

TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, JANUARY 16, 2024
BUDGET WORKSHOP – 6:30 P.M.
REGULAR SESSION – 7:30 P.M.

PLEASE TAKE NOTICE that the regular session part of the meeting starting at 7:30 p.m. will be held in person at 10 Mansfield Drive and via Zoom Webinar. The public may connect using a computer or smart device by clicking on the following link: <https://us02web.zoom.us/j/82117363001>, or by calling any of the following number's US: +1 646 518 9805 or +1 267 831 0333 to participate. When prompted, enter the Meeting ID Number: 821 1736 3001. The public will have the opportunity to comment at appropriate times during the meeting. Formal action will be taken.

1. CALL MEETING TO ORDER

2. OPEN PUBLIC MEETING STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act. Both adequate and electronic notice of the meeting has been provided, specifying the time, place. In addition, a copy of this notice is available to the public and is on file in the office of the Municipal Clerk, posted on the main door, the bulletin board of the Municipal Building, on the Township website at:

https://www.byramtwp.org/index.php/town_hall/township_council, and has been forwarded to those persons requesting notice.

3. ROLL CALL

4. BUDGET WORKSHOP

5. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION

6. APPROVAL OF AGENDA

7. PROCLAMATION – School Board Recognition Month in New Jersey – January 2024

8. PROCLAMATION – Arbor Day – April 20, 2024

9. APPOINTMENT OF RECREATION COMMITTEE MEMBERS

- Marla Rodrigues (term ends 12/31/2026)
- Lynn Apolinaro – Alternate I (term ends 12/31/2025)

10. APPOINTMENT OF OPEN SPACE COMMITTEE MEMBER – Don Bogardus (REC)

11. REPORTS

- Township Manager
- Mayor and Council Members
- Township Attorney

12. 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.

13. APPROVAL OF MINUTES

- January 2, 2024 Regular & Closed Session Meeting Minutes

14. 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. 034-2024 – Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop – April 13th & 14th
- B. Resolution No. 035-2024 - Resolution Authorizing Byram Township Fire Department to Conduct a Bucket Drop – August 3rd & 4th
- C. Resolution No. 036-2024 – Resolution Authorizing the Submission of the Annual Report for the 2020-2024 Community Forestry Management Plan
- D. Resolution No. 037-2024 – Amending Resolution to Purchase Rock Salt under the Sussex County Cooperative Pricing System for Budget Year 2024

15. APPROVAL OF JANUARY 16, 2024 BILL LIST

16. ORDINANCE – 1st Reading / Introduction

- **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Purpose Statement: The purpose of this ordinance is to exceed the State mandated COLA percentage of 2.5% and increase to 3.5% and to bank the difference between the Township's final appropriation subject to the cap and 3.5%.

- **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM TO VACATE, RELEASE AND EXTINGUISH ANY PUBLIC RIGHTS IN PORTIONS OF THE STREET AND ROADWAY KNOWN AS NETCONG AVENUE AND MILLSTREAM LANE PURSUANT TO N.J.S.A. 40:49-6 AND N.J.S.A. 40:67-21 AND ACCEPTING DEDICATIONS OF REPLACEMENT PORTIONS OF NETCONG AVENUE AND MILLSTREAM LANE**

Purpose Statement: The purpose of this Ordinance is to vacate a portion of the streets known as Netcong Avenue and Millstream Lane and identified herein pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.

17. CO JOHNSON PARK CIP PROJECT UPDATE

18. ITEMS FOR DISCUSSION

- Noise Ordinance / Enforcement
- COJ Park Improvements
- Y24 Local Recreation Improvement Grant

19. FUTURE AGENDA DISCUSSION ITEMS

20. PUBLIC PARTICIPATION II

21. RESOLUTION FOR EXECUTIVE SESSION

- a. Attorney Client Privilege Communication
- General
- b. Personnel

22. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY

23. ADJOURNMENT

TOWNSHIP OF BYRAM

Proclamation

School Board Recognition Month in New Jersey - January 2024

- WHERE,** New Jersey's public schools serve approximately 1.4 million children from pre-kindergarten through 12th grade; and
- WHEREAS,** The direction of public education in New Jersey is charted locally by individual school boards, whose 5,000 members serve as advocates for public education as they work with administrators, teachers, parents and local residents; and
- WHEREAS,** Boards of education provide accountability to the public, they communicate the needs of the school district to the community, and they convey to school administrators the public's expectations for the school district; and
- WHEREAS,** School board members receive no remuneration for their services; and
- WHEREAS,** The Township of Byram is justly proud of the academic, athletic and social achievements of the students in our community; and
- WHEREAS,** The New Jersey School Boards Association has declared January 2024 to be School Board Recognition Month, a time when all residents can acknowledge the contributions made by our local school board members. Now, therefore, be it
- RESOLVED,** That the Township of Byram does hereby commend the service of the Byram Township and Lenape Valley Boards of Education and its members to our community and its children; and be it further
- RESOLVED,** That the Township of Byram proclaims January 2024 as SCHOOL BOARD RECOGNITION MONTH in Byram Township, and urges all citizens to join in recognizing the dedication of local school board members, past and present, as we work together to advance educational opportunities for our children.

Alexander Rubenstein
Mayor of the Township of Byram
January 16, 2024

PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

Whereas, this holiday, called Arbor Day, as first observed with the planting of more than a million trees in Nebraska; and

Whereas, Arbor Day is now observed throughout the nation and the world; and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life giving oxygen, and provide habitat for wildlife; and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore by it Resolved, that the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey, do hereby proclaim April 20, 2024 as Arbor Day, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodland; and

Further, be it Resolved, that the Mayor and Council of the Township of Byram urge all citizens to plant trees to gladden the heart and promote the wellbeing of this and future generations.

Alex Rubenstein
Mayor to the Township of Byram
January 16, 2024

Community Application 2024

Community Name Byram Township County Sussex
Contact Name Fran Frederick Title Environmental Commission Secretary
Address 10 Mansfield Drive
City Stanhope Zipcode 07821 Phone Number 973-347-2500 x138
Email adminoffice@byramtwp.org Alternate Phone Number 484-225-3650

Seedling Information

Order in multiples of 25 seedlings. (each resident receives up to five seedlings)

Applications must be in by January 26, 2024. Quantities may differ depending on what trees are available.

of seedlings requested 400

Name the volunteer group(s) who will help distribute the trees: Environmental Commission

How will these trees be distributed? _____ The event will be held outdoors at CO Johnson park.

Seedlings will be pre-bagged to be distributed to members of the public.

Tree Distribution Event Info

Please be sure to schedule your event day AFTER the day you plan to pick-up the seedlings.

Date 4/20/24 Time 9AM - Noon

Location of YOUR event. Be as detailed as possible. This information will be advertised.

C.O. Johnson Park by the Gazebo located at 117 Roseville Road, Byram Toenship, NJ 07821

Check the Tree Seedling Pick up Location you will use: ☐ Bergen ☐ Camden ☐ Cape May ☐ Essex ☐ Monmouth

Detailed locations on next page

☒ Morris ☐ Ocean

By participating in the New Jersey Tree Recovery Program, we agree to ensure the seedlings allocated to our community are distributed to any US citizen free of charge and in a timely manner.

☒ I understand this information will be made public. If any information changes, I will update the information ASAP.

Signature Fran Frederick

Title Environmental Commission Secretary

Date January

Please complete the attached application and mail or email to:

State of New Jersey
Department of Environmental Protection
NJ Forest Service Nursery
370 East Veterans Hwy, Jackson, NJ 08527
Attn: Tree Recovery Seedlings

For more information, contact:

NJ Forest Service Nursery
(732) 928-0029
Alec.McCartney@dep.nj.gov



TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 034 - 2024

**RESOLUTION AUTHORIZING BYRAM TOWNSHIP FIRE
DEPARTMENT TO CONDUCT A BUCKET DROP**

WHEREAS, the members of Byram Township Fire Department wish to hold a “Bucket Drop” on Saturday, April 13th from 9:00 a.m. to 4:00 p.m. and Sunday, April 14th from 9:00 a.m. to 4:00 p.m. at the intersections of Route 206 and Lackawanna Drive; and

WHEREAS, N.J.S.A. 39:4-60 requires charitable organizations to obtain municipal approval before soliciting contributions within municipal roadway; and

WHEREAS, charitable organizations are also required to obtain a Charitable Solicitation permit from the New Jersey Department of Transportation (hereinafter, “NJDOT”); and

WHEREAS, the NJDOT application must be accompanied by a certified copy of a municipal resolution approving the solicitation; and

WHEREAS, the Township’s Chief of Police has reviewed the Fire Department’s solicitation plan and has found same to be acceptable and in accordance with the NJDOT’s guidelines; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of Township of Byram, in the County of Sussex, and State of New Jersey hereby approves the Byram Township Fire Department’s request to hold a “Bucket Drop” on Saturday, April 13th from 9:00 a.m. to 4:00 p.m. and Sunday, April 14th from 9:00 a.m. to 4:00 p.m. at the intersections of Route 206 and Lackawanna Drive.

This resolution is subject to the approval of the Sussex County Board of Chosen Freeholders and the New Jersey Department of Transportation.

TOWNSHIP OF BYRAM

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

I certify this is a true copy of the Resolution adopted by the Mayor and Council of the Township of Byram on January 16, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 035-2024**

**RESOLUTION AUTHORIZING BYRAM TOWNSHIP FIRE
DEPARTMENT TO CONDUCT A BUCKET DROP**

WHEREAS, the members of Byram Township Fire Department wish to hold a “Bucket Drop” on Saturday, August 3rd from 9:00 a.m. to 4:00 p.m. and Sunday, August 4th from 9:00 a.m. to 4:00 p.m. at the intersections of Route 206 and Lackawanna Drive; and

WHEREAS, N.J.S.A. 39:4-60 requires charitable organizations to obtain municipal approval before soliciting contributions within municipal roadway; and

WHEREAS, charitable organizations are also required to obtain a Charitable Solicitation permit from the New Jersey Department of Transportation (hereinafter, “NJDOT”); and

WHEREAS, the NJDOT application must be accompanied by a certified copy of a municipal resolution approving the solicitation; and

WHEREAS, the Township’s Chief of Police has reviewed the Fire Department’s solicitation plan and has found same to be acceptable and in accordance with the NJDOT’s guidelines; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of Township of Byram, in the County of Sussex, and State of New Jersey hereby approves the Byram Township Fire Department’s request to hold a “Bucket Drop” on Saturday, August 3rd from 9:00 a.m. to 4:00 p.m. and Sunday, August 4th from 9:00 a.m. to 4:00 p.m. at the intersections of Route 206 and Lackawanna Drive.

This resolution is subject to the approval of the Sussex County Board of Chosen Freeholders and the New Jersey Department of Transportation.

TOWNSHIP OF BYRAM

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

I certify this is a true copy of the Resolution adopted by the Mayor and Council of the Township of Byram on January 16, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
Resolution No. 036-2024**

**RESOLUTION AUTHORIZING THE SUBMISSION OF ANNUAL REPORT FOR
2020-2024 COMMUNITY FORESTRY MANAGEMENT PLAN**

WHEREAS the Byram Township has participated in the 2020-2024 Community Forestry Management Plan, whose major goal is to educate all municipalities and counties in the state about the benefits of developing their own distinctive Community Forestry Management Plan. As the plans develop and are implemented, the health of the tree cover will improve, the number of trees will increase and resident awareness will rise; and

WHEREAS one requirement in such plan is the submission of an annual report; and

NOW THEREFORE BE IT RESOLVED that the Township Council approves the 2022 annual report for submission to fulfill the annual reporting requirements of the 2020-2024 Community Forestry Management Plan.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
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 January 16, 2024.

Cynthia Church, RMC
Township Clerk



New Jersey Urban & Community Forestry 2023 Annual Accomplishment Report



Instructions: Complete all fields of this form to the best of your ability and submit to New Jersey & Community Forestry (NJUCF) via email to **Rachael.Vannatta@dep.nj.gov**. Note: lines & boxes indicate fillable fields.

Prior to submitting, please ensure that all sections are complete, and the last page of the AAR is signed (electronic signatures are accepted and encouraged). It is strongly recommended to use Adobe to fill out and sign the document.

This annual report is separate from the Arbor Day Foundation Tree City USA Application. If you wish to apply to Tree City USA in addition to NJUCF Accreditation, please visit their website: arborday.org/treecity. Please note that questions #6, #8, and #10 relate directly to the current Tree City USA Standards.

Part I: Community Information

1. Reporting on Year: 2023 2. Date of Report Submission: _____

3. Community Name: Sussex | Byram Township | 1904 

If applicable, in future years, would your community prefer to complete one application for both NJ Urban & Community Forestry and Tree City USA Recognition? (Select One)

4. City Forestry Contact: (This person is the primary contact for NJUCF outreach & other correspondence)

Title: DPW Secretary Organization: Byram Township

First Name, Last Name: Fran Frederick

Phone Number: 973-347-2500 x138 Email: adminoffice@byramtwp.org

Address: 10 Mansfield Drive

City, State, Zip: Stanhope, NJ 07874

5. Municipal/County Department Responsible for tree management:

Title: Superintendent of DPW Organization: Byram Township

First Name, Last Name: Mike Orgera

Phone Number: 973-347-2500 Ext 137 Email: morgera@byramtwp.org

Address: 10 Mansfield Drive

City, State, Zip: Stanhope, NJ 07874



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Part I: Community Information, cont.

6. Name of Tree Advocacy Board/Commission/Committee: (fulfills Standard 1 for Tree City USA, having a board is *not* required for NJUCF Accreditation)

Board Name: Environmental Commission

First Name, Last Name of Chair: Dana Flynn

Phone Number: 434-225-3795

Email: DanaFlynn.1@gmail.com

Address: 96 Roseville Road

City, State, Zip: Byram, NJ 07821

7. Other Tree Board Members:

Name: Eric Duch Email: educh@ptd.net Term Exp. Yr. 12/31/2024

Name: Lisa Shimamoto Email: shimparr@ptd.net Term Exp. Yr. 12/31/2025

Name: Peter Dlugos Email: pdlugos@bergen.edu Term Exp. Yr. 12/31/2027

Name: Christine Aboulhosn Email: caboulhosn50@gmail.com Term Exp. Yr. 12/31/2024

Name: _____ Email: _____ Term Exp. Yr. _____

8. Community Tree Ordinance: (fulfills Standard 2 for Tree City USA, this is *not* required for NJUCF Accreditation)

☒ Yes, my community has a tree ordinance

☐ No, my community does not have a tree ordinance

9. Does your community have a tree care professional on staff (employed or retained)? E.g., Licensed Tree Expert, Certified Arborist, Forester, etc.

Yes, retained



Other



New Jersey Urban & Community Forestry 2023 Annual Accomplishment Report



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Part II: Community Tree Budget

10. Community Population: (community must have annual budget of at least \$2 per capita to fulfill Standard 3 for Tree City USA, this is *not* required for NJUCF accreditation) 8700

11. Budget Breakdown: (Note: If your community has an urban forestry budget already drafted you may attach it to your AAR submission in lieu of completing the fields below)

Tree Planting & Initial Care	\$ 0	Tree Maintenance	\$ 5632.80
Tree Removal	\$ 28950.00	Management	\$ 1167.00
Utility Line Clearance	\$ N/A	Volunteer Time*	\$ 1826.28
Other (please explain): Leaf removal			\$ 10988.90
			\$
			\$
			\$
Total Community Forestry Expenditures		\$ 48564.98	

*rates can be found at <https://independentsector.org/>

12. Additional Information for Reporting Year

Trees Planted: 0 Trees Pruned: 200 approx Trees Removed: 40

13. Comments on Budget



New Jersey Urban & Community Forestry 2023 Annual Accomplishment Report



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Part III: Community Engagement

14. Arbor Day Observance: (fulfills Standard 4 for Tree City USA, this is *not* required for NJUCF accreditation)

My community celebrated Arbor Day: ☐ Yes ☒ No

Date of Celebration MM/DD/YYYY: _____

Brief Description:

15. Other than your community's Arbor Day Celebration, were there any other public/community events held to celebrate your urban tree canopy? If yes, please describe below.

On April 22, Earth Day, Environmental Commission gave out re-usable bags and seed packets of native or pollinator seed packets. Event was well attended by the community and everyone enjoyed the day.

Part IV: Continuing Education

16. To what extent did the completed continuing education topics reflect the objectives in your management plan? Please use specific examples.

- 1) We involved the community on invasive plant species and effective ways to remove these plants.
- 2) Nixel notices were issued on invasive species so anyone unable to attend Earth Day was educated.
- 3) Updates and announcements were posted on the town website regarding tree care.



New Jersey Urban & Community Forestry 2023 Annual Accomplishment Report



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Part V: Community Forest Management Plan (CFMP) Implementation

17. Does your community have a tree inventory? Yes, Complete
What year was your tree inventory completed? 2020

18. Determine and describe the extent to which your community achieved its top three CFMP goals for the year.

CFMP Goal #1: Complete annual training requirement - 8 CEU's

Yes, objective was accomplished this year



Comments -

Training requirement for 8 CEU's was exceeded

CFMP Goal #2: Reach out to public utilities to jointly work on hazard trees.

Yes, objective was accomplished this year



Comments -

Open communication with public utilities to identify hazardous tree removal

CFMP Goal #3: Resident Education

Yes, objective was accomplished this year



Comments -

We organized an earth day even to educate residents on tree planting, tree care and evasive species.

19. Identify and describe some specific barriers to completing these, or other, items in your community's CFMP. Was your community able to overcome these barriers? How?



New Jersey Urban & Community Forestry 2023 Annual Accomplishment Report



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Part VI: Comments

20. Please use the space below to detail comments, concerns, and or improvements for any part of the NJUCF Accreditation Program. If you have specific questions, please reach out to community.forestry@dep.nj.gov.

Part VI: Signature and Submission

Electronic Submissions & signatures preferred. Submit to Rachael.Vannatta@dep.nj.gov

21. By signing and/or typing my name below, I hereby certify as the Shade Tree Representative, that the information in this report was shared with our Mayor and/or Governing Body and that the NJUCF Accreditation Status for my community is up to date and accurate.

Print Name _____ Signature _____

Title _____ Date _____

TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 037– 2024

Amending Resolution to Purchase Rock Salt under the Sussex County Cooperative Pricing System
for Budget Year 2024

WHEREAS, the Township of Byram is a member of the Sussex County Cooperative Pricing System; and

WHEREAS, contracts awarded under the Sussex County Cooperative Pricing System in excess of the Township’s bid threshold may be made by resolution of the Governing Body; and

WHEREAS, the Township of Byram is in need of and desires to purchase rock salt; and

WHEREAS, the Sussex County Cooperative Pricing System awarded a contract to Morton Salt, Inc. awarded for the period of June 1, 2023 – May 31, 2024, thereby affording the Township of Byram the opportunity of direct purchase of rock salt at \$69.42/ton without competitive bidding:

Morton Salt, Inc.
444 West Lake Street, Suite 3000
Chicago, IL 60606

WHEREAS, funds are available in the Reserve for Storm Recovery Trust Account.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Byram does hereby authorize the execution of the necessary purchase orders to obtain Ice Control Materials as specified and priced to the Sussex County Cooperative Pricing System; and

BE IT FURTHER RESOLVED, that upon receipt, inspection and approval of vouchers therefore by the Township of Byram, payment, pursuant to said purchase orders, are hereby authorized with the same to be charged against funds established in the appropriate accounts for said purpose; and

BE IT FURTHER RESOLVED, that the duration of the contract between the Township of Byram and the referenced Sussex County Cooperative Pricing System Vendor, shall be for budget year 2024; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Sussex County Cooperative Pricing System, Chief Financial Officer and the Municipal Clerk.

BYRAM TOWNSHIP COUNCIL					
COUNCIL MEMBER	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
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 January 16, 2024.

Cynthia Church, Township Clerk

List of Bills - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Vendor	Description	Payment	Check	Total
Claims Account				
3239 - AQUA NJ	PO 28100 LEE HILL WATER SERVICE 2023-ACCT#0022918	45.27		45.27
2982 - BIOTRIAD ENVIRONMENTAL, INC.	PO 27821 Sewer System Grease/Odor Control - Quote	1,093.00		1,093.00
217 - BYRAM TWP SEWER OPERATING UTIL	PO 28103 1st-2nd Qtr 2024 Sewer Billing	1,460.42		1,460.42
3329 - CAMPBELL SUPPLY CO., LLC	PO 27909 Engine 6 Repairs Per Order #12005844 - M	2,075.81		2,075.81
3790 - CAPTUREPOINT, LLC	PO 27623 REC - COMMUNITY PASS SOFTWARE - QUOTE #0	5,250.00		5,250.00
272 - CHEMUNG SUPPLY CORP.	PO 28015 PLOW BLADES & HARDWARE - QUOTE DATE: 11/	2,543.50		2,543.50
448 - EDMUNDS GOVTECH, INC.	PO 28064 TAX - VALIDATORS - QUOTE #00007309	2,050.00		2,050.00
3802 - ELIZABETHTOWN GAS	PO 28099 MONTHLY SERVICE	159.64		159.64
520 - FINCH FUEL OIL CO, INC.	PO 28102 1ST QUARTER 2024 BLANKET PURCHASE ORDER	1,763.97		1,763.97
1166 - GANNETT NEW YORK/NEW JERSEY LOCALIQ	PO 28111 MONTHLY ADVERTISING	276.15		276.15
751 - JCP&L	PO 28089 MONTHLY SERVICES	953.35		953.35
751 - JCP&L	PO 28090 MONTHLY SERVICE	362.74		362.74
751 - JCP&L	PO 28091 MONTHLY SERVICE	133.63		133.63
751 - JCP&L	PO 28092 MONTHLY SERVICES	41.82		41.82
751 - JCP&L	PO 28093 MONTHLY SERVICE	297.83		297.83
751 - JCP&L	PO 28094 MONTHLY SERVICES	60.01		60.01
3409 - KONICA MINOLTA BUSINESS SOLUTIONS	PO 26586 2023 BLANKET PO - COPIER MACHINE - POLIC	1.52		1.52
3412 - KONICA MINOLTA PREMIER FINANCE	PO 28113 2024 BLANKET PURCHASE ORDER - UCC COPY M	46.61		46.61
934 - LOWE'S BUSINESS ACCOUNT	PO 26533 2023 BLANKET PURCHASE ORDER	482.78		482.78
3413 - MJM DESIGNS, LLC	PO 28013 RECYCLING POSTCARD	425.00		425.00
1160 - NETCONG HARDWARE CO., INC.	PO 26326 2023 Blanket For Supplies	171.16		171.16
1186 - NJ MOTOR VEHICLE COMMISSION	PO 28106 2024 Administrative User Fee - Acct #0L0	150.00		150.00
1191 - NJ STATE DEPT OF HEALTH	PO 28110 December 2023 Dog License Fees Due to St	6.60		6.60
1212 - NOR. JERSEY MUN EMP BENFT FUND	PO 28118 JAN-APRIL 2024 BLANKET PURCHASE ORDER -	105.00		
	PO 28118 JAN-APRIL 2024 BLANKET PURCHASE ORDER -	6,158.00		6,263.00
2280 - ONE CALL CONCEPTS, INC.	PO 26466 2023 BLANKET PURCHASE ORDER - CALL BEFOR	34.32		34.32
3590 - OPTIMUM	PO 28112 EQUIPMENT CHARGES - CABLE BOXES - 2024 B	10.00		10.00
1315 - PITNEY BOWES, INC.	PO 28114 1ST-2ND QUARTER 2024 BLANKET PURCHASE OR	120.00		120.00
1821 - RANDOLPH, TOWNSHIP OF	PO 28107 2024 Annual Membership - Morris County	1,100.00		1,100.00
1432 - RONETCO SUPERMARKETS, INC	PO 28077 HOLIDAY CELEBRATION - REFRESHMENTS & SUP	63.96		63.96
3652 - ROYALTY CLEANING SERVICES, LLC	PO 26889 2ND-4TH QUARTER 2023 BLANKET PURCHASE OR	675.00		675.00
1468 - SCMUA	PO 26900 APR - DECEMBER 2023 BLANKET PURCHASE ORD	11,685.47		
	PO 26992 2023 Blanket For Leaf and Brush Recyclin	134.55		
	PO 28116 JAN - MARCH 2024 BLANKET PURCHASE ORDER	6,605.11		18,425.13
1521 - SPACE FARMS ZOO	PO 26467 2023 BLANKET PURCHASE ORDER - CARCASS RE	29.00		29.00
1554 - STATE OF NEW JERSEY	PO 28117 JANUARY 2024 HEALTH INSURANCE PREMIUMS	1,821.12		
	PO 28117 JANUARY 2024 HEALTH INSURANCE PREMIUMS	101,104.30		102,925.42
2126 - SUSSEX COUNTY DEPT OF ENGINEERING	PO 27276 2023 Blanket for Street Signs	55.04		55.04
2151 - THE STANDARD INSURANCE CO.	PO 28108 1ST QUARTER 2024 LIFE INSURANCE PREMIUMS	1,764.04		1,764.04
1840 - TREASURER, STATE OF NJ	PO 28109 4TH QUARTER 2023 - MARRIAGE LICENSE FEES	150.00		150.00
1839 - TREASURER, STATE OF NJ	PO 28119 4th Qtr 2023 DCA Fees Due to State	6,275.00		6,275.00
1889 - VERIZON WIRELESS	PO 28095 MONTHLY SERVICE	188.00		
	PO 28096 MONTHLY SERVICE	82.58		
	PO 28097 MONTHLY SERVICE	114.07		
	PO 28098 MONTHLY SERVICE	38.01		422.66
1902 - VOGEL, CHAIT, COLLINS AND SCHNEIDER	PO 26901 2ND-4TH QUARTER 2023 BLANKET PURCHASE OR	2,153.25		
	PO 28070 ESCROW - NOVEMBER 2023 SERVICES - CROWN	412.50		2,565.75
1926 - WB MASON CO., INC.	PO 27889 ADMIN - OFFICE SUPPLIES - ORDER #S138906	144.03		144.03
1930 - WELDON QUARRY CO., LLC	PO 26627 2023 Blanket for Stone and Aggregate	1,979.81		1,979.81
2626 - XTEL COMMUNICATIONS	PO 28101 JAN-APRIL 2024 BLANKET PURCHASE ORDER -	403.33		403.33
TOTAL				163,256.30

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-020	GENERAL ADMIN OE	1,380.00			

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-23-220-020	GROUP INSURANCE	109,026.34			
01-201-26-310-020	PUBLIC BLDGS & GROUNDS OE	45.27			
01-201-26-335-030	GARBAGE CONTRACT	6,419.92			
01-201-31-440-020	TELEPHONE	403.33			
01-201-31-447-020	HEATING OIL	1,763.97			
01-201-31-455-020	MUNICIPAL SEWER CHARGES	1,460.42			
01-201-32-465-000	RECYCLING TAX APPROP.	185.19			
01-203-20-100-020	(2023) GENERAL ADMIN OE		240.46		
01-203-20-110-020	(2023) MAYOR & COUNCIL OE		63.96		
01-203-20-145-020	(2023) TAX COLLECTION OE		2,050.00		
01-203-20-150-020	(2023) TAX ASSESSMENT OE		11.01		
01-203-20-155-020	(2023) LEGAL SERVICES		2,153.25		
01-203-21-180-020	(2023) PLANNING BD OE		41.13		
01-203-21-185-020	(2023) ZONING COMMISSION OE		38.01		
01-203-25-240-020	(2023) POLICE OE		98.75		
01-203-25-250-020	(2023) POLICE RADIO & COMM & 911		114.07		
01-203-26-290-020	(2023) ROAD REPAIR & MAINT OE		5,149.23		
01-203-26-292-020	(2023) FLEET MAINTENANCE		2,128.84		
01-203-26-310-020	(2023) PUBLIC BLDGS & GROUNDS OE		808.18		
01-203-26-335-020	(2023) RECYCLING OE		425.00		
01-203-26-335-030	(2023) GARBAGE CONTRACT		11,357.84		
01-203-27-330-020	(2023) BOARD OF HEALTH OE		72.24		
01-203-28-375-020	(2023) PARKS & PLAYGROUNDS OE		154.54		
01-203-31-430-020	(2023) ELECTRICITY		1,013.36		
01-203-31-446-020	(2023) NATURAL GAS		159.64		
01-203-32-465-000	(2023) RECYCLING TAX APPROP.		327.63		
01-213-07-000-000	RESERVE - FEDERAL/STATE GRANTS			134.55	
01-260-05-100	Due to Claims			0.00	147,376.13
01-291-55-000-002	Due to State of NJ - Marriage Licenses			150.00	
TOTALS FOR	Current fund	120,684.44	26,407.14	284.55	147,376.13
05-203-55-502-020	(2023) OPERATING OE		1,963.34		
05-260-05-100	Due to Claims			0.00	1,963.34
TOTALS FOR	Sewer	0.00	1,963.34	0.00	1,963.34
12-205-55-000-000	Due to State			6.60	
12-260-05-100	Due to Claims			0.00	6.60
TOTALS FOR	Animal Trust	0.00	0.00	6.60	6.60
19-260-05-000-025	Due to State - DCA Fees			5,478.00	
19-260-05-000-026	Due to State - DCA Fees - Netcong			797.00	
19-260-05-100	Due to Claims			0.00	8,247.73
19-286-56-000-400	Reserve - Uniform Construction Code			1,972.73	
TOTALS FOR	Other Trust	0.00	0.00	8,247.73	8,247.73
20-260-05-100	Due to Claims			0.00	5,250.00
20-286-56-009-000	Recreation Programs OLD			5,250.00	
TOTALS FOR	Recreation Trust	0.00	0.00	5,250.00	5,250.00
24-260-05-100	Due to Claims			0.00	412.50
24-280-56-000	Reserve for Developers Escrow Deposits			412.50	
TOTALS FOR	Developers Escrow - VNB	0.00	0.00	412.50	412.50

Total to be paid from Fund 01 Current fund	147,376.13
Total to be paid from Fund 05 Sewer	1,963.34
Total to be paid from Fund 12 Animal Trust	6.60
Total to be paid from Fund 19 Other Trust	8,247.73

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT

Total to be paid from Fund 20 Recreation Trust		5,250.00			
Total to be paid from Fund 24 Developers Escrow - VNB		412.50			

		163,256.30			

Checks Previously Disbursed

2024001	BYRAM TWP BD OF EDUCATION	PO# 28104	JANUARY - JUNE 2024	SCHOOL TAX LEV	1,059,342.83	1/10/2024
2024002	LENAPE VALLEY REGIONAL H S	PO# 28105	JANUARY - JUNE 2024	REGIONAL SCH00	555,566.17	1/10/2024

					1,614,909.00	

Totals by fund	Previous Checks/Voids	Current Payments	Total

Fund 01 Current fund	1,614,909.00	147,376.13	1,762,285.13
Fund 05 Sewer		1,963.34	1,963.34
Fund 12 Animal Trust		6.60	6.60
Fund 19 Other Trust		8,247.73	8,247.73
Fund 20 Recreation Trust		5,250.00	5,250.00
Fund 24 Developers Escrow - VNB		412.50	412.50

BILLS LIST TOTALS	1,614,909.00	163,256.30	1,778,165.30
			=====

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
Current fund					
DEPARTMENT 000					
01-291-55-000-002	28109	TREASURER, STATE OF NJ	4TH QUARTER 2023 MARRIAGE LICENSE FEES	150.00	
		Due to State of NJ - Marriage Licenses	TOTAL FOR ACCOUNT		150.00
					=====
TOTAL for DEPARTMENT 000					150.00
DEPARTMENT 100					
01-201-20-100-201	28114	PITNEY BOWES, INC.	1ST QUARTER 2024 METER RENTAL	120.00	
		Postage	TOTAL FOR ACCOUNT		120.00
01-201-20-100-202	28107	RANDOLPH, TOWNSHIP OF	2024 Annual Membership - Morris County C	1,100.00	
	28106	NJ MOTOR VEHICLE COMMISSION	2024 Administrative User Fee - DMV Looku	150.00	
		Dues & Memberships	TOTAL FOR ACCOUNT		1,250.00
01-201-20-100-216	28112	OPTIMUM	JANUARY 2024 EQUIPMENT CHARGES - DPW - C	5.00	
	28112	OPTIMUM	JANUARY 2024 EQUIPMENT CHARGES - PD - CA	5.00	
		Computer Services	TOTAL FOR ACCOUNT		10.00
01-203-20-100-200	27889	WB MASON CO., INC.	ITEM #AAGSK200 - AT-A-GLANCE DAYMINDER M	8.20	
	27889	WB MASON CO., INC.	ITEM #TOP4002 - TOPS SPIRALBOUND MESSAGE	33.05	
	27889	WB MASON CO., INC.	ITEM #DIX13830 - TICONDEROGA PRE-SHARPEN	14.80	
		(2023) Office Supplies	TOTAL FOR ACCOUNT		56.05
01-203-20-100-208	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ	12/24/23 - NOTICE OF ONLINE PUBLIC AUCTI	32.07	
	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ	12/24/23 - NOTICE OF PSA - NAVITEND	21.54	
	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ	12/08/23 - NOTICE OF INTRODUCTION - ORDI	28.17	
	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ	12/22/23 - NOTICE OF ADOPTION - ORDINANC	26.61	
		(2023) Advertising	TOTAL FOR ACCOUNT		108.39
01-203-20-100-250	28095	VERIZON WIRELESS	Administration - iPad - Acct #282179761-	38.01	
	28095	VERIZON WIRELESS	Community Relations - iPad - Acct #28217	38.01	
		(2023) Cell Phone -Administration	TOTAL FOR ACCOUNT		76.02
					=====
TOTAL for DEPARTMENT 100					1,620.46
DEPARTMENT 110					
01-203-20-110-200	28077	RONETCO SUPERMARKETS, INC	HOLIDAY CELEBRATION REFRESHMENTS & SUPPL	63.96	
		(2023) Office Supplies	TOTAL FOR ACCOUNT		63.96
					=====
TOTAL for DEPARTMENT 110					63.96

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 145					
01-203-20-145-272	28064	EDMUNDS GOVTECH, INC. (2023) Miscellaneous	EPSON TM-H6000V-032	2,050.00	2,050.00
TOTAL FOR ACCOUNT					2,050.00
TOTAL for DEPARTMENT 145					2,050.00
DEPARTMENT 150					
01-203-20-150-208	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ (2023) Advertising	12/15/23 - 2024 TAX LIST	11.01	11.01
TOTAL FOR ACCOUNT					11.01
TOTAL for DEPARTMENT 150					11.01
DEPARTMENT 155					
01-203-20-155-808	26901	VOGEL, CHAIT, COLLINS AND SCHNEIDER (2023) Legal Retainer	DECEMBER 2023 TWP ATTORNEY SERVICES	2,153.25	2,153.25
TOTAL FOR ACCOUNT					2,153.25
TOTAL for DEPARTMENT 155					2,153.25
DEPARTMENT 180					
01-203-21-180-208	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ	12/31/23 - LUB 12/21/2023 MEETING BUSINE	23.88	41.13
	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ	12/13/23 - LUB 12/07/2023 MEETING BUSINE	17.25	
	(2023) Advertising			TOTAL FOR ACCOUNT	
TOTAL for DEPARTMENT 180					41.13
DEPARTMENT 185					
01-203-21-185-272	28095	VERIZON WIRELESS (2023) Miscellaneous	Zoning - iPad - Acct #282179761-0002	38.01	38.01
TOTAL FOR ACCOUNT					38.01
TOTAL for DEPARTMENT 185					38.01
DEPARTMENT 220					
	28118	NOR. JERSEY MUN EMP BENFT FUND	JANUARY 2024 DENTAL INSURANCE PREMIUMS	6,158.00	
	28117	STATE OF NEW JERSEY	JANUARY 2024 HEALTH INSURANCE PREMIUMS -	35,239.12	
	28117	STATE OF NEW JERSEY	JANUARY 2024 HEALTH INSURANCE PREMIUMS -	65,865.18	

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 220					
01-201-23-220-230	28108	THE STANDARD INSURANCE CO.	JANUARY 2024 LIFE INSURANCE PREMIUMS - P	1,764.04	
	<i>Group Plans</i>		TOTAL FOR ACCOUNT		109,026.34
					=====
TOTAL for DEPARTMENT 220					109,026.34
DEPARTMENT 240					
01-203-25-240-209	26586	KONICA MINOLTA BUSINESS SOLUTIONS	OCTOBER 2023 - COPIER CLICKS - POLICE (C	1.52	
	<i>(2023) Copy Machine</i>		TOTAL FOR ACCOUNT		1.52
01-203-25-240-211	26326	NETCONG HARDWARE CO., INC.	1-1/2" LAM TUMB LOCK	12.14	
	26326	NETCONG HARDWARE CO., INC.	M1 KEY BLANKS	2.51	
	<i>(2023) Service/Maintenance</i>		TOTAL FOR ACCOUNT		14.65
01-203-25-240-250	28096	VERIZON WIRELESS	Detective Phone - Acct #282179761-00001	82.58	
	<i>(2023) Cell Phone - Police</i>		TOTAL FOR ACCOUNT		82.58
					=====
TOTAL for DEPARTMENT 240					98.75
DEPARTMENT 250					
01-203-25-250-020	28097	VERIZON WIRELESS	FIRE DEPT IPADS - ACCT #742195349-00001	114.07	
	<i>(2023) POLICE RADIO & COMM & 911</i>		TOTAL FOR ACCOUNT		114.07
					=====
TOTAL for DEPARTMENT 250					114.07
DEPARTMENT 290					
01-203-26-290-220	26533	LOWE'S BUSINESS ACCOUNT	HLB 2G PLASTIC BLANK BOX	4.35	
	26533	LOWE'S BUSINESS ACCOUNT	12 STRANDED CU WHITE THHN	48.23	
	26533	LOWE'S BUSINESS ACCOUNT	1/2IN PVC TYPE LB CONDUI	5.11	
	26533	LOWE'S BUSINESS ACCOUNT	STEELSTIK EPOXY PUTTY STI	7.11	
	26533	LOWE'S BUSINESS ACCOUNT	20Z JB ORIG COLD WELD EP	6.63	
	26533	LOWE'S BUSINESS ACCOUNT	1/2IN SCH 40 DEG BLD	1.12	
	26533	LOWE'S BUSINESS ACCOUNT	WIRE MARKER BOOKLET	10.33	
	26533	LOWE'S BUSINESS ACCOUNT	1/2IN PVC 2G TYPE FSC B0	8.34	
	26533	LOWE'S BUSINESS ACCOUNT	1/2IN PVC COUPLING 15PA	3.31	
	26533	LOWE'S BUSINESS ACCOUNT	12 STRANDED CU BLUE THHN	85.50	
	26533	LOWE'S BUSINESS ACCOUNT	2G BLANK COVER GREY	3.33	
	<i>(2023) Operating Maintenance</i>		TOTAL FOR ACCOUNT		183.36
01-203-26-290-250	28098	VERIZON WIRELESS	DPW IPAD - ACCT #642119479-00001	38.01	
	28095	VERIZON WIRELESS	DPW - Assistant Supervisor Acct #2821797	50.79	
					TOTAL FOR ACCOUNT
					88.80
	26627	WELDON QUARRY CO., LLC	12/20/2023 - 1/4" TOP MIX	120.60	
	26627	WELDON QUARRY CO., LLC	12/13/2023 - 1/4" TOP MIX	322.74	
	26627	WELDON QUARRY CO., LLC	12/12/2023 - I-5 FABC	568.23	

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 290					
		26627 WELDON QUARRY CO., LLC	12/29/2023 - 1/4" TOP MIX	161.34	
		26627 WELDON QUARRY CO., LLC	12/12/2023 - RAP SINGLE AXLE	725.00	
		26627 WELDON QUARRY CO., LLC	12/08/2023 - 1/4" TOP MIX	81.90	
		26533 LOWE'S BUSINESS ACCOUNT	ETN 16 DECO PLATE WH	0.88	
		26533 LOWE'S BUSINESS ACCOUNT	QPR 50LB PERMNT ASPHALT	16.49	
01-203-26-290-253	(2023) Black Top		TOTAL FOR ACCOUNT		1,997.18
		27276 SUSSEX COUNTY DEPT OF ENGINEERING	ALLAMUCHY TRL 6"x36"	18.46	
		26533 LOWE'S BUSINESS ACCOUNT	ARW ASSRT RIVET KIT 120PC	10.72	
		26533 LOWE'S BUSINESS ACCOUNT	SCOTTS TURF BUILDER EDGEGU	45.59	
		28015 CHEMUNG SUPPLY CORP.	STEEL PLOW BLADES - 5/8" X 8" X 132" (11	1,881.00	
		28015 CHEMUNG SUPPLY CORP.	5/8" X 2.5" CARRIAGE BOLT	130.00	
		27276 SUSSEX COUNTY DEPT OF ENGINEERING	"NO OUTLET" 24"X30"	36.58	
		28015 CHEMUNG SUPPLY CORP.	5/8" X 3.5" CARRIAGE BOLT	140.00	
		28015 CHEMUNG SUPPLY CORP.	DELIVERY	75.00	
		28015 CHEMUNG SUPPLY CORP.	5/8" LOCK NUT	240.00	
		28015 CHEMUNG SUPPLY CORP.	5/8" X 4" CARRIAGE BOLT	77.50	
01-203-26-290-255	(2023) Road Safety		TOTAL FOR ACCOUNT		2,654.85
		26467 SPACE FARMS ZOO	DECEMBER 2023 - CARCASS REMOVAL SERVICES	29.00	
01-203-26-290-285	(2023) Carcass Removal		TOTAL FOR ACCOUNT		29.00
		26533 LOWE'S BUSINESS ACCOUNT	ZEP CRISPCLEAN FRAGRANCE	10.43	
		26326 NETCONG HARDWARE CO., INC.	ANCHORS/MOLLIES/TOGGLES/E	7.20	
		26533 LOWE'S BUSINESS ACCOUNT	48IN ORANGE ROD DRIVEWAY	39.72	
		26326 NETCONG HARDWARE CO., INC.	4X6 NYL REPL FLAG	30.59	
		26326 NETCONG HARDWARE CO., INC.	3/16X4 SPIRAL MAS BIT	2.51	
		26326 NETCONG HARDWARE CO., INC.	6" CI GSLV CLEAT	5.39	
		26533 LOWE'S BUSINESS ACCOUNT	4CT LITTLE TREES VENTWRAP	3.12	
		26533 LOWE'S BUSINESS ACCOUNT	48IN ORANGE ROD DRIVEWAY	49.65	
01-203-26-290-491	(2023) Park Operating		TOTAL FOR ACCOUNT		148.61
		26533 LOWE'S BUSINESS ACCOUNT	TRUFUEL 110FL OZ 4 CYCLE	22.79	
		26533 LOWE'S BUSINESS ACCOUNT	3/32IN X 1/8 IN SS CLAMP	8.06	
		26533 LOWE'S BUSINESS ACCOUNT	1/4IN SSL CLAMP SET	11.19	
		26326 NETCONG HARDWARE CO., INC.	GAS LINE FILTERS	5.39	
01-203-26-290-492	(2023) Park Vehicle Repair		TOTAL FOR ACCOUNT		47.43
TOTAL for DEPARTMENT 290					5,149.23
DEPARTMENT 292					
		27909 CAMPBELL SUPPLY CO., LLC	Discharge 1 Repair	148.89	
		27909 CAMPBELL SUPPLY CO., LLC	Labor to Diagnose Vacuum Issues on Pump	725.00	
		27909 CAMPBELL SUPPLY CO., LLC	Labor to Diagnose Vacuum Issues	725.00	
		27909 CAMPBELL SUPPLY CO., LLC	Test Port Repair	57.59	
		27909 CAMPBELL SUPPLY CO., LLC	Labor to Install Manual Vacuum Gauge	290.00	
		27909 CAMPBELL SUPPLY CO., LLC	Guage	93.03	
		27909 CAMPBELL SUPPLY CO., LLC	Plumbing	36.30	
01-203-26-292-260	(2023) Fire Department		TOTAL FOR ACCOUNT		2,075.81
		26326 NETCONG HARDWARE CO., INC.	6X3/4X1 MED GRIND WHEEL	10.79	
		26326 NETCONG HARDWARE CO., INC.	6" CRIMP WIRE WHL BRUSH	17.99	
		26326 NETCONG HARDWARE CO., INC.	PIG RINGS	4.04	
		26326 NETCONG HARDWARE CO., INC.	KEY BLANK	4.31	
		26326 NETCONG HARDWARE CO., INC.	KEY RING TAG 12QTY	4.21	

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 292					
01-203-26-292-290	26326	NETCONG HARDWARE CO., INC.	160Z MAPP GAS CYLINDER	11.69	
	(2023)	SR Van Fleet	TOTAL FOR ACCOUNT		53.03
TOTAL for DEPARTMENT 292					2,128.84
DEPARTMENT 310					
01-201-26-310-220	28100	AQUA NJ	JANUARY 2024 LEE HILL WATER SERVICE	45.27	
	Operating Maintenance		TOTAL FOR ACCOUNT		45.27
01-203-26-310-220	26326	NETCONG HARDWARE CO., INC.	20X28X30 STD A/C COVER	18.88	
	26533	LOWE'S BUSINESS ACCOUNT	ETN 2G DUP RECEPT PLATE L	2.07	
	26533	LOWE'S BUSINESS ACCOUNT	BLK WINDOW FILM GILA 3FT	25.63	
	26533	LOWE'S BUSINESS ACCOUNT	COMPLETE APPLICATION KIT	14.71	
	26533	LOWE'S BUSINESS ACCOUNT	4CT LITTLE TREES VENTWRAP	3.12	
	26533	LOWE'S BUSINESS ACCOUNT	2 GANG OLD WORK BOX 25 CU	4.12	
	26533	LOWE'S BUSINESS ACCOUNT	PS 1/8 IN X 3 IN TOGGLE B	2.64	
	26326	NETCONG HARDWARE CO., INC.	GT 2PK BRS HOSE CAP	3.59	
	26889	ROYALTY CLEANING SERVICES, LLC	DECEMBER 2023 JANITORIAL SERVICES	675.00	
	26326	NETCONG HARDWARE CO., INC.	3 MIL IND A/C COVER	4.76	
	26326	NETCONG HARDWARE CO., INC.	KEY BLANKS	3.59	
	26326	NETCONG HARDWARE CO., INC.	DUAL CAR CHARGER	5.39	
	26326	NETCONG HARDWARE CO., INC.	34X34X30 SQ A/C COVER	16.19	
	26533	LOWE'S BUSINESS ACCOUNT	CRAFTSMAN 30GAL LATCHING	28.49	
	(2023)	Operating Maintenance	TOTAL FOR ACCOUNT		808.18
TOTAL for DEPARTMENT 310					853.45
DEPARTMENT 330					
01-203-27-330-208	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ	12/13/23-12/17/23 - BOH 2024 MEETING SCH	72.24	
	(2023)	Advertising	TOTAL FOR ACCOUNT		72.24
TOTAL for DEPARTMENT 330					72.24
DEPARTMENT 335					
01-201-26-335-030	28116	SCMUA	01/02/2024 - GARBAGE TIPPING FEES	6,419.92	
	GARBAGE CONTRACT		TOTAL FOR ACCOUNT		6,419.92
01-203-26-335-020	28013	MJM DESIGNS, LLC	QTY: 5,000 4X6, 4/4 (FULL UV ON NON-ADDR	425.00	
	(2023)	RECYCLING OE	TOTAL FOR ACCOUNT		425.00
01-203-26-335-030	26900	SCMUA	12/26/2023 - GARBAGE DISPOSAL	4,772.56	
	26900	SCMUA	12/19/2023 - GARBAGE DISPOSAL	5,800.08	
	26900	SCMUA	12/27/2023 - GARBAGE DISPOSAL	785.20	
	(2023)	GARBAGE CONTRACT	TOTAL FOR ACCOUNT		11,357.84

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 335					
TOTAL for DEPARTMENT 335					=====18,202.76
DEPARTMENT 375					
01-203-28-375-200	27889	WB MASON CO., INC. (2023) Office Supplies	ITEM #FEL5737601 - FELLOWES M5-95 LAMINA TOTAL FOR ACCOUNT	87.98	87.98
01-203-28-375-208	28111	GANNETT NEW YORK/NEW JERSEY LOCALIQ (2023) Advertising	12/22/23-12/24/23 - 2024 ANNUAL NOTICE - TOTAL FOR ACCOUNT	43.38	43.38
01-203-28-375-251	28095	VERIZON WIRELESS (2023) Cell Phone - Senior Van	Senior Van Driver - Acct #282179761-0000 TOTAL FOR ACCOUNT	23.18	23.18
TOTAL for DEPARTMENT 375					=====154.54
DEPARTMENT 430					
01-203-31-430-661	28094	JCP&L (2023) P & R Utilities	NEIL GYLING - ACCT #100030508426 TOTAL FOR ACCOUNT	60.01	60.01
01-203-31-430-675	28089	JCP&L (2023) Fire Dept Utilities	FIRE DEPT - ACCT #200000053062 TOTAL FOR ACCOUNT	953.35	953.35
TOTAL for DEPARTMENT 430					=====1,013.36
DEPARTMENT 440					
01-201-31-440-601	28101	XTEL COMMUNICATIONS A&E Utilities	JANUARY 2024 LONG DISTANCE CHARGES TOTAL FOR ACCOUNT	403.33	403.33
TOTAL for DEPARTMENT 440					=====403.33
DEPARTMENT 446					
01-203-31-446-675	28099	ELIZABETHTOWN GAS (2023) Fire Dept Utilities	34 LEE HILL RD - ACCT #5628595432 TOTAL FOR ACCOUNT	159.64	159.64
TOTAL for DEPARTMENT 446					=====159.64

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 447					
01-201-31-447-619	28102 FINCH FUEL OIL CO, INC.		01/03/2024 - #2 FUEL OIL DELIVERY - 302.	809.60	
	Rescue Squad		TOTAL FOR ACCOUNT		809.60
01-201-31-447-661	28102 FINCH FUEL OIL CO, INC.		01/03/2024 - #2 FUEL OIL DELIVERY - 175.	469.15	
	P & R Utilities		TOTAL FOR ACCOUNT		469.15
01-201-31-447-675	28102 FINCH FUEL OIL CO, INC.		01/03/2024 - #2 FUEL OIL DELIVERY - 181.	485.22	
	Fire Dept Utilities		TOTAL FOR ACCOUNT		485.22
TOTAL for DEPARTMENT 447				=====	1,763.97
DEPARTMENT 455					
01-201-31-455-020	28103 BYRAM TWP SEWER OPERATING UTIL		1st Qtr 2024 Sewer Charges for Municipal	1,460.42	
	MUNICIPAL SEWER CHARGES		TOTAL FOR ACCOUNT		1,460.42
TOTAL for DEPARTMENT 455				=====	1,460.42
DEPARTMENT 465					
01-201-32-465-000	28116 SCMUA		01/02/2024 - RECYCLING TAX TIPPING FEES	185.19	
	RECYCLING TAX APPROP.		TOTAL FOR ACCOUNT		185.19
01-203-32-465-000	26900 SCMUA		12/27/2023 - RECYCLING TAX	22.65	
	26900 SCMUA		12/19/2023 - RECYCLING TAX	167.31	
	26900 SCMUA		12/26/2023 - RECYCLING TAX	137.67	
	(2023) RECYCLING TAX APPROP.		TOTAL FOR ACCOUNT		327.63
TOTAL for DEPARTMENT 465				=====	512.82
DEPARTMENT 701					
01-213-07-701-001	26992 SCMUA		12/19/2023 - Brush Disposal	36.00	
	26992 SCMUA		12/19/2023 - Leaf Disposal	98.55	
	Recycling Grant		TOTAL FOR ACCOUNT		134.55
TOTAL for DEPARTMENT 701				=====	134.55

Sewer**DEPARTMENT 502**

27821 BIOTRIAD ENVIRONMENTAL, INC.	Shipping	168.00
26466 ONE CALL CONCEPTS, INC.	DECEMBER 2023 - CALL BEFORE U DIG SERVIC	34.32

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
Sewer					
DEPARTMENT 502					
05-203-55-502-220	27821	BIOTRIAD ENVIRONMENTAL, INC.	FOG Emulsifier - AquifOG CF150 - Citrus	585.00	
	27821	BIOTRIAD ENVIRONMENTAL, INC.	FOG Destroyer - AquifOG 47-30 Concentrat	340.00	
	(2023) Maintenance			TOTAL FOR ACCOUNT	1,127.32
05-203-55-502-687	28091	JCP&L	SEWER STATION - ACCT #100000072254	133.63	
	28090	JCP&L	SEWER STATION - ACCT #100000101160	362.74	
	28092	JCP&L	SEWER STATION - ACCT #100000072452	41.82	
	28093	JCP&L	SEWER STATION - ACCT #100000100212	297.83	
	(2023) Electricity			TOTAL FOR ACCOUNT	836.02
TOTAL for DEPARTMENT 502				=====	1,963.34
Animal Trust					
DEPARTMENT 000					
12-205-55-000-000	28110	NJ STATE DEPT OF HEALTH	1 Year - Licenses	6.60	
Due to State			TOTAL FOR ACCOUNT		6.60
TOTAL for DEPARTMENT 000				=====	6.60
Other Trust					
DEPARTMENT 000					
19-260-05-000-025	28119	TREASURER, STATE OF NJ	4th Qtr 2023 DCA Fees Due to State	5,478.00	
Due to State - DCA Fees			TOTAL FOR ACCOUNT		5,478.00
19-260-05-000-026	28119	TREASURER, STATE OF NJ	4th Qtr 2023 DCA Fees Due to State	797.00	
Due to State - DCA Fees - Netcong			TOTAL FOR ACCOUNT		797.00
19-286-56-000-421	28113	KONICA MINOLTA PREMIER FINANCE	JANUARY 2024 - UCC COPY MACHINE - LEASE	46.61	
Uniform Construction Code - Other Expenses			TOTAL FOR ACCOUNT		46.61
19-286-56-000-422	28118	NOR. JERSEY MUN EMP BENFT FUND	JANUARY 2024 DENTAL INSURANCE PREMIUMS -	105.00	
	28117	STATE OF NEW JERSEY	JANUARY 2024 HEALTH INSURANCE PREMIUMS -	1,821.12	
Uniform Construction Code - Fringe Benefits			TOTAL FOR ACCOUNT		1,926.12
TOTAL for DEPARTMENT 000				=====	8,247.73
Recreation Trust					
DEPARTMENT 009					
20-286-56-009-000	27623	CAPTUREPOINT, LLC	COMMUNITY PASS ESSENTIALS	3,750.00	
	27623	CAPTUREPOINT, LLC	TRAINING - WEB BASED	750.00	
	27623	CAPTUREPOINT, LLC	SETUP ESSENTIALS	750.00	
Recreation Programs OLD			TOTAL FOR ACCOUNT		5,250.00

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 01/16/2024 For bills from 12/29/2023 to 01/12/2024

Account	P0 #	Vendor	Description	Payment	Account Total
Recreation Trust					
DEPARTMENT 009					
TOTAL for DEPARTMENT 009					=====
					5,250.00

Developers Escrow - VNB					
DEPARTMENT 207					
28070 VOGEL, CHAIT, COLLINS AND SCHNEIDER REVIEW OF EMAIL FROM CINDY CHURCH & DRAF					
24-280-56-207		Dover Environ (Crown Vehicle) - #5514944800	TOTAL FOR ACCOUNT	412.50	412.50
TOTAL for DEPARTMENT 207					=====
					412.50

**TOWNSHIP OF BYRAM
ORDINANCE NO. 001 - 2024**

CALENDAR YEAR 2024

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

Purpose Statement: The purpose of this ordinance is to exceed the State mandated COLA percentage of 2.5% and increase to 3.5% and to bank the difference between the Township's final appropriation subject to the cap and 3.5%.

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Township of Byram in the County of Sussex finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$99,979.57 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of Township of Byram, in the County of Sussex a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Byram shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$349,928.50 and that the CY 2024 municipal budget for the Township of Byram be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that this ordinance takes effect immediately upon adoption; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest:

BYRAM TOWNSHIP COUNCIL

Cynthia Church, Township Clerk

Alexander Rubenstein, Mayor

Introduced: 1/16/2024

Adopted:

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

NOTICE OF ADOPTION

NOTICE is hereby given that Ordinance 001-2024 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 16th day of January 2024. 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 6th day of February 2024 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.

CYNTHIA CHURCH, RMC
TOWNSHIP CLERK

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE NO: 002 - 2024

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
TOWNSHIP OF BYRAM TO VACATE, RELEASE AND
EXTINGUISH ANY PUBLIC RIGHTS IN PORTIONS OF THE
STREET AND ROADWAY KNOWN AS NETCONG AVENUE AND
MILLSTREAM LANE PURSUANT TO N.J.S.A. 40:49-6 AND
N.J.S.A. 40:67-21 AND ACCEPTING DEDICATIONS OF
REPLACEMENT PORTIONS OF NETCONG AVENUE AND
MILLSTREAM LANE**

Purpose Statement: The purpose of this Ordinance is to vacate a portion of the streets known as Netcong Avenue and Millstream Lane and identified herein pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.

WHEREAS, it was found and determined by the Mayor and Township Council of the Township of Byram that a portion of the streets and roadways known as Netcong Avenue and Millstream Lane is not needed for public use, and

WHEREAS, the Mayor and Township Council of the Township of Byram hereby desire to vacate, release and extinguish a portion of Netcong Avenue and Millstream Lane as described herein and in the attached Schedule A and accept the dedication of replacement portions of Netcong Avenue and Millstream Lane as described herein in the attached Schedule B.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Byram as follows:

Section 1. Portions of Streets to Be Vacated. Any public rights as to the right-of-way of the portions of Netcong Avenue and Millstream Lane described in Schedule A are hereby vacated except for all rights and privileges presently possessed by Public Utilities, as defined in R.S. 48:2-13, and any Cable Television Company as defined in the Cable Television Act, P.L. 1972, c. 186 (c.48:5A-1, et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the said area to be vacated:

THOSE PORTIONS OF Netcong Avenue and Millstream Lane in the Township of Byram that are hereby vacated is as follows:

- a. Portions of Netcong Avenue and Millstream Lane: those portions of Netcong Avenue as described on the attached Schedule A, "Areas of Netcong Avenue and those portions of Millstream Lane as described on Schedule B, "Area of Millstream Lane to be Vacated".

The Mayor and Clerk are authorized to execute deeds and any necessary documents for these vacated areas to Raimo of Stanhope, Inc.

Section 2. Portions of Streets to Be Accepted. The Township of Byram hereby accepts the dedication of replacement rights-of-way to the Township of those portions of Netcong Avenue and Millstream Lane rights-of-way described in Schedule B attached hereto subject to the provisions in the Developers Agreement between Raimo's of Stanhope, Inc. and the Township of Byram to be recorded in the Sussex County Clerk's Office.

Section 3. Notice. After being introduced and having passed a first reading, this ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage.

At least one (1) week prior to the time fixed for further consideration of this ordinance for final passage, a copy thereof, together with notice of its introduction and the time and place when and where the ordinance will be further considered for final passage, shall be mailed to every person whose lands may be affected hereby so far as may be ascertained. The Township Clerk shall mail said notice in accordance with N.J.S.A. 40:49-6.

Within sixty (60) days of the effective date of this Ordinance the Township Clerk shall file a copy, certified by her under seal of the Township to be a true copy, together with proof of publication thereof, in the Office of the Sussex County Clerk in accordance with N.J.S.A. 40:67-21.

Section 4. 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 5. Repealer.

All existing Ordinances and/or parts thereof which are inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, repealed.

Section 6. Effect. This Ordinance shall take effect in the time and manner prescribed by law.

BYRAM TOWNSHIP COUNCIL

Introduced: January 16, 2024

Adopted: , 2024

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

NOTICE OF INTRODUCTION

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Byram, in the County of Sussex, New Jersey, held on the 16th day of January, 2024. Introduced and read by title and passed on the first reading and that said Township Mayor and Council will further consider the Ordinance for second reading and final passage thereof at a meeting to be held on the 6th day of February, 2024, at 7:30 p.m., at the Township of Byram Municipal Building, 10 Mansfield Drive, Stanhope (Byram Township), New Jersey, at which time and place a public hearing will be held thereon by the Township Council and all persons and citizens in interest shall have an opportunity to be heard concerning same.

A copy of the Ordinance is available to any member of the general public, at no cost, at the Township of Byram Municipal Building, 10 Mansfield Drive, Stanhope, New Jersey, office of the Township Clerk, during regular business hours of 8:30 AM to 4:30 PM.

Cynthia Church, Township Clerk
Township of Byram

SCHEDULE A

Areas of Netcong Avenue and Millstream Lane to be Vacated

DESCRIPTION OF A PORTION OF NETCONG AVENUE TO BE VACATED
AS SHOWN ON A MAP ENTITLED,
"RAIMO OF STANHOPE, INC., BLOCK 35, LOT 36 – BLOCK 37, LOT 26,
ROADWAY DEDICATION AND VACATION PLAN, BYRAM TOWNSHIP,
SUSSEX COUNTY, NEW JERSEY",
PREPARED BY BOSWELL ENGINEERING,
DATED SEPTEMBER 30, 2021

BEGINNING at a point where the westerly line of U.S. Route 206 (40.0' from the original centerline) is intersected by the northerly line of Netcong Avenue, running, thence;

1. Along the westerly line of U.S. Route 206 southerly on a curve to the left having a radius of 1,472.39', central angle of $0^{\circ}48'37''$, a chord bearing of $S\ 1^{\circ}27'38''\ W$ and an arc distance of 20.82' to a point, thence;
2. Along the new northerly line of Netcong Avenue $S\ 87^{\circ}20'48''\ W$, 140.30' to a bend point, thence;
3. Still along same $S\ 84^{\circ}38'38''\ W$, 88.70' to a bend point, thence;
4. Still along same $S\ 87^{\circ}20'48''\ W$, 366.96' to a point in the easterly line of Millstream Lane (40' wide), thence;
5. Along the easterly line of Millstream Lane $N\ 7^{\circ}50'48''\ E$, 25.61' to a point, thence;
6. Along the northerly line of Netcong Avenue $N\ 87^{\circ}20'48''\ E$, 592.71' to the point or place of BEGINNING.

Containing 14,189 square feet or 0.326 acres.

BOSWELL ENGINEERING

JEFFREY L. MORRIS
Professional Engineer and Land Surveyor
New Jersey Lic. No. 30979

Our File No. 18-119

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SCHEDULE A (CONTINUED)

DESCRIPTION OF A PORTION OF MILLSTREAM LANE TO BE VACATED,
AS SHOWN ON A MAP ENTITLED
"RAIMO OF STANHOPE, INC., BLOCK 35, LOT 36 – BLOCK 37, LOT 26,
ROADWAY DEDICATION AND VACATION PLAN, BYRAM TOWNSHIP,
SUSSEX COUNTY, NEW JERSEY",
PREPARED BY BOSWELL ENGINEERING,
DATED SEPTEMBER 30, 2021

BEGINNING at a point where the easterly line of Millstream Lane is intersected
by the northerly line of Netcong Avenue, running thence;

1. Along the westerly line of Millstream Lane S 7°50'48" W, 25.61' to a point,
thence;
2. Across Millstream Lane S 87°20'48" W, 20.34' to a point in the centerline
of Millstream Lane, thence;
3. Along the centerline of Millstream Lane N 7°50'48" E, 389.68' to a point,
thence;
4. Across Millstream Lane S 82°09'12" E, 20.00' to a point where the easterly
line of Millstream Lane is intersected by the division line between Lot 5 in Block 34 and
Lot 26 in Block 37, thence;
5. Along the easterly line of Millstream Lane S 7°50'48" W, 225.00' to the
point or place of BEGINNING.

Containing 5,049 square feet or 0.116 acres.

BOSWELL ENGINEERING

JEFFREY L. MORRIS
Professional Engineer and Land Surveyor
New Jersey Lic. No. 30979

Our File No. 18-119

211004JGd5.doc

SCHEDULE B

Areas of Netcong Avenue and Millstream Lane to be Accepted

DESCRIPTION OF A PORTION OF LOT 36 IN BLOCK 35 TO BE DEDICATED TO
THE TOWNSHIP OF BYRAM FOR THE PURPOSE OF WIDENING NETCONG
AVENUE AS SHOWN ON A MAP ENTITLED,
"RAIMO OF STANHOPE, INC., BLOCK 35, LOT 36 – BLOCK 37, LOT 26,
ROADWAY DEDICATION AND VACATION PLAN, BYRAM TOWNSHIP,
SUSSEX COUNTY, NEW JERSEY",
PREPARED BY BOSWELL ENGINEERING,
DATED SEPTEMBER 30, 2021

BEGINNING at a point where the westerly line of U.S. Route 206 (40.0' from the original centerline) is intersected by the southerly line of Netcong Avenue, running, thence;

1. Along the westerly line of U.S. Route 206 southerly on a curve to the left having a radius of 1,472.39', a central angle of 0°25'41", a chord bearing of S 0°17'21" E and an arc distance of 11.00' to a point, thence;
2. Across Lot 36 in Block 35 S 87°20'48" W, 143.70' to a bend point, thence;
3. Across same S 84°38'38" W, 88.64' to a bend point, thence;
4. Across same S 87°20'48" W, 63.17' to a point in the division line between Lots 35 and 36 in Block 35, thence;
5. Along the division line between Lots 35 and 36 in Block 35 N 2°39'12" W, 15.18' to a point in the southerly line of Netcong Avenue, thence;
6. Along the southerly line of Netcong Avenue N 87°20'48" E, 295.86' to the point or place of BEGINNING.

Containing 3,700 square feet or 0.085 acres.

BOSWELL ENGINEERING

JEFFREY L. MORRIS
Professional Engineer and Land Surveyor
New Jersey Lic. No. 30979

Our File No. 18-119

211004JGd4.doc

SCHEDULE B (CONTINUED)

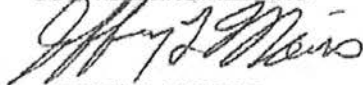
DESCRIPTION OF A PORTION OF LOTS 29-32 IN BLOCK 31
TO BE DEDICATED TO THE TOWNSHIP OF BYRAM
FOR THE PURPOSE OF WIDENING MILLSTREAM LANE
AS SHOWN ON A MAP ENTITLED
"RAIMO OF STANHOPE, INC., BLOCK 35, LOT 36 - BLOCK 37, LOT 26,
ROADWAY DEDICATION AND VACATION PLAN, BYRAM TOWNSHIP,
SUSSEX COUNTY, NEW JERSEY",
PREPARED BY BOSWELL ENGINEERING,
DATED SEPTEMBER 30, 2021
REVISED TO FEBRUARY 9, 2022

BEGINNING at a point in the existing westerly side of Millstream Lane, said point being the following courses and distances from the point where the easterly line of Millstream Lane is intersected by the northerly line of Netcong Avenue,

- A. Along the easterly line of Millstream Lane N 7°50'48" E, 256.61' to a point, thence;
- B. Across Millstream Lane N 82°09'12" W, 40.00' to the point of BEGINNING of this description, thence;
 - 1. Along the westerly line of Millstream Lane S 7°50'48" W, 396.28' to a point, thence;
 - 2. Along the division line between Lot 32 in Block 31 and Lot 52 in Block 26 N 72°29'12" W, 20.29' to a point, thence;
 - 3. Across Lots 32-29 in Block 31 N 7°50'48" E, 382.87' to a point, thence;
 - 4. Across Lot 29 in Block 31 S 82°09'12" E, 20.00' to a point where the westerly line of Millstream Lane and the point or place of BEGINNING.

Containing 7,691 square feet or 0.177 acres.

BOSWELL ENGINEERING



JEFFREY L. MORRIS
Professional Engineer and Land Surveyor
New Jersey Lic. No. 30979

Our File No. 18-119

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35 JD

SUSSEX COUNTY RECORDING COVER PAGE Honorable Jeffrey M. Parrott Sussex County Clerk  This cover page is required to be part of any document affecting land title being recorded in Sussex County, New Jersey. It is part of the recorded instrument and permanent record and should not be detached from the original document.	<i>Official Use Only – Barcode</i>  20220510010157890 1/35 05/10/2022 09:15:45 AM MUN-D AGREE Bk: 3635 Pg: 1 Jeffrey M. Parrott, County Clerk Sussex County, NJ
Record & Return To: Thomas F. Collins, Jr., Esq. Vogel, Chait, Collins and Schneider, PC 25 Lindsley Drive, Suite 200 Morristown, NJ 07960	<i>Official Use Only – Realty Transfer Fee</i>

Date of Document: January 18, 2022	Type of Document: Development Agreement
First Party Name: Raimo of Stanhope, Inc.	Second Party Name: Township of Byram
Additional Parties To Be Indexed:	

PROPERTY INFORMATION (MANDATORY FOR DEEDS)	
Block: 35	Lot: 26
Municipality: Township of Byram	
Consideration:	
Mailing Address of Grantee:	

THIS SECTION PERTAINS TO ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES, ETC. WHICH REQUIRE YOU PROVIDE THE ORIGINAL INSTRUMENT'S BOOK & PAGE RECORDING INFORMATION.	
Original Book:	Original Page:

SUSSEX COUNTY RECORDING COVER PAGE Do not detach this page from the original document as it contains important recording information and is part of the permanent record.
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8

BYRAM TOWNSHIP DEVELOPMENT AGREEMENT

This Development Agreement is made this 18th day of January, 2022, between Raimo of Stanhope, Inc., a New Jersey corporation, whose address is 49 Route 206, Stanhope, New Jersey 07874 (hereinafter referred to as the "Developer") and the Township of Byram, a municipal corporation of the State of New Jersey, whose address is 10 Mansfield Drive, Stanhope, New Jersey 07874 (hereinafter referred to as the "Municipality").

WHEREAS, the Developer and the Township entered into an Agreement to Consent to Application of Raimo of Stanhope, Inc., for Variances and site plan related to Block 35, Lot 36 and Block 37, Lot 26, and Right-of-Way of Netcong Avenue in the Township, subject to conditions dated April 15, 2021, which is incorporated herein by reference; and

WHEREAS, the Developer is currently the owner of the property designated on the Tax Maps of the Township of Byram as Block 35, Lot 36 and Block 37, Lot 26 (the "Property"), which property has received approval of "d" variances, "c" variances, preliminary and final major site plan approvals and related site plan exceptions (the "Approvals") from the Byram Township Planning Board (the "Planning Board"), approved on April 15, 2021, and memorialized by Resolution in Application No. 5-2 of the Planning Board on April 15, 2021 (the "Resolution"), which is attached hereto as Schedule C and incorporated herein by reference; and

WHEREAS, the bondable improvements shall be guaranteed to the Township of Byram; and

WHEREAS, the Planning Board has granted approval of the preliminary and final site plans prepared by Kevin Boswell, P.E. and Jeffrey Morris, P.E., L.S., Boswell Engineering, 330 Phillips Avenue, South Hackensack, New Jersey 07606, dated June 8, 2018, and bearing the last revision date of June 7, 2021 (the Preliminary and Final Site Plans"); and

WHEREAS, a summary of the Planning Board's Resolution of Approval was published by the Board in the Herald News on April 22, 2021 and, thus, the court rule appeal period for any interested party has heretofore expired; and

WHEREAS, the Developer has submitted a proposed set of Compliance Preliminary and Final Site Plan Drawings (i.e., compliance with the Planning Board Resolution of approvals and the Board's professionals review letters) to the Planning Board Engineer for review and approval; and

WHEREAS, an engineer's estimate has been prepared by the Township Engineer for purposes of calculating inspection fees pursuant to Section 53(h) of the MLUL, and is attached hereto as **Schedule "A"** (the "Engineer's Estimate").

NOW THEREFORE, in consideration of the covenants and agreements herein contained, the Developer and the Municipality agree as follows:

1. All terms used but not defined herein shall have the same meaning ascribed to them in the Resolution.

2. The Developer shall construct and install the aforesaid Project in accordance with the approved, Compliance Preliminary and Final Site Plans attached hereto as **Schedule "B"** and the Resolution which is attached hereto and incorporated herein by reference.

3. Developer shall dedicate a portion of Block 35 Lot 36 to the Township, in connection with the realignment of Netcong Avenue as shown on the approved plans and the Township shall vacate a portion of the northern side of the Netcong Avenue right-of-way, as shown on the approved plans. The Township shall adopt an ordinance vacating the said portion of Netcong Avenue right-of-way as shown on the plans. That portion of land arising out of the Township's vacation shall be consolidated by operation of law with Block 37 Lot 26 and Block 35 Lot 36 shall be reduced in lot area by the dedication of the Developer to the Township. Said vacation and dedication shall not require any additional formal site plan approval, but will be recorded by Deed, along with the metes and bounds description with the County Clerk.

4. Prior to starting those improvements to be dedicated to the Township, as limited by NJSA 40:55D-53a(1)(a), the Developer shall post a performance guarantee in the amount of \$170,000.00 as set forth in the Township Engineer's estimate in Schedule A, which is represented to have been determined pursuant to NJSA 40:55D-53.4, with a ten percent (10%) cash portion, as required by Section 215-9.B of the Township Code. The performance guarantee shall be in the standardized form adopted by the Department of Community Affairs, as required by NJSA 40:55D-53b.

5. Developer may keep and maintain its oil and water separator and retaining wall encroachments in the Millstream Lane Right-of-Way as shown on the approved, Compliance Preliminary and Final Site Plans. Developer shall provide a survey and survey descriptions of the area of encroachment and a replacement area of equal size and similar dimensions on the opposite side of the Millstream Lane Right-of-Way to be dedicated to the Township in exchange for the vacation of the encroachment area. The Township intends to vacate that limited area of encroachment of the Millstream Lane Right-of-Way, by ordinance, subject to the review and approval of the survey information by the Township Engineer and dedication to the Township of at least an equal area of right-of-way on the opposite side of Millstream Lane. Said vacation and dedication shall not require subdivision approval. Said dedication to be filed with the County Clerk. Developer is not obligated to make any improvements to Millstream Lane at the time.

6. Developer shall be responsible for preparing and recording all necessary survey and deed documents for the transfer of land related to vacations and dedications. This shall also include any deeded easements that are required. The documents shall be subject to the review and approval of the Municipal Attorney and Municipal Engineer.

7. Notwithstanding anything contained herein or in the Township Code to the contrary, the Applicant proposed, and the Planning Board accepted approval of the project in a phased approach, as set forth in the Phasing Plan attached hereto and incorporated herein by reference as Schedule D.

8. Notwithstanding any of the above, the Developer shall have sole responsibility for improvements to the on-tract and off-tract areas, as depicted on the Compliance Preliminary and Final Site Plan drawings, (including but not limited to restoration of any damage to public roads or facilities adjacent to this Development), and if the Developer shall cause or allow to exist, any condition on or adjacent to the Development site which is detrimental to the public health, safety or welfare, the Municipal Engineer may withhold his Certification required above until such condition is remedied by the Developer to the satisfaction of the Municipal Engineer.

9. The Developer shall not leave, deposit or bury any new or used construction materials, stumps, dead trees, debris, hazardous or toxic materials or any other solid waste prohibited by State or local laws on, under, or about any part of the Property or Development. The Developer shall dispose of all solid waste by means of registered containers to be picked up by licensed solid waste collectors and disposed of in accordance with law and shall maintain for inspection by the Municipal Engineer, copies of all disposal receipts. The Developer may be subject to such other civil and criminal penalties and liability as may apply with regard to the improper disposal of solid waste or hazardous or toxic materials.

10. The Developer does hereby agree to indemnify and save the Municipality, its employees and elected and appointed officials, harmless from any loss, injury, or damage whatsoever resulting from or arising out of the course of construction, whether directly or indirectly connected with the work, or from any negligence or fault of the Developer, its agents, servants, representatives, or contractors, whether said fault or negligence is solely that of the Developer or in conjunction with others, in connection with the performance of the work covered by the Compliance Preliminary and Final Site Plans and this Agreement. The Developer shall also pay all claim losses, and all attorney's fees and costs which may be incurred by the Municipality.

11. The Developer agrees to deposit with the Municipality, the appropriate sums of money as required by the Municipal Land Management Ordinances to cover the estimated cost of professional reviews, engineering and inspection fees, and guarantees. The deposit and interest thereon shall be maintained in an interest-bearing trust account and distributed in accordance with N.J.S.A 40:55D-53.1 et seq., it being understood, however, that should the aforesaid deposit prove insufficient to cover the actual inspection fees, the Developer shall deposit such additional sum or sums with the Municipality as may be required to cover such reasonable cost for such additional services and improvements. The Developer's failure to deposit the required fees, or any additional sums as may be required, within ten (10) calendar days of written notification that an additional deposit is required, shall automatically serve to suspend Developer's right to proceed with any further work or construction in connection with said Development and the Municipality will suspend any further processing or services to the Developer including inspections and the issuance of permits, Certificates of Occupancies, etc. The Developer shall immediately suspend any further work or construction on said Development until such sums, as required, are deposited with the Municipality. For purposes of calculating the required inspection fees under this paragraph, the Engineer's Estimate is attached hereto as **Schedule "A"** and made a part hereof.

