

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
NOVEMBER 8, 2023
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 Township 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
- B. Contract Negotiations
 - LES
 - General Liability / Workers Compensation Insurance Renewal
- 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 November 8, 2023.

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 7:32 p.m. All members were in favor. Motion Carried.

FLAG SALUTE

APPROVAL OF AGENDA – Motion by Councilman Gallagher second by Councilwoman Franco to approve the agenda as presented. With the addition of 12.5 Annual Payment to Lakeland Emergency Squad & 12.6 to Authorize a transfer of easement.

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

MANAGER APPOINTMENTS – SPECIAL LAW ENFORCEMENT OFFICERS – CLASS 2

- Robert Schellhammer & Robert Tierney

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – Mr. Sabatini provided the Mayor and Council and posted online the preliminary 2024 Municipal Budget (provided below).

As presented in the memo, this is a preliminary view of the 2024 budget and there are key items that still need to be resolved, and items that will require further discussion with the Mayor and Council.

The staff is prepared to start having public conversation on the 2024 budget plan as soon as the Council is ready. We are proposing before the January 16 council meeting for a formal budget workshop.

Disclaimer:

The attached budget details are a preliminary view of the 2024 Budget, and there are items that still have not been fully resolved and items that will require further discussion with the Mayor and Council. These items may have an impact on the final budget plan and the amount to be raised by taxes. As you will reference below, there are a few cost drivers in this budget plan that are the main sources contributing to the increase of expenditures, and as a percent of increase these individual expenditures far exceed the level of inflation.

Departmental Budgets:

The 2024 Budget Process was kicked off in July with the initial submissions of the Departmental Budgets from each of the Township's Department Heads due in August. The Department Heads were instructed to prepare budget requests with each subaccount starting at zero and to provide detailed justification of each sub-account request in lieu of pointing to prior years' allocations as the starting point. Salary and Wages have been populated with contractual obligations (steps, longevity and salary increases), and all known and planned staff changes. Overall, Salary and Wages for all departments total \$3,967,750 which is an increase of \$83,700 or 2.15% from 2023. This budget includes the addition of a permanent part-time clerical administration employee. Operational expenses for all departments total \$1,633,323 which is an increase of \$42,529. These expenses may have minor changes prior to budget introduction. Overall, the Township's operating budget is increasing \$126,229 or 2.31%. This includes all the Township's municipal departments.

Other Categories of Expenses:

Most of these expenses have been updated. We are still waiting on assessments from Statewide Insurance for general liability and workers' compensation insurances, and pensions. The following categories of other expenses are driving the increase of the 2024 budget and each category as a percentage increase is exceeding the COLA (2.5%) for calendar year 2024.

- *Garbage/Recycling (Increase of \$40,000/4.06%):*
 - o *Annual Garbage/Recycling Contract increase of \$12,000.*
 - o *Tipping fees for solid waste are separate and SCUMA has approved a rate increase from \$96 to \$107 per ton. Total increase of \$28,000.*
- *Group Insurance:*
 - o *Increase of \$117,600/9.40%*
 - o *Group Health Insurance was updated for changes of census and State Health Benefits rate increases (Active Employees 7.3%, Early Retirees 7.3%, and Medicare Eligible Retirees 8.8%) as well as changes for Medicare reimbursements, waivers and employee life changes.*
- *Workers Compensation/General Liability:*
 - o *2024 assessments have not been received. Anticipated same percentage (7%) increases as 2023 resulting in a combined increase of \$19,883.*

An update to the three-year capital improvement program still needs to be completed which will include the 2024 Capital Budget. Currently, the proposed appropriation to the Capital Improvement Fund for 2024 is \$740,273 which is a slight reduction (\$7,300) from 2023. This includes a \$195,000 one-time funding to the Capital Improvement Fund which in 2023 was offset by an increase in Fund Balance.

This budget plan still includes \$220,000 to supplement capital expenditures for Improvements to Streets and Road and DPW Equipment which is the result from the Group Health Insurance account. A number of employees waive health benefits, and the Township remains liable to provide health benefits if the employee becomes ineligible for coverage from the independent source.

Summary of Estimated Revenues: Municipal Operations and the Capital Improvement Program are supported by a variety of revenues. These sources include miscellaneous revenues generated by municipal operations, fund balance, and current property taxes.

Miscellaneous revenues are the revenues that are generated by fees & permits, municipal court, interest on investments, interest and costs on taxes, receipts from delinquent taxes, grants, and State Aid. The forecasting of these revenues is based upon the performance of each category in the previous year. State statute prevents the Township from anticipating more than what was realized in the prior year. The following assumptions have been made for Miscellaneous Revenues. When the 2023 calendar year is closed out, the anticipated miscellaneous revenues will be reviewed for any final adjustments.

- *Fees and Permits – no change.*
- *Municipal Court – increased \$10,000.*
- *Interest on Costs on Taxes – anticipated no change.*
- *Interest on Investments – increased \$325,000.*
- *State Aid (Energy Receipts Tax, Garden State Preservation Trust & Municipal Relief Fund Aid) – anticipating the same amount for Energy Receipts Tax. Per Local Finance Notice 2023-12, the FY 2024 State Budget doubles the amount of Municipal Relief Fund aid to \$150 million versus the prior year. Calendar Year municipalities having already adopted their CY 2023 budgets were to establish a reserve for the Municipal Relief Fund Aid revenue and the receipt of the revenue should be anticipated in the CY 2024 budget. This budget presents Municipal Relief aid at \$60,025.27. The Garden State Preservation Trust monies were slightly increased to \$51,622.*
- *Receipts from Delinquent Taxes – Presented as no change.*

Once the 2023 calendar year is closed and the unaudited fund balance is available, we can complete a thorough evaluation of fund balance for the 2024 budget and beyond. Currently, we are anticipating \$1,785,000, a reduction of \$195,000 from the 2023 Budget, which was supporting one-time funding of the Capital Improvement Program. This 2024 Budget Plan has a higher dependency on an

increased use of fund balance to support operations. This increased use of fund balance will need to be assessed for sustainability to offset operations and it will have impact on future budget cycles.

As presented, this budget plan has property taxes totaling \$9,183,638. This is a 1.18% or \$106,749 increase of the tax levy. As referenced in Local Finance Notice 2023-19 (October 13, 2023), the Township's budget must comply with both the 1977 cap law (appropriations) and the 2010 levy cap law. The COLA for CY 2024 budgets is two and one-half percent (2.5%).

Mr. Sabatini said that the tax assessor is looking to do a reassessment in 2024 that will impact budgets in 2025. He will be meeting with the Tax Assessor to discuss this further to learn about the request.

Mr. Sabatini announced that they received the NJDOT grant for the pavement of Manor Drive for \$142,524.00.

Mayor Rubenstein – Congratulated Joe on finishing the NY Marathon. The NJDOT has received a new representative, and they have discussed the turning lane on Rt. 206 south near Brookwood. The Veterans Day ceremony this Saturday at 11am, after that will be Senior Games being held in the meeting room. There was a CAG meeting last week, water treatment facility will begin next year.

Councilman Bonker - Congratulated Richard Proctor on becoming a member of the council.

Councilwoman Franco – Congratulated Team Sabatini on the NYC Marathon. Senior Bingo this Saturday at 12pm. There will be a crochet night on the 1st and 3rd Monday of the month. There will be mahjong lessons on November 22nd. Encouraged anyone who is interested in becoming a poll worker, please reach out to the Sussex County Board of Elections.

Councilman Gallagher – Next Board of Education meeting is scheduled for November 15th. Food Pantry is in the need for donations.

