

**TOWNSHIP OF BYRAM
COUNCIL AGENDA, MONDAY, NOVEMBER 16, 2015
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION– 7:30 P.M.**

- 1. CALL MEETING TO ORDER**
- 2. OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this meeting has been made in accordance with the Open Public Meetings Act, NJSA 10:4-6 by forwarding the annual notice to the New Jersey Herald posting the agenda on the bulletin board located in the Council Meeting Room and the Township website and by filing same with the Township Clerk.
- 3. ROLL CALL**
- 4. RESOLUTION FOR EXECUTIVE SESSION**
 - a. Attorney Client Privileged Communication
 - General
 - PEG Bandwidth
 - LLIC Dredging
 - Cranberry Lake Fire Lanes
 - b. Contract Negotiations
 - PBA
- 5. RETURN TO OPEN SESSION**
- 6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
- 7. APPROVAL OF AGENDA**
- 8. 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.
- 9. REPORTS**
 - Township Manager
 - Mayor and Council Members
 - Township Attorney
- 10. APPROVAL OF MINUTES**
 - November 2, 2015 Regular Meeting Minutes
 - November 2, 2015 Closed Session Minutes
- 11. 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.
 - A. Resolution No. 172-2015 – Resolution for Cancellation of Unexpended Balances of Improvement Authorizations
 - B. Resolution No. 173-2015 – Authorize Refund of Redemption Monies to Outside Lien Holder
 - C. Resolution No. 174-2015 – Cancellation of Grant Receivable and Reserve
 - D. Resolution No. 175-2015 – Resolution to Transfer 2015 Budget Appropriations Current Fund
 - E. Resolution No. 176-2015 – Resolution to Set Fixed Asset Inventory Threshold
 - F. Resolution No. 177-2015 – Resolution for Cancellation of Capital Fund Reserve
 - G. Resolution No. 178-2015 – Resolution Approving and Authorizing the Execution of an Assignment of License Agreement Between One Main Street Sparta, L.L.C. and Public Service Electric and Gas Company to the Township of Byram
- 12. APPROVAL OF NOVEMBER 16, 2015 BILL LIST**
- 13. ORDINANCE – Introduction**

Ordinance of the Township of Byram to Accept the Dedication of Catalina Drive as a Public Street
- 14. DISCUSSION**
 - Borough of Hopatcong Ordinance regarding restructuring the Department of Health and Environmental Services
 - Proposed Guide Rail Improvements – PSE&G Settlement Funds
 - Municipal Complex Programming Report – Modification of Summary of Spaces
- 15. PUBLIC PARTICIPATION II**
- 16. EXECUTIVE SESSION – Session II (if necessary)**
- 17. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY**
- 18. ADJOURNMENT**

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 172 – 2015**

Resolution for Cancellation of Unexpended Balances of Improvement Authorizations

WHEREAS, the Township of Byram adopted the following Ordinance:

<u>Ord. #</u>	<u>Improvement Description</u>	<u>Date</u>	<u>Amount</u>
07-10	Various Capital Improvements	06/07/10	\$425,000.00

AND WHEREAS, all purchases and agreements have been completed and there remains an unexpended balance;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Byram, County of Sussex, New Jersey, that the Chief Financial Officer cancel the unexpended balances of the funded ordinance to Fund Balance as follows:

<u>Ord. #</u>	<u>Improvement Description</u>	<u>Date</u>	<u>Amount</u>
07-10	Various Capital Improvements	06/07/10	\$3,874.26

BYRAM TOWNSHIP COUNCIL						
COUNCIL MEMBER	Councilman Gray	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch	
Motion						
2nd						
Yes						
No						
Abstain						
Absent						

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on November 16, 2015.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 173 - 2015**

“Authorize Refund of Redemption Monies to Outside Lien Holder”

WHEREAS, at the Municipal Tax Sale held on November 18, 2014 a lien was sold on Block 172 Lot 17 also known as 7 Laurel Tr., for 2013 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2014-005, was sold to US Bank cust for PC5 Sterling National at 0% interest with a premium in the amount of \$6,100.00; and

WHEREAS, Barbara J. Carkhuff, owner of said property has affected a redemption of certificate #2014-005 in the amount of \$11,,107.40;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram that this Governing Body acknowledges that US Bank cust for PC5 Sterling National is entitled to the redemption in the amount of \$11,107.40 as well as the return of a premium in the amount of \$6,100.00; and

BE IT FURTHER RESOLVED, that the Certified Finance Officer be authorized to issue a check in the total amount of \$17,207.40 for the redemption of certificate #2014-005 payable to US Bank cust for PC5 Sterling National, 2 Liberty Place, 50 So. 16th Street, Suite 2050, Philadelphia, PA 19102-2513.

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Township Council of the Township of Byram at a regular meeting of said Governing Body conducted on Monday, November 16, 2015.

Doris J. Flynn, RMC

**TOWNSHIP OF BYRAM
RESOLUTION NO. 174 - 2015
CANCELLATION OF GRANT RECEIVABLE AND RESERVE**

WHEREAS, there is a Grant Receivable and Reserve balance that is open and in need of cancellation; and

WHEREAS, said grant is for 2014-2015 Municipal Alliance Grant in the amount of \$104.07 and all payments in relation to this grant have been made and the grant has been closed-out;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, that the Chief Financial Officer cancel the above stated Grant Receivable & Reserve.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	<i>Councilwoman Raffav</i>	<i>Councilman Gray</i>	<i>Councilman Olson</i>	<i>Councilwoman Kash</i>	<i>Mayor Oscovitch</i>
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on November 16, 2015.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 175 – 2015**

**RESOLUTION TO TRANSFER 2015 BUDGET APPROPRIATIONS
CURRENT FUND**

WHEREAS, the Township of Byram has researched new time & attendance reporting systems to assist in streamlining the current manual system; and

WHEREAS, a new computerized system will also assist in determining Affordable Care Act reporting requirements; and

WHEREAS, the cost of the new equipment to implement is approximately \$6,000.00; and

WHEREAS, the 2015 Township Budget Appropriation to fund the aforesaid mentioned system is insufficient through the end of the fiscal year, and certain 2015 budget appropriations are expected to have funds available to offset this expenditure request;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, (not less than two-thirds thereof affirmatively concurring) that the transfers as listed between 2015 Township Budget Appropriations be made in the Current Fund:

<u>Department</u>	<u>Account Number</u>	<u>Amount – From:</u>	<u>Amount – To:</u>
General Admin OE – Printing	01-201-20-100-207	\$ 3,000.00	
Mayor & Council OE – Sem & Mt	01-201-20-110-203	\$ 3,000.00	
Financial Adm OE – Misc.	01-201-20-130-272		\$ 6,000.00

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilwoman Raffav	Councilman Gray	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on November 16, 2015.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 176 – 2015**

Resolution to set Fixed Asset Inventory Threshold

WHEREAS, Technical Accounting Directive #86-2 took effect in 1986, and this TAD requires local units to create and maintain a fixed asset accounting system for their physical assets; and

WHEREAS, the Township of Byram is in need of updating the general fixed assets records; and

WHEREAS, it is necessary for the Township of Byram to establish a minimum value of all accountable fixed assets to provide a standard of control;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Byram, County of Sussex, State of New Jersey - does hereby authorize the following:

1. Current and future property of the Township of Byram having a value of one-thousand dollars (\$1,000.00) or more shall be entered on the Fixed Asset Inventory accounting ledger.
2. All firearms, regardless of value will be entered on the Fixed Asset Inventory accounting ledger.
3. All computer equipment including laptops, desktops & printers, regardless of value, will be entered on the Fixed Asset Inventory accounting ledger.
4. All cell phones, portable radios & pagers, regardless of value will be entered on the Fixed Asset Inventory accounting ledger.

BYRAM TOWNSHIP COUNCIL						
COUNCIL MEMBER	Councilman Gray	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch	
Motion						
2nd						
Yes						
No						
Abstain						
Absent						

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on November 16, 2015.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 177 – 2015**

Resolution for Cancellation of Capital Fund Reserve

WHEREAS, the Byram Township General Capital Fund has the following unexpended Capital Reserve;
and

Reserve for Fire Department Grant - \$166.16

WHEREAS, this reserve was dedicated to provide for funding of a future improvement authorization and the payment of debt service; and

WHEREAS, the reserve was utilized in 2014 to provide funding for Bond Ordinance #9-2014 in the amount of \$25,000.00 and the payment of debt service in the amount of \$24,616.00; and

WHEREAS, it is recommended by the Chief Financial Officer that the remaining unexpended Capital Reserve balance be cancelled to Capital Fund Balance

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Byram, County of Sussex, State of New Jersey, that the Chief Financial be authorized to cancel the above referenced Capital Reserve.

BYRAM TOWNSHIP COUNCIL					
COUNCIL MEMBER	Councilman Gray	Councilwoman Rafferty	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on November 16, 2015.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 178 - 2015**

**RESOLUTION APPROVING AND AUTHORIZING
THE EXECUTION OF AN ASSIGNMENT OF LICENSE AGREEMENT
BETWEEN ONE MAIN STREET SPARTA, L.L.C. AND
PUBLIC SERVICE ELECTRIC AND GAS COMPANY TO
THE TOWNSHIP OF BYRAM**

WHEREAS, One Main Street Street Sparta L.L.C., with an address at One Main Street, Suite 9, Sparta, New Jersey 07871 ("Assignor") is a licensee pursuant to a License Agreement dated April 25, 2006 ("the License Agreement"), for a storm drain through and under that portion of the lands of Public Service Electric and Gas Company ("PSEG"), in a right-of-way situated in the Township of Byram ("the property"); and

WHEREAS, PSEG previously granted Assignor pursuant to the License Agreement the right to enter onto the property in order to construct, maintain, repair, alter, renew, relocate and/or remove a storm drain located on the property ("the Assignee rights"); and

WHEREAS, the License Agreement contemplates and authorizes Assignor to assign the Assignee rights granted under the License Agreement to the Township of Byram, without consent of PSEG; and

WHEREAS, Assignor desires to assign the Assignee rights described above and in the License Agreement to the Township of Byram, pursuant to an Assignment of License Agreement dated November 11, 2015, a copy of which is attached hereto as Exhibit A ("the Assignment of License Agreement"); and

WHEREAS, the Assignment of License Agreement has been reviewed by the Township of Byram and its professionals, and is acceptable in form and content.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Byram hereby authorizes the Mayor and Township Clerk to accept and execute the attached Assignment of License Agreement on behalf of the Township of Byram.

BE IT FURTHER RESOLVED that Notice of this action shall be printed once in the official Township Newspaper.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	Councilman Olson	Councilwoman Raffav	Councilman Gray	Councilwoman Kash	Mayor Oscovitch
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing Resolution was adopted by the Byram Township Council at a meeting held on November 16, 2015.

Doris Flynn, RMC
Township Clerk

BYRAM TOWNSHIP
Sussex County, New Jersey

ORDINANCE NO: _____ - 2015

**AN ORDINANCE OF THE TOWNSHIP OF BYRAM
TO ACCEPT THE DEDICATION OF
CATALINA DRIVE AS A PUBLIC STREET**

Purpose Statement: The purpose of this Ordinance is to accept the dedication of Catalina Drive as a public street.

WHEREAS, the Township of Byram Planning Board granted final subdivision approval pursuant to a map entitled "Final Plat," dated February 18, 2005 and prepared by Kolody Engineering & Surveying, which was filed in the Office of the Sussex County Clerk as Map No. 1433 on June 20, 2007; and

WHEREAS, by virtue of the filing of said map and subsequent Deed of Dedication, the road right-of-way of Catalina Drive was dedicated to public use; and

WHEREAS, Township Engineer Cory Stoner, P.E. has certified that the improvements in the relevant subdivision have been satisfactorily constructed and improved in accordance with Township ordinances; and

WHEREAS, the Township Council of the Township of Byram hereby deems it advisable and in the best interests of the Township of Byram to accept the dedication of Catalina Drive in the Township of Byram.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Byram, County of Sussex, State of New Jersey as follows:

SECTION 1. Acceptance. The street described in metes and bounds in the legal description prepared by Kolody Engineering & Surveying and annexed to the Deed for road right-of-way filed in the Office of the Sussex County Clerk, known as Catalina Drive on the Byram Township Tax Map, is hereby accepted as a public street and road in the Township of Byram.

SECTION 2. Severability. If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance. Any ordinance or portion thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

SECTION 3. Effective Date. This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

INTRODUCED: November 16, 2015

ADOPTED: December , 2015

Doris Flynn, Township Clerk

James Oscovitch, Mayor

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