

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
AUGUST 13, 2024
TRAINING 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, absent; 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

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 August 13, 2024.

Cynthia Church, Municipal Clerk

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

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 with the removal of Resolution No. 144-2024.

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

RECOGNITION OF RESIGNATION OF RECREATION COMMITTEE MEMBER – Joe Condon
The mayor directed the Township Clerk to send a thank you letter on behalf of the Township Council.

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – September 3rd is the next Township Council meeting. The planner will attend that meeting and will provide a report on the changes to the affordable housing law. At the same meeting they will be introducing changes to stormwater chapter 211 ordinance. Cory Stoner will be attending.

Mayor Rubenstein – Nothing to Report.

Councilwoman Franco –

- Fall/Winter Brochure has been released with many residents happy with the selections offered. We have had people signing up for programs and events. We have advertised on Facebook, Nixle, and sent to all emails we have on file. We are having copies made to hand out and send to the schools.
- Byram Fest is set on August 24, 2024 from 4pm-9pm at CO Johnson. Music, Food Trucks, Non-Profit tables, Fireworks, and much more. Volunteers are all set up and should be a great event.
- Joe Condon resigned due to some health concerns, so we now have two (2) full member openings and two (2) alternate openings on the Committee.
- We had two (2) successful Byram Rec sponsored Wild West City Days in July where we handed out flyers and met a good amount of Byram residents. All were pleased with our sponsorship of this event.
- Scavenger Hunt set for September a collaborative event with the Recreation Committee and the Environmental Commission. Will take place on the Mansfield Trail by the school.
- Miss Byram represented the township at the Queen of the Fair on August 3rd, Victoria did a great job and will be at some of our events coming up.
- Movie in the Park is on August 17th at CO Johnson Field at 8:30 pm. We have a lot of “buzz” on this and should have a good showing.
- Summer Concert went well on July 20th at the school, 50 people attended and the band was great, the hope is to do two concerts next year.

Councilman Proctor – The Planning Board had two meeting since the last township council meeting. Veolia will be setting up temporary tanks.

Councilman Roseff – The Byram Township Historical Society has picked November 22nd to do another Spirit of Byram fundraiser at the firehouse.

PUBLIC PARTICIPATION I

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

Troy Dalling – East Brookwood, complaining of harassment by the Byram Police, Zoning Officer, and Township Manager about a car parked on the lawn. He is being fined \$1000 a day. Mr. Collins and Mayor Rubenstein encouraged him to appeal to the Planning Board and ask for a variance.

Patricia Mochella – asking if the construction of the tennis courts will include pickle ball as well.

David Gray – said that the fields are in great shape, and complemented the administration, Township Clerk and Manager on doing a great job. Thanked the Township Council and Township attorney for doing a great job for the township.

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

APPROVAL OF MINUTES

July 16, 2024, Regular & Closed Session Meeting Minutes - Motion by Councilwoman Franco, seconded by Councilman Proctor to approve the minutes.

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

RESOLUTION NO. 140-2024 – Resolution of the Mayor and Council of the Township of Byram Confirming that the Private Right-of-Way Known as Sutton Lane, is a Private Common Driveway and is not a Public Street and Authorizing and Directing that the Mayor to Send the Attached Letter to the Property Owners Confirming their Responsibility for Maintenance and Repair of the Private Right-of-Way.

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

Abstain				x	
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. 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. 137-2024 – Resolution Authorizing Participation in an Electronic Tax Sale
- B. Resolution No. 138-2024 – Resolution Authorizing Electronic Tax Sale Notice Fees
- C. Resolution No. 139-2024 – Resolution Authorizing 100% Exempt Lake Mohawk Preservation Foundation Owner of Block 291, Lot 1.01 Refund of Taxes Paid for 1st and 2nd Quarters – 779 West Shore Trail
- D. Resolution No. 141-2024 – Resolution Authorizing the Award of a Professional Service Contract – The Canning Group, LLC
- E. Resolution No. 142-2024 – Resolution Authorizing the Execution of a Shared Service Agreement for the Municipal Participation in the Provision of E911 emergency Communications System Management by the County of Sussex – January 1, 2024 – December 31, 2029
- F. Resolution No. 143-2024 – A Resolution of the Township Council of the Township of Byram Authorizing the Disposal of Out of Date Byram Township Fire Department Turnout Gear
- ~~G. Resolution No. 144-2024 – Resolution to Award Bid for Department of Public Works Storage Leaf and Brush Debris Building – Not to Exceed \$254,898.00~~
- H. Resolution No. 145-2024 – Chapter 159 – ARP \$209,721.00
- I. Resolution No. 146-2024 – Resolution to Award Bid for Proposed Improvements to Mansfield Drive Tennis Courts & Carl O. Johnson Park Tennis Courts – Not to Exceed \$274,721.00
- J. Resolution No. 147-2024 – Amending Resolution to Purchase Rock Salt under the Sussex County Cooperative Pricing System for Budget Year 2024

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

BILL LIST – August 13, 2024 – Motion by Councilwoman Franco, second by Councilman Proctor to approve the bill list.

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

ITEMS FOR DISCUSSION

2025 Budget Goals & Objectives:

Township Manager, Joseph Sabatini presented the township council with the following memo dated July 15, 2024.

The Manager and staff prepare recommendations in the form of a draft budget document, and the Council must ensure that the adopted budget satisfies the needs of the community and serves the best interests of the Township. The approval and adoption of the Municipal Budget includes the budgets for the Open Space Tax and the Sewer Utility.

The 2025 Budget Process has started with the Township Department Heads. The Department Heads were presented the following instructions to complete their 2025 departmental budget requests:

1. Each sub-account in the department’s operating budget starts at zero.
2. Provide detailed justification of each sub-account identifying the good or service requested with budgeted expense.
3. No increase from the 2024 budget is expected and we should be targeting any reduction in the budget that can be sustained.
4. Populate the "2025 Requested" column with the total for each sub-account.
5. Identify any discretionary spending or other spending that can be cut from the budget. Prepare a summary of the impact of the reductions.
6. Meetings will be scheduled in September with each department head to review the budget requests.

Salary and Wage lines will be populated by CFO and Manager. All Collective Bargaining Agreements expire at the end of 2026. It will be assumed that all Administrative Employees will receive a 2% increase for 2025.

The municipal budget is the Council's most important annual policy statement. It defines how the local government team will implement its priorities for the next fiscal year, and where the money will come from to carry out that work plan. The budget is,

- A statement of priorities for the community
- A management blueprint for providing services
- The document that translates policies into action
- A tool for protecting the government's long-term financial health
- A communication document for the public.

The Mayor and Council should identify the goals and objectives for 2025 to identify resources including funding needs to carry out the work plan. It is critical to link policies and money through the annual budget. It is planned that all budget meetings will be done as advertised meetings of the Mayor and Council. I am planning for the first budget meeting to be scheduled in the fall. The staff is prepared to support as many budget workshops as the Mayor and Council need to support adoption of the budget in early 2025

Councilwoman Franco provided the following Goals and Objectives for 2025:

1. *C.O. Johnson Improvements - continue with improvements to CO Field 8. I believe we should continue to focus on the entire project of Field 8, after the modified plans to drainage improvements are completed. Dog Park plan and future Fieldhouse repairs/improvements should follow together with paths/driveway around the park as proposed.*
2. *Municipal Building - We should keep in mind that the Municipal Building Project is still needed and see what we can do to receive grants to reduce the amount to the taxpayers.*
3. *Streets and roads plan to be updated (following the Natural Gas and other projects).*
4. *Changes to Township Code for Zoning - Properties with "2 front yards" should be defined separately as well as accessory structures (generators, air conditioning units) should be part of the primary structure*

Councilman Roseff provided the following Goals and Objectives for 2025:

1. *Byram returned to an oil/stone style maintenance program for parts of our community. This approach has extended the life of the asphalt pavement but the need for new paving is now becoming apparent. We should start building a fund and establish a schedule for this work. Some stormwater improvements should be planned for inclusion with this work. Understandably, this schedule hinges on the natural gas installation work.*
2. *Administration should provide extra focus to stormwater improvement and road grants.*
3. *Review Admin staffing structure. Identify shared service needs.*
4. *Start the process to reduce the fund balance. The current level is well above what is needed and will be reduced somewhat from the capital improvements authorized this year. Can we get an estimate of fund balance for Y2024?*
5. *For 1 year, provide materials and hire some persons for only seasonal help for DPW to demo the interior of the Field House and improve its functionality. This is not a huge project request with all sorts of engineering help. We may also want to invite volunteers.*
6. *We will be spending down some of the funds we have in reserves as we progress through some of the capital improvement plans that were authorized this year. Last year we earned approx. \$700,000 in interest which was a considerable increase from prior years. Will it repeat? Can we get a 2 year forecast of our interest income for 2024 and 2025? I would suggest using a conservative 4.25% interest rate estimate for this year and 3.5% for next year.*

Councilman Proctor provided the following Goals and Objectives for 2025:

1. **Recreation.** *The Township has made great strides in 2024 to improve its recreational facilities. Between Authorizing the work on C.O. 8, the award of the Jake's Place Playground Grant, and the LRIG, I am proud of the accomplishments that have been made and am thankful to the administration for the work that was required to get there. That being said, I think that momentum should be continued and capitalized on.*
 - *C.O. Johnson Fieldhouse. The Fieldhouse has been an item of discussion among the community and council of the township for many years. I believe that the field house is in need of renovation, and the space inside can be more efficiently utilized for recreation, sports, seniors, and many other groups that are important to the Byram Township Community.*
 - *Community Dog Park. It has been well established that a dog park is one of the desires of the Byram Township Community. I understand that this has been considered a part of a larger project (which I will address in Finance), but I feel that the project is still one that will benefit the residents of the Township and should remain on the Council and Administration's radar.*
 - *Skate Park. The CO Johnson Skate Park is in dire need of resurfacing. I believe the Council and Administration should also look at that area of C.O. Johnson Park and evaluate whether the space there can be used more effectively.*
 - *Field Lighting & Press Box. The Council recently approved the plan to move forward with C.O. 8, which I see as an overall win for progress, but the final plan omitted lighting. This still leaves the Township with a sole lit field with outdated equipment. I believe the council should begin to explore options for lighting the football field and evaluate the condition and layout of the amenities that accompany it.*
2. **Public Works.** *The Public Works department is an under-appreciated asset to the council and the operations of the Township. The care that they put into the maintenance of our recreational facilities, the time put in to plowing our streets, and the countless hours behind the scenes that never see glory cannot go unacknowledged. I thank Mike and the entire DPW staff for all of the effort they give the residents of the Township.*

- Streets & Roads. The Township has a comprehensive road resurfacing plan which should continue. It has been a wise strategy to follow the gas line installations with the resurfacing plan, and I believe this should continue to be the strategy of the Township moving forward. I support a full Mill & Pave for the roads that continually present structural issues and require maintenance, but I am not opposed to exploring more cost effective options for those roads that have a solid foundation.
 - CO Johnson Fencing. I believe it was one of Mike's suggestions for 2024 but it has been overshadowed by some larger projects. I have spoken with you earlier this year about this project and I recognize the need for upgraded fencing along the thoroughfares of the park.
3. **Zoning.** As you know, Zoning is where I began my adventure into the world of government. As a former employee in the Zoning Department and current Class III member of the Planning Board, I am in a unique position and would like to share my insight as to where I think the council can make some improvements to the Code of the Township of Byram. I have previously submitted a report with the Planning Board's Annual report of which I will make reference and direct you to below, but I wanted to highlight the items that are of higher priority to me personally, and outline an additional two items.
- Basic Accessory Structures. I believe the way the code is currently written has room for improvement that can alleviate some pressure on both the Zoning Office and the Planning Board. Please see my previously submitted Planning Board Report for additional details.
 - Vegetative Buffer for Lakefront Properties. Please see my Planning Board report for additional detail. I believe the Council should consult with the Environmental Commission and revise this line of code.
 - Temporary Accessory Structures. As of now there is no line of code regarding temporary accessory structures. The Board recently heard an application that included a pop-up carport, and that part of the application was rescinded, but that did not prevent the initial confusion between the board and applicant on how it should consider the application. The Board has historically, and continues to treat them as if they are permanent. I believe the Code should be revised to address and at least define whether canvas car ports and similar structures are permitted in town and provide some regulation to them (within the already defined requirements of the UCC).
 - Front Yards. The Township Code defines a front yard as such: (Township Code 240-14 Yards.) The Planning Board has adopted a doctrine that any corner lot does not have a rear yard. The position of the board is that such a lot has two front yards and two side yards, though this is not codified by the Township Code. An amendment to reinforce this interpretation or codify a different opinion in a small item but would provide some clarification to applicants.
4. **Finance.** In recent years, the Township has had very successful budgets and grant applications for which I thank the CFO, Managers, and other administrative staff. I understand that this has not always been the case specifically regarding grant awards and eligibility, but I believe that we should continue to ride that wave while it is strong.
- Preexisting Highlands Grant. The Township has received a grant for the development of a plan for CO Johnson Park improvements. The plan that was presented for this grant has been changed several times, and with the recent approval of CO 8 there is little way to rectify it. There may have already been some direction to this effect, but I reiterate that I believe the Township should return to the Highlands council and ask not to reallocate the money, but change the initial plan that was presented to a more feasible and doable plan.
 - 2025 LRIG. Provided the DCA administers the Local Recreation Improvement Grant again, I believe the Township should make the application. I feel that any of the items I have included in the recreation section of this memo would be acceptable candidates, or potentially a litany of smaller projects including the fencing and any other suggestions that may come from the DPW or Recreation Committee.
5. **Public Safety.** First responders are an essential part of the backbone of every community, and Byram is no different. I believe it is integral that the Township continue to secure the autonomy of our Police, Fire, and EMS.
- 2025 Fire Fighter Assistance Grant. Over the last two years the DCA has administered the FFA Grant. Over the last two years in Netcong, with the help of the Fire Chief I have secured the Fire Department over \$100,000 for the replacement of SCBAs, turnout gear, and equipment washing / drying machines. The application is not a heavy lift, and I believe we should communicate with the Fire Department and tender an application if the program is administered again this coming year.
 - Police Grant Opportunities. The Netcong Police Department is fairly independent when it comes to securing funding, so I am not personally aware of many PD grant Opportunities. I also do not know much about how the Byram PD operated to secure funding, but I do know that Walmart has a rolling grant fund for PD Equipment. If this is not a well that the Byram PD has tried to tap into it may be worth a try.
6. **Economic Development.** With the passing of the A-4 Housing requirements, it may be possible that the Township could be burdened with undue Affordable Housing Requirements. Between this and a pending planning board application for development of Route 206, I believe it may be worth consideration to redefine the bounds of the Township's currently dormant Economic Development Committee and reinstate it. This could prove useful for negotiating with potential developers and identifying areas in need of redevelopment if they are deemed necessary.

Mayor Rubenstein said that he agrees with everything that Councilman Proctor has on his memo. 2025 will be a tough year with roads with the construction and gas line installations. Does not want any changes on the administrative budget.

Mr. Sabatini believes this will be a challenging project. It has been a challenge over the years managing the gas lines and the paving. Money is put aside every year that increases and is utilized on streets and roads. There will be a balance with the gas companies to come in and do full restorations. Mr. Sabatini would like to anticipate fund balance and interest income in 2025 to support operations.

Councilman Roseff has concerns about the elevated fund balance.

FUTURE AGENDA ITEMS

Councilman Roseff asked about responses from the DOT.

PUBLIC PARTICIPATION II


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

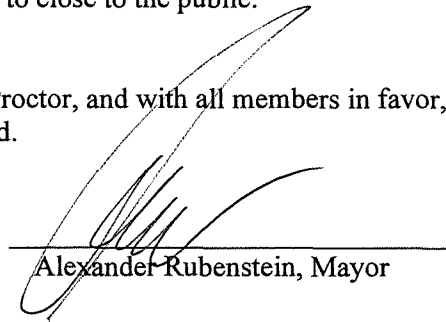
No Comments.

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 8:33 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor