

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
DECEMBER 19, 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
 - Consortium - COAH
 - Committee Vacancy’s /Appointments
- B. Contract Negotiations
 - Hopatcong Animal Control Pound Shared Services

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 December 19, 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 Councilwoman Franco, second by Councilman Gallagher to return to open session at 7:31 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 as to add 14.5 a resolution to accept the Statewide Insurance proposal for 2024.

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

ANNOUNCEMENT OF HOLIDAY DECORATING CONTEST WINNERS – Councilman Gallagher presented the following participants with a plaque and a visa gift card.

Andrea Alderson – 1st Place
Costanza Family – 2nd Place
Melissa Velasco – 3rd Place

EAGLE SCOUT PROCLAMATIONS – Mayor Rubenstein read aloud the proclamations for the following. Motion By Councilman Bonker second by Councilwoman Franco to sign the proclamation; all in favor.

Brianna Brady
Charlotte Pennington
Avery Frank

PRESENTATION OF PLAQUE – COUNCILMAN RAYMOND BONKER - Mayor Rubenstein presented Councilman Bonker with a plaque for his many years of service to the Township of Byram. Mr. Sabatini said he has known Councilman Bonker for well over 20 years. Ray has been part of the council for the last 4 years in which there were many accomplishments, including his many years of service on the Open Space Committee as well, sitting as the Chairperson of that committee for more than 17 years.

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – The reorganization meeting will be held on January 2, 2024. At that meeting they will be swearing in a new council member, there will be an executive session at the end of the meeting. The Budget Workshop is scheduled for January 16th at 6:30pm. Mr. Sabatini sent out the draft capital budget to the Mayor and Council and also posted it on the township website. Mr. Sabatini sent a communication to the Mayor and Council regarding the CO Johnson Park project. The surveys for the boundary and the topography have been completed. French and Parello did meet on site for the irrigation system, it was determined that the existing system is not adequate to meet the needs of multiple fields as presented in the proposed plan. They will be talking to well drillers to determine what measures need to be taken. There is a CO Johnson Park overall plan that includes the rehab of field 8 and addition of a sister field alongside. Since there is a priority placed on field 8, that design will be based on the assumption of the future overall plan, therefore there may be some short-term impacts that will impact other features. They also requested to have a township representative to provide guidance. Mr. Sabatini said he has no problem acting as that representative; however, he would like to put together a small committee. This can be discussed at a future meeting. The DPW noticed a section of the playground equipment at C.O. Johnson where posts are rotted at the base. They have marked it off with caution tape as a temporary measure. They will need to remove that section of the equipment from the small kids' playground including the supports that go out to the hand over hand section. There are possibilities through the Green Acres grant to help support the costs. Mr. Sabatini followed up on the local recreation grant, the application has been delayed and will not be coming out until after the 1st of the year. This may also be an opportunity for funding as well for another project. Wished everyone a joyous holiday season and a happy and healthy New Year!

Mayor Rubenstein – Participated in the TREP\$ Market Place program at the Byram Township School. This is a program where students acted as entrepreneurs. The Recreation Committee will be changing the meeting dates in 2024. They are also still looking for volunteers.

Councilman Bonker - Councilman Bonker read aloud the following:

Open Space: We held an Open Space meeting last Monday. We discussed upcoming work at CO Johnson, especially the CO#8 renovations, along with discussions on trails work and the role of the Trails Committee. We also spoke about the need for a financing plan given the expiration of the existing Open Space bonds next year and the greater CO Johnson improvements after the ARP money is used for CO#8. We also compiled a list of 2023 OS achievements and 2024 goals. I was happy to attend the annual employee Christmas party today. I was also happy to attend the ribbon cutting for Byram Schools TREP\$ entrepreneurship market last Friday.

Final meeting: Since this is my last Council meeting, I want to say a few things for the record.

First, I want to congratulate Richard Proctor. I am thrilled that he will be sitting up here in a few weeks time, and I know he will represent Byram very well.

In the 4 years since Jack, Chris and I arrived, this Council has compiled a tremendous record of accomplishments for the residents of Byram. This is just an abbreviated list of the highlights:

- *Average annual tax increase over 4 years: 1.22%*
- *Negotiated a 5 year labor contract for 2% annual salary increases for police, DPW and administration*
- *Renovated Riverside Park with grant money, improved Neil Gylling Park, and received a grant for renovating CO Johnson Park from the Highlands Council*
- *Introduced natural gas service to Byram for the first time*
- *Continued economic development along Route 206*
- *Saved residents money with electricity aggregation deal*
- *Received grant from Highlands Council for Lake Management Plan*
- *Established new Trails Management Committee and conducted first-ever timber sale*
- *Maintained all government services during the pandemic*
- *Received grant from Sussex County for trails improvement*
- *Entered into multiple shared services agreements (with Andover, Hopatcong, Netcong, Sparta, and Sussex County)*
- *Maintained our AA+ credit rating with responsible long-term fiscal management*
- *Delivered a 10 year Open Space Plan fully funded by a Highlands grant*

I am proud to have served as a member of this team as we worked together in the long term interests of Byram. I am also happy to say that I never missed a meeting in 4 years.

I also want to specifically thank our Mayor Alex Rubenstein. I met a lot of smart people in college. I met a lot of smart people on Wall Street. I want to say for the record that Alex is one of the smartest individuals I have ever had the pleasure to work with, and Byram Township is fortunate to benefit from his willingness to lead this town forward. Mr Mayor, I salute you, and I thank you.

Finally, I want to address our Administrator Joe Sabatini. I have had the pleasure of knowing Joe for over 15 years, matching his tenure in this role. We have worked together during that entire time to advance our Open Space goals, ultimately acquiring over 400 acres for trails, preservation, and parks, especially the Tamarack Park and Greenway connection to CO Johnson Park. Joe and I are both life-long Byram boys who have chosen to serve our beloved hometown through government service. I have spent a lot of time with Joe in this building, on the soccer field, on the golf course, and with his family members. In every aspect of his life, Joe demonstrates the same integrity and selfless servant leadership that I can only hope to emulate. Byram is fortunate to benefit from his willingness to serve this town with such distinction. Mr Sabatini, I salute you, and I thank you.

Councilwoman Franco – Participated in the TREP\$ program at the school. They did an excellent job in their presentations. Mahjong was canceled last week, and the next gathering will be on held on December 27th. Planning Board met on December 7th and approved one residential application. The next meeting is this Thursday, December 21st. Thanked Ray for his service and will miss him on the council.

Councilman Gallagher - Participated in the TREP\$ program at the school. Last Saturday and Sunday was the Santa around town by Firetruck. Recreation committee was held last night, check the website for an update on events. There will be a polar plunge taking place on January 18, 2024. He thanked Debbie for doing a great job.

Councilman Roseff – Looked into arranging a meeting with the county about the noise ordinance. Will be setting up a meeting after the first of the year. Went to the Highlands meeting, they had looked to extend their authority into new areas, there was a lot of push back and ended up not being on the agenda. It was a very unusual meeting as it was standing room only. The controversy was that they wanted to establish best management practices for forest management. It was overall a good meeting with many pros and cons.

Tom Collins – Congratulated Councilman Bonker on his long-term service to the township.

PUBLIC PARTICIPATION I

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

No Comments.

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

APPROVAL OF MINUTES

December 5, 2023 Regular & Closed Session Meeting 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					

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. 223-2023 – Resolution Authorizing Navitend to Provide Proventiv Managed Services – Not to Exceed \$47,983.80
- B. Resolution No. 224-2023 – Authorization to Purchase Firefighter Protective Clothing and Equipment under the State of New Jersey Cooperative Purchasing Program for Budget Year 2023
- C. Resolution No. 225-2023 – Resolution Granting 287 Lackawanna LLC AKA Crown Vehicle Salvage a License for 2024 to Operate Facility Pursuant to Chapter 156 of the Byram Township Code
- D. Resolution No. 226-2023 - Resolution of the Township of Byram, County of Sussex, State of New Jersey “Authorizing a Refund for Duplicate Payment for 4th Quarter 2023” - Block 400 Lot 115 also known as 6 Peach Tree Street
- E. Resolution No. 228-2023 – Sewer Capacity Allocation Transfer Agreement between Byram Township and Developer Byram Waterloo, LLC
- F. Resolution No. 229-2023- Resolution Authorizing the Execution of an Inter-Local Animal Control / Shelter Services Agreement Between the Borough of Hopatcong (Provider), Borough of Wharton, Borough of Mount Arlington, Borough of Stanhope, Borough of Netcong, and The Township of Byram

- G. Resolution No. 230-2023 – Byram Township Resolution to Transfer 2023 Budget Appropriations – Current Fund
- H. Resolution No. 231-2023 – A Resolution of the Township Council of the Township of Byram Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website
- I. Resolution No. 233-2023 – Cancellation of Grant Receivables and Reserves
- J. Resolution No. 234-2023 – Cancellation of Unexpended Balances of Improvement Authorizations
- K. Resolution No. 235-2023 – Resolution for 100% Exempt Veteran Owner of Block 380 Lot 6.05 Partial Cancellation of Taxes For 2023 And The First Half Of 2024 “Authorizing Taxes Be Remitted (Cancelled) For 2023/2024”
- L. Resolution No. 236-2023 – Resolution Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 380, Lot 6.05 Partial Refund of Taxes Paid for 4th Quarter in 2023
- M. Resolution No. 237-2023 - Resolution For 100% Exempt Veteran Owner Of Block 337.01 Lot 81 Partial Cancellation Of Taxes For 2023 And The First Half Of 2024 “Authorizing Taxes Be Remitted (Cancelled) For 2023/2024”
- N. Resolution No. 238-2023 – Resolution Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 337.01, Lot 81 Partial Refund of Taxes Paid for 4th Quarter in 2023

	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. 232-2023 – Resolution Authorizing an Addendum to the Scope of Work with French & Parrello Associates to Provide Engineering Services for Proposed Improvements to Field 8 at CO Johnson Park in Byram Township – Not to exceed \$66,900.00 of ARP funds.

Councilman Roseff does not understand what is being done with the \$66,900 as there was not a plan or description. Joe said it does not have anything to do with the original authorization. It is just an addendum because they are using APR funds. This is not new money being authorized.

	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. 239-2023 - Resolution Authorizing the 2024 renewal with Statewide Insurance for \$302,329.00. Motion by Councilwoman Franco, second by Councilman Bonker to approve Statewide Insurance Renewal for 2024

	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. 227-2023 - Supporting Continuation of Corporate Business Tax (CBT) at 2023 Rate to Fund Critical Open Space, Farmland, Historic Preservation and Hazardous Site Cleanup Funding

Mayor Rubenstein stated that this was put on the agenda at the request of the Environmental Commission. Councilman Bonker said the Environmental Commission asked the Council to approve the resolution to identify a source of funds. Not sure if he agrees with the mechanism that is being used. Councilwoman Franco feels that more clarification is needed. Mayor Rubenstein said that the path is unclear at this time.

Motion by Councilman Gallagher, Second by Councilwoman Franco to table the resolution; all in favor.

BILL LIST – December 19, 2023 – Motion by Councilman Gallagher, second by Councilwoman Franco to approve the bill list. Councilwoman Franco recuse on her reimbursement for going to the convention.

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion			x		
2 nd		x			

Yes	x	x	x	x	x
No					
Abstain					
Absent					

ORDINANCE – 2nd Reading / Public Hearing

ORDINANCE NO. 016-2023 - AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 211, STORMWATER CONTROL IN THE CODE OF THE TOWNSHIP OF BYRAM TO PREVENT STORED SALT AND OTHER SOLID DE-ICING MATERIALS FROM BEING EXPOSED TO STORMWATER

Motion by Councilman Gallagher, second by Councilwoman Franco to adopt Ordinance No. 016-2023

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

BE IT RESOLVED that Ordinance No. 016-2023 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

Fire Truck - Mr. Sabatini is looking for an update on the extensive discussion at the last meeting. Councilman Roseff asked for it to be discussed at the next meeting as the meeting dates to view the trucks was postponed. This will be discussed again at the January 2, 2024 meeting.

FUTURE AGENDA ITEMS

Fixing up BARKS building to house the Food Pantry.

PUBLIC PARTICIPATION II

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

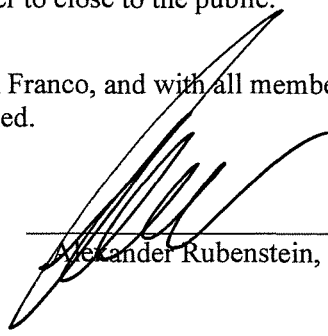
No Comments

Motion by Councilwoman Franco, Second by Councilman Bonker 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 8:34 p.m. All members were in favor. Motion carried.


 Cynthia Church, RMC
 Township Clerk


 Alexander Rubenstein, Mayor