Councilman Roseff – Congratulated Councilman Gallagher, Mr. Proctor, and Councilwoman Franco on their election triumphs. Felt that yesterday's election gave a clear message.

PUBLIC PARTICIPATION I

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

No Comments.

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

APPROVAL OF MINUTES

September 19, 2023 Regular Minutes Amended - Motion by Councilwoman Franco, seconded by Councilman Gallagher to approve the minutes.

Councilman Roseff appreciates the amendment of the minutes; however, he is still not clear if the council approved the budget for the mailing of the municipal building flier. Mayor Rubenstein said it was addressed.

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

October 17, 2023 Regular & Closed Session Minutes - Motion by Councilwoman Franco, seconded by Councilman Bonker to approve the minutes.

Councilman Roseff asked for changes in the discussion section of the minutes where it references the Historical Society. Councilwoman Franco feels it is not necessary and that they should stand as presented.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2 nd	x				
Yes	x	x			x
No			x	x	
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 Gallagher, Second by Councilwoman Franco to approve the consent agenda

- A. Resolution No. 205-2023 – A Resolution Declaring Commitment to Provide Matching Funds for a New Jersey Cooperating Marketing Tourism Grant Applied for by the Byram Township Historical Society – Not to exceed \$4,187.50

- B. Resolution No. 206-2023 – Resolution Authorizing the Acceptance of an Amended Plan Conformance Grant, Highlands Council Grant Number 09-033-011-1904, Task 14, Stormwater Management Planning, MS4 Permitting
- C. Resolution No. 207-2023 – Resolution Authorizing Purchase of Gift Cards for Prizes at Halloween House Decorating Contest – October 24-28, 2023
- D. Resolution No. 208-2023 – Resolution Authorizing the execution of Documents Associate with the Custodial Contract with Royalty Cleaning Services for the Byram Township Municipal Building – Not to exceed \$137.70 per cleaning
- E. Resolution No. 209-2023 – Resolution Authorizing the Execution of a Lease Agreement to Support the Waterloo United Methodist Church (W.U.M.C.) Neighborhood Pantry (2024)
- F. Resolution No. 210-2023 – Township of Byram Resolution to Transfer 2023 Budget Appropriations – Sewer Utility Fund
- G. Resolution No. 211-2023 – Chapter 159 – Highlands Plan Conformance Grant \$60,000
- H. Resolution No. 212-2023 – Township of Byram Resolution to Transfer 2023 Budget Appropriations Current Fund

	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. 213-2023 - AUTHORIZATION TO MAKE AN ANNUAL DONATION OF \$6,000.00 TO LAKELAND EMERGENCY SQUAD. Motion by Councilwoman Franco, Seconded Councilman Gallagher to approve the payment of \$6000.00 to Lakeland Emergency Squad.

	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. 214-2023 - AUTHORIZATION OF THE TRANSFER OF EASEMENT OF THE RIGHT OF WAY ON TAMARACK ROAD AS DESCRIBED IN ORDINANCE 23-2004 FOR CLOSING COSTS AND NO ADDITIONAL PAYMENT.

Motion by Councilwoman Franco, Seconded Councilman Gallagher to authorize the transfer of easement of the right of way on Tamarack Road as described in Ordinance 23-2024.

	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 – November 8, 2023 – 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		
2nd		x			
Yes	x	x	x	x	x
No					
Abstain					
Absent					

ITEMS FOR DISCUSSION

FUTURE AGENDA ITEMS

PUBLIC PARTICIPATION II

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

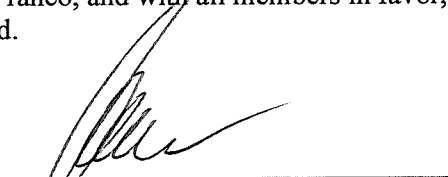
No Comments

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

ADJOURNMENT

On the motion of Councilman Bonker, second by Councilwoman Franco, and with all members in favor, the meeting was adjourned at 8:04 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor