councilman Gallagher, and with all members in favor, the meeting was adjourned at 10:05 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor