

**BYRAM TOWNSHIP PLANNING BOARD AGENDA**  
**For Thursday, February 6 2025, at 7:30 P.M.**  
**Meeting Held at: 10 Mansfield Drive, Byram Township NJ**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **OPENING STATEMENT:** Adequate notice of this meeting of the Byram Township Planning Board was given as required by the Open Public Meeting Act. A resolution indicating the time, date, and location of regular Board meetings for the year 2025 was forwarded to the Board's designated newspaper, and posted on the bulletin boards and main doors of the Municipal Building.
4. **FLAG SALUTE**
5. **OATH OF OFFICE:** Jeanine Colligan
6. **COMMITTEE APPOINTMENTS:** Site Plan Subcommittee
7. **MEETING MINUTES-** January 16, 2025
8. **RESOLUTIONS**  
Z22-2024 Prestige Country Homes, 10 Newton Avenue, Block 36 Lot 50.02, R4 Zone  
Application for construction of a second floor addition
9. **NEW BUSINESS**  
Z20-2024 William Grabler, 39 Meteor Trail, Block 162 Lot 44, R5 Zone  
Application for construction of a home addition and site improvements
10. **BILLS:** Harold Pellow and Associates (13): \$3,910.51 / Maraziti Falcon (6): \$5,127.50
11. **REPORTS FROM COMMITTEES**  
Environmental Commission  
Open Space  
Township Council
12. **OPEN TO THE PUBLIC**
13. **ADJOURNMENT**

The Board Engineer, Planner, and Attorney are sworn in at the beginning of each year and are deemed to be under oath on a continuing basis.

**CALL TO ORDER:** Chairman Shivas called the meeting to order at 7:30 p.m.

**ROLL CALL:** Mss. DeMagistris, and Raffay; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

*Members Absent:* Messrs. Morytko, Serrilli, Ms. Colligan

*Also Present:* Engineer Cory Stoner, Planner Daniel Bloch, Attorney Alyse Hubbard, Secretary Caitlin Phillips

**OPENING STATEMENT:** Adequate notice of this meeting of the Byram Township Planning Board was given as required by the Open Public Meeting Act. A resolution indicating the time, date, and location of regular Board meetings for the year 2025 was forwarded to the Board's designated newspaper, and posted on the bulletin boards and main doors of the Municipal Building.

**FLAG SALUTE:** led by Chairman Shivas

### **OATHS OF OFFICE:**

Board Members: Anneliese DeMagistris, Richard Proctor, and Marie Raffay took their oaths of office.

Professionals: Cory Stoner and Daniel Bloch took their oaths of office.

### **REORGANIZATION**

Nomination of Chair: Mr. McElroy motioned to nominate George Shivas, seconded by Ms. Raffay. No other nominations were made. Mayor Rubenstein motioned to close the nominations, seconded by Ms. Raffay. All were in favor, none opposed.

Nomination of Vice-Chair: Mr. McElroy motioned to nominate Marie Raffay, seconded by Mr. Proctor. No other nominations were made. Mayor Rubenstein motioned to close the nominations, seconded by Mr. Proctor. All were in favor, none opposed.

Nomination of Attorney: Ms. Raffay motioned to nominate Alyse Hubbard, seconded by Mr. Proctor. No other nominations were made. Mr. McElroy motioned to close the nominations, seconded by Mr. Proctor. All were in favor, none opposed.

Nomination of Engineer: Ms. Raffay motioned to nominate Cory Stoner, seconded by Mr. Proctor. No other nominations were made. Mr. McElroy motioned to close the nominations, seconded by Mr. Proctor. All were in favor, none opposed.

Nomination of Planning Consultant: Mr. Proctor motioned to nominate Daniel Bloch, seconded by Mr. McElroy. No other nominations were made. Mr. McElroy motioned to close the nominations, seconded by Mr. Proctor. All were in favor; Ms. Raffay abstained.

Nomination of Conflict Planner: Mr. McElroy motioned to nominate Paul Gleitz, seconded by Mr. Proctor. No other nominations were made. Mr. Proctor motioned to close the nominations, seconded by Mr. McElroy. All were in favor; none opposed.

Nomination of Secretary/Administrative Officer: Mr. McElroy motioned to nominate Caitlin Phillips, seconded by Mr. Proctor. No other nominations were made. Mr. McElroy motioned to close the nominations, seconded by Mr. Proctor. All were in favor, none opposed.

Nomination of Newspaper: Ms. Phillips noted normally this is the New Jersey Herald and the Sunday

Herald. Ms. Hubbard said the statute passed, so they can publish digitally. If the Council designates another newspaper the Board should follow suit. They should have the Star Ledger so they can publish digitally, but the designated newspaper of the town is currently the NJ Herald. Ms. Raffay motioned to nominate the New Jersey Herald and the Sunday Herald, seconded by Mr. McElroy. No other nominations were made. All were in favor, none opposed.

Resolution PB1-2025 Annual Notice of the Calendar Dates of the Scheduled Regular Meetings of the Byram Township Planning Board

Resolution PB2-2025 Authorizing Contract for Professional Legal Services

Resolution PB3-2025 Authorizing Contract for Professional Engineering Services

Resolution PB4-2025 Authorizing Contract for Professional Planning Services

Resolution PB5-2025 Authorizing Contract for Conflict Planner Services

Resolution PB6-2025 Appointing Secretary of the Board

Resolution PB7-2025 Designation of Newspaper for Notices

Resolution PB8-2025 Adopting Rules of Procedures of the Planning Board  
Rules and regulations for the Board

Mr. McElroy motioned to adopt resolutions PB1-PB8, seconded by Mr. Proctor. Ms. Raffay noted she abstains from PB4-2025.

*Ayes:* Mss. DeMagistris, and Raffay; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

*Absent:* Messrs. Morytko, Serrilli, Ms. Colligan

None opposed. Motion carried.

## **COMMITTEE APPOINTMENTS**

Chairman Shivas said he will move these to the next meeting. Ms. Phillips noted the next meeting is 02/06 and there is a Subcommittee scheduled. Chairman Shivas said the people that were part of the Subcommittee last year (Ms. Raffay and Messrs. Walsh, Serrilli, and McElroy) are re-appointed for this upcoming meeting only.

**MINUTES:** December 19, 2024. Motion of Mayor Rubenstein to approve the minutes, second by Mr. Proctor.

*Ayes:* Ms. DeMagistris; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

*Abstaining:* Ms. Raffay

*Absent:* Messrs. Morytko, Serrilli, Ms. Colligan

None opposed. Motion carried.

## **OLD BUSINESS**

Z14-2024 Rupesh Patel (Kyosis LLC), 1 Catalina Drive, Block 337 Lot 9.14, R2 Zone

Application for new home construction

Motion of Mr. McElroy to carry the application to 03/20/2025, second by Mr. Proctor.

*Ayes:* Mss. DeMagistris, and Raffay; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

*Absent:* Messrs. Morytko, Serrilli, Ms. Colligan

None opposed. Motion carried.

Z08-2024 Diane and William Carkhuff, 82 South Shore Road, Block 189 Lot 1, R-5 Zone

Application for construction of a new single-family dwelling

Motion of Mr. Proctor to carry the application to 02/20/2025, second by Ms. DeMagistris.

*Ayes:* Mss. DeMagistris, and Raffay; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

*Absent:* Messrs. Morytko, Serrilli, Ms. Colligan

None opposed. Motion carried.

**NEW BUSINESS**

Z20-2024 William Grabler, 39 Meteor Trail, Block 162 Lot 44, R5 Zone

Application for construction of a home addition and site improvements

Motion of Mr. Proctor to carry the application to 02/06/2025, second by Mr. Smith.

*Ayes:* Mss. DeMagistris, and Raffay; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Walsh, and Chairman Shivas

*Absent:* Messrs. Morytko, Serrilli, Ms. Colligan

None opposed. Motion carried.

Z22-2024 Prestige Country Homes, 10 Newton Avenue, Block 36 Lot 50.02, R4 Zone

Application for construction of a second-floor addition

Jason Rittie from Einhorn, Barbarito in Denville represented the application. They are looking to build a 686 square foot addition with related site improvements. Mr. Walsh entered the meeting at this time. William Wrede was sworn in at 1040 Route 10 in Randolph; he trades under Prestige Country Homes, of which he is the owner and president. Mr. Rittie confirmed Prestige owns this property, which Mr. Wrede bought in December 2023. Mr. Rittie confirmed they comply with the lot area but it's narrow. Mr. Wrede said the house is 680 square feet, and he's looking to add another 680 square feet on top. The house has been unoccupied for 4 years, so is in bad condition. It's serviced by a well, septic, and natural gas. They have a County permit for a replacement of a 3-bedroom septic; the septic is new.

Mr. Rittie noted in Mr. Stoner's review, the house is three stories. Mr. Wrede said there are homes in the area that look like this one. He submitted **Exhibit A1**, three photos taken today of neighboring houses. Mayor Rubenstein noted the septic permit looks to be for an alteration. Ms. Raffay asked about the basement. Mr. Wrede said there's a furnace, and doesn't plan to finish the basement. It's a low area of about 6.5 feet, and is not a full walkout. They have a door with two steps down into the basement. Mr. Stoner noted if there is more than 5 feet exposed it's considered a basement.

Chairman Shivas opened to the public and no one spoke so he closed to the public.

David Ewald was sworn in from the architecture firm John J. Haeberle. He has worked in the field for 39 years, and has been with this firm for 14 years. He has testified in front of New Jersey Boards before. He prepared the architectural drawings. Chairman Shivas noted he is not an expert but does work in the architectural field. Mr. Ewald said the home is a one-story ranch with two bedrooms. The basement has a furnace and storage area. They want more living space for a variety of family sizes. He discussed the cantilevers. Chairman Shivas asked about the front deck. Mr. Ewald said it's open and they don't plan to do anything to it besides clean it up. Ms. Raffay asked about the deck in the back. Mr. Ewald said there is plywood and some storage. The deck needs to be rebuilt. Ms. Raffay noted there looks to be some room underneath. Mr. Smith noted there's a door accessing the basement under the deck. He asked what the surface under the deck will be. Mr. Wrede said he'll probably put white stone and clean it up; he wasn't looking to change any impervious coverage. Ms. Hubbard noted it looks like the configuration of the deck is changing slightly. Mr. Stoner noted the project needs a zoning permit; there is construction of a new deck which will be no closer than the existing deck to the sideline, and doesn't trigger another variance. Chairman Shivas asked about the height. Mr. Ewald said the deck is free-

standing and will match the existing. They discussed the plans. Mr. Proctor confirmed the survey is not updated. Mr. Wrede said he will do an as-built survey. Mayor Rubenstein noted the property is in a C1 transition area. Mr. Stoner said it could be in a riparian buffer but would qualify for a permit-by-rule. He noted they qualify for a Highlands Exemption because it's work on an existing house.

Mr. Rittie reviewed the variances for the application. There is a hardship with the side setback because of the narrow lot. They meet the height requirement but there is a basement that makes it three stories. There are similar homes in the area. It's not a massive addition; it's kept in the character of the neighborhood. Ms. Hubbard confirmed the property is sloped from front to back.

Chairman Shivas opened to the public and no one spoke so he closed to the public.

Ms. Raffay said this is in keeping with the neighborhood and it's not over-bearing. Motion of Ms. Raffay to approve the application, second by Mr. Proctor.

*Ayes:* Mss. Raffay, DeMagistris; Mayor Rubenstein; Messrs. Proctor, McElroy, Smith, Chairman Shivas

*Abstaining:* Mr. Walsh

*Absent:* Messrs. Morytko, Serrilli, Ms. Colligan

None opposed. Motion carried.

#### **DISCUSSION ITEM:** Definition of Minor Site Plan

Ms. Hubbard said when reviewing the checklist, they found the town's code doesn't define minor site plan. The Municipal Land Use Law says it should be defined by municipal ordinance, and anything that's not a minor is a major. There were conversations and research, and they're working with the administration on how to approach this. Right now, they have a waiver of site plan process which is similar to what the MLUL defines as a minor site plan, where you waive notice of a public hearing and it can be determined by Subcommittee. There is a gap between waiver of site plan and major site plan; once they determine how to handle it, they'll bring a recommendation to the Board. The two ideas are defining a minor site plan or a procedure where some minor applications would be pulled into the waiver of site plan process, which would require more work from the Subcommittee. They want to see if the Board thinks it's appropriate to have the Subcommittee hear additional applications, or have a checklist for minor applications. These applications would be something like a commercial site putting up a new sign, where environmental impact statements or traffic studies are not needed.

Mr. Stoner said they do site plan reviews and completeness reviews. In the ordinance, it has situations that qualify for a site plan waiver and the Subcommittee brings a recommendation to the Board. Right now there is just site plan waiver and site plan, and it doesn't differentiate between minor and a major. Designating a minor would be easier, because it deals with things like signs, landscaping, parking spaces with no drainage changes, small accessory structures, adding a propane tank on a commercial property, and so on. Having them submit a minor site plan would mean a reduced checklist and them not needing as many professionals. One idea is having the applicant come in front of the whole Board, or have the Subcommittee review these to determine it's a minor site plan. Ms. Hubbard said this is an ordinance so the Council needs to get involved; the Board would make a recommendation on what they think is appropriate. Mr. Proctor asked what the professionals see other towns doing. Mr. Bloch said every town is different. Ms. Hubbard said Dover does an expedited waiver of site plan, and the professionals review it and provide a memo. Mr. Stoner said Sparta has a site plan subcommittee that reviews all the minor applications, and that is a more work for them. Ms. Hubbard noted this needs guidelines to help determine what kind of application something is. Mr. Stoner noted the goal is having a lower fee and an easier application. He likes the idea of defining what the minor is, defining the waiver of site plan process, and determining a process for how to review them. For a minor site plan, it can still be reviewed in front of the Board but with an easier checklist.

Mr. McElroy asked how many applications the Board has reviewed that would apply. Ms. Hubbard noted it hasn't been a lot; Ms. Raffay noted there's not really a way to know without defining this. Mr. Smith noted this may make more people submit applications, who have been holding off on the process because there's no minor site plan. Mr. McElroy said it's great to have a minor site plan process because it's simplified and cheaper. In the beginning, this should come to the full Board, because the Board is active and a lot of members may have comments or concerns that the Subcommittee may not identify. Mr. Stoner noted in the future if they want to move it to the Subcommittee, they can do a separate ordinance. Mr. McElroy noted the administration may not want to do that. Mr. Stoner said they discussed this with Mr. Sabatini, and he wants this to be as simple as possible. The Council is concerned about the cost for residents. One of the thoughts was doing this as a subcommittee—the applicant doesn't even need to be at that meeting. Mr. Stoner said knowing this Board, he thinks they'd want these going to the meeting. Mr. McElroy confirmed for the subcommittee, the applicant and their professionals wouldn't attend. Ms. Hubbard said if it's a variance, it can't go to Subcommittee. Mr. McElroy noted as a Subcommittee member he wouldn't want to approve an application without the Board if it involves a sign. Mr. Proctor likes the use of a checklist and hearing it at the Board. Chairman Shivas said the Board answers for all decisions, so if the Subcommittee approves something without Board review, it's the Board's responsibility. Mr. Bloch said some towns do classification where the Board looks at it and determines what type of application it is. Mr. Stoner noted it may slow the applications down. Mr. McElroy noted if they're there at the Board, they may as well review it. Mr. Walsh noted he'd rather review something at the Board level that could have been done at the Subcommittee than have the Subcommittee approve something that should have gone to the Board.

Mr. Stoner noted this came up with the application revisions. There are different types of applications that can be filed, and most towns have a minor site plan. They have just been doing site plans—if it's not a waiver of site plan, then right now it's a site plan application. Mr. McElroy noted applicants would then request waivers for items if they're not applicable. Mayor Rubenstein confirmed the waiver process would still exist, this is just an intermediate option. These comments will be brought back to the administration to determine next steps.

### **BILLS:**

Harold Pellow and Associates (12): \$3,347.13. A motion to approve the bill was made by Mr. Walsh, seconded by Mr. Proctor. All were in favor. Motion carried.

### **REPORTS FROM COMMITTEES**

Environmental Commission- Mr. McElroy said there is a meeting coming up.

Open Space- Ms. Phillips said they met on Monday and talked about the Forest Stand Improvement, goals for 2025, capital budget items, controlled burns, and invasive species. They learned about algal blooms and how high water tables may lead to them entering aquifers and wells. Algal blooms are more prevalent in higher temperatures, so climate change is a factor, and the use of fertilizers makes algae grow. Ms. Phillips will get the presentation notes to distribute.

Township Council- Mayor Rubenstein said they had their reorganization meeting.

Zoning Report- Everyone has a copy.

Ms. Raffay asked about the Car Wash sign, and noted it's bright. Mayor Rubenstein said that is a resolution compliance item, so the Zoning Officer would take care of it. Ms. Phillips noted there may also be something in the resolution about not having the messages change so often. Mr. Stoner noted he'd look at it. Ms. Raffay confirmed they're allowed to keep the vacuum lights on. Mayor Rubenstein thinks there was testimony about being able to adjust their brightness.

### **OPEN TO THE PUBLIC**

Chairman Shivas opened to the public. No one was present, so Chairman Shivas closed to the public.

**EXECUTIVE SESSION:** Affordable Housing

Ms. Hubbard read the executive session resolution at 8:55 pm. Mayor Rubenstein motioned to approve the resolution, seconded by Mr. Proctor. All were in favor.

**ADJOURNMENT**

A motion to adjourn the meeting was made at 9:15 pm by Mr. McElroy, seconded by Mr. Proctor. All were in favor. Motion carried. The meeting was adjourned.

Submitted by Caitlin Phillips

# **Resolutions Approved at Previous Meeting**

**BYRAM TOWNSHIP  
PLANNING BOARD  
RESOLUTION AUTHORIZING CONTRACT  
FOR PROFESSIONAL LEGAL SERVICES**

**WHEREAS**, the Township of Byram has a need to retain the services of an Attorney to provide legal counsel to the Board for the calendar year 2025 (the Legal Services); and

**WHEREAS**, the Municipal Land Use Law, N.J.S.A. 40:55D-24, authorizes the Board to contract for the services of and fix the compensations of its legal counsel, subject to the appropriation of funds by the governing body; and

**WHEREAS**, Alyse Landano Hubbard, Esq. of Maraziti Falcon, LLP, has submitted a proposal, dated October 28, 2024, indicating that they will provide Legal Services at a rate of \$175.00 per hour, not to exceed \$17,500, subject to the terms and conditions set forth attached proposal; and

**WHEREAS**, Alyse Landano Hubbard, Esq. of the law firm of Maraziti Falcon, LLP has completed and submitted a Business Entity Disclosure Certification that they will not make any reportable contributions to any political candidate or candidate committee and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

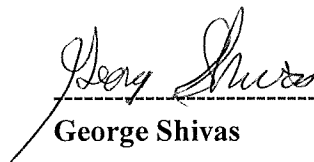
**WHEREAS**, the Local Public Contract Law, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer of the Township of Byram has certified that funds are available for this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Byram on the 16<sup>th</sup> day of January 2025 that as follows:

1. The Chairman and Secretary of the Planning Board are hereby authorized and directed to execute the attached agreement with the law firm of Maraziti Falcon.
2. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(a)(a) of the Local Public Contracts Law because Alyse Landano Hubbard, of Maraziti Falcon, LLP, has served as the Board Attorney for a number of years and have special knowledge that is particularly valuable to the Board.

**BE IT FURTHER RESOLVED** that notice of this action shall be printed once in the official newspaper of the Township of Byram as required by law and this Resolution shall take effect immediately.

  
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George Shivas

**On motion of:** Mr. McElroy

**Seconded by:** Ms. Raffay

**The vote on the Resolution was as follows:**

Seven (7): Mayor Rubenstein, Mss. Raffay, Demagistris, Messrs. Proctor, McElroy, Smith,  
**AYES:** Chairman Shivas

**NAYS:** Zero (0)

**ABSTAINING:** Zero (0)

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**ABSENT:** Three (3): Messrs. Morytko, Serrilli, Mr. Walsh

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on January 16<sup>th</sup>, 2025 and is in effect for one year.

Caitlin Phillips

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**Caitlin Phillips, Planning Board  
Secretary**

**Dated:** 01/17/2025

**Prepared by:** Alyse Landano Hubbard, Esq.

**BYRAM TOWNSHIP  
PLANNING BOARD  
RESOLUTION AUTHORIZING CONTRACT  
FOR PROFESSIONAL ENGINEERING SERVICES**

**WHEREAS**, the Planning Board of Township of Byram has a need to retain the services of a professional engineering for the calendar year 2025 (the Engineering Services); and

**WHEREAS**, the Municipal Land Use Law, N.J.S.A. 40:55D-24, authorizes the Board to contract for the services of and fix the compensations of its engineer, subject to the appropriation of funds by the governing body; and

**WHEREAS**, Cory Stoner, P.E., of Harold E. Pellow and Associates, Inc., has submitted a proposal, dated November 27, 2024, indicating that they will provide Engineering Services at a rate of \$145.00 per hour, not to exceed \$17,500, subject to the terms and conditions set forth attached proposal; and

**WHEREAS**, Cory Stoner, P.E. has completed and submitted a Business Entity Disclosure Certification that they will not make any reportable contributions to any political candidate or candidate committee and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Local Public Contract Law, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer of the Township of Byram has certified that funds are available for this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Byram on the 16<sup>th</sup> day of January 2025 that as follows:

1. The Chairman and Secretary of the Planning Board are hereby authorized and directed to execute the attached agreement with the Harold E. Pellow and Associates, Inc.
2. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because Harold E. Pellow and Associates, Inc. have served as the Board Engineer for a number of years and have special knowledge that is particularly valuable to the Board.

**BE IT FURTHER RESOLVED** that notice of this action shall be printed once in the official newspaper of the Township of Byram as required by law and this Resolution shall take effect immediately.

  
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**George Shivas**

**On motion of:** Mr. McElroy

**Seconded by:** Ms. Raffay

**The vote on the Resolution was as follows:**

**AYES:** Seven (7): Mayor Rubenstein, Mss. Raffay, Demagistris, Messrs. Proctor, McElroy, Smith, Chairman Shivas

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**NAYS:** Zero (0)

**ABSTAINING:** Zero (0)

**ABSENT:** Three (3): Messrs. Morytko, Serrilli, Mr. Walsh

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on January 16<sup>th</sup>, 2025 and is in effect for one year.

Caitlin Phillips

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**Caitlin Phillips, Planning Board  
Secretary**

**Dated:** 01/17/2025

**Prepared by:** Alyse Landano Hubbard, Esq.

**BYRAM TOWNSHIP  
PLANNING BOARD  
RESOLUTION AUTHORIZING CONTRACT  
FOR PROFESSIONAL PLANNING SERVICES**

**WHEREAS**, the Township of Byram has a need to retain the services of an Attorney to provide planning service to the Board for the calendar year 2025 (the Planning Services); and

**WHEREAS**, the Municipal Land Use Law, N.J.S.A. 40:55D-24, authorizes the Board to contract for the services of and fix the compensations of its planner, subject to the appropriation of funds by the governing body; and

**WHEREAS**, Daniel Bloch of Colliers Engineering & Design, has submitted a proposal, dated January 7, 2025, indicating that they will provide Planning Services at a rate per the contract, not to exceed \$17,500, subject to the terms and conditions set forth attached proposal; and

**WHEREAS**, Daniel Bloch of Colliers Engineering & Design has completed and submitted a Business Entity Disclosure Certification that they will not make any reportable contributions to any political candidate or candidate committee and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

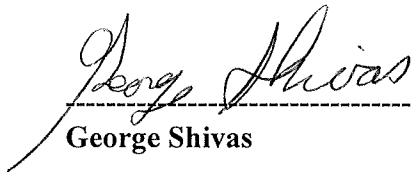
**WHEREAS**, the Local Public Contract Law, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer of the Township of Byram has certified that funds are available for this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Byram on the 16<sup>th</sup> day of January 2025 that as follows:

1. The Chairman and Secretary of the Planning Board are hereby authorized and directed to execute the attached agreement with Colliers Engineering & Design.
2. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction.

**BE IT FURTHER RESOLVED** that notice of this action shall be printed once in the official newspaper of the Township of Byram as required by law and this Resolution shall take effect immediately.

  
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George Shivas

**On motion of:** Mr. McElroy

**Seconded by:** Ms. Raffay

**The vote on the Resolution was as follows:**

**AYES:** Seven (7): Mayor Rubenstein, Mss. Raffay, Demagistris, Messrs. Proctor, McElroy, Smith, Chairman Shivas

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**NAYS:** Zero (0)

**ABSTAINING:** One (1): Ms. Raffay

**ABSENT:** Three (3): Messrs. Morytko, Serrilli, Mr. Walsh

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on January 16<sup>th</sup>, 2025 and is in effect for one year.

Caitlin Phillips

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**Caitlin Phillips, Planning Board  
Secretary**

**Dated:** 01/17/2025

**Prepared by:** Alyse Landano Hubbard, Esq.

**BYRAM TOWNSHIP  
PLANNING BOARD  
RESOLUTION AUTHORIZING CONTRACT  
FOR PROFESSIONAL PLANNING SERVICES**

**WHEREAS**, the Township of Byram has a need to retain the services of a Planner to provide planning service to the Board for the calendar year 2025 (the Planning Services); and

**WHEREAS**, the Municipal Land Use Law, N.J.S.A. 40:55D-24, authorizes the Board to contract for the services of and fix the compensations of its planner, subject to the appropriation of funds by the governing body; and

**WHEREAS**, the Board has determined that there are instances when the Board Professionals have a conflict with the applicants or are unable to attend the Board meeting and that there is a need to retain a Conflict Planner for such instances; and

**WHEREAS**, Paul Gleitz, P.P., of Latini and Gleitz Planning, has submitted a proposal, dated 12/04/2024, indicating that he will provide Conflict Planning Services in the event that the Board's Planner has a conflict with the applicant or cannot attend the meeting, at a rate of \$170.00 per hour, not to exceed \$17,500, subject to the terms and conditions set forth attached proposal; and

**WHEREAS**, Paul Gleitz, P.P. of Latini & Gleitz Planning has completed and submitted a Business Entity Disclosure Certification that they will not make any reportable contributions to any political candidate or candidate committee and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Local Public Contract Law, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer of the Township of Byram has certified that funds are available for this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Byram on the 16<sup>th</sup> day of January 2025 that as follows:

1. The Chairman and Secretary of the Planning Board are hereby authorized and directed to execute the attached agreement with the Latini & Gleitz Planning.
2. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a)(1) of the Local Public Contracts Law because Latini & Gleitz Planning have served as the Board Planner for a number of years and have special knowledge that is particularly valuable to the Board.

**BE IT FURTHER RESOLVED** that notice of this action shall be printed once in the official newspaper of the Township of Byram as required by law and this Resolution shall take effect immediately.

  
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George Shivas

**On motion of:** Mr. McElroy

**Seconded by:** Ms. Raffay

**The vote on the Resolution was as follows:**

**AYES:** Seven (7): Mayor Rubenstein, Mss. Raffay, Demagistris, Messrs. Proctor, McElroy, Smith, Chairman Shivas

{387949.DOC.1}2

**NAYS:** Zero (0)

**ABSTAINING:** Zero (0)

**ABSENT:** Three (3): Messrs. Morytko, Serrilli, Mr. Walsh

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on January 16<sup>th</sup>, 2025 and is in effect for one year.

Caitlin Phillips

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**Caitlin Phillips, Planning Board  
Secretary**

**Dated:** 01/17/2025

**Prepared by:** Alyse Landano Hubbard, Esq.

**BYRAM TOWNSHIP  
PLANNING BOARD  
RESOLUTION OF MEMORIALIZATION  
ADOPTING RULES OF PROCEDURES  
OF THE PLANNING BOARD**

**WHEREAS**, Section 40:55D-8 of the Municipal Land Use Law, states the following:

Every municipal agency shall adopt and may amend reasonable rules and regulations, not inconsistent with this act or with any applicable ordinance, for the administration of its functions, powers and duties and shall furnish a copy thereof to any person upon request and may charge a reasonable fee for such copy. Copies of all such rules and regulations and amendments thereto shall be maintained in the office of the administrative office; and

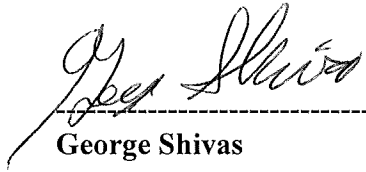
**WHEREAS**, the Planning Board has reviewed the Model Rules and Regulations for a Planning Board (Model Rules), as set forth in Appendix III of *New Jersey Zoning & Land Use Administration*, William M. Cox & Stuart R. Koenig, Revised and Updated by Jonathan E. Drill & Lisa A. John-Basta, Gann Law, 2021 Edition at a public hearing held on March 3, 2022; and

**WHEREAS**, the Planning Board made minor modifications to the Model Rules and approved same as the Township of Byram, Planning Board, Rules of Procedure (“Rules of Procedure”); and

**WHEREAS**, the Planning Board has reviewed the Rules of Procedure, is satisfied with the Rules of Procedure, and has adopted same.

.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Byram on the 16<sup>th</sup> day of January, 2025 that the Planning Board Rules of Procedures are hereby adopted and this Resolution shall take effect immediately. The Rules of Procedures shall be available to any person, a reasonable fee may be charged for a copy, and they shall be maintained in the administrative office of the Planning Board Secretary.

  
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George Shivas

**On motion of:** Mr. McElroy

**Seconded by:** Ms. Raffay

**The vote on the Resolution was as follows:**

**AYES:** Seven (7): Mayor Rubenstein, Mss. Raffay, Demagistris, Messrs. Proctor, McElroy, Smith, Chairman Shivas

**NAYS:** Zero (0)

**ABSTAINING:** Zero (0)

**ABSENT:** Three (3): Messrs. Morytko, Serrilli, Mr. Walsh

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on January 16<sup>th</sup>, 2025 and is in effect for one year.

Caitlin Phillips

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**Caitlin Phillips, Planning Board  
Secretary**

**Dated:** 01/17/2025

{351123.DOC.1}2

**Prepared by: Alyse Landano Hubbard, Esq.**

{351123.DOC.1}3

**BYRAM TOWNSHIP  
PLANNING BOARD  
RESOLUTION FOR DESIGNATION OF  
NEWSPAPER FOR NOTICES**

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. requires that adequate notice be provided for all public bodies; and

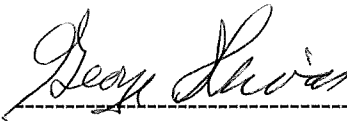
**WHEREAS**, Municipal Land Use Law (MLUL), N.J.S.A. 40:55d et seq. requires that a brief notice of all decisions of a planning board be noticed in the official newspaper of the municipality; and

**WHEREAS**, per the MLUL, the Planning Board is required to select a public place for the posting of notices for all regular and special meetings.

**NOW, THEREFORE, BE IT RESOLVED**, that the public place for the posting of notices of all regular and special meetings of the Planning Board be the bulletin board for the calendar year 2025, located within the Municipal Building at 10 Mansfield Drive, Stanhope, New Jersey, and

**BE IT FURTHER RESOLVED** that all notices of the meetings of the Board be furnished to, and published as required and all decisions be published in the following newspapers:

1. New Jersey Herald
2. Sunday Herald



George Shivas

**On motion of:** Mr. McElroy

**Seconded by:** Ms. Raffay

**The vote on the Resolution was as follows:**

Seven (7): Mayor Rubenstein, Mss. Raffay, Demagistris, Messrs. Proctor, McElroy, Smith,  
**AYES:** Chairman Shivas

**NAYS:** Zero (0)

**ABSTAINING:** Zero (0)

**ABSENT:** Three (3): Messrs. Morytko, Serrilli, Mr. Walsh

I certify that the above Resolution is a  
true copy of a Resolution adopted by  
the Planning Board on January 16<sup>th</sup>,  
2025 and is in effect for one year.

Caitlin Phillips

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**Caitlin Phillips, Planning Board  
Secretary**

**Dated:** 01/17/2025

**Prepared by:** Alyse Landano Hubbard, Esq.

{350661.DOC.1}2

**BYRAM TOWNSHIP  
PLANNING BOARD  
RESOLUTION  
APPOINTING CAITLIN PHILLIPS AS  
SECRETARY OF THE PLANNING BOARD**

**WHEREAS**, the Planning Board has a need to appoint a secretary for the year of 2025; and

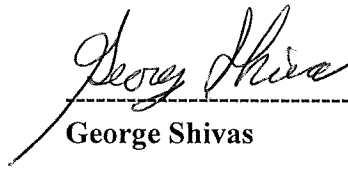
**WHEREAS**, Section 40:55D-24 of the Municipal Land Use Law, authorizes the Board to employ or contract for and fix compensation for experts and staff as deemed necessary; and

**WHEREAS**, Section 45-6 of the Township's Ordinances authorizes the Planning Board to select a Secretary, who may be a member of the Planning board or a municipal employee designated by the Board;

**WHEREAS**, the Planning Board hereby selects Caitlin Phillips as the Secretary of the Board; and

**WHEREAS**, pursuant to Section 215-4 of the Township's Ordinances, the Secretary is hereby designated as the Administrative Officer for the purpose of receiving applications for development and all other procedures and applications before the Planning board.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Byram on the 16<sup>th</sup> day of January 2025 that Caitlin Phillips is appointed as the Secretary of the Planning Board and this Resolution shall take effect immediately.

  
George Shivas

**On motion of:** Mr. McElroy

**Seconded by:** Ms. Raffay

**The vote on the Resolution was as follows:**

**AYES:** Seven (7): Mayor Rubenstein, Mss. Raffay, Demagistris, Messrs. Proctor, McElroy, Smith, Chairman Shivas

**NAYS:** Zero (0)

**ABSTAINING:** Zero (0)

**ABSENT:** Three (3): Messrs. Morytko, Serrilli, Mr. Walsh

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on January 16<sup>th</sup>, 2025 and is in effect for one year.

Caitlin Phillips

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**Caitlin Phillips, Planning Board  
Secretary**

**Dated:** 01/17/2025

**Prepared by:** Alyse Landano Hubbard, Esq.

{350660.DOC.1}2

**Byram Township Planning Board Bills**  
**January 16 2025**

| <b>Harold Pellow</b>                                                                                                          | <b>Date</b> | <b>Amount</b>      |
|-------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------|
| Inv. 81992 Smith: Application review                                                                                          | 1/6/2025    | \$ 564.13          |
| Inv. 81991 Prestige: report work                                                                                              | 1/6/2025    | \$ 406.13          |
| Inv. 81989 Tedesco: report and review                                                                                         | 1/6/2025    | \$ 513.75          |
| Inv. 81986 CAD: meeting, review, resolution compliance                                                                        | 1/6/2025    | \$ 387.00          |
| Inv. 81987 North Shore: review                                                                                                | 1/6/2025    | \$ 558.75          |
| Inv. 82002 Cocchi: review                                                                                                     | 1/6/2025    | \$ 174.00          |
| Inv. 819910 Grabler: report, review                                                                                           | 1/6/2025    | \$ 574.75          |
| Inv. 81988 Koval: meeting                                                                                                     | 1/6/2025    | \$ 142.00          |
| Inv. 82208 North Shore: resolution compliance                                                                                 | 1/6/2025    | \$ 174.00          |
| Inv. 82209 Del Franco: review                                                                                                 | 1/6/2025    | \$ 29.00           |
| Inv. 82210 Tedesco: meeting                                                                                                   | 1/6/2025    | \$ 71.00           |
| Inv. 82211 Prestige: review                                                                                                   | 1/6/2025    | \$ 245.00          |
| Inv. 82212 Smith: meeting                                                                                                     | 1/6/2025    | \$ 71.00           |
|                                                                                                                               |             |                    |
| Harold Pellow Total                                                                                                           |             | <b>\$ 3,910.51</b> |
|                                                                                                                               |             |                    |
| <b>Maraziti and Falcon</b>                                                                                                    | <b>Date</b> | <b>Amount</b>      |
| Inv. 58648 General: review checklist and application, research, closed session resolution, communications, affordable housing | 1/7/2025    | \$ 4,060.00        |
| Inv. 58657 Smith: review, meeting, resolution                                                                                 | 1/7/2025    | \$ 420.00          |
| Inv. 58658 Tedesco: review, meeting, resolution                                                                               | 1/7/2025    | \$ 472.50          |
| Inv. 58659 Cocchi: review                                                                                                     | 1/7/2025    | \$ 87.50           |
| Inv. 58655 Patel: communications                                                                                              | 1/7/2025    | \$ 35.00           |
| Inv. 58656 North Shore: review                                                                                                | 1/7/2025    | \$ 52.50           |
|                                                                                                                               |             |                    |
| Maraziti Falcon Total                                                                                                         |             | <b>\$ 5,127.50</b> |
|                                                                                                                               |             |                    |
| <b>Grant Total</b>                                                                                                            |             | <b>\$ 9,038.01</b> |