

**TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, MAY 2, 2017
EXECUTIVE SESSION – 7:00 P.M.
REGULAR SESSION – 7:30 P.M.**

Revised 4/28/17

- 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 Privilege Communication
 - General
 - LLIC
 - Forest South Homeowners Association
 - Outside Duty
 - North Shore Road Culvert Project
 - b. Anticipated Litigation
- 5. RETURN TO OPEN SESSION**
- 6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION**
- 7. APPROVAL OF AGENDA**
- 8. REPORTS**
 - Township Manager
 - Mayor and Council Members
 - Township Attorney
- 9. 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.
- 10. APPROVAL OF MINUTES**
 - April 18, 2017 - Regular Meeting Minutes
 - April 18, 2017 - Closed Session Minutes
 - April 13, 2017 – Special Joint Meeting of Planning Board and Township Council
- 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.
 - Resolution No. 72-2017 – 2017 Parks and Recreation Summer Camp Fee Schedule
 - Resolution No. 73-2017 – 2017 Camp Lenape Summer Camp Program
 - Resolution No. 76-2017 – Authorize Dedication by Rider for Self Insurance Program
 - Resolution No. 77-2017 – Authorization to Execute Purchase Order for 2016 Byram Township Fire Department Work Performed
 - Resolution No. 78-2017 – Authorize the Purchase of One (1) 2017 Ford Police Interceptor Sedan AWD Vehicle with Optional Equipment for the Township of Byram Police Department
- 12. APPROVAL OF MAY 2, 2017 BILL LIST**
- 13. ORDINANCE – 2nd Reading/Public Hearing**
 - **Ord. 8-2017** An Ordinance Amending Section A287-8 Sewer System Fees of the Byram Township Code Regarding Sewer User Charges and Maintenance Fees
Purpose Statement: An Ordinance amending Section A287-8 Sewer System Fees of the Byram Township Code lowering the Per Equivalent Dwelling Unit (EDU) commencing January 1, 2017 to \$274.00 per quarter.
- 14. ITEMS FOR DISCUSSION**
- 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 72- 2017**

2017 PARKS AND RECREATION SUMMER CAMP FEE STRUCTURE

WHEREAS, the Byram Township Recreation Department has established a fee schedule for 2017 summer camp programs; and

WHEREAS, the fee structure is outlined in Schedule A attached;

NOW THEREFORE BE IT RESOLVED, that the Byram Township Council hereby approves the 2017 Schedule A fee schedule for the Byram Township Recreation programs.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Raffay	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 May 2, 2017.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 73 – 2017**

2017 CAMP LENAPE SUMMER CAMP PROGRAM

WHEREAS, the Township of Byram is offering a summer camp program, Camp Lenape, that is being sponsored in partnership with the Byram, Stanhope and Netcong Recreation Committees and the Stanhope Board of Education; and

WHEREAS, the Township of Byram is acting as the lead agency through the Township of Byram Recreation Department; and

WHEREAS, this is a Township of Byram summer recreation program that is being offered to the residents of the Borough of Stanhope and the Borough of Netcong at same fee as the residents of Byram Township; and

WHEREAS, the residents of the Township of Byram and the Borough of Netcong are required to registered through the Township of Byram Recreation Department; and

WHEREAS, the Borough of Stanhope desires to collect registration fees for Camp Lenape from Stanhope residents and provide the registration forms and fees to Township of Byram for all Stanhope residents; and

WHEREAS, the Township of Byram will not accept any registration forms or fees directly from the residents the Borough of Stanhope; and

WHEREAS, the Township of Byram will issue an invoice to the Borough of Stanhope for all registered residents from the Borough of Stanhope at the published rates for the 2017 Camp Lenape Program as per Resolution No 72-2017;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Council of the Township of Byram that the Governing Body endorses the 2017 Camp Lenape Summer Camp Program and designates Byram Township’s Recreational Director to ensure the program is managed under the terms of this resolution.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Raffay	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 May 2, 2017.

