

BYRAM TOWNSHIP COUNCIL MEETING - JANUARY 19, 2016

CALL BUDGET WORKSHOP MEETING TO ORDER

Deputy Mayor Gray called the meeting to order at 6:05 p.m.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting has been made in accordance with the Open Public Meetings Act, NJSA 10:4-6.

ROLL CALL

Councilwoman Raffay, here; Deputy Mayor Gray, here; Councilman Olson, here; Councilwoman Kash, here; Mayor Oscovitch, absent. Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Doris Flynn were also present.

BUDGET WORKSHOP

The budget for the Department Heads started back in August. Each one had to present their 2016 operating budget and state justification if a line item is changing from last year. The budget started at 3.1%. The current draft budget plan as presented is an increase of \$202,487 or 2.5% of the amount to be raised by taxes. To reduce to only a 2% increase, it would require an additional \$40,000 reduction of the current budget plan.

Dave Gray asked if the fire truck has already been funded. Joe stated that the Fire Truck and the Ambulance Remount are already accounted for in prior bond ordinances.

Joe wants to keep the budget in the Construction Department the same. They will be changing some line items so that another computer can be purchased and possibly a new software program.

Dave Gray asked the Police Chief what was the time line of hiring a new officer. Chief Peter Zabita outlined the process.

David Gray asked the Manager to review the Tax Assessment salary and wage line item. Joe stated that the line item is made up of the Tax Assessor's salary and half of the clerical employee's salary. Joe explained the operating budget.

Scott Olson asked about the Fire Department's budget. Ashleigh and Joe met with Todd to review the budget. Overall, Todd is ok with the budget. He would like to prioritize throughout the year and reallocate line items. Joe stated that it was a very good meeting.

Joe announced that he will be putting together a 3 year capital budget. He will need to have another capital subcommittee meeting prior to the capital discussion. The radio project could be \$500,000. The radio meeting went well, and Scott stated that he was happy that we went this route.

Streets and Roads – Amity Road, Lynn Drive, and Forest Lakes Drive need to be done. We may do a new Cape and Seal Improvement on Forest Lakes Drive. If we had to choose between Amity Road and Lynn Drive, Joe feels we need to prioritize Lynn Drive. Lynn would be a mill and pave with some engineering work needed.

Marie asked if the Council was ok with the 2.5%. Scott said that he would like to see the budget at 2%. The Council had a discussion on possible areas to cut, and what the implications would be from doing that. After that review, there was consensus that they would accept 2.5%.

Ashleigh and Joe will work to put together the sewer budget. There are some issues at the pump stations. CP Engineering's capital report will be reviewed, and they will come up with a plan to work on the substations. The capital program will need to be put together. Joe is planning on introducing the budget during the first meeting in March.

David thanked the Department Heads for coming out.

Motion to adjourn by Councilman Olson, second by Councilwoman Raffay. All in favor. Motion carried.

CALL REGULAR COUNCIL MEETING TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE

APPROVAL OF AGENDA – Motion by Councilman Olson, second by Councilwoman Raffay, to approve the agenda. All members were in favor. Motion carried.

APPROVAL OF FIRE FIGHTERS

Adam Varian and David Blakely were sworn in by Deputy Mayor Gray.

Deputy Mayor Gray read the following:

“It is with a heavy heart that I turn our attention to the recent passing of Eskil Scott Danielson, a true friend of Byram Township.

Some of Scott’s achievements include:

- 3-Term Councilman of Andover Borough
- 35-year member of Lakeland Emergency Squad
- Past Chief of Lakeland Emergency Squad
- Division Manager of Warren County’s 9-1-1 Emergency System

However, his most noteworthy achievements are those that are not cited in the many newspapers honoring his life, and those are:

- Hero. As an emergency squad member, Scott helped save the lives of many people during his lifetime.
- Generous Friend. Scott took time out of his day to help Byram in many ways, most recently in improving our radio system to better handle emergency communications.
- Family Man. Scott clearly loved his family and his family supported him while he generously gave of his time to help others.

There is no more noble an honor than to respect the life of a man who devoted himself to helping the public. Scott was truly a great citizen. Byram Township pays tribute to his generous life which was cut too short.

At this time, please join me in a moment of silence to pay respect to the life of Eskil Scott Danielson.”

TOWNSHIP MANAGER/COUNCIL REPORTS

Manager

- Joe stated that he knew Scott for a very long time. He grew up with Scott and was in the same graduating class at Lenape Valley High School. Scott has been with the Lakeland Emergency Squad for 35 years, starting as a cadet at the age of 14. Joe greatly appreciated his service and he will be missed by all.
- The plan is to introduce the budget at first meeting in March and adopted the first meeting in April. There will be a capital budget discussion at the first meeting in February.
- Attended the Lakeland Emergency Squad installation dinner on Saturday. It was a difficult night because the sad news about Scott Danielson was announced during the dinner.
- Reported that we still are in need of volunteers on our committees and boards.

Councilwoman Kash reported that there is a Recreation Committee meeting on January 20. Nisha also expressed her condolences on the passing of Scott Danielson.

Councilman Olson

- Echoed David’s comments about Scott Danielson, and said it is a tremendous loss. Although Scott did not know him well, he appreciated the help he gave Bryam with his expertise on radio communications.
- Attended the Radio Committee meeting on January 12. Working on a switch over on tower sites. The problem that the Fire Department was having on the low band pagers has already been addressed.
- February 8 is Open Space meeting at 7:30 p.m.
- February 11 is the public workshop for the Economic Steering Committee

Councilwoman Raffay

- Marie echoed David’s comments and expressed her condolences to the Danielson family
- Planning Board meets on January 21 at 7:30 p.m.

Deputy Mayor Gray – Attended the Southern Sussex County Chamber of Commerce meeting last week. There was some good dialogue and people were interested in hearing about the outcome of the survey. There is an Environmental Commission meeting on January 28 at 7:30 p.m.

Attorney Tom Collins – Updated the Council on the Declaratory Judgment and Econsult’s report

PUBLIC PARTICIPATION I

Motion by Councilman Olson, second by Councilwoman Kash, to open to the public. Jackie Espinoza, JCP&L representative, spoke about new guidelines on tree maintenance. She also commented that Sussex County Day is on May 1 at SCCC. Motion by Councilman Olson, second by Councilwoman Kash to close to the public.

APPROVAL OF MINUTES

- January 5, 2016 – Regular Minutes - Motion by Councilman Olson, second by Councilwoman Kash, to adopt the minutes as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd	x				
Yes	x	x	x	x	
No					

Abstain					
Absent					x

- January 5, 2016 - Executive Meeting Minutes –Motion by Councilman Olson second by Councilwoman Kash to adopt the minutes as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd	x			x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

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 Olson, second by Councilwoman Kash to approve the consent agenda.

- Approval of Raffle – 50/50 and Tricky Tray – Byram Twp. Education Foundation on March 12, 2016 at Byram Intermediate School
- Resolution No. 38-2016 – Authorize Refund of Redemption Monies to Outside Lien Holder

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2 nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

APPROVAL OF JANUARY 19, 2016 BILL LIST

Motion by Councilwoman Kash second by Councilman Olson to approve the bill list as presented.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion				x	
2 nd		x	x		
Yes	x	x	x		
No					
Abstain					
Absent					x

ORDINANCE 2nd Reading / Public Hearing

ORDINANCE 1-2016

BE IT RESOLVED that Ordinance 1-2016 entitled “Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank N.J.S.A. 40A: 4-45.14” be read by title on second reading and a hearing held there thereon. Motion by Councilman Scott Olson, second by Councilwoman Nisha Kash to adopt the ordinance. Deputy Mayor Gray read the purpose statement. Motion by Councilwoman Marie Raffay, second by Nisha Kash, to open to the public.

Luann Byrne, 34 Richmond Road, asked why we have to do this every year and questioned if the cap amount accumulates. Joe explained the process briefly and stated that the cap amount does increase over 3.5%. Motion by Councilman Scott Olson, second by Councilwoman Marie Raffay to close to the public. All in favor. Motion carried.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2 nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

Be it Resolved that said Ordinance is passed on final reading and that a notice of final passage be published in the official designated newspapers according to law.

ORDINANCE 2-2016

BE IT RESOLVED that Ordinance 2-2016 entitled “Amend Ordinance for Administration and Hourly Positions Salary and Wages for the years 2013-2016” be read by title on second reading and a hearing held there thereon. Motion by Councilwoman Kash, second by Councilman Olson to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Kash to open to the public,

Luann Byrne, 34 Richmond Road, asked what salaries have been amended. Joe explained that the Zoning Officer’s hours have been increased, and therefore, the salary had to amended, which was the only change Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. All in favor.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion				x	
2nd			x		
Yes	x	x	x	x	
No					
Abstain					
Absent					x

Be it Resolved that said Ordinance is passed on final reading and that a notice of final passage be published in the official designated newspapers according to law.

ORDINANCE 3-2016

BE IT RESOLVED that Ordinance 3-2016 entitled “Amend Ordinance for Police Salary and Wages for the years 2016-2017” be read by title on second reading and a hearing held there thereon. Motion by Councilman Olson, second by Councilwoman Kash to adopt the ordinance. Motion by Councilwoman Raffay, second by Councilwoman Kash to open to the public.

Luann Byrne, 34 Richmond Rd., asked what was being amended in this ordinance. Joe said there was a contract extension for 2016 and 2017, which increased salaries by 2% each year. Luann stated that the average medium income in the United States has gone down over the past several years. She feels the salaries are very high and hoped that the Council will work to get this under control. Motion by Councilman Scott Olson, second by Councilwoman Marie Raffay to close to the public. All in favor. Motion carried.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

Be it Resolved that said Ordinance is passed on final reading and that a notice of final passage be published in the official designated newspapers according to law.

ORDINANCE – Introduction / First Reading

- Be it resolved that ordinance entitled “Ordinance of the Mayor and Council of the Township of Byram authorizing “Bring Your Own Bottle” (“BYOB”) Wine and Beer Consumption at Table-Service Restaurants” be read by title on first reading.

Purpose Statement: The purpose of this ordinance is to repeal the existing ordinance code section 82-9B, which prohibits “Bring Your Own Bottle” (“BYOB”) wine and beer consumption at unlicensed premises in the Township of Byram and to authorize “Bring Your Own Bottle” (“BYOB”) wine and beer consumption at table-service restaurants.

Motion by Councilman Olson, second by Councilwoman Kash to introduce this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd				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 Tuesday, February 2, 2015 at 7:30 p.m. at the Byram Municipal 10 Mansfield Drive, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

- Be it resolved that ordinance entitled “An Ordinance of the Township of Byram, County of Sussex, State of New Jersey amending Chapter 164 entitled “Licensing” to Establish a No Solicitation List and Modify Hours of Operation and Fees” be read by title on first reading.

Purpose Statement: The purpose of this ordinance is to establish a “No Solicitation List” and modify hours of operations for peddlers, hawkers and vendors.

Motion by Councilman Olson, second by Councilwoman Raffay to introduce this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd	x				
Yes	x	x	x	x	
No					
Abstain					
Absent					x

- Be it resolved that ordinance entitled ”An Ordinance Amending Chapter 240 Zoning of the Township of Byram Code” be read by title on first reading.

Purpose Statement: The purpose of this ordinance is to clarify various sections in the Byram Land Use Code and the Residential Schedule of Space Requirements.

Motion by Councilwoman Raffay, second by Councilwoman Kash to introduce this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion	x				
2nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

- Be it resolved that ordinance entitled “An Ordinance to Amend the Appendix A; Fee Schedule, to the Code of Byram Township” be read by title on first reading.

Purpose Statement: The purpose of this Ordinance is to amend the Fee Schedule to update changes in Chapter 287-4 Miscellaneous Fees, Licensing.

Motion by Councilman Olson, second by Councilwoman Kash to introduce this ordinance.

	Councilwoman Raffay	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd				x	
Yes	x	x	x	x	
No					
Abstain					
Absent					x

PUBLIC PARTICIPATION II – Motion by Councilman Olson, second by Councilwoman Raffay to open to the public. All members in favor. Motion carried. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay to close to the public. All members in favor. Motion carried.

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. Attorney Client Privilege Communication – General
 - Sewer Issues
 - LMRPB
- b. Personnel – Staffing
 - Compensation for witnesses
 - Health Benefits – PBA Retirees
 - Emergency Management Coordinator and Deputy

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 January 19, 2016.

Doris Flynn, Municipal Clerk

RETURN TO OPEN SESSION - Motion by Councilman Olson, second by Councilwoman Raffay to return to open session at 10:00 p.m. All members were in favor. Motion Carried.

ADJOURN

On the motion of Councilman Olson, second by Councilwoman Raffay, and with all members in favor, the meeting was adjourned at 10:00 p.m. Motion carried.

Doris Flynn, Municipal Clerk

David Gray, Deputy Mayor