

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
APRIL 17, 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 Molica and Township Clerk, Cynthia Church

Also present was Township Auditor Ray Sarinelli and CMFO Ashleigh Frueholz

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
 - Sutton Lane
 - 70A Lackawanna Drive

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 April 17, 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 with the removal of the tree ordinance discussion.

	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

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP AMENDING THE CODE OF BYRAM TO ADD A NEW CHAPTER ENTITLED “CHAPTER 212, TREE PRESERVATION” TO THE CODE TO CONTROL TREE REMOVAL AND REPLACEMENT IN ORDER TO REDUCE STORMWATER RUNOFF AND POLLUTANTS, AND TO PROMOTE INFILTRATION OF RAINWATER INTO THE SOIL

Purpose Statement: The purpose of this article is to protect valuable, desirable, distinctive and valued trees and woodlands from indiscriminate destruction and damage, and further to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

Cory Stoner along with Mr. Sabatini prepared an ordinance that they felt would be fit, after conversation with a representative from the DEP. The ordinance was not meant to be adopted as provided, however, it was a model ordinance that could be modified. The ordinance has a vast amount to exemptions, rather concentrating more on clear cutting. A special permit process would not be required. This ordinance is very different from the model ordinance originally proposed.

Councilman Roseff said this is a much better ordinance then before. He questioned the definitions of the trees and how it would be applied. He feels that this ordinance will affect private property owners and feels that there is still room for improvement such as:

1. Purpose Statement – should be modified and possibly remove it all together.
2. Clear Cutting – “define substantial” as chapter stated in chapter 247.
3. Hazard Tree – should reference a fire break as it ties into health and safety.
4. Remove #6 on page 2.
5. Does not understand the difference between lot disturbance and track disturbance.
6. “Tree Caliper” should be removed.
7. E. removal of hazardous trees (pg. 4) and update the definition of hazardous trees.
8. H. remove the last sentence.
9. C. on page 5 hazardous tree removal be exempted from that paragraph.
10. Fix the spelling of trees on D. page 5.
11. 212-7 A & B. remove the word “planner.”

The Introduction of the ordinance was tabled to the next meeting to allow for changes to be made.

RECOGNITION OF RESIGNATION – Recreation Committee Member – Nicole Halajian

Motion by Councilwoman Franco, Second by Councilman Proctor to accept the resignation. Mayor Rubenstein asked the Township Clerk to send a letter of appreciation.

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – Provided an updated status on the basketball courts at CO Johnson Park. It has been leveled and painted. Because of the weather, there will be another extension of a week for the courts to be closed. The Township has received an order of assessment from the county tax board. The Tax Assessor will be coming to the next meeting. He received a letter of resignation from a DPW employee. Joe and Ashleigh met with the bond council to discuss the funding of recreation improvements as it pertains to the Open Space Trust. The recommendation provided by the bond council is to treat it as a regular bond ordinance and will reference the Open Space Trust as the primary source of funding and General Fund as a supplement source of funding as well as any grant funds received.

Mayor Rubenstein – On April 8th he attended a preconstruction meeting for gas installation on Whitehall Hill Road. Work will begin soon. This will affect the Forest Lakes area in the Summer. On April 10th he attended a 24th district breakfast regarding communication and outreach with JCP&L. On April 12th he attended the information session from the County Board of Taxation. The order calls for a reassessment in 2025.

Councilwoman Franco – April 9th was the Recreation Committee meeting. Nicole Halajian has submitted her resignation effective immediately, more committee members are needed. They had 2 young men, Cory Lidell and Cameron Hosler who came to the Committee and proposed tennis and pickle ball lessons to the residents of Byram. They presented their model and how they would be conducting classes. The Recreation Committee thinks this is a good idea and Debbie said that she needs to research a few things and will get back to them. The Recreation Committee would like to hold Byram Day on August 24 from 4-9 pm at CO Johnson Field. They will have the following:

- Non- for-profit tables
- Craft vendors.
- Dunk tank.
- Inflatable rides for kids.
- Games for adults and kids.
- Food trucks- food and desert trucks.
- Evening Fireworks display.

They would be using Megabites Events for gathering the Food Trucks, craft vendors, and adult and kids' games.

The Kids Triathlon will be held July 13th at Lake Lackawanna Beach. This event will begin at 8:30 a.m.

The Townwide Garage Sale will be June 1st & 2nd.

Miss Byram will be on June 1, 2024, at the Byram Lakes Intermediate School at 6:00 p.m.

The Miners Game will be June 15, 2024, at 6:35 p.m.

The Recreation Committee will be co-hosting a Family Scavenger Hunt in June with the Environment Commission.

On April 12th she attended the information session from the County Board of Taxation. The rabies clinic was held on April 13th.

Councilman Gallagher – The Board of Education meeting is being held tonight and again on May 15, 2024

Councilman Proctor – April 4th the Planning Board heard two commercial applications. Last month he was approached by the CLCC Save our Bridge member. They need the support of the council and asked the council for their approval to allow him to attend the meeting.

Councilman Roseff – attended the Forest Lakes kick off meeting for natural gas.

PUBLIC PARTICIPATION I

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

Josh Gee – Camelot Road - read aloud a statement regarding his concerns regarding squatters, he asked if there is something in the Township Law that would protect the residents from such a crime. Mayor Rubenstein said there is legislation being worked on at the State level.

Andrew Schwartz – Lee Hill Road asked on status of DEP level for the noise ordinance. Asked about how the barking dog ordinance is enforced.

Bob Freeman – C.O. Drive – Complimented the Township Council on fixing the bridge. Has an ongoing problem with an apartment near them at 12 Little Paint Way with garbage spilling all over. Feels that they need a dumpster so the bears cannot knock it over. Mr. Sabatini said that it is being dealt with by the Zoning Officer. The township cannot make the homeowners get a dumpster. It can be handled with a property maintenance violation.

Scott Yappen – Catherine Terrace – Thanked Nicole for her service to the Recreation Department. Mentioned that the voters were heard at last night's election.

Russ Bethon – Camelot Drive – Requesting a no outlet sign on Camelot Drive.

Daniel Conroy – Lynn Drive – Asked if there is a code of ethics provided to the Township Council. Asked if it is available to the public.

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

APPROVAL OF MINUTES

April 2, 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	x
No					
Abstain					
Absent					

RESOLUTION NO. 073-2024 – A Resolution of the Township of Byram Requesting that First Energy Rapidly Increase Internal Funding for JCP&L to Quickly Rectify Long Delayed, Yet Necessary, Modernization Upgrades to its Electrical Distribution Grid

Scott Yappen – said there is a big difference between PSE&G and JCP&L infrastructure. Infrastructure improvements need to be made with JCP&L.

	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.

- B. Resolution No. 064-2024 – Resolution Authorizing the Issuance of Not Exceeding \$670,900 Bond Anticipation Notes of the Township of Byram, in the County of Sussex, New Jersey
- C. Resolution No. 065-2024 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – Block 282 Lot 400 – 11 Sherwood Forest Drive
- D. Resolution No. 066-2024 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – Block 212, Lot 5 - 239 Rt. 206
- E. Resolution No. 067-2024 – Resolution for 100% Exempt Veteran Owner of Block 255 Lot 1 Partial Cancellation of Taxes the First Half of 2024 “Authorizing Partial Taxes Remitted (Cancelled) for 2024”
- F. Resolution No. 068-2024 – Resolution Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 255 Lot 1 Partial Refund of Taxes Paid for 1st Quarter in 2024 – 175 Lake Drive
- G. Resolution No. 069-2024 – Resolution for 100% Exempt Veteran Owner of Block 5 Lot 678 Cancellation of Taxes for the Remainder of First Half 2024 “Authorizing Taxes be Remitted (Cancelled) for 2024” – 38 Belton Street
- H. Resolution No. 070-2024 – Resolution Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 5 Lot 678 for Tax Year 2024 and the Cancellation of Taxes for First Half of 2024 and Refund of Taxes Paid for 1st Quarter in 2024 – 38 Belton Street
- I. Resolution No. 071-2024 – Resolution for 100% Exempt Veteran Owner of Block 278 Lot 603 Cancellation of Taxes for the Remainder of First Half 2024 “Authorizing Taxes be Remitted (Cancelled) for 2024” – 10 Woodland Road
- J. Resolution No. 072-2024 – Resolution Authorizing 100% Disabled Veteran Exempt Status to Owner of Block 278 Lot 603 for Tax Year 2024 and the Cancellation of Taxes for the First Half of 2024 and the Refund of Taxes Paid for 1st Quarter in 2024 – 10 Woodland Road
- K. Resolution No. 074-2024 – Authorization to Purchase Firefighter Protective Clothing and Equipment under the State of New Jersey Cooperative Purchasing Program for budget Year 2024
- L. Resolution No. 075-2024 – Resolution Authorizing the Submission of a \$1,500 Grant to the Association of New Jersey Environmental Commissions (ANJEC) for 2024 Open Space Stewardship Grant for Environmental Commission
- M. Resolution No. 076-2024 – Participant Resolution – LEAP Implementation Grant
- N. Resolution No. 077-2024 – Resolution of Approval Allowing the Lenape Blazers Softball Team to Install Backstop Covers at the Neil Gylling Park During Their 2024 Season

	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 – April 17, 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 – 2nd Reading / Public Hearing

ORDINANCE 005-2024 - AMENDED ORDINANCE FOR ADMINISTRATION & HOURLY POSITIONS SALARY AND WAGES FOR THE YEAR 2021-2026

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

BE IT RESOLVED that Ordinance No. 005-2024 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ORDINANCE 006-2024 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR IMPROVEMENTS OF VARIOUS STREETS AND LOCATIONS IN AND BY THE TOWNSHIP AND TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$100,000.00

Purpose Statement: Reconstruction and Resurfacing of Various Streets and Locations in and by the Township including without limitation, Stonehedge Lane, Manor Drive, Birch Parkway, Mayfair Lane, Bridget Lane, Sandra Lane, Catalina Drive, & Camelot Drive and other streets and roads in the Township to be determined including reconstruction of culverts and headwalls and all curbing, drainage facilities/inlets, landscaping, reclamation, milling, structures, roadway surfaces including milling and paving, oil and stone, cape sealing or similar application, materials, equipment, site work and engineering costs.

	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 Ordinance No. 006-2024 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

Noise Ordinance - Reviewed the Hopatcong Ordinance and the Byram Township public nuisance ordinance. Mr. Sabatini recommends establishing a public health subcommittee. This will be very difficult to define and will need guidance from the Township Attorney. Will also need to work with the Police Department and the County to establish an ordinance that will work for our township. Mr. Sabatini recommended approaching the County to enforce the noise complaint first before bringing it to the municipal level. Mayor Rubenstein has concerns with the county accessibility. They will approach it first with the county and see where that goes first.

Fire Truck Next Steps – Councilman Gallagher and Mayor Rubenstein has been working with the fire department and have been given an estimate at \$1.26 million to replace two pieces of apparatus with one. The mayor suggested the council being involved with the engagement of the manufacturer in the purchase of the truck. Will reach out the manufacturer (Ferrara) and see if they can attend a future council meeting.

FUTURE AGENDA ITEMS

PUBLIC PARTICIPATION II

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

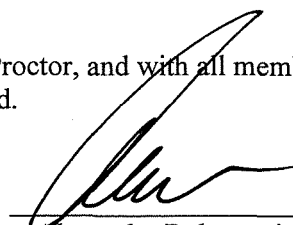
Daniel Conroy – suggested making donations or fundraising to help the school with the funding they have lost.

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 9:31 p.m. All members were in favor. Motion carried.


Cynthia Church, RMC
Township Clerk


Alexander Rubenstein, Mayor