Doris J. Flynn, RMC
Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 76-2017**

AUTHORIZE DEDICATION BY RIDER FOR SELF INSURANCE PROGRAM

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:10-1 et seq. provides for receipt of Self Insurance funds by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. provides that the dedicated revenues anticipated from the Self Insurance Program are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:10-1 et seq. to establish and operate a Self Insurance Program.
2. The Municipal Clerk of the Township of Byram is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

BYRAM TOWNSHIP COUNCIL					
COUNCIL MEMBER	<i>Councilman Gray</i>	<i>Councilwoman Ruffray</i>	<i>Councilman Olson</i>	<i>Councilwoman Klesh</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 May 2, 2017.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 77 – 2017**

Authorization to Execute Purchase Order for 2016 Byram Township Fire Department Work Performed

WHEREAS, N.J.S.A. 40A:11-6.1(a) states for all contracts that in the aggregate are less than the bid threshold but 15 percent or more of that amount, the contracting agent shall award the contract after soliciting at least two competitive quotations, if practicable. The award shall be made to a vendor whose response is most advantageous, price and other factors considered; and

WHEREAS, the Township of Byram is governed by the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and does not have a Qualified Purchasing Agent and therefore the maximum bid threshold is set at \$17,500 effective July 1, 2015; and

WHEREAS, the quote threshold is therefore set at 15% of the bid threshold (\$2,625); and

WHEREAS, the Byram Township Fire Department requested to refurbish five (5) existing headsets and the replacement of one (1) drivers headset with a wireless headset for Engine 4 on February 22, 2016; and

WHEREAS, upon review of the quotation submitted the quote price came in at \$2,922.70, exceeding the quote threshold requiring additional quotes to be submitted; and

WHEREAS, on November 29, 2016, the Chief Financial Officer received an invoice for the above listed quote without a purchase order being issued prior to the work being performed violating Certification of Funds requirement N.J.A.C. 5:30-5.3; and

WHEREAS, upon communication with Eastern Fire Equipment Services and the Byram Township Fire Chief the work performed was believed to have been previously approved and the work performed was to the satisfaction of the Fire Chief; and

WHEREAS, upon subsequent inquiry for additional quotes, the Byram Township Fire Department forwarded to the Finance Department a no response from Atlantic Communications;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Byram does hereby authorize the Chief Financial Officer to execute the necessary purchase order not to exceed \$2,922.70 to be charged to the 2016 Municipal Operating Budget of the Fire Department to satisfy the obligation.

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 May 2, 2017.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 78 - 2017**

Authorize the Purchase of one (1) 2017 Ford Police Interceptor Sedan AWD Vehicle with Optional Equipment for the Township of Byram Police Department

WHEREAS, the Morris County Cooperative Pricing Council (MCCPC) publicly bid Contract #15-A: Police Pursuit Vehicles (2017 Models); and

WHEREAS, Item 1 of the contract is for a 2017 Model or Newer, Ford Police Interceptor or Equivalent, Full Size, 4 Door Sedan, New, Unused, 6 Cylinder, All Wheel Drive; and

WHEREAS, the MCCPC awarded a contract for the period February 16, 2017 – October 31, 2017; and

WHEREAS, Beyer Ford, LLC is an approved vendor under the contract; and

WHEREAS, Byram Township is a member of the MCCPC and has access to contracts for public purchasing without competitive bidding; and

WHEREAS, the total bid price for each vehicle including all applicable delivery charges is \$24,766.00; and

WHEREAS, there are available options covered under the MCCPC Contract #15-A; and

- Delete Front and Rear Factory Lighting Packages (\$325.00)

WHEREAS, there are other options not covered under a competitive bidding contract but are under the Township's quote threshold; and

- Front Headlamp/Police Interceptor Housing Drilled \$114.00
- (4) Remappable Steering Wheel Switches \$176.00
- Tail Lamp/Police Interceptor Housing Only \$ 57.00
- Skid Plate #1D \$300.75
- Odessey Battery \$395.00

WHEREAS, the source of funding for purchase of the vehicle with optional equipment are the funds available under the 2017 Municipal Budget – Purchase of Vehicles; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Byram does hereby authorize the execution of the necessary purchase order in the total amount not to exceed \$25,483.75 to obtain one (1) 2017 Ford Police Interceptor Sedan AWD Vehicle with Optional Equipment; and

BE IT FURTHER RESOLVED, that upon receipt, inspection and approval of voucher therefore by the Township of Byram, payment, pursuant to said purchase order, is hereby authorized with the same to be charged against funds established in the appropriate account for said purpose.

BYRAM TOWNSHIP COUNCIL

COUNCIL MEMBER	David Grey	Councilwoman Raffray	Councilman Olson	Councilwoman Kashi	Mayor Ossovitch
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 May 2, 2017.

Doris Flynn, Township Clerk

**TOWNSHIP OF BYRAM
ORDINANCE NO. 8 - 2017**

**AN ORDINANCE AMENDING SECTION A287-8 SEWER SYSTEM
FEES OF THE BYRAM TOWNSHIP CODE REGARDING SEWER USER
CHARGES AND MAINTENANCE FEES**

Purpose Statement: An Ordinance amending Section A287-8 Sewer System Fees of the Byram Township Code lowering the Per Equivalent Dwelling Unit (EDU) commencing January 1, 2017 to \$274.00 per quarter.

WHEREAS, the Byram Township's sanitary sewer system services the approved sewer service area that includes Byram Township school, the Municipal Complex, the Route 206 corridor from the corner of Lackawanna Drive south to Acorn Street, and various residential users; and

WHEREAS, expenses in connection with debt service, operation and maintenance of the sanitary sewer system dictate the rates paid by users to satisfy said costs; and

WHEREAS, Byram Township pays annual fees to the Musconetcong Sewerage Authority for the allocation of sewer gallons to Byram Township; and

WHEREAS, the Musconetcong Sewer Authority has reported a reduction in debt service from Phase 1 and 1A capital improvements, which resulted in a reduction of the Township's annual fees to the Musconetcong Sewer Authority; and

WHEREAS, the auditor of the Musconetcong Sewer Authority informed Byram Township that the reported reduction described above will constitute a permanent reduction of the debt service unless there is a future significant capital improvement; and

WHEREAS, Musconetcong Sewer Authority annually provides the calculated Musconetcong Sewer Authority Municipal Charges annual fees in January based on its adopted budget; and

WHEREAS, as a result of the reduction of the Musconetcong Sewer Authority annual fees the Township is reducing the sewer user charges five (5%) percent effective January 1, 2017; and

NOW, THEREFORE, BE IT ORDAINED, by the Byram Township Council of the Township of Byram, Sussex County, New Jersey, that Section A287-8 of the Code of the Township of Byram, shall be and is hereby amended as follows:

Item: Sewer user charges and maintenance fees	
Per EDU (commencing January 1, 2017)	\$274.00

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 portions thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Repealer.

All Ordinances or parts of Ordinances which are inconsistent with any provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

Effective date.

This Ordinance shall take effect in the time and manner prescribed by law.

BYRAM TOWNSHIP COUNCIL

JAMES OSCOVITCH, MAYOR

Attest:

DORIS J. FLYNN
MUNICIPAL CLERK

Introduced: 04/18/2017

Adopted: 05/02/2017

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

NOTICE OF ADOPTION

NOTICE is hereby given that Ordinance 8-2017 was introduced and passed first reading at a meeting of the Township Council of the Township of Byram, held at the Byram Township Municipal Building, Mansfield Drive, Byram Township, New Jersey, on the 18th day of April, 2017. The said ordinance was further considered for final adoption at a meeting of the Township Council of The Township of Byram, held at the Byram Municipal Building, 10 Mansfield Drive, Byram Township, New Jersey, on the 2nd day of May at 7:30 p.m. at which time all persons were given the opportunity to be heard. It was finally passed and adopted and will be in full force in the Township according to law.

DORIS FLYNN, TOWNSHIP CLERK