

**BYRAM TOWNSHIP COUNCIL MEETING - JUNE 18, 2013**

**CALL MEETING TO ORDER**

Mayor James Oscovitch called the meeting to order at 7:02 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**

Councilman Luaces, absent; Councilwoman Raffay, here; Councilman Olson, here; Councilwoman Kash, absent; Mayor Oscovitch; here. 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 Raffay, to go into executive session at 7:03 p.m. and adopt the below resolution.

**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:

- **Attorney Client Privilege Information**-Consolidated School
- **Anticipated/Pending Litigation**-JCP&L
- **Contract Negotiations** – Shared Service Agreement – Netcong Construction  
- Arbitration

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 June 18, 2013.

Doris Flynn, Municipal Clerk

<b>COUNCIL MEMBER</b>	<b>Councilman Luaces</b>	<b>Councilwoman Raffay</b>	<b>Councilman Olson</b>	<b>Councilwoman Kash</b>	<b>Mayor Oscovitch</b>
Motion			x		
2nd		x			
Yes		x	x		x
No					
Abstain					
Absent	x			x	

**RETURN TO OPEN SESSION** - Motion by Councilman Olson, second by Councilwoman Kash to return to open session at 7:30 p.m. All members were in favor. Motion Carried.

**FLAG SALUTE AND MOMENT OF SILENCE**

**APPROVAL OF AGENDA** – Motion by Councilman Olson, second by Councilwoman Kash, to approve the agenda with amending the title of Resolution 109-2013. All members were in favor. Motion carried.

**SPECIAL GUEST SPEAKER** – Eileen Swan from New Jersey Conservation Foundation (NJCF) – Easement Monitoring Program

The foundation is a nonprofit organization whose mission is to preserve New Jersey's land and natural resources. Eileen Swan presented a 30-minute power point presentation about the Easement Monitoring Program. Eileen announced that this was not going to cost Byram Township any money. The NJCF was working with several different funding sources to obtain the resources to do this

program.

Easements are legally binding agreements between a municipality and a landowner that allow the township to maintain the rights to a portion of the property. Eileen Swan said to think of the property as a bundle of sticks. "The whole bundle is a property, but the township owns just one of the sticks and can decide how they want to conserve it," Swan said. "The point is to protect the environmental assets of the community."

She said the reason conservation easements are put in place is for the township to protect any sensitive environmental areas such as surface waters, wetlands, steep slopes, ridge lines, hill crests and flood plains.

Eileen Swan outlined what the foundation's easement monitoring program would bring to the township:

- Creating a database and maps of all easements, which would enable everyone to see where these easements are in town and also why they are there.
- Making a community profile.
- Community outreach, which would help people understand the value of these easements. "We need people to understand the values of these easements."
- Landowner outreach, which would educate people who come to live in Byram about these easements on their properties."
- Status of easements, and most important, the monitoring of the easements. Easements should be checked yearly and address any issues.
- Model Documents - Eileen Swan said all future easements would have the same language in the contracts and would be mapped out as soon as they are acquired.

Councilwoman Marie Raffay questioned what the township would end up with if the council decided to move forward with the project. Eileen Swan said the township would have all the documents and maps for all the easements both physically and electronically and that the foundation would provide the township with the methodology to do all of it.

Councilman Scott Olson said the township had worked with Eileen Swan on various projects on and off for the last nine years while she was the executive director of the New Jersey Highlands Council. She said through her previous work with the township, she gained understanding of the township's master plan and ordinances that have been put in place because of the vision that the Township Council, Planning and Zoning boards, and Environmental Commission have for the future.

Scott Olson said the program will not be in place overnight and that during the time it takes to implement it, the program could be tailored to the township's needs.

"The town has been a beautiful area for over 200 years," Swan said. "I think working with the easement program will help keep it that way."

The Mayor thanked Eileen for the presentation and asked what she was looking for tonight. Eileen stated that she wanted the Council's approval to move forward on this project. Councilman Olson made a motion, second by Councilwoman Raffay, to continue this process and move forward to the next necessary steps to start this easement monitoring program with the NJ Conservation Foundation.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd		x			
Yes		x	x		x
No					
Abstain					
Absent	x			x	

**TOWNSHIP REPORTS**

**Manager’s Report**

- New version of the Township website. It does have a link to subscribe to email notices.
- We have been updating the website under News & Noteworthy as to the status of Route 206 that we have been receiving.

**Councilman Olson**

- Open Space Committee met on June 10 and discussed the Cranberry Ledge parcels and the progress on the Tamarack Park.
- Environmental Commission meets on June 27 at 7:30 p.m.
- Asked to add to an upcoming meeting discussion about mitigation being done in Camden and Passaic Counties with mitigation money that was collected for violations in our town.

**Councilwoman Raffay**

- Planning Board meets on June 20<sup>th</sup> at 8:00 p.m.
- Attended a NJTransit meeting for New Jersey. The public hearing was so crowded that they had to cancel the public hearing because of the OPMA.
- Congratulated Alex Dockery on becoming an Eagle Scout. Marie Raffay and the Mayor attended the ceremony.
- Marie Raffay thanked Rich Bowe and the VFW and the Fire Department for the Memorial Day service and the parade.

**Mayor Jim Oscovitch**

- Attended the Dare Graduation and spoke to the 5<sup>th</sup> graders. Officer Marcus Lisa does a great job teaching the program.
- Attended the Dare picnic sponsored by the Police Department, which was very nice.
- Attended the Andover/Byram Chamber of Commerce meeting last Friday.
- Attended the Mr. & Miss Byram and Royal Court contest held at Adam Todd last week.

**Fire Chief Chuck Putz** – He reminded everyone that hurricane season is starting

**PUBLIC PARTIPATION I** - Motion by Councilman Olson, second by Councilwoman Raffay, to open to the public. All members were in favor. Motion Carried. No comments were made. Motion by Councilman Olson, second by Councilwoman Raffay, to close to the public. All members were in favor. Motion carried.

**COUNCIL APPOINTMENTS**

- **Planning Board** – Andrew McElroy, Caryn Segal and George Shivas – 6 month term – 7/1/13-12/31/13 – Motion by Councilwoman Raffay, second by Councilman Olson to approve the appointments.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		x			
2nd			x		
Yes		x	x		x
No					
Abstain					
Absent	x			x	

- **Recreation Committee** – Robert Nunn – 6 month term – 7/1/13-12/31/13  
John Figiel to full member seat due to resignation by Dan Lineck– 6 month term – 7/1/13-12/31/13 – Motion by Councilman Olson, second by Councilwoman Raffay, to approve the appointments.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			x		
2nd		x			
Yes		x	x		x
No					
Abstain					
Absent	x			x	

- **Open Space** – William Schilling and Andy Kimm – 6 month term – 7/1/13-12/31/13 - Motion by Councilman Olson, second by Councilwoman Raffay, to approve the appointments.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			X		
2nd		X			
Yes		X	X		X
No					
Abstain					
Absent	X			X	

- **Youth Guidance Council** – Jill Rafferty and Chief Raymond Rafferty – 6 month term– 7/1/13-12/31/13 – Motion by Councilwoman Raffay, second by Councilman Olson to approve the appointments.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		X			
2nd			X		
Yes		X	X		X
No					
Abstain					
Absent	X			X	

**MAYORAL APPOINTMENTS** – **Environmental Commission** – David Gray, James Myers, Caryn Segal – 7/1/13-12/31/13

**APPROVAL OF MINUTES**

- June 5, 2013 Regular Meeting Minutes – Motion by Councilwoman Raffay, second by Councilman Olson to adopt the minutes as presented. All members were in favor. Motion carried.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		X			
2nd			X		
Yes		X	X		X
No					
Abstain					
Absent	X			X	

- June 5, 2013 Executive Meeting Minutes – Motion by Councilman Olson, second by Councilwoman Raffay, to approve the minutes.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion			X		
2nd		X			
Yes		X	X		X
No					
Abstain					
Absent	X			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 Raffay, second by Councilman Olson to approve the consent agenda.

- Resolution No. 107-2013 – Resolution to Award Contract to McCabe & McCabe, LLC to Provide Phase 1-A Cultural Resources Investigation at the Proposed Tamarack Park in Byram Township - Not to exceed \$4,500
- Resolution No. 108-2013 - Tax Sale Certificate Redemption-#2011-23
- Resolution No. 109-2013 - Authorizing the Negotiation and Execution of Documents Associated with the Real Estate Contract for Cranberry Lake parcels totaling 22.94 acres
- Resolution No. 110-2013 – Resolution authorizing Contract to Cit-e-Net Services for the Online Tax Payment Application
- Resolution No. 111-2013 – Resolution authorizing execution of Memorandum of Understanding for Collection of Monies between Stanhope and Byram Township

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		x			
2nd			x		
Yes		x	x		x
No					
Abstain					
Absent	x			x	

**APPROVAL OF JUNE 18, 2013 BILL LIST**

Motion by Councilwoman Raffay second by Councilman Olson to approve the bill list.

COUNCIL MEMBER	Councilman Luaces	Councilwoman Raffay	Councilman Olson	Councilwoman Kash	Mayor Oscovitch
Motion		x			
2nd			x		
Yes		x	x		x
No					
Abstain					
Absent	x			x	

**DISCUSSION ITEM** – Committee Head Meeting Date

Marie Raffay wanted to know if the Council was interested in setting a date for another Committee Head Meeting. She feels these meetings in the past have been beneficial. Scott Olson and Mayor Oscovitch agreed. The members decided to wait until the next meeting when all Council members were present to pick a date.

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

**ADJOURN**

On the motion by Councilman Olson, second by Councilwoman Raffay, and with all members in favor, the meeting was adjourned at 8:18 p.m. Motion carried.

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Doris Flynn, Municipal Clerk

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James Oscovitch, Mayor