

**TOWNSHIP OF BYRAM  
TOWNSHIP COUNCIL MEETING  
OCTOBER 4, 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](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
  - Save our Bridge Grant Opportunity

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 October 4, 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 7:30 p.m. All members were in favor. Motion Carried.

Mayor Rubenstein announced the passing of former Chief Eskil “Skip” Danielson on September 3, 2022, and read aloud the following:

*With deep sympathy and condolences, Byram Township announces the passing of Eskil ‘Skip’ Danielson. Please keep the Danielson family in your prayers and thoughts.*

*Skip was forever a public servant which is something that he instilled in his family as many are also public service members and volunteers.*

*Chief of Police Eskil ‘Skip’ Danielson was the first full-time Chief of Police of the Byram Township Police Department. Skip was a fifty plus year resident of Byram Township, where he and his wife Judy raised their three sons Scott, Eric, and Kevin. Skip always had Byram Township at heart, first as the Chief of Police, first aid/EMS provider, baseball coach, volunteer of the Boys Scouts Patriots Path Council and later as the Byram Township Mayor.*

*Skip started his career in law enforcement in the Chatham Borough Police Department as a police officer and detective. He was appointed as the first full-time Chief of Police of the Byram Township Police Department in 1971 where he served until his retirement in 1993. After retirement he served as the Air Medical Coordinator for the University of Medicine and Dentistry of New Jersey, Division of Emergency Medical Services and for over fifteen years in the Sussex County Sheriff’s Office, Division of Emergency Management and 9-1-1 Coordination. Also, Skip served as the Chief and*

*President of the Lakeland Emergency Squad, Director of the Sussex County Police Academy, and was previously a member of the New Jersey State Forest Fire Service.*

*As mentioned by the Byram Township Police Department, Byram Township was extremely fortunate to have Chief Danielson as a member of its community.*

*Again, the Byram Township Mayor and Council, Byram Township Police Department, Byram Township Administration, and past and present employees, would like to express our sincerely condolences to his family. Chief Eskil 'Skip' Danielson will be missed.*

Councilman Bonker read aloud the following:

*No one did more work, no one provided more institutional leadership, to earn the sobriquet of "Mr. Byram" than Skip. It is the end of an era for our town. One hundred years ago, in the 1920's, Byram had a population of 400 people. In the 1950's and 1960's, our population hit 2000 people, and the Johnson family ran Byram. I would say that modern Byram, with our population of 8,000, a bedroom community, occurred in parallel with the introduction of the police department, the building of the police building, and hence, with Skip. Sports teams, Boards of Education and modern school buildings, the Lakeland EMS, the Council, Skip was a big part of them all. The very fact that this Council is a Faulkner Act Council, was because of Skip and Judge Rich Bowe. It was in reaction to the 1980's circus that saw Skip as Police Chief getting fired by an old Byram Mayor 3 times, only to be re-instated by a judge 3 times. Skip's presence and voice every year at the Memorial Day event highlighted his personal involvement with Byram, and not having him there next year will make that event even more solemn. It is the end of an era, the Eskil Danielson era. We will hopefully make more progress as we enter further into the technocratic 21st century Byram, but if we make progress, it will only occur because we are standing on Skip's shoulders.*

Mr. Sabatini offered his condolences to the Danielson family and asked that you keep his family in your prayers. Mr. Sabatini stated that in 2007, Skip took a chance on a Byram kid and for that he will be forever grateful. Skip was a true mentor and always had the best interest of Byram at heart. He will be missed.

**FLAG SALUTE**

**APPROVAL OF AGENDA** – Motion by Councilman Bonker, second by Councilman Gallagher to approve the agenda with the addition of DOT next steps under Items for Discussion.

	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					

**HISTORICAL SOCIETY 225<sup>TH</sup> ANNIVERSARY PRESENTATION** – Mr. Frank Gonzalez, Lou Esposito and Cathy Esposito gave a presentation on the 225<sup>th</sup> Anniversary of Byram Township including events and planning status. The first event will be on November 18<sup>th</sup>, a Bourbon Whiskey Tasting Event. The Byram Township Historical Society started a website to sell tickets for the events and hopes to market the new website. The events include: a Charity Hike at Hudson Farm, Historical Day at Waterloo Village, Dragon Boat Race at Cranberry Lake, Camping Event at Camp Allamuchy and a Founders Day at Waterloo Village. Mayor Rubenstein discussed Byram Day 2023 and would like to make it a longer event and keep it at CO Johnson Field. BTHS would like to work with the Township and the Recreation Committee. Mayor Rubenstein would need to get an understanding as to how this will affect the budget. Mr. Esposito explained that they do not want to ask the township for much funding and will come back with a plan. They will need the most help with the operational plans from the Township Manager. Byram Township will remain the lead of Byram Day 2023, and the BTHS will participate in enhancing the event. BTHS will also have a conversation with the Township Manager and Recreation Leader.

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

**Township Manager** – There will be a discussion on the Soil Importation Ordinance at the October 18<sup>th</sup> meeting. Saturday is the Hudson Farm Charity Hike. Sunday, October 23<sup>rd</sup> is the Community Trail Hike. Encourage residents to complete the recreation survey.

**Mayor Rubenstein** – Nothing to Report

**Councilman Bonker** – There will be an Open Space meeting Monday, October 10<sup>th</sup>, they will be discussing the progress on CO Johnson Park, Riverside, and Neil Gylling, along with updates from the forester, and now with the formal passage of the Trails Committee, some transition planning of trail specific items from Open Space to the Trails Committee.

**Councilwoman Franco** – at the Board of Health meeting on Sept 27<sup>th</sup> they talked about Radon Awareness and the Rabies Clinic.

**Councilman Gallagher** – The next Recreation Committee meeting is scheduled for Oct 17<sup>th</sup>. The next Board of Education meeting is on October 26<sup>th</sup>. Requested copies of the notes, plans and cost calculations from the Special Meeting on September 21<sup>st</sup>.

**Councilman Roseff** – Nothing to Report.

**PUBLIC PARTICIPATION I**

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

Paul Conklin, 9 Tote Road – Asked if there will be a discussion about the DOT.

Jack Moran – Asked for updates on NJ Natural Gas, and Energy Harbor.

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

**APPROVAL OF MINUTES**

September 20, 2022 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 <sup>nd</sup>		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

September 21, 2022 Special Joint Meeting Minutes – Motion by Councilman Bonker, seconded by Councilwoman Franco to approve the minutes.

Mr. Roseff would like to add few corrections. He will submit those changes to the Township Clerk.

The approval of the minutes was tabled to October 18, 2022.

**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.

- A. Approval of Raffle & 50/50 Licenses for Stanhope HSA to be held at the Byram Township Fire House on November 19, 2022
- B. Resolution No. 198-2022 – Resolution to Cancel of Record a Neighborhood Preservation Housing Rehabilitation Program Mortgage on Block 241, Lot 491 – 14 Lake Drive

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

**BILL LIST** – October 4, 2022 – Motion by Councilman Gallagher, second by Councilwoman Franco to approve the bill list.

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

**ORDINANCE – 2<sup>nd</sup> Reading / Public Hearing**

**ORDINANCE 010-2022 - 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 Councilman Gallagher, second by Councilwoman Franco to Adopt the Ordinance

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

BE IT RESOLVED that Ordinance No. 010-2022 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

### **ITEMS FOR DISCUSSION**

**D.O.T. Next Steps** – Mayor Rubenstein forwarded the council an email he received from Anthony Sytko of the NJDOT in response to issues discussed at the August 1<sup>st</sup> site visit, as well as three items that were submitted by Mr. Moran.

- Dry hydrants on sides of Rt. 206 Lubbers Run bridge that NJDOT/Tilcon constructed as part of Rt. 206 expansion project. During ISO project it was discussed that it appeared to be in some legal “no man’s land” as the town did not sign off/accept that the construction was completed to the town’s satisfaction. I seem to recall that the hydrants need maintenance.

Mr. Sabatini and Councilman Gallagher confirmed that the two dry hydrants at the bridge, we have maintained them and not aware of any needed maintenance.

- Bus shelter on former Pier 206/Bredbenner/Red Wing Inn restaurant lot which is in between the Byram Motel lot and the “Braun building” which is currently where construction is ongoing on two lots for a medical facility. This is the lot where apartments were being proposed/discussed. There was a glass bus shelter there for a short period, but it was constructed/placed improperly. There is a curb cut that runs right into the sidewalk on the Rt 206 northbound side and a sign for a bus stop. Note that across the highway on the Rt 206 southbound side near the old Quick Check, there is a small bus shelter. This was unfinished/unresolved work as part of the Tilcon Rt 206 expansion project. The bus shelter was disassembled and never reconstructed.

Mr. Sabatini replied that the bus shelters are an agreement with NJ Transit. There is a bus stop at the location but cannot recall the reason why the shelter did not get constructed. He believes it was a town decision. The Township has specific agreements with NJ Transit on individual constructed bus shelters.

- Selling/moving of current NJDOT building across from Shop Rite. They are sitting on prime real-estate and paying no taxes. Highlands restricts development in town and then the state sits on one of the few lots that can be developed in the main business district.

Mayor Rubenstein explained that the DOT has no desire to move it.

- Rt. 206/Forest Lakes Dr. – NJDOT had an internal meeting with various units: Jurisdiction, Permits, and Right-of-Way. Forest Lakes Dr. is a private driveway on private property, so the municipality (Andover) would have to purchase the land from the property owner – this part doesn’t involve NJDOT. Andover would then prepare to file for a Major Access Permit, including a plan for the improvements/reconfiguration of the interchange. The plan would include a jurisdictional agreement, prepared by the designer, which would delineate responsibility between NJDOT and Andover. Prior to filing, Andover (and the various towns can be involved if they so choose) can have a pre-application meeting with NJDOT, where Major Access can review the plan and discuss any potential changes or things needed. Once it's finished and approved, the interchange would be added to the Straight Line Diagrams as an officially recognized intersection.

Mayor Rubenstein thinks this should be acknowledged as a road by the DOT, and Byram should continue to push the issue.

- Mansfield Bike Path – Mr. Sytko sent this along to the Drainage/Hydraulics & Hydrology units, but has not heard back yet. They do prioritize ongoing active projects before taking on additional outside work, so he will check in again when he gets back from paternity leave to see if they’ve had time to advance this.
- 206/Pequest – Mr. Sytko relayed his comments about the proposed detour route to the project team, and indicated that they would need to do some prep work on the local roads before construction begins. As they are still in the early phases, it was reiterated the concerns about the detour, and will repeat that they will continue to study and reevaluate the detour before they start. They are also willing to attend a council meeting once he returns.
- 206/North Shore Rd. – Mr. Sytko stated that the traffic engineering is still reviewing the investigation report, and he informed them of the townships recommendation to reduce or eliminate the shoulder along Rt. 206 turning from Tamarack Rd. They will follow up with their formal recommendations, but they’re overworked and understaffed, so things take time coming from them.

Paul Conklin, 9 Tote Road – Mr. Conklin read aloud the number of accidents that occurred on this road since 2014, and encourages the council to go to <https://www.change.org/p/byram-twp-council-dangerous-intersection-rt-206-north-shore-rd-byram-twp-nj> to read the reports. Asking the Township to petition the state to fix the intersection. Would like to see the DOT to come to a Township Council meeting.

Marcella Benjamin – 23 Meteor Trail – Asking the Township Council to help fix the intersection by eliminating the shoulder.

Mayor Rubenstein suggested asking someone from the DOT to come to a Township Council meeting and will send them a letter requesting their attendance. Mayor Rubenstein will send the signed petitions to the DOT.

**Highlands Grant Funding** – Mr. Sabatini received an email from Judy Thornton from the Highlands that they will be earmarking \$40,000 in funds for Byram Township in 2023.

Mayor Rubenstein would like to have Highlands pay for the Planning of CO Johnson Park Improvement (Phase 1). Mr. Sabatini will send the request to Ms. Thornton.

**FUTURE AGENDA ITEMS –**

NJDOT

CO Johnson Park Improvements

Soil Importation Ordinance

**PUBLIC PARTICIPATION II**

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

Jack Moran – Asked for update on Hybrid Meeting. Mayor Rubenstein said that it will be tested at the next meeting.

Jeannie Moran – Asked for an update on audio recording for all boards. The Township Council agrees that the Planning Board and Township Council will continue to record and post the audio recordings on the Township website. Ms. Moran asked who ordered the equipment for Riverside Park. Mr. Sabatini said it was administrative staff that was proposed to the Township Council and approved through a resolution. Ms. Moran thought that they should have gotten feedback from others with better background on the equipment and safety aspects, such as a teach from the school.

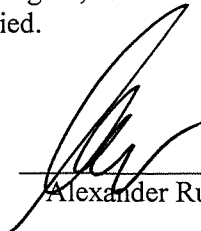
Motion by Councilwoman Franco, Second by Councilman Gallagher Motion to Close to public.

Councilman Roseff would like to see all Zoom audio recording posted online for all boards and committees. Councilman Gallagher feels that if the recording is there, then it should be posted. Mr. Sabatini said that the recording is simply a convenience to the secretaries of the boards to help them with the minutes. Councilman Gallagher, Councilwoman Franco, and Councilman Bonker are against the audio recordings, except for the Planning Board, Township Council and Board of Health if there is a hearing.

**ADJOURNMENT**

On the motion of Councilman Bonker, second by Councilman Gallagher, and with all members in favor, the meeting was adjourned at 10:15 p.m. All members were in favor. Motion carried.

  
Cynthia Church, RMC  
Township Clerk

  
Alexander Rubenstein, Mayor