

**TOWNSHIP OF BYRAM
REORGANIZATION TOWNSHIP COUNCIL MEETING
JANUARY 5, 2021
REORGANIZATION MEETING 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 Joe Sabatini, Attorney Tom Collins and Municipal Clerk Cynthia Church.

FLAG SALUTE

INVOCATION by Russel Raffay

APPROVAL OF AGENDA – Motion by Councilwoman Franco, second by Councilman Bonker, to approve the agenda as presented. All in favor. Motion carried.

APPOINTMENT & SWEARING IN OF MUNICIPAL CLERK – CYNTHIA M. CHURCH
sworn in by Mayor Rubenstein with Cindy virtual with hand on the bible.

SWEARING IN OF BYRAM TOWNSHIP FIRE DEPARTMENT OFFICERS

Todd Rudloff – Chief	Casey Margo - President
Mike Pellek – Assist. Chief	Dave DelSontro – Vice President
Greg Matthews – Captain	Garrett Lonzello - Treasurer
Michael Sawicki – Captain	Charles Webber – Asst. Treasurer
Jack Gallagher – Lieut.	Brian Kalemba - Secretary
John McConnell – Lieut.	
Shawn Pond – Lieut.	

NOMINATION AND SELECTION OF DEPUTY MAYOR - Motion by Councilman Gallagher, seconded by Councilwoman Franco to nominate Raymond Bonker as Deputy Mayor. All in favor. Motion carried.

TOWNSHIP COUNCIL APPOINTMENTS

TOWNSHIP ATTORNEY –Thomas F. Collins, Jr. of Vogel, Chait, Collins and Schneider
Motion by Councilman Bonker, seconded by Councilman Gallagher, to appoint Thomas F. Collins, Jr. of Vogel, Chait, Collins and Schneider as Township Attorney for a 1-year term. All in favor. Motion carried.

LABOR ATTORNEY & CONFLICT ATTORNEY – Tom Ryan of Laddey, Clark & Ryan
Motion by Councilman Gallagher, seconded by Councilman Bonker, to appoint Tom Ryan of Laddey, Clark & Ryan as Labor & Conflict Attorney for a 1-year term. All in favor. Motion carried.

BOND COUNSEL - Robert H. Beinfield of Hawkins Delafield & Wood LLP.
Motion by Councilman Gallagher, seconded by Councilman Bonker, to appoint Robert H. Beinfield of Hawkins Delafield & Wood LLP as Bond Counsel for a 1-year term. All in favor. Motion carried.

TOWNSHIP ENGINEER –Cory Stoner of Harold Pellow & Associates.
Motion by Councilman Gallagher, seconded by Councilwoman Franco, to appoint Cory Stoner of Harold Pellow & Associates as Township Engineer for a 1-year term. All in favor. Motion carried.

TOWNSHIP SEWER ENGINEER - Steve Donati of CP Engineers, LLP
Motion by Councilman Gallagher, seconded by Councilman Bonker, to appoint Steve Donati of CP Engineers, LLP as Township Sewer Engineer for a 1-year term. All in favor. Motion carried.

TOWNSHIP AUDITOR – Raymond Sarinelli of Nisivoccia, LLP.
Motion by Councilman Gallagher, seconded by Councilwoman Franco, to appoint Raymond Sarinelli of Nisivoccia, LLP as Township Auditor for a 1-year term. All in favor. Motion carried.

TOWNSHIP PLANNER - Paul Gleitz of L&G Planning.
Motion by Councilman Gallagher, seconded by Councilwoman Franco, to appoint Paul Gleitz of L&G Planning as Township Planner for a 1-year term. All in favor. Motion carried.

PLANNING BOARD

Motion by Councilman Gallagher, seconded by Councilman Bonker, to appoint Cris Franco as Class III member to a 1-year term. All in favor. Motion carried.

Motion by Councilwoman Franco, seconded by Councilman Gallagher, to appoint Marie Raffay as a Class IV member to a 4-year term. All in favor. Motion carried.

Motion by Councilman Gallagher, seconded by Councilwoman Franco, to appoint Eric Serrilli, Alternate I member to a 2-year term. All in favor. Motion carried. All in favor. Motion carried.

RECREATION COMMITTEE – Motion by Councilwoman Franko, second by Councilman Bonker, to appoint Scott Yappen and Donna Griff to a 3-year term. All in favor. Motion carried.

BOARD OF HEALTH –

Motion by Councilwoman Franco, second by Councilman Bonker to appoint Andrew McElroy to a 4-year term. All in favor. Motion Carried.

Motion by Councilwoman Franco, second by Councilman Bonker to appoint Roxanne Sabatini to a 4-year term. All in favor. Motion Carried.

OPEN SPACE COMMITTEE – Motion by Councilman Bonker, second by Councilwoman Franco to appoint John Morytko to a 3-year term. All in favor. Motion carried.

ARC COMMITTEE – Advisory to Planning Board

Motion by Councilman Gallagher, second by Councilwoman Franco to appoint Tom Dixon, Andrew McElroy, John D. Morytko, Andrea Proctor and Lisa Shimamoto to a one-year term. All in favor. Motion carried.

911 COORDINATOR

Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Chief Kenneth Burke as 911 Coordinator for a 1-year term. All in favor. Motion carried.

SUSSEX COUNTY SOLID WASTE ADVISORY BOARD – Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Michael Busniak to a 1-year term

MUSCONETCONG RIVER MANAGEMENT COUNCIL Motion by Councilman Gallagher, second by Councilwoman Franco to appoint Kathleen Parrish (Primary) and Dana Flynn (Alternate) to a 1-year term.

WATER QUALITY MANAGEMENT PLAN POLICY ADVISOR COMMITTEE (PAC) Motion by Councilwoman Franco, second by Councilman Gallagher to appoint Roxanne Sabatini to a 1-year term

COUNCIL LIAISONS

- Recreation Committee – Councilman Gallagher
- Environmental Commission – Councilman Roseff
- Board of Health – Councilwoman Franco
- Byram Historical Society – Councilman Roseff
- Lenape Valley BOE – Councilman Gallagher
- Byram BOE – Mayor Rubenstein

MAYORAL APPOINTMENTS

- **CLASS II PLANNING BOARD MEMBER** – 1-year term – Andrew McElroy
- **ENVIRONMENTAL COMMISSION** – Katie Baron (3-year term) Kimberli E Morris (3-year term), and Gerald Murphy (2-year term)

TOWNSHIP MANAGER'S APPOINTMENT

- Land Subdivision Search Officer – Planning Board Secretary Cheryl White
- Tax Search Officer – Michele McElroy
- Special Law Enforcement Officer – Class II – Philip Crosson

ACCEPTANCE OF BOARD MEMBER RESIGNATIONS AND RECOGNITION OF BOARD/COMMITTEE MEMBERS NO LONGER SERVING – Mayor Rubenstein expressed his gratitude and thanked the following people for their service:

Eric Serrilli – ARC (2009), Bernie Rogalski – BOH (2015), Earl Riley – OS (2020), Kenneth Kaufhold – PB (1989), Frank Gonzalez - PB (2009), Robert Androsky – REC (2018) – Mayor Rubenstein thanked the residents for volunteering and asked the clerk to send a letter of thanks on the Council’s behalf.

Motion Councilwoman Franco, Second by Councilman Gallagher to accept the resignation. All in Favor. Motion Carries.

TOWNSHIP MANAGER, MAYOR AND COUNCIL REPORTS

Township Manager – A joint Township Council / Municipal Building Subcommittee meeting that is scheduled for next Tuesday is expected to be rescheduled for a later date. The next Township Council meeting that is scheduled for January 19, 2021 will start early at 6:00 p.m., to conduct a Budget Workshop, followed by the regular council meeting. The budget schedule was published at the end of December 2020 in LFN 2020-88. LFN 2020-88 provided the deadline extensions. The municipal introduction and approval of the budget is targeted for no later than March 30, 2021 with the adoption by April 30, 2021. The LFN provided guidance on State Aid to use the same amounts received in 2020. Mr. Sabatini expects the budget to be introduced on March 2, 2021, followed by the adoption on April 6, 2021. Christmas tree pick up will be on Tuesday January 19, 2021. Mr. Sabatini summarized the year end items that will be reported in the annual report:

- *This past year was an extremely challenging for everyone. As we entered the new year and began to embark on our goals and objectives for 2020, we were quickly redirected to manage the unexpected effects of the COVID19 Pandemic.*
- *Many of the challenges that we have faced as a community were definitely not the norm. Accordingly, everyone collaborated and focused their efforts on the common goal of working creatively to ensure the efficient and effective continuity of government. Although we experienced several procedural changes as a result of the conditions presented, we as a Township are proud to have delivered the level of services that our residents have come to expect with limited interruptions.*
- *For that, I would like to thank our staff and residents for remaining flexible while we adapted to the many changes needed to protect everyone to the best of our ability.*
- *In light of these unprecedented times and challenges, I am proud to announce the following 2020 accomplishments. A more itemized list will be presented in the Annual Report:*
- *Extend or updated Shared Service Agreements:*
 - *Updated construction services agreement with Netcong.*
 - *Extended agreement for Fire Prevention Services with Sparta.*
- *Completed an aggressive Road Resurfacing Program - that included North Shore Road, Strawberry Point, Cranberry Ledge and various roads in the area.*
- *Grants:*
 - *NJDOT Fiscal Year 2021 Municipal Aid Program for Fieldstone Trail - \$166,200*
 - *Local Government Emergency Fund Grant (CARES Act) - \$42,544*
 - *Varying other grants: Clean Communities, Recycling, Municipal Alliance, ANJEC Grant*
- *Adopted a comprehensive update of the OS & Rec plan as an element of the Master plan that included a Trails Master Plan, Eco-Tourism Based Economic Development Plan, and a Stewardship-Asset Management Plan.*
- *Approved Temporary Special COVID 19 Permits for Extension of Premises to allow outdoor sales and outdoor dining to several businesses in town*
- *Eagle Scout projects donated to Byram Township:*
 - *Adam Raffay built a trail head kiosk at Tamarack Park Trail*
 - *Spencer Van Nest built and hung bat houses along Mansfield Bike Trail*
 - *Alexander McVeigh built and hung informational plaques along Mansfield Bike Trail*
- *RECOGNITION OF RETIREMENTS:*
 - *Police Chief Peter Zabita - 24 years of service - 1/31/2020*
 - *Police Officer John Donofrio - 26 years of service - 6/30/2020*
 - *Municipal Clerk Doris Flynn - 23 years of service - 12/30/2020*
 - *Donald Boroughs, Building and Grounds - 16 years of service - 12/31/2020*
- *Appointment of Ken Burke effective February 1 as the new Chief of Police*
- *Officer Derek Kuncken and Officer Christopher Spaldo*
- *Graduated from the Morris County Basic Police Course (December 7)*
- *In process of completing field training.*
- *Cindy Church Appointed as Municipal Clerk - January 1, 2021*
- *Phil Crosson was presented with the promotion to Deputy Manager January 1, 2021*
- *Peter Karcher Construction Official started full-time work hours effective January 1, 2021.*
- *Technical Assistant Land Use - presented her retirement and in process of interviewing for her replacement.*
- *Please take the time to review the information contained within the annual report. Public meetings for the Township Council and Committees are listed on the Township website calendar, and we encourage your*

participation throughout the year. All the items would not have occurred without my staff. I would like to thank all my staff for a very challenging but successful 2020 and looking forward to 2021.

Mayor Alexander Rubenstein – The Shoprite of Byram became a site for the distribution of COVID-19 vaccinations. Shoprite of Byram is administering over 200 vaccines per day to frontline medical workers and community home workers. The State of N.J. updated their website and are asking people who would like to be vaccinated to preregister. Mayor Rubenstein heard back from the GEA, based upon preliminary data, the saving to Byram Residents may be close to 10%.

Councilman Bonker – Was pleased with the productivity of the Township Council in 2020 and would like that trend to continue into 2021. Mr. Bonker would like to continue focusing on the municipal building project, the budget, C.O. Johnson Park redevelopment activities, and continue digitization of everything in 2021. Mr. Bonker is looking forward to the first timber harvest. Everyone will soon be hearing more about the Byram Outdoors branding effort and the new logos. There will be more activity on trail connectivity work. The Open Space committee will be providing more input as the C.O. Johnson redesign effort continues. Mr. Bonker is looking to push forward in 2021 with a resolution in favor of chickens.

Councilman Bonker Councilwoman Franco – nothing to report. Wished everyone a Happy New Year.

Councilman Gallagher – The last Planning Board meeting was on December 17th, in which he could not sit at the meeting as it was a D variance for Raimo's. The Recreation Committee had the lighting contest. The Byram Township Fire Department attended the funeral for Cpl. Harris in Tennessee.

Councilman Roseff – nothing to report.

PUBLIC PARTICIPATION I – Motion by Councilwoman second by Councilman Bonker to open to the public. All members were in favor. Motion Carried.

Scott Yappen, 5 Catherine Terrace – asked about the French and Parrello report and when it will be available. Mr. Sabatini said that he expects a draft to be available by end of January. Mr. Yappen asked if there were any discussions regarding a Recreation Coordinator, Mayor Rubenstein said that it is not a discussion yet but will be soon for budget reasons. Mr. Yappen asked when there will be estimates available for the Municipal Building Subcommittee. Mr. Sabatini said it will be discussed in closed session tonight. Mr. Yappen asked about the natural gas services that are going up East Shore Trail. Mr. Sabatini explained that they are Sussex County roads and they will need to get road opening permits.

Todd Rudloff, Byram Township Fire Chief expressed how much Cpl. Harris's family appreciated the support that they received from Byram Township and the Byram Township Fire Department. Chief Rudloff said it was a very humbling experience for him.

Donna Griff, 71 Brookwood Road – Thanked the Township Council for the appointment to the Recreation Committee and is looking forward to Byram Day in 2021.

Annalise DeMagistris, 69 North Shore Rd – said that she feels saddened by the many lies going out on social media leaving Byram Township in the paper for negative reasons. On the positive side of social media, she said that she is proud of Chief Rudloff and the beautiful things he had posted about Cpl. Harris. She thanked the Byram Township Fire Department for their kindness. Ms. DeMagistris thanked Sgt. Dewald and Officer Mendelson for being very quick on January 3rd when her daycare was broken into. She thinks Byram Township is a great community and wishes it to stay that way.

Motion by Councilman Bonker, second by Councilman Gallagher to close to the public. All members were in favor. Motion carried.

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 so 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 Councilman Bonker, second by Councilman Gallagher to approve the consent agenda.

- A. Resolution No. 001-2021 – Resolution to Provide Temporary Budget Appropriations until the Adoption of the 2021 Current Fund Budget
- B. Resolution No. 002-2021 – Resolution to Provide Temporary Budget Appropriations until the Adoption of the 2021 Sewer Utility Budget
- C. Resolution No. 003-2021 – Custodian of Funds / Signatories
- D. Resolution No. 004-2021 – Resolution Adopting the 2021 Cash Management Plan
- E. Resolution No. 005-2021 – Resolution Authorizing the Chief Financial Officer to Maintain a Petty Cash Fund in the Amount of \$150.00
- F. Resolution No. 006-2021 – Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7-29
- G. Resolution No. 007-2021 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Establish the Rate of Interest to be Charged for Non-Payment of Taxes on or Before the Due Date”

- H. Resolution No. 008-2021 – Resolution Reappointing & Achieving Tenure Status for Chief Financial Officer
- I. Resolution No. 009-2021 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Cancellation of Small Tax Balances”
- J. Resolution No. 010-2021 – Resolution Designating Official Newspapers
- K. Resolution No. 011-2021 – Annual Notice of the Calendar Dates of the Scheduled Meetings of the Byram Township Council from 01/01/2021-12/31/2021 and the Beginning of 2022
- L. Resolution No. 012-2021 – Resolution Authorizing Compliance with the United States Equal Employment Opportunity Commissions “Enforcement Guidance on the Consideration of Arrest and Conviction Records” in Employment Decisions under the Title VII of the Civil Rights Act of 1964
- M. Resolution No. 013-2021 – Resolution Authorizing Annual Appointment of a Public Agency Compliance Officer (PACO) for the Township of Byram, Sussex County, New Jersey
- N. Resolution No. 014-2021 – Resolution Appointing Tax Assessor and Municipal Attorney to Represent the Township of Byram before the County Board of Taxation for Calendar Year 2021
- O. Resolution No. 015-2021 – Authorizing Appointment of legal Counsel and Award of Professional Service Contract in Connection Therewith
- P. Resolution No. 016-2021 – Authorizing Appointment of the Township Labor Counsel and Award of Professional Service Contract in Connection Therewith
- Q. Resolution No. 017-2021 – Authorizing Appointment of the Township Engineer and Award of Professional Service Contract in Connection Therewith
- R. Resolution No. 018-2021 – Authorizing Appointment of the Sewer Consulting Engineer and Award of Professional Service Contract in Connection Therewith
- S. Resolution No. 019-2021 – Authorizing Appointment of Bond Counsel and Award of Professional Service Contract in Connection Therewith
- T. Resolution No. 020-2021 – Authorizing Appointment of Township Planner and Award of Professional Service Contract in Connection Therewith
- U. Resolution No. 021-2021 – Authorizing Appointment of the Township Auditor and Award of Professional Service Contract in Connection Therewith
- V. Resolution No. 022-2021 – Authorizing Appointment of the Township Architect and Award of Professional Service Contract in Connection Therewith
- W. Resolution No. 023-2021 – Resolution Authorizing the Execution of the 2021 Agreement by and Between Byram Township and Phoenix Advisors, LLC Covering Continuing Disclosure Agent Services and Appointment as Independent Registered municipal Advisor “of Record”
- X. Resolution No. 024-2021 – Appointment of Darren Raymond for Appraisal Services Relating to the State Tax Court Residential Appeals
- Y. Resolution No. 025-2021 – Appointment of Scott J. Holzhauer for Appraisal Services Relating to the State Tax Court Commercial Appeals
- Z. Resolution No. 026-2021 – Resolution Authorizing the Execution of Documents Associated with the Payroll Contract with R&L Data Centers
- AA. Resolution No. 027-2021 – Authorizing Appointment of Linda L. Maxwell of Insurance Administrator of America Inc. as Third-Party Administrator for Matters Related to Retiree Health Insurance Reimbursement
- BB. Resolution No. 028-2021 – Resolution Authorizing Navitend to Provide Proventiv Managed Services – Not to Exceed \$40,977.20
- CC. Resolution No. 029-2021 – Resolution Authorizing a Professional Services Agreement for Forest Stewardship Work on Open Space Parcels in Byram Township
- DD. Resolution No. 030-2021 – Resolution Authorizing the Execution of Documents Associated with the Custodial Contract with Chelbus Cleaning Co., for the Byram Township Municipal Building

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

RESOLUTION No. 031-2021 – Resolution in Support of A4687/S3189 Extending the Expiration Dates of EMT and Paramedic Certificates. Motion by Councilman Gallagher, second by Councilwoman Franco to approve Resolution 031-2021.

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

PROCLAMATION – Radon Action Month – January – Mayor Rubenstein read the proclamation and asked for a motion to authorize the Mayor to sign it. Motion by Councilman Gallagher, second by Councilwoman Franco to sign the proclamation. All members in favor. Motion carried.

APPROVAL OF MINUTES

- 12-15-2020 Regular & Closed Session Minutes – Motion by Councilwoman Franco, seconded by Councilman Gallagher 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					

- 12-29-2020 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					

BILL LIST – January 5, 2021 – 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		
2 nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

FUTURE AGENDA ITEMS – Mayor Rubenstein would like to add to the January 19th agenda a remembrance or memorial of Cpl. Harris who was murdered in our Town. He would like to put together a subcommittee that can offer opinions and put something up as a reembrace for Cpl. Harris.

PUBLIC PARTICIPATION II – Motion by Councilman Bonker, second by Councilwoman Franco to open to the public. All members were in favor. Motion Carried. No comments were made.

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

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. Contract Negotiations
 - B.A.R.K.S. contract renewal
- B. Attorney Client Privilege Communication
 - General
 - Property Maintenance – Block 220 Lot 25 & Block 336 Lot 23
 - Forest Lakes Drive – Potholes
 - LES
 - Municipal Building
- C. Personnel

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 January 5, 2021.


Cynthia Church, Municipal Clerk

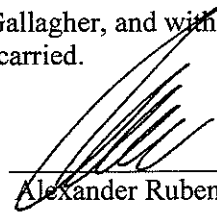
	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion	x				
2 nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

RETURN TO OPEN SESSION - Motion by Councilman Gallagher, second by Councilwoman Franco to return to open session at 11:34 a.m. All members were in favor. Motion Carried.

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Gallagher, and with all members in favor, the meeting was adjourned at 11:35 p.m. All members were in favor. Motion carried.


 Cynthia Church, RMC
 Township Clerk


 Alexander Rubenstein, Mayor