

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
MARCH 19, 2024
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 –Councilwoman Franco, here; Councilman Gallagher, here; Councilman Proctor, 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 Councilwoman Franco, second by Councilman Proctor, 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
 - LES
- b) 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 March 19, 2024.

Cynthia Church, Municipal Clerk

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	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 Proctor 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 Proctor to approve the agenda.

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

SWEARING IN OF POLICE OFFICER - Daniel M. Meorado
Mayor Rubenstein swore in Ptl. Meorado with his mother and father holding the bible.

PROCLAMATION – 2024 MS AWARENESS WEEK – Mayor Rubenstein read aloud the proclamation. Tammy Quasius spoke on behalf of MS Awareness.

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

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – The Budget Adoption will be held on April 2, 2024, the capital ordinance will be on the agenda for that meeting as well. Received a notice of reassessment and was advised to expect to receive the formal order within the next few weeks. The Recreation Director has held a meet the Recreation Director Day and has another one scheduled for March 26th. Residents are slow to get acclimated to the recreation programs returning to Byram Township. This is a transition period for the Recreation Department. There is information available online and also at tonight’s meeting on programs being offered.

Councilwoman Franco – There was a Recreation Committee meeting on March 12, 2024. Two alternate positions are available on the Recreation Committee. Community Pass is now active, with a lot of exciting programs available for all ages.

Councilman Gallagher – The next Board of Education meeting is on March 27, 2024

Councilman Proctor – Did not make the Planning Board meeting this month and the one for this week has been canceled.

Councilman Roseff – Attended the Byram Board of Education meeting, the school budget was introduced. The Second reading on the budget will be on March 27th. April 16th is the school election.

Mayor Rubenstein – Planning board meeting had a couple residential applications. Starbucks filed their application and it was deemed complete and will be heard at the Planning Board meeting on April 4th. Byram Car Wash will be held on April 4th as well regarding a sign and lighting. Provided an update on the apparatus subcommittee meeting he attended on the purchase of apparatus for the Fire Department.

PUBLIC PARTICIPATION I

Motion by Councilwoman Franco second by Councilman Proctor to open to the public. All members were in favor.

Andrew Schwarts – Lee Hill Road – Thanked the council for moving the ordinance through so quickly. Asked about the nuisance code that was discussed as that is an important piece of this ordinance. Councilman Roseff feels it is very important that the Police Department become part of that process.

Motion by Councilwoman Franco, second by Councilman Proctor to close to the public. All members were in favor.

APPROVAL OF MINUTES

March 5, 2024, Regular & Closed Session Meeting Minutes - Motion by Councilman Proctor, seconded by Councilwoman Franco to approve the minutes.

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			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. There will be no separate discussion of these items unless a citizen or Council member requests in which event the item may be removed from the general order of business and considered in its normal sequence on the agenda. Motion by Councilwoman Franco, second by Councilman Proctor to approve the consent agenda as presented.

- A. Resolution No. 055-2024 – Resolution to Amend the 2024 Temporary Budget
- B. Resolution No. 056-2024 – Authorizing Appointment of the Township Labor Counsel and Award of Professional Service Contract in Connection Therewith

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			x		
Yes	x	x	x	x	x

No					
Abstain					
Absent					

BILL LIST – March 19, 2024 – Motion by Councilwoman Franco, second by Councilman Gallagher to approve the bill list.

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

ORDINANCE – 1st Reading / Introduction

ORDINANCE NO. 004-2024 - An Ordinance of the Mayor and Council of the Township of Byram Adopting the Model Noise Ordinance of the New Jersey Department of Environmental Protection (“NJDEP”) and Replacing the Existing Code Chapter 171 Entitled “Noise”

Purpose Statement: The purpose of this ordinance is to repeal the existing noise control ordinance in Code Section 171 and replace it with the current model noise ordinance of the New Jersey Department of Environmental Protection (“NJDEP”) Motion by Councilwoman Franco, second by Councilman Proctor to introduce the ordinance.

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

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 April 2, 2024, 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

Open Space Appointments:

There are three resumes submitted showing interest in the open committee seats. There are two vacant seats. One public member and one council member.

Mayor Rubenstein will move to the council seat allowing for two open public seats.

Motion by Councilwoman Franco, seconded Councilman Proctor to appoint Mayor Rubenstein to the council seat on the Open Space Committee.

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

The council agreed to appoint those in order of receiving the resumes.

Motion by Councilwoman Franco, seconded Councilman Proctor to appoint Peter Dlugos and Louis Esposito to the Open Space Committee

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

Capital Discussion:

Councilman Roseff looked at some of the roads that are on the list. He recommends more attention to the roads. There are roads that are worse off than those on the list. He is aware that this needs to come in line with the gas installation projects.

Mr. Sabatini said it is all situational because of the installation of gas lines.

- The 2024 Capital Budget includes over \$1 million (\$1,041,000) in resurfacing of streets and roads. Various Street and Road Projects - Mill & Pave:
 - 2023 NJDOT Project - Stonehedge Lane
 - 2024 NJDOT Project - Manor
 - Mayfair Lane, Bridge Lane, Sandra Lane, Catalina Drive, & Camelot Drive
 - Birch Parkway
- Birch Parkway will most likely not be completed in 2024 due to a county drainage project that is being delayed due a private easement issue. There are about 132 feet of drainage improvements within Birch Parkway. It is assumed the County work will be completed toward the end of 2024, so the funding from 2024 will be reserved to be used in 2025. The township will also be coordinating with Sparta, so the entire length of Birch Parkway is paved at the same time.
- All the above streets are within the Elizabethtown Gas territory. Cory will be providing the required notifications to the utility companies, and we will be requesting that a five-year moratorium in accordance with Chapter 213 be adopted by the Mayor and Council. A last notification will be sent by Nixle and Facebook to the residents to inform of the road repaving projects and this is their last chance to connect to natural gas prior to work being completed. Multiple communications have been sent in the past including letters to individual residents that have not connected to natural gas.
- It is anticipated that all the paving work will be completed in May.

Draft Tree Ordinance:

Mr. Sabatini reported on the following:

- The final draft of the tree ordinance is included in tonight's packet for a final discussion prior to introduction at the April 2 meeting.
- The modified ordinance was amended to align with Township code and mainly Chapter 214. Right-Of-Way Strip.
- An application is going to be required per Section III. A with an application fee of \$25 is being suggested.
- The draft ordinance suggested that a fee be paid to the Township in leu of planting trees on the property. This is identified in Section C. Replacement Alternatives. I am suggesting a fee like Randolph Township. This section does not specifically define the requirements of the Township to plant trees. Some towns have used this fund to remove hazardous trees and other maintenance of street trees.
- Mr. Sabatini will ask the Township Planner to provide a list of tree species to be included with the application.
- Zoning Officer or designee of the Township Manager will be responsible for the enforcement. Standard language was added from Chapter 1-15 for the violations and penalties section.

Concerns were raised by council members as it relates to planning board applications. Mr. Collins believes that they would be exempt from this as they would have a planting plan in place. Councilman Roseff suggested putting something in the ordinance that would define a hazardous tree. Councilman Roseff suggests bumping up the number of trees for removal to 10.

Councilman Roseff will reach out to Daniel Kuti of the DEP about the ordinance and will get back to the council prior to the next meeting.

Press Box:

Councilman Proctor provided an email to the council on the conversation that he had with the Dennis from French & Parello about the press box. Councilman Roseff expressed his concern with the cost of the press box and the entire project.

FUTURE AGENDA ITEMS

PUBLIC PARTICIPATION II


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

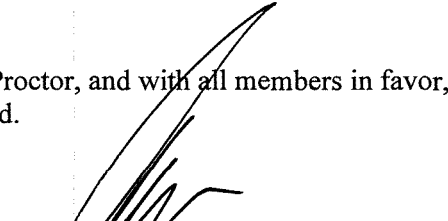
No Comments

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

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Proctor, and with all members in favor, the meeting was adjourned at 9:11 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor