

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
NOVEMBER 14, 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, absent; 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
 - Shared Services – Animal Control / Shelter Services
 - Lakeland Emergency Squad
- 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 14, 2022.

Cynthia Church, Municipal Clerk

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

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.

FLAG SALUTE

APPROVAL OF AGENDA – Motion by Councilwoman Franco, second by Councilman Bonker to approve the agenda with the addition of Resolution No. 222-2022 to the consent agenda and Fire Department Capital Request discussion.

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

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – The next Township Council meeting will be held on Tuesday, December 6, 2022

Mayor Rubenstein - On November 9th the Mayor attended a meeting with EPA regarding the easements in Brookwood for the water line. November 11th was the Veterans’ Day, it was a nice ceremony with refreshments.

Councilman Bonker – will be attending the NJLM Convention and is targeting sessions on budget updates for 2023, the future of volunteer firefighting and EMS squads, assessments-re-evaluations, capital project management for recreation projects and software/automation.

Councilwoman Franco – Attended Veterans Celebration Ceremony. Will be attending NJLOM.

Councilman Roseff – Nothing to Report

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

November 1, 2022 Regular & Closed Session Minutes – Motion by Councilwoman Franco, seconded by Councilman Bonker to approve the minutes.

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

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. 210-2022 – Confirming the Redemption of TTL#20-10 – Block 186 Lot 7, Cranberry Lake
- B. Resolution No. 211-2022 – Resolution Authorizing the Execution of a Lease Agreement to Support the Waterloo United Methodist Church (W.U.M.C.) Neighborhood Pantry
- C. Resolution No. 212-2022 – Authorization to Purchase Bituminous Concrete, Aggregates & Broken Stone under the Sussex County Cooperative Pricing System for Budget Year 2022
- D. Resolution No. 213-2022 – Resolution to Transfer 2022 Budget Appropriations – Current Fund \$4,812.50
- E. Resolution No. 214-2022 – Resolution Awarding Contract for Collection and Disposal of Solid Waste, Recyclables and Bulk Waste
- F. Resolution No. 215-2022 – A Resolution Authorizing a Donation to the Byram Historical Society of \$4,812.50 for a Cooperative Marketing Tourism Grant Applied for by the Byram Township Historical Society
- G. Resolution No. 216-2022 – Chapter 159 – 2021 Trails Grant \$5,000.00
- H. Resolution No. 217-2022 – Resolution Approving the Execution of a Shared Service Agreement between Byram Township and Sparta Township for Fire Prevention Services from January 1, 2023 through December 31, 2024
- I. Resolution No. 218-2022 – Authorization to Execute Change Order No. I Township of Byram for Proposed Improvements to Tamarack Road – Line Striping – Net Decrease \$637.84
- J. Resolution No. 219-2022 – Resolution Authorizing Purchase of Gift Cards for Prizes at Holiday Decorating Contest November 28-December 12, 2022
- K. Resolution No. 220-2022 – Resolution to Cancel of Record a Neighborhood Preservation Housing Rehabilitation Program Mortgage on Block 268, Lot 754
- L. Resolution No. 222-2022 – Authorize the Purchase of One (1) 2022 Chevrolet Tahoe SSV 4WD with Option Equipment and Two (2) 2023 Chevrolet Tahoes Pursuit 4WD with Optional Equipment for the Township of Byram Police Department – Not to exceed \$136,798.60

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

RESOLUTION NO. 221-2022 – Resolution Authorizing French & Parrello Associates to Provide Engineering and Landscape Architecture Services for Byram Township Dog Park & CO Johnson Park Improvements and to Submit the Proposal to the Highlands Council for Funding.

Mr. Sabatini sent out an amended resolution to the Mayor and Council prior to the meeting. The purpose is to get authorization from the Township Council to finalize the scope of work to be able to submit it to the Highlands Council for funding. The statement of work will need to be adjusted once the council decides on what the final scope of improvement will be. It is also with the understanding that there were certain expectations that they needed to meet with regard to Highland’s requirements. Mr. Sabatini updated a section of the statement of work to take into consideration the comments from Judy Thorton. They are asking for the township to consider green infrastructure improvements as feasible, and to consider landscaping plans that would use noninvasive plantings.

Mayor Rubenstein stated that this is not an authorization for the work, this is an authorization for the Manager to submit it to the Highlands Council for them to earmark the funds.

Councilman Roseff does not believe that the scope of work provides a breakdown of the stages and implementation of the stages. Would like to see a breakdown and clarity of the stages and the cost structure for each stage.

Councilman Bonker said that the initial plan provided for the entire park did have 8-10 different subcomponents with pricing in it.

Mayor Rubenstein stated that this is not an authorization for the scope.

Mr. Sabatini and Mayor Rubenstein said that the objective is to get the funding from the Highlands before the opportunity is lost. This resolution is just to authorize the Manager to submit it to the Highlands.

Councilman Roseff would like to have a few sentences placed within the scope to minimize the impact on the public as the stages start to get built out.

Councilman Bonker said that this is a gift to the township if they can get the Highlands to pay for this, the stages were all listed out in the initial plan document. The Highlands has more than enough documentation to see where they are going with it. There is no need to regress.

Councilman Roseff stated that if the wording is not going to be placed in the plan, he would like to see it next time around.

Motion by Councilwoman Franco, Second by Councilman Bonker to adopt Resolution 221-2022.

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

BILL LIST – November 14, 2022 – Motion by Councilman Bonker, second by Councilwoman Franco to approve the bill list.

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

ORDINANCE – 1st Reading / Introduction

Ordinance of the Township of Byram, County of Sussex, State of New Jersey, Creating Chapter 210 of the Municipal Code of the Township of Byram Entitled “Soil/Fill Placement” & Amending Chapter A287 of the Code of the Municipal Code of the Township of Byram to Include Soil/Fill Permit Fees and Escrows

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

Councilman Roseff asked about vendors and asked if anyone reached out to a broad number of vendors. Mr. Sabatini said he reached out to three vendors. Mayor Rubenstein also reached out to vendors. Councilman Roseff questioned the source of where the dirt was coming from and asked if they were all the same. Mr. Sabatini was not sure if they all came from the same source. Councilman Roseff said that his concern is that they are imposing a big process that will affect a lot of buyers and suppliers. Mayor Rubenstein reached out to several suppliers and questioned them on how this will affect him. Their responses were that no one was excited about it but are used to dealing with it already in many other towns. Mayor Rubenstein does not think it needs to be chased down any more than it already has. He feels confident in the work that was put into the ordinance. Councilman Bonker said that it does not identify the suppliers but identifies the code. Councilman Franco said that the requirements are what is to be expected. They are not asking for anything that is outside of the norm.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein

Motion		x			
2 nd	x				
Yes	x	x		x	x
No					
Abstain					
Absent			x		

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 December 6th 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

Fire Department Capital Request - Mr. Sabatini received a capital memo regarding a funding for air packs from the Fire Department and is looking for direction from the mayor and council. There is a SCBA replacement end of life is 2023. The cost of a bottle is \$1,500 each. There are 14 bottles that need replacement immediately. A total of \$21,000.00.

Mr. Sabatini said that if they are funding a portion of it, it can be taken out of the Capital Improvement Fund, the rest would need to be bonded for.

Mr. Sabatini will work this out and decide on funding before the December 6th meeting.

FUTURE AGENDA ITEMS –

LES
Federal EPA Testing regarding Mansfield Trail Dump

PUBLIC PARTICIPATION II

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

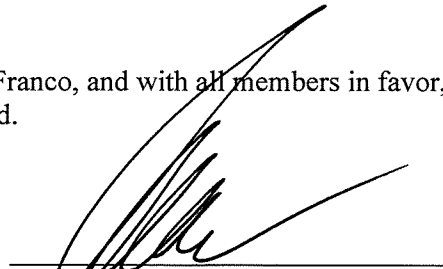
No Comments.

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 8:20 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor