

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
DECEMBER 20, 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.byrampwp.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
 - Mansfield Waterline Project
 - Village Center
 - New Municipal Building
- b. Contract Negotiations
 - Animal Control

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 20, 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.

FLAG SALUTE

APPROVAL OF AGENDA – Motion by Councilman Gallagher, second by Councilwoman Franco to approve the agenda.

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

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – The reorganization meeting is scheduled for January 3, 2023 at 7:30pm. There will be a Special Budget Meeting on January 10th at 7:00pm. Mr. Sabatini read aloud the list of the Holiday Lights winners:

1st place: 30 Manor Drive (\$100 gift card)

2nd Place: 32 Mayne Ave (\$75 gift card)

3rd place: 24 Lynn Drive (\$50 gift card)

Mr. Sabatini send the council a resolution that was passed by the Highlands Council for the grant. Wished everyone a Happy Holiday and a Happy New Year.

Mayor Rubenstein - Thanked Joe and the admin for inviting the council to the holiday party.

Councilman Bonker –

Holiday Party: Was thrilled to join the Mayor and Councilwoman Franco at the annual holiday party for all of our employees last Friday. We thank them all for their positive attitudes and hard work throughout this past year.

CO Johnson: Councilman Bonker, The Mayor and the Administrator held a series of meetings with several of the sports groups to discuss the park renovation proposals. There seemed to be consensus around field renovations and lighting for the 3 fields on the southern end, CO4, CO7 and CO8, along with the snack shack/gazebo, walking paths, and the extended parking down the southern end, plus the dog park.

Open Space: There was an Open Space meeting last Monday. They focused on CO Johnson, and on timber stand improvements over by Lake Mohawk which will be followed by another timber sale there. They got an update on the trail marking plans, financed in part by the Sussex County trails grant. They also listed 2022 accomplishments and 2023 goals for the Open Space Committee. Finally, they briefly touched on long term financing options, with a focus on the current 20-year Open Space bond terming out in a little more than a year from now. We know the Highlands will be paying for the CO Johnson engineering but need to think about financing the actual work as well. We would like to consider grants for CO Johnson but need French and Parillo to finish the engineering before they can submit grant requests. And they need to tell French and Parillo exactly what goes into Phase I for them to complete the engineering.

Councilwoman Franco – The last planning board meeting was canceled due to weather. Wished everyone a Happy Holiday Season.

Councilman Gallagher – There was a Board of Education meeting on December 14th where the robotics team was present and had their audit review. There was a Recreation Committee meeting on December 19th. There was Santa around town on fire truck this past weekend.

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

December 6, 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 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. 240-2022 – Authorization to Execute Change Order No. I Township of Byram for Proposed Improvements to Tamarack Road – Traffic Sign Materials – net decrease of \$129.20
- B. Resolution No. 241-2022 – Authorization to Execute Change Order No. I Township of Byram for Proposed Improvements to Tamarack Road – Milling & Paving – net decrease \$31,145.14
- C. Resolution No. 242-2022 – Authorization to Execute Change Order No. I for Proposed Improvements to Riverside Park to Tilcon NY, Inc. for a Net Decrease of \$227.55 – Paving
- D. Resolution No. 243-2022 – Resolution Authorizing the Execution of an Inter-Local Animal Control / Shelter Services Agreement Between the Brough of Hopatcong (Provider), Brough of Wharton, Borough of Mount Arlington, Borough of Stanhope, Borough of Netcong, and the Township of Byram
- E. Resolution No. 244-2022 – Resolution to Transfer 2022 Budget Appropriations – Sewer Utility Fund

- F. Resolution No. 245-2022 – Awarding the Contract between Sunnyside Landscaping Inc. and the Township of Byram for the Adopt a Spot Program
- G. Resolution No. 247-2022 – Amendment to Resolution #099-2022 – Authorization to Purchase Gasoline & Diesel under the Morris County Cooperative Pricing Council for Budget Year 2022
- H. Resolution No. 248-2022 – 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
- I. Resolution No. 249-2022 – Township of Byram Resolution to Transfer 2022 Budget Appropriations – Current Fund
- J. Resolution No. 250-2022 – Cancellation of Accounts Payable

	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. 246-2022 – Authorize Dedication by Rider for Uniform Construction Code (UCC) Monies
 Mr. Sabatini explained that this would allow the construction office to run through a trust account. Does not mean that they must do it but provides them the option. The positive side to it is that the money stays in the trust account. This will allow them to adjust accordingly. It would remove the fringe benefit cost out of the budget. This would lower the general fund budget.

Motion by Councilman Gallagher, Second by Councilwoman Franco to adopt Resolution 246-2022.

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

PROCLAMATION – RECOGNITION OF VOLUNTEERISM – Sharon Leon

Mayor Rubenstein read aloud a letter he received, presented Sharon with the proclamation, and thanked her for her tireless devotion and volunteerism in Byram Township.

Motion by Councilwoman Franco, second by Councilman Gallagher, all in favor to approve the proclamation.

RESOLUTION NO. 251-2022 – Authorization to Repair and Perform Preventative Maintenance for Fire Water Pumps on Motorized Fire Apparatus under the Morris County Cooperative Pricing Council for Budget Year 2022

Motion by Councilman Bonker, Second by Councilman Gallagher to adopt Resolution 251-2022.

	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 – December 20, 2022 – Motion by Councilman Bonker, second by Councilwoman Franco to approve the bill list. Councilman Gallagher recused from P.O. # 26221.

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

ORDINANCE – 2nd Reading / Public Hearing

ORDINANCE 12-2022 - An Ordinance to Authorize a Capital Expenditure for the Acquisition of Self-Contained Breathing Apparatus (SCBA) for Use by The Byram Township Fire Department to Provide Funding in the Amount Not to Exceed \$25,000.00

Purpose Statement: Acquisition of Self-Contained Breathing Apparatus (SCBA) for use by the Byram Township Fire Department.

Motion by Councilman Bonker, second by Councilwoman Franco to Adopt Ordinance No. 012-2022

	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. 012-2022 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 – none.

FUTURE AGENDA ITEMS –

Councilman Bonker would like to get a resolution for the French & Parello C.O. Park.

Councilman Roseff requested - ARP Funds allocation plan.

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.

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
 - Mansfield Waterline Project
 - Village Center
 - New Municipal Building
- b. Contract Negotiations
 - Animal Control

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 6, 2022.

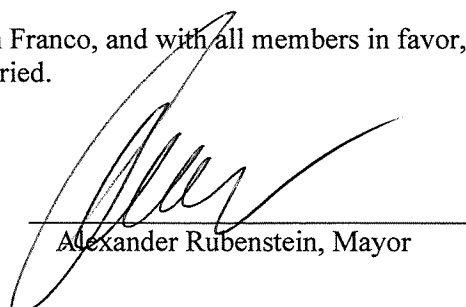
Cynthia Church, Municipal Clerk

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

ADJOURNMENT

On the motion of Councilman Bonker, second by Councilwoman Franco, and with all members in favor, the meeting was adjourned at 10:20 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor