

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
MAY 16, 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, 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
 - Block 40, Lot 13

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 May 2, 2023.

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 7:3 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. 097-2023, and Resolution No. 098-2023 added to the consent agenda.

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

POLICE DEPARTMENT AWARDS

Mayor Rubenstein and Chief Burke presented awards to the following:

- Sergeant Dellicker - Unit Citation
- Patrolman Schellhammer – 15 year Good Conduct
- Detective Mendelsohn – 10 Year Good Conduct
- Patrolman Kuncken – Life Saving Medal

Patrolman Macmillian – Educational Achievement
 Patrolman Mason – Honorable Service
 Patrolman Ruggieri – Educational Achievement
 Hopatcong PD Sergeant Edward Janoso – Unit Citation
 Hopatcong PD Patrolman Daniel Kern – Unit Citation
 Hopatcong PD Patrolman Peter Zabita – Unit Citation

PRESENTATION OF THE 2022 AUDIT

Township Auditor, Raymond Sarinelli presented the Township Council with the 2022 Audit and made a suggestion of segregation of duties. Federal Funding may be subject to a Federal Audit.

Councilman Bonker reviewed the 2022 audit and asked if Byram is in a better position with cash compared to other towns. Mr. Sarinelli said that Byram is slightly above average. Councilman Bonker noted that the debt is reducing every year and is at a very low rate of .145%, and asked how it is this compared to other towns. Mr. Sarinelli said that he has many towns that have no debt, and it depends on the needs of the town and the ability to pay it back and feels that Byram has very low debt compared to other years. Mr. Sabatini said that depending on the year it can be situational depending on the capital projects that need to be done. The township is conscious of looking at the average useful life of the capital improvements that are being done which helps accelerate the pay downs. The township has always been on a 10-year cycle of terming out short-term debt into permanent debt and will be dropping off again in 2026. Councilman Bonker stated that Byram is still an AA+ rated, and even if went into dept up to 1% they would remain the same.

B. Resolution No. 094-2023 – Governing Body Certification of Annual Audit

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

C. Resolution No. 095-2023 – Corrective Action Plan for the 2022 Audit

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

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – The next council meeting will be held on Wednesday June 7th because of the election on the 6th. At that meeting there will be representatives from Optimum. An email was sent to the Mayor and Council about the stormwater permit requirements. The DEP provided a grant application up to \$25,000. There is flexibility with those funds, but Byram need to update their maps. Mr. Sabatini will be reaching out to the Highlands council for additional funding up to \$50,000.

Mayor Rubenstein – May 8th the mayor hosted a hike with the senior citizens on the Sussex Branch Trail. May 9th was the Senior of the Year awards, which was awarded to Jim Yanovitch. The mayor received a notice from Joe Miseroti, who is constructing the Wawa. They will be breaking ground within a couple of weeks. They will need to relocate one of the traffic lights. They anticipate opening by next May. The mayor sent out an email to the DOT this morning about the water damage done to the Mansfield Bike Trail.

Councilman Bonker – Memorial Day is May 26, 2023. Would like to recognize DPW for the excellent shape that the parks are in.

Councilwoman Franco – The last Planning Board meeting was canceled.

Councilman Roseff – For all the 225th Anniversary Events coming up this June, all information can be found on the Historical Society’s website. Wild West City will be having free admission to Byram Residents on Wednesdays in July. September will be a Beef Steak Dinner prior to Byram Day, and a Dragon Boat race on Cranberry Lake two weeks later.

PUBLIC PARTICIPATION I

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

Roger Thomas representing Gary Neece regarding a vacant lot next to the Quick Check for affordable housing and commercial uses. To accomplish this, he is looking for financial help from the Township. He would like to explore a pilot program and is looking to reach out to the Highlands Council for a grant. Would like to work with the Byram

Township Administrative staff to move it forward. Would like to get support from the Township Council to work with the staff and Administrator.

Mayor Rubenstein said that the next step is to meet with the Planning Board to get an understanding of how they stand on the request at hand to see if this project is probable. Mr. Collins also suggested going before the Planning Board for variance approval or request for a zone change.

Luanne Byrne – asked about expenses related to the Municipal Building if the project does not go forward, can this money be pulled back. Mayor Rubenstein said no, it is a work product that they are paying for. Asked if they the Township will be proceeding with the public outreach on the Municipal Building, Councilwoman Franco said that yes, they will be. Asked where the Wawa is located, Mayor Rubenstein said it will be next to the CVS. Said that Mr. Sabatini is doing a great job on the Audit. Mr. Sabatini said that he can not take all the credit, they the Township has an excellent CFO.

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

APPROVAL OF MINUTES

May 2, 2023 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. 092-2023 – Resolution Authorizing MJA Construction Services to Provide Cost Estimating and Construction Consulting Services for the Proposed New Byram Township Police & Renovation to Municipal Building – Not to Exceed \$3,750.00
- B. Resolution No. 093-2023 – Resolution Authorizing the Nader Group Provide Architectural Civil Engineering, Environmental/Permitting & Construction Administration Services for the New Byram Township Municipal Building – Not to Exceed \$33,300
- C. Resolution No. 096-2023 – Resolution Authorizing the Township Manager to Finalize a Statement of Work with 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 – Not to Exceed \$137,790.00
- D. Resolution No. 097-2023 – Resolution Authorizing Environmental Commission & Trails Advisory Committee to Hold Trail Clean-Up Events
- E. Resolution No. 098-2023 – Amending Annual Notice of the Calendar Dates of the Scheduled Meetings of the Byram Township Council from 06/07/2023 – 12/31/2023 and the beginning of 2024

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

BILL LIST – May 16, 2023 – 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 – Introduction/First Reading

- **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM AMENDING PART II ENTITLED “GENERAL LEGISLATION” OF THE CODE TO ADD A NEW CHAPTER 190 ENTITLED “LEAD-BASED PAINT HAZARD INSPECTION REQUIREMENTS”**

Purpose Statement: The purpose of this Ordinance is to establish a Lead Hazard Control Program in accordance with the requirement of the Lead Hazard Assistance Act, N.J.S.A. 52:270-437.1 et seq.

Motion by Councilwoman Franco, second by Councilman Bonker to introduce Ordinance.

	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 June 7, 2023 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.

- **AN ORDINANCE TO AUTHORIZE SALE OF NON-CONFORMING TOWNSHIP OWNED PROPERTIES NOT NEEDED FOR PUBLIC USE TO CONTIGUOUS PROPERTY OWNERS**
Purpose Statement: The purpose of this Ordinance is to authorize the Mayor and Council of the Township of Byram to convey non-conforming contiguous Township owned properties to respective contiguous property owners, because they are not needed or required for public use.

Motion by Councilwoman Franco, second by Councilman Bonker to introduce Ordinance.

	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 June 7, 2023, 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 -

Park Benches next to Tennis Courts – would like to obtain at least 4 benches. Mr. Sabatini will look into getting them ordered.

FUTURE AGENDA ITEMS

- ARP Funds – will need to meet with Phoenix Advisors first.
- Improvements to DPW facility

PUBLIC PARTICIPATION II

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

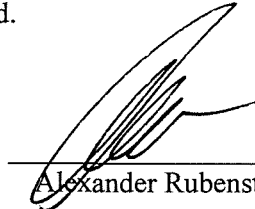
No Comments.

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

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Bonker, and with all members in favor, the meeting was adjourned at 8:54 p.m. All members were in favor. Motion carried.


 Cynthia Church, RMC
 Township Clerk


 Alexander Rubenstein, Mayor