

**BYRAM TOWNSHIP COUNCIL MEETING - MAY 19, 2015**

**CALL MEETING TO ORDER**

Deputy Mayor Gray called the meeting to order at 7:00 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; Councilman 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.

**RESOLUTION FOR EXECUTIVE SESSION** – Motion by Councilman Olson, second by Councilwoman Kash, to go into executive session and adopt the below resolution. Joe Inga was invited into the closed session meeting for the discussion on Fire Prevention.

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

**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. Shared Services –Fire Prevention
- b. Anticipated/Pending Litigation
  - Hopkins
- c. Personnel - Handbook
- d. Attorney Client Privileged Information
  - General
  - Municipal Services Act – Lake Mohawk
  - LES request

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 May 19, 2015.

Doris Flynn, Municipal Clerk

**RETURN TO OPEN SESSION** - Motion by Councilwoman Raffay, second by Councilwoman Kash to return to open session at 7:30 p.m. All members were 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 Kash, to approve the agenda. All members were in favor. Motion carried.

**PUBLIC PARTIPATION I** –Motion by Councilwoman Raffay, second by Councilman Olson to open to the public. All members were in favor. Motion carried.

Ken Fox from Fox Architectural, came for an interview. There was a mix up in the notification and Deputy Mayor Gray informed him that the interviews are scheduled on May 27 at a special meeting. The clerk apologized for the mix up.

Harold Wyckoff, Acorn Street, said that BMOPOA has scheduled their annual meeting on May 27 in our court room. Deputy Mayor Gray said that they can use the room and the Council will hold the interviews in the administration offices.

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

**TOWNSHIP REPORTS**

**Manager’s Report:**

Memorial Day Service will be held at 10 a.m. at the Veteran’s monument and the Fire Department will host the Memorial Day parade at 10:30. The parade starts at the fire house and ends at the Cranberry Lake bridge.

**Councilwoman Kash**– Miss Byram and Royalty Court contest will be held on May 20<sup>th</sup> at the Fire House. Pitch, Hit and Run will be held on May 31 at 2 p.m. at COJohnson.

**Councilman Olson**

- The next regularly scheduled Council meeting is on Monday, June 1 – primary day is on June 2 and the court room is used for voting.
- Attended the EDAC meeting on May 14. There is Byram Business Owner’s Association meeting at Trout and the Troll on May 21.
- Attended a meeting at Sparta municipal building to review dispatch services. This is a lengthy process and not as easy to make decision as people think.
- The Byram Twp. Historical Society will be making a scholarship presentation at our next meeting.

**Councilwoman Raffay**

The next Planning Board meeting is May 21<sup>st</sup> at 8 p.m.

**Deputy Mayor Gray** –Board of Health meeting on May 26 and Environmental Commission meeting on May 28. The Council received a letter from Byram Twp. Historical society, which thanked the township for their \$1000 donation. David Gray reported some sad news: A long time resident of Byram and member of the Byram Twp. Historical Society, Violet Sundberg, passed away. Bill Alvarez passed away, who was a long time summer resident of Cranberry Lake.

**APPROVAL OF MINUTES**

- May 5, 2015 - Regular 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	
Yes	x	X	x	x	
No					
Abstain					
Absent					x

- May 5, 2015 - 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	
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 Councilwoman Kash, second by Councilman Olson, to approve the consent agenda.

- Resolution No. 77–2015 – Resolution of Support to Establish the Traffic Regulations along Route 206 between Acorn Street and 2152 Feet North of Lackawanna Drive

- Resolution No. 78-2015 – Resolution Awarding a Bid to Provide Jet Vac Stormwater Cleaning Services to Stormwater Compliance Solutions
- Resolution No. 79-2015 – Resolution Authorizing the Execution of a Lease Agreement and Shared Services Contract for Community Animal Impound Services between the Township of Byram and Byram Animal Rescue Kindness Squad Inc. (BARKS)
- Resolution No. 80-2015 – Resolution for the 2016 Municipal Alliance Grant
- Resolution No. 81-2015 – Resolution for Award of Bid for the Construction of Tamarack Park to Yannuzi Group, Inc.
- Resolution No. 82-2015 – 2015 Capital Budget Amendment Resolution
- Resolution No. 83-2015 – Resolution Authorizing L&G Planning to Prepare a Sustainable Economical Development Element of the Master Plan with a Market Feasibility Analysis

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

**PROCLAMATION - EMERGENCY MEDICAL SERVICES WEEK – MAY 17-23, 2015**

Deputy Mayor Gray read the proclamation and thanked the Lakeland Emergency Squad for all their efforts. Motion by Councilman Olson, second by Councilwoman Kash to adopt this proclamation. All members in favor. Motion carried.

**APPROVAL OF MAY 19, 2015 BILL LIST**

Motion by Councilwoman Kash second by Councilwoman Raffay, to approve the bill list 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

**ORDINANCES – Introduction/First Reading**

- Be it Resolved that Ordinance entitled, “**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 \$70,000.00**” be read by title on first reading. Motion by Councilman Olson, second by Councilwoman Kash.

**Purpose Statement:** Reconstruction and Resurfacing of Various Streets and Locations in and by the Township including without limitation, roads in the Forest Lakes Community, including reconstruction of culverts and headwalls and all curbing, drainage facilities, landscaping, reclamation, milling, structures, roadway surfaces including oil and stone or similar application, materials, equipment, site work and engineering costs.

	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 Monday, June 1 at 7:30 p.m. at the Byram Municipal Building, 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 “Ordinance to Authorize a Capital Expenditure for Drainage Improvements of Various Streets and Locations in and by the Township and to Provide Funding in the amount not to Exceed \$63,000.00” be read by title on first reading. Motion by Councilman Olson, second by Councilwoman Kash.

Purpose Statement: Drainage Improvements to Lynn Drive including materials, equipment, site work and engineering costs fully funded by Capital Reserve for Drainage and Other Trust Reserve for Drainage.

	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 Monday, June 1 at 7:30 p.m. at the Byram Municipal Building, 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 “**Bond Ordinance Providing for the Improvement of Amity Road in and by the Township of Byram, in the County of Sussex, New Jersey, Appropriating \$125,000 therefor and Authorizing the Issuance of \$90,250 Bonds or Notes of the Township for Financing Such Appropriation**” be read by title on first reading. Motion by Councilman Olson, second by Councilwoman Kash.

Purpose Statement: Reconstruction and resurfacing of various roads in and by the Township, including without limitation, Amity Road.

	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 Monday, June 1 at 7:30 p.m. at the Byram Municipal Building, 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 “**Ordinance to Authorize a Capital Expenditure for Technology Upgrades for the Township to Provide Funding in the Amount not to Exceed \$20,000**” be read by title on first reading. Motion by Councilman Olson, second by Councilwoman Raffay.

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

	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 Monday, June 1 at 7:30 p.m. at the Byram Municipal Building, 10 Mansfield Drive, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

**ORDINANCE NO. 5-2015** – 2<sup>nd</sup> Reading/Public Hearing

Be it Resolved that Ordinance entitled, “**An Ordinance to Amend Section A287-8 Sewer System Fees of the Byram Township Code Regarding Sewer User Charges and Maintenance Fees**”. Motion by Councilman Olson, second by Councilwoman Kash to adopt the ordinance. Motion by Councilman Olson, second by Councilwoman Kash to open to the public. All members in favor. Motion carried.

**Purpose Statement:** An Ordinance to amend Section A287-8 sewer system fees of the Byram Township Code lowering the Per Equivalent Dwelling Unit (EDU) commencing January 1, 2015 to \$288.50 per quarter.

No comments were made. Motion by Councilman Olson, second by Councilwoman Kash to close to the public. Scott Olson thanked Joe for the work he did with the sewer numbers and said it was nice to see that the fee was lowered.

	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 of said Ordinance be published in the official designated newspaper according to law.

**ITEMS FOR DISCUSSION – Resolution Supporting Continuation of Sussex County Farmland Preservation, Recreation and Open Space Fund**

Scott Olson briefly summarized the resolution and stated that he would like the Freeholders to put on for referendum to seek approval to continue an open space tax. Mr. Olson said that it is important to preserve the lands that we have and do it in a fair and equitable manner. Our Open Space Committee is in full support of this and encourages the freeholders put this on the ballot to let the public decide if the open space tax should continue on January 1, 2016. The Open Space tax is scheduled to sunset at the end of this year. Motion by Councilman Olson, second by Councilwoman Kash, to open to the public. All members in favor. No comments were made. Motion to close to the public by Councilwoman Kash, second by Councilwoman Raffay. All members in favor.

**Resolution No. 84-2015 - Resolution Supporting Continuation of Sussex County Farmland Preservation, Recreation and Open Space Fund** – Motion by Councilman Olson, second by Councilwoman Kash, to adopt this resolution.

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

**OTHER BUSINESS** – Scott Olson suggested having Joe organize a walk of Route 206 and develop a punch list of remaining outstanding items. Joe would like 2 council people or staff to accompany him. He will take pictures and document everything.

**PUBLIC PARTICIPATION II**

Motion by Councilwoman Raffay, second by Councilman Olson to open to the public for discussion. All members were in favor. Motion carried..

Skip Danielson, 18 Hunter Lane, thanked the Council for the proclamation. Skip stated that Violet Sundberg was the last of her era of the Johnson family. She had seven brothers and a sister, June Dobson, who all predeceased her. Their family had very deep roots in Byram and had done so much for our town over the years.

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

**RESOLUTION FOR EXECUTIVE SESSION** – Motion by Councilman Olson, second by Councilwoman Kash, to go into executive session and adopt the below resolution.

**RESOLUTION**

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**BYRAM TOWNSHIP COUNCIL**

Certification: I certify that the Byram Township Council adopted the above resolution on May 19, 2015.

Doris Flynn, Municipal Clerk

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

**RETURN TO OPEN SESSION** - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 9:15 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 9:15 p.m. Motion carried.

\_\_\_\_\_  
Doris Flynn, Municipal Clerk

\_\_\_\_\_  
David Gray, Deputy Mayor