

BYRAM TOWNSHIP SPECIAL COUNCIL MEETING –MAY 5, 2020
EXECUTIVE SESSION – 6:30 P.M.
REGULAR SESSION – 7:30 P.M.

CALL MEETING TO ORDER

Mayor Rubenstein called the meeting to order at 6:30 p.m.

OPEN PUBLIC MEETING STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting has been electronically sent to the newspapers and uploaded to Byram’s website, not less than 48 hours in advance of the meeting. In addition, a copy of this notice is on file in the office of the Municipal Clerk.

ROLL CALL

Councilman Bonker, here; Councilwoman Franco, here; Councilman Gallagher, here; Councilman Roseff, here; Mayor Rubenstein, here. Also present was Township Manager Joe Sabatini, Township Attorney Tom Collins, and Municipal Clerk Doris Flynn

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.

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:

- Property Maintenance – Block 220 Lot 25 & Block 336 Lot 23
- Fair Share Housing Center - Midpoint Report
- SHBP

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

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

Certification: I certify that the Byram Township Council adopted the above resolution on May 5, 2020.
Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - The Mayor stated that the Council meeting was called to order at 6:30 p.m. at which time the Council went into executive session until 7:30 pm.

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA - Motion by Councilwoman Franco, seconded by Councilman Gallagher to approve the agenda with moving the Ordinance up on the agenda. All members in favor. Motion carried.

RECOGNITION OF RESIGNATION - BOARD OF HEALTH MEMBER – BRIAN VENTRICELLI - Alex made a motion, second by Councilwoman Franco, to accept his resignation and send a letter of thanks from the Council. All members in favor.

PROCLAMATIONS

- Peace Officers Memorial Day – May 15, 2020 - Motion by Councilman Gallagher, second by Councilman Bonker to adopt the proclamation. All members in favor.
- Municipal Clerks’ Week - May 3 - 9, 2020 - Motion by Councilwoman Franco, second by Councilman Roseff, to adopt the proclamation. All members in favor.

MANAGER AND COUNCIL REPORTS

Township Manager Joe Sabatini

- The Manager thanked the Township employees and first responders for their assistance during these difficult times. He would like to offer his support and appreciation to all healthcare and essential workers.

- As the governor is starting to open things up, we will be following his orders accordingly. Joe asked for everyone to keep in mind to manage accordingly and take advantage of our parks and trails for passive recreation.
- Dog licensing began on April 1, 2020. We have extended the grace period to June 1, 2020.
- There will be discussion at the next meeting on the Municipal Building Project.

Mayor Rubenstein

- Alex wanted to recognize that the municipal administration is carrying on even through this emergency. The Mayor commended the continued efforts to the police, DPW, Fire Department and Lakeland Emergency Squad.
- Alex also wanted to recognize Joe Sabatini for raising over \$5000. Joe delivered signs for a donation, purchased gift cards from our restaurants and delivered them to our first responders for recognition.

Councilman Bonker

1. Open Space: We will hold an online Open Space meeting next Monday, May 11th. The committee continues to work with Greener by Design to complete all aspects of the Parks and Recreation Plan for a presentation to this Council on June 16th. The document will include a new 10 year Open Space plan, a Trails Plan, an Economic Development plan, a long term maintenance planning tool and several updated maps.
2. Boy Scout Troop 276 recently celebrated the advancements of Eagle Scouts David Magrini and Evan Rizzo. In the past the Byram Council has also publicly recognized Scouts who have achieved their Eagle rank, or in the case of the Girl Scouts, their Gold Award. Once we resume physical meetings again, I would like to resume that past recognition practice also, to highlight the achievements of our young leaders of tomorrow.
3. There is a resolution on our consent agenda tonight clarifying the requirements needed for coaches to work with our young athletes. I want to thank the Lenape Valley Soccer Club and the administration for working together to get this clarification memorialized.
4. I also want to take a moment to recognize another volunteer effort here in Byram. Many residents now have signs in their yards thanking all essential workers for their contributions during this pandemic. The proceeds from those signs have been used to purchase gift cards from Byram businesses to be given to our heroes. Thousands of dollars have been raised, local businesses have received much needed revenue, and well over a hundred heroes have been thanked. This is a perfect example of the American volunteer spirit. This effort was organized and executed by our own administrator Joe Sabatini, NOT acting as an official of the town, but solely as a volunteer citizen, and we all owe Joe a heartfelt “thank you” for this demonstration of civic pride.
5. I have worked with Doris Flynn in various capacities for 15 years. In all that time, she always delivered the right answers, and she delivered them professionally. But beyond that, she delivered with a sincerely friendly demeanor that conveyed a deep pride in her work for Byram. When she leaves at the end of the year, she will leave behind a legacy of service and attitude that is most rare in public positions. I wish her well.
6. Finally, just for the record, the Municipal Building is not on our agenda again tonight, for the fifth consecutive meeting. Yes, we all agreed last time to have a discussion about the municipal building at our May 19th meeting. I continue to point out that all of the research produced by the building sub-committee has been available since February on the town’s website. We will have a conversation on May 19th, but just to set expectations, I do not wish to solely have a discussion. If there is a clear majority opinion on the various aspects of the building project, I will be prepared with motions to offer for action. We have delayed this process more than long enough. The pandemic may continue, but government must also continue. I implore my fellow council members to be prepared for a substantive discussion, and also for actions, on May 19th.

Councilwoman Franco - Cris echoed Alex’s words on Joe’s initiative and thanked him for his efforts. Cris thought it was a great way to show support to our businesses as well as our first responders. Cris said she was sorry to hear that Doris was retiring at the end of the year. She appreciates everything Doris has done for the Mayor and Council and wished her the best of luck.

Councilman Gallagher - The next Recreation Meeting will be May 18. Jack thanked Doris Flynn for everything she has done. Jack also thanked Joe for his efforts on fund raising for first responders.

Councilman Roseff - No report

PUBLIC PARTICIPATION I– Meeting open to the public for comments on matters not on the agenda or items on the agenda for which no public discussion is provided. The Mayor instructed the audience how they can participate.

APPROVAL OF MINUTES

- Motion by Councilman Roseff, second by Councilwoman Franco to approve the April 21, 2020 Regular & Closed Meeting Minutes

ORDINANCE - Introduction/1st Reading

AN ORDINANCE AMENDING CHAPTER 240 ZONING OF THE TOWNSHIP OF BYRAM CODE

Purpose Statement: Section 240-40 General requirements; driveways was repealed by Ordinance 10-2017 and requirements were placed in Section 215-30.2. Inadvertently, the change omitted any reference to residential zones for which it was previously intended. This ordinance corrects the omission by adding Section 240-40, General Requirements; residential driveways.

Motion by Councilman Gallagher, second by Councilwoman Franco to introduce the ordinance.

Cory Stoner was asked to review how we can address residential driveways. When the zoning ordinance was amended in 2017 it removed any reference to residential driveways. We drafted an ordinance with the same requirements that was in 240-40 prior to 2017. Cory Stoner suggested adding some specifications that are found in ordinances in other towns. A common question from a property owner is what construction methods need to be followed when installing a driveway. This ordinance will provide guidelines for the resident and zoning officer when people want to install a driveway. The clerk called the vote.

| | Councilman Bonker | Councilwoman Franco | Councilman Gallagher | 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 the 19th day of May, 2020 at 7:30 p.m., on an audio conference call using Zoom and the public may call in at any of the following telephone numbers +1 646 558 8656; +1 877 853 5247; +1 888 788 0099. When prompted, enter the Meeting ID Number: 852 951 430 followed by the # sign, at which time and place a public hearing will be held thereon and all persons and citizens interested shall have an opportunity to be heard.

CONSENT AGENDA: These items 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 so 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 Roseff, to approve the consent agenda with correcting a few typographical errors in Resolution 73-2020 and changing the date in the 2nd Whereas of Resolution 71-2020 to April 17, 2020.

- Resolution No. 071-2020 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Authorizing a Refund for Duplicate Payment 2nd Quarter 2020”
- Resolution No. 073-2020 – Resolution of the Township of Byram Regarding the Minimum Requirements for Volunteer Coaches’ Safety Orientation and Training Skills Program

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

RESOLUTION NO. 072-2020 - Resolution Extending Grace Period for Payment of 2020 Second Quarter Taxes

Governor Murphy passed an Executive Order giving the municipalities the ability to extend the grace period from May 10 to June 1. Councilman Bonker has read extensively about this. He can understand both sides of this. The only reason he would be willing to grant a one-time, 30 day extension of the grace period is because of the extreme difficulty that people have been having in getting unemployment insurance. A lot of people with no fault of their own have been laid off and they are trying to collect unemployment and keep hitting roadblocks. Harvey asked what our obligation is to forward tax money to the BOE and the County. Joe stated that there has been no relief given to municipalities to pay the BOE and County. The BOE is paid on the 1st of the month. The County is due the middle of the month. As far as cash flow goes, Joe feels we can weather the storm because we have done such a good job over time with surplus. Harvey thought that probably the majority of the tax revenue is from mortgage companies and asked when does banks typically pay. Harvey would like to see the banks excluded from this resolution since they already collected funds from the homeowners. Joe and Ray Bonker did not think this legally could be done. This is an extension of the grace period -- if a resident doesn't pay by June 1, interest will be charged back to May 1. Joe stated that we are going to be sending out estimated tax bills because the Governor extended the state fiscal year until September 30. We will be doing a resolution on the next agenda

to allow estimated bills. Jack Gallagher and Cris Franco were in favor of passing this resolution. Cris stated that going through this pandemic has been difficult for everyone, not only for people trying to collect unemployment but also for people who own small businesses. Cris felt that anything that we can do as a Township to ease the burden is the right thing to do. Alex stated that initially he wasn't sure if he was in favor of passing this, but after hearing Ray Bonker's explanation he is in support of this resolution.

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

APPROVAL OF MAY 5, 2020 BILL LIST - Motion by Councilman Bonker, second by Councilman Gallagher to approve the bill list.

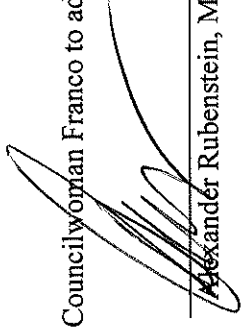
| | Councilman Bonker | Councilwoman Franco | Councilman Gallagher | Councilman Roseff | Mayor Rubenstein |
|-----------------|-------------------|---------------------|----------------------|-------------------|------------------|
| Motion | x | | | | |
| 2 nd | | | x | | |
| Yes | x | x | x | x | x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

PUBLIC PARTICIPATION II

No comments were made.

ADJOURNMENT – Motion by Councilman Bonker second by Councilwoman Franco to adjourn at 8:10 pm. All members in favor. Motion carried.


 Doris Flynn, Municipal Clerk


 Alexander Rubenstein, Mayor