

BYRAM TOWNSHIP SPECIAL COUNCIL MEETING - NOVEMBER 2, 2020
EXECUTIVE SESSION – 6:00 P.M.
REGULAR SESSION – 7:30 P.M.

CALL MEETING TO ORDER

Mayor Rubenstein called the meeting to order at 6:01 p.m.

OPEN PUBLIC MEETING STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice of this meeting has been provided to the New Jersey Herald and the Sunday Herald in our annual notice, 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, bulletin board of the Municipal Building, and 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

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, 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:

- a. Contract Negotiations
-Labor Counsel Interviews
- b. Attorney Client Privilege Communication
- General
- Property Maintenance - Block 220 Lot 25 & Block 336 Lot 23
- Forest Lakes Drive – Potholes
- LES
- c. Personnel - PD

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	x
No					
Abstain					
Absent					

Certification: I certify that the Byram Township Council adopted the above resolution on November 2, 2020.
Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - The Mayor stated that the Council meeting was called to order at 6:00 p.m. at which time the Council went into executive session. The Mayor reopened the meeting at 7:34 pm.

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA - Motion by Councilman Bonker, second by Councilwoman Franco to approve the agenda. All members in favor. Motion carried.

MANAGER AND COUNCIL REPORTS

Manager’s Report – The next Council meeting will be November 9, 2020 at 6:30 p.m. for Park Specialist interviews, and a regular meeting on November 16, 2020 with executive session 6:00 p.m. Joe advised that the Senior Bus Service will be suspended for 4-6 months because the bus driver is going on medical leave. We will be referring existing riders to the Sussex County Skylands Ride. Joe also reported that there were significant increases in PERS and PFRS pension numbers.

Mayor Rubenstein

- The Mayor provided a Planning Board Update: On October 29th WaWa was before the Planning Board to continue their application. They will return on November 19, which could finalize their application.
- Byram Twp BOE - Last Friday was Bryan Hensz last day. He was replaced by Mr. Fritzky, who was the principal of Byram Intermediate School.
- Peter Pfaffenroth who was the Planning Board/Zoning Board attorney passed away.

Councilman Bonker – Last Saturday Ray officiated a wedding for two residents of Byram. The flower girl was holding a pumpkin with the wedding rings attached--it was a wonderful wedding!

Councilwoman Franco – No report

Councilman Gallagher - Jack provided a Recreation Committee update. There wasn't a quorum at last recreation meeting. Tree lighting is scheduled for December 6th. It will be a drive-up event. Santa Around Town on the Fire Truck will occur the weekend of December 19th and 20th.

Councilman Roseff – Attended an awards ceremony that focused on the education system, in particular, the Board of Education. The Environmental Commission held their last training session for invasive species. It was well attended.

PUBLIC PARTICIPATION 1– 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 and opened to the public.

Nicole Cunha, 3 Knute Drive, stated that they have been having issues with cats reproducing. They have called out animal control but haven't gotten anywhere. Animal Control says that would have to call Byram Township. Byram then refers people to BARKS. BARKS said they can offer Byram a discount if they can help in this situation. Joe Sabatini stated that he is familiar with the situation. Our ACO has been out several times but hasn't seen any of the cats. Byram Township is not a rescue organization but in the past has worked with BARKS on some situations. Nicole says when the ACO comes out they only stay for a few minutes which is why they don't see the cats. She asked if there could be better protocol to help the situation. Alex stated that the Township will follow up.

Jack Moran, 7 E. Waterloo Road, asked about the East Brookwood Ingress/Egress. Joe stated that it is scheduled to be on the next meeting. Jack asked about NJ Natural Gas, and Alex stated that he will follow up. He also asked about the Energy Aggregation status. Alex stated that staff will follow up because we haven't heard from them. Verizon has posted an escrow. We will set up an escrow account so that our professionals can start reviewing the draft agreement that was sent to us.

Corrine Price, 7 Roger Drive, commented about the kittens. She said that the ACO came out and saw the kittens and they didn't do anything about it. They did not make any attempt to trap them and didn't make any follow up effort. Joe stated that we will notify our ACO to do an investigation and also see if BARKS will work with us.

Skip Danielson, 18 Hunters Lane, asked about the Veteran's Day Ceremony. Alex will reach out to Skip to see if he can help. Skip asked if there is anything new on the proposed municipal building. Joe stated that the Nader Group provided Joe with preliminary plans and the Chief and Joe provided comments back to the Nader Group on them. They should present us with final plans hopefully by the next meeting. Skip recognized the passing of Attorney Peter Pfaffenroth on October 24 and expressed his admiration for him and highlighted some facts about his past.

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

APPROVAL OF MINUTES

- Motion by Councilman Bonker, second by Councilwoman Franco to approve the October 20, 2020 Regular & Closed Session Minutes.

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

- Motion by Councilwoman Franco, second by Councilman Gallagher to approve the October 22, 2020 Special Meeting Minutes.

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

- Motion by Councilman Gallagher, second by Councilwoman Franco to approve the October 27, 2020 Regular & Closed Session Minutes.

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

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 Councilman Bonker, second by Councilwoman Franco to approve the consent agenda.

- A. Resolution No. 177-2020 – Applicant’s Resolution Local Government Emergency Fund (CRF) Grant - \$11,045.04
- B. Resolution No. 178-2020 - Authorization to Repair and Perform Preventative Maintenance for Fire Water Pumps on Motorized Fire Apparatus under the Morris County Cooperative Pricing Council for Budget Year 2020
- C. Resolution No. 179-2020 – Resolution to Transfer 2020 Budget Appropriations – Current Fund
- D. Resolution No. 180-2020 – Authorization for the Purchase of one (1) 2020 Chassis F550 Regular Cab with Optional Equipment for the Township of Byram Department of Public Works – Not to exceed \$50,480.00

We negotiated with the insurance company from the result of damage caused to the truck from the storm. We will be getting a check for \$30,000 from the insurance company, and salvaging some of the equipment from the damaged truck. The cost of the truck will be offset by \$30,000.

	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 NOVEMBER 2, 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					

ORDINANCE – 2nd Reading / Public Hearing

Ordinance No. 013-2020 - An Ordinance to Authorize a Capital Expenditure for Technology Upgrades for the Township to Provide Funding in the Amount Not to Exceed \$25,000.00

Purpose Statement: Technology Upgrades for the Township including a server for the administrative offices, software migration, workstations and all related costs incidental thereto fully funded by Capital Improvement Fund.

Motion by Councilman Bonker, second by Councilwoman Franco to adopt Ordinance No. 013-2020. Mayor Rubenstein open to the public for comment. No comments made.

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

Be It Resolved that Ordinance 013-2020 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

Amended Ordinance for Administration & Hourly Positions Salary and Wages for the Year 2018-2021

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

	Councilman Bonker	Councilwoman Franco	Councilman Gallagher	Councilman Roseff	Mayor Rubenstein
Motion		x			
2 nd			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 16th day of November, 2020 at 7:30 p.m., on an audio conference call using Zoom 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.

DISCUSSION ITEMS

- A. Technology Plan - Alex informed the Council that Phil Crosson found a grant which is on tonight’s agenda that could be used for technology. Hopefully, we are successful in being awarded this grant. Chrome Books seem to be a viable solution to use for the Council members. The cost is approximately \$415 for a chrome book, headset and mouse. Eventually, the paperless process could be rolled out for the Planning Board. Ray thinks this is a great start but it’s part of a bigger concerted effort. This is an attempt at bring Byram Township into the 21st century by automating our workflow, and paper packets will become a thing of the past. We all agreed in our goals and objection session to improve our technology, and he is extremely happy that we are moving forward. Cris asked if we want to electronically send the confidential information. Alex stated that we have been sending confidential material in the packet to the council members for the past year. Harvey would like to see a good use of Adobe Acrobat to have keywords searchable. Alex stated that we can get to keyword searchable but links may not happen until we get an agenda management program. Alex stated that a member of the public would like to see the Council use video. With the new chrome books, the Council would be able to use video, and they were in agreement to do so.

- B. Sports Equality - Councilman Bonker would like to move to sports equality. He is extremely happy with the efforts we have been making on improvements of sports facilities over the years. Ray would like to see DPW in 2021 line all sports fields after each sport has done the initial setup. Byram does pay for the electricity for lighting for the football fields, while other fields are not lit. Alex asked what it would cost to line the fields in 2021. Joe said that there has to be a clear, distinct policy what and when the fields would be lined, there will be a capital expenditure to buy equipment. This will have an impact on staff because the line painting would take place before the summer help is employed. Harvey said that this request should be priced out and considered for 2021 budget and prioritized against all other requests. Jack asked what we do today. Joe said we paint lines for softball, baseball and football. Joe thinks the 1st year capital expense would be approximately \$10,000, and each year after that about \$5000 in paint. Joe is concerned about the manpower hours doing this on a weekly basis. There were inquiries made to other towns in Sussex County and many of the towns stated that they do not paint the lines for the sporting groups. Sparta has a large recreation department with seven full time park employees, and they run all the sporting programs through the Recreation Department. Ray is looking for a commitment tonight from a majority of the Council that they will build into the 2021 budget line painting for all sports. Harvey and Alex would like to see some hard costs first and look at it as part of the 2021 budget. Cris totally agreed with Ray that it is important to have sports equality. Joe stated that football only has one field, and we do paint the lines. We paint the outfield lines on softball and baseball fields but not the infield or the batter boxes. We maintain the soccer fields and frequently move equipment around for them. Through the years there has been varying policies and at times some things were done on a handshake deal. Alex asked if the Council should think about not painting the fields for anyone and provide some equipment for them instead. Ray thought about that approach, but he doesn’t want to go there. He wants to be proactive and provide equality. Joe said that he will present a budget for review for line painting, equipment and manpower.

Future Agenda Discussion Items: Alex stated that the Waterloo Church is operating a food pantry out of a school in Netcong, but they will be losing their home and are looking for a new space. They have asked if Byram could house the food pantry. Ray Bonker does not recommend using municipal space for a food pantry. The church that Ray belongs to has a food pantry that previously was on municipal property. It wasn’t successful until it was moved to the basement of the church and ran totally independent.

Ray Bonker asked what meeting the architect would come to. Joe Sabatini is waiting for the final plans and asked how the Council would want to handle it as a future agenda item. Ray Bonker would like to see any material Joe has and hopes to get the architect in front of the Council asap. Jack thought Joe should wait until he has the final design documents and then share those with the Council, since there was going to be some revisions. Joe will reach out to the architect on Tuesday and ask when the final design documents will be delivered to Byram.

Jack Gallagher asked for an update on the DPW improvements and Finance Department improvements. Joe Sabatini stated that Finance Department is done, and DPW improvements are almost done. The generator will be installed either this week or next.

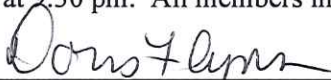
PUBLIC PARTICIPATION II - The Mayor opened to the public.

Skip Danielson, 18 Hunters Lane, provided some history on sports fields over the last 50 years. Skip thanked Joe Sabatini for providing the facts covering the last 20 years. He agrees that there should be sports equity. Ray Bonker stated that he does remember all the fields that Skip talked about and hasn't forgotten how it all started and the progress made in Byram.

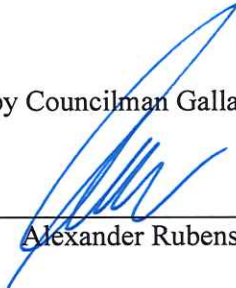
Ray Bonker asked Joe to go over the increases on the PERS and PFRS. Ray stated that the increases are outrageous. Joe Sabatini said that he has been working on the budget and right now it is at a 2-1/2% increase. He is hoping to bring that down. The Manager is aiming to make a revenue presentation at the next meeting or 1st meeting in December. Joe is also waiting on the outcome of the police grievance on healthcare.

The Mayor closed to public.

ADJOURNMENT – Motion by Councilwoman Franco, second by Councilman Gallagher to adjourn the Council meeting at 9:30 pm. All members in favor. Motion carried.



Doris Flynn, Municipal Clerk



Alexander Rubenstein, Mayor