12. The Developer agrees to pay all Municipal taxes and liens upon said property as they become due. The Developer agrees that if the Developers fail to make any Municipal liens or tax payments, when due, the Developers right to continue construction of the said Property shall be immediately suspended and the Developer shall suspend any further work until all Municipal liens and tax payments then due have been paid. It is further agreed that the Municipality will not provide any inspection services or issue any approvals or permits until all tax payments and liens then due are brought current.

13. The Developer shall pay for the costs of all reviews, inspections or other expenses of the Municipality in furtherance of the terms of this Agreement and including the costs incurred in connection with the preparation, review and execution of this Agreement and related documents, to be paid through the escrow/inspection accounts in accordance with the procedures set forth in the Land Management Ordinances.

14. In the event of the Developer's default under any of the terms of this Agreement, the Developer, in addition to all other remedies and damages, shall be responsible for the reasonable attorney and other professional fees incurred by the Municipality as a result of said default, including costs of enforcement of this Agreement and any costs of litigation.

15. The Developer will, at its own cost and expense, in a good and workmanlike manner, install and complete all of the improvements disclosed on the set of Preliminary and Final Site Plan Compliance drawings in such a manner so as to insure the public health, safety and welfare.

16. The Developer shall and will comply fully with all applicable Township Statutes, Land Management Ordinances, Rules, Regulations and all other requirements of governmental bodies having jurisdiction over any aspect of this Development or facilities thereof, including all applicable requirements, rules, regulations and Statutes of the State of New Jersey, all conditions of the Land Use Board, and if there is a default by the Developer, then the Municipality may have the right to suspend all building permits and issuance of Certificates of Occupancy until the Developer shall comply.

17. Developer shall build and perpetually maintain all of the curbing, pavement, drainage, sidewalk, landscaping and trees in the right of way in front of the property. The improvements shall be completed to the satisfaction of the Township Engineer. Because the Developer's operations involve use of heavy trucks and equipment on Netcong Avenue, Developer shall be responsible for and shall maintain the public improvements in the Netcong Avenue Right-of-Way even after dedication and acceptance of the improvements. This maintenance shall include all maintenance or repairs of the Netcong Avenue improvements, including mud and dust control and removal and snow removal and deicing. The maintenance responsibility of the Developer shall no longer apply after Developer permanently and explicitly abandons the use of the property for its auto and metals salvage use and stops such use and repairs the Netcong Avenue improvements to the reasonable satisfaction of the Township Engineer. Notwithstanding anything to the contrary, the term "maintain" shall include snow / ice plowing / removal.

18. After all other governmental approvals and after issuance of any building permits, a Pre-Construction meeting shall be held by the Developer with the Township Engineer.

19. The Developer further agrees that this Agreement shall be binding upon it and its successors or assigns notwithstanding the fact that it may sell, transfer, encumber or otherwise dispose of the property or any portion thereof.

20. Corrective measures shall be provided by the Developer at its own expense at such places and in such manner as the Municipal Engineer may direct in the event that any drainage problems have been created on adjoining or nearby properties by the Development of this Property.

21. The Developer shall remove any silt deposited in the Development and/or Municipality's, County's or State's storm sewers, brooks, catch basins or other drainage areas resulting from the wash down of soil or debris during the course of construction. Any instruction given by the Municipal Engineer, Construction Official or Soil Conservation District to prevent such wash down shall be performed by the Developer in a reasonably prompt manner.

22. After completing the construction of the Project to the satisfaction of the Township Engineer, the Developer shall furnish the Municipality with "as built drawings" of the Preliminary and Final Site Plans in accordance with the approved plans.

23. In the event that the Developer shall default in any of the provisions of this Agreement, the Developer shall be given written notice thereof, and thirty (30) days to cure the default from the date of receipt of the written notice, after which, and upon the Developer's failure to cure, the Approvals granted by the Planning Board shall be deemed a nullity as all of the undertakings of the Developer set forth in this Agreement are an integral part of the Planning Board's consideration in granting the Approvals.

24. The requirements set forth in this Development Agreement are in addition to all other requirements or undertakings provided by law or agreed to by the Developer.

25. This Agreement shall be binding upon the Municipality and the Developer, their successors, assigns and all those who succeed to their right, title and interest.

26. This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.

27. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, or have caused these presents to be executed by their proper Corporate Officers and their corporate seals to be hereunto affixed and attested, the day and year first above written.

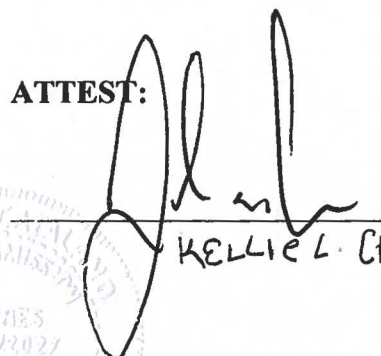
ATTEST:


Cindy Church
Township Clerk

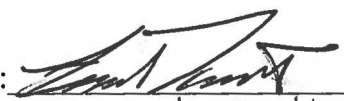
TOWNSHIP OF BYRAM


Alexander Rubenstein
Mayor

ATTEST:


KELLIE L. CATALANO Secretary

RAIMO OF STANHOPE, INC.
Developer

By: 
FRANK NEMETH President

**ACKNOWLEDGEMENT OF
COMPANY**

STATE OF NEW JERSEY,

SS:

COUNTY OF Sussex

Frank Nemeth, being duly sworn according to law upon his/her oath
deposes and says:

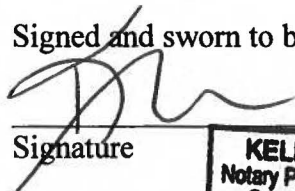
1. I am the President of Raimo of Stanhope, Inc., the corporation named in this Development Agreement (the "Company"); and
2. This Development Agreement is signed and delivered by the Company as its voluntary act, authorized by a duly adopted consent and authorization of the Company; and
3. Under the by-laws of the Company, and pursuant to the aforesaid Consent and Authorization, I am the person authorized to execute the within Development Agreement; and
4. In the event that any of the foregoing statements are untrue or this Development Agreement is signed by me without proper authorization from the Company, I acknowledge that I am therefore executing this Development Agreement personally, in my individual capacity and therefore will become personally liable for the representations made therein and performance of the terms of this Agreement.


Signature

FRANK NEMETH
Type or Print Name

President
Title:

Signed and sworn to before me on this 21 day of March, 2022


Signature

KELLIE L. CATALANO
Notary Public, State of New Jersey
Commission # 50184204
My Commission Expires 02/01/2027

Print Name and Title (Notary Public/Attorney at Law)

My Commission Expires: 2/1/27

ACKNOWLEDGEMENT OF

MUNICIPALITY

STATE OF NEW JERSEY:

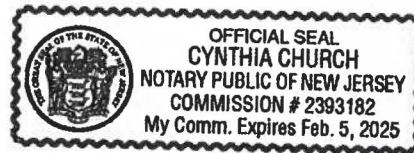
SS.:

COUNTY OF SUSSEX:

Be it remembered that on the 15th, day of March, 2022, Alexander Rubenstein personally appeared before me, and this person acknowledged under oath, to my satisfaction that:

- (a) He is the Mayor of the Township of Byram, New Jersey, the Township in the attached Development Agreement;
- (b) He is authorized to execute the attached Development Agreement on behalf of the Township;
- (c) He executed the attached Development Agreement on behalf of and as the act of the Township; and
- (d) The attached Development Agreement was signed and made by the Township as its duly authorized and voluntary act.





SCHEDULE "A"



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS · PLANNERS · LAND SURVEYORS
ESTABLISHED 1989

HAROLD E. PELLOW, PRESIDENT
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.

ANN PELLOW WAGNER
NJ - C.L.A., VA - C.L.A., PA - C.L.A.
(576/64 - 777/88)

DAVID B. SIMMONS, JR., VICE PRESIDENT
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.
NY - P.E. & L.S., PA - P.E. & L.S.

CORY L. STONER, EXEC. VICE PRESIDENT
NJ - P.E., NJ - C.M.E.

MATTHEW J. MORRIS
NJ - L.L.A., NJ - P.P.

THOMAS G. KNUTELSKY, ASSOCIATE
NJ - P.E.

September 15, 2021

Via Email (cphillips@byramtwp.org)

MEMORANDUM TO: Caitlin Phillips, Byram Township Planning Board Secretary

FROM: Cory L. Stoner, P.E., C.M.E., Planning Board Engineer

SUBJECT: Performance Guarantee
Preliminary & Final Major Site Plan & Variance Applications for
Raimo of Stanhope, Inc.
Property Located at 49 Route 206
Block 35 Lot 36 and Block 37 Lot 26
Byram Township, Sussex County
HPA No. 18-225

Dear Caitlin,

Our office has reviewed the plans as they relate to the improvements to Netcong Avenue. Based on this review, it is estimated that the cost of the improvements to Netcong Avenue if constructed per New Jersey Public Contract Law would be as follows:

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	Mobilization	L.S.	100%	\$5,000.00	\$5,000.00
2	Clearing Site	L.S.	100%	\$5,000.00	\$5,000.00
3	Roadway Excavation, Unclassified	C.Y.	390	\$45.00	\$17,550.00
4	Dense Graded Aggregate Base Course, 4" Thick	S.Y.	1,150	\$8.00	\$9,200.00
5	Hot Mix Asphalt 19.5M4 Base Course, 3" Thick	Ton	210	\$90.00	\$18,900.00
6	Hot Mix Asphalt 9.5M64 Surface Course, 2" Thick	Tons	140	\$95.00	\$13,300.00
7	9" x 18" Concrete Curb	L.F.	780	\$40.00	\$31,200.00
8	Inlet, Type "B"	Unit	4	\$2,000.00	\$8,000.00
9	Inlet, Type "E"	Unit	1	\$2,000.00	\$2,000.00
10	15" H.D.P.E.	L.F.	400	\$50.00	\$20,000.00
11	15" Concrete End Section	Unit	1	\$3,500.00	\$3,500.00
12	Riprap Stone Slope Protection, 12" Thick (D50-6")	S.Y.	2	\$250.00	\$500.00
13	Topsoiling 2" Thick, Seeding, Fertilizing & Mulching	S.Y.	760	\$10.00	\$7,600.00
TOTAL					\$141,750.00

17 PLAINS ROAD, AUGUSTA, NEW JERSEY 07822-2009 • TELEPHONE: 973-948-6463 • FAX: 973-948-2916
CERTIFICATE OF AUTHORIZATION NO. 24GA27959300

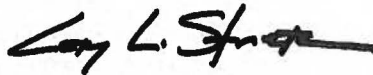
Caitlin Phillips, Byram Township Planning Board Secretary
RE: Preliminary & Final Major Site Plan & Variance Applications
For Raimo of Stanhope LLC. – Performance Bond
September 15, 2021

Page 2

Per Municipal Land Use Law, a municipality can require a performance guarantee be posted for all improvements that will be constructed and dedicated to the municipality upon completion. It is my recommendation that the Applicant post a performance guarantee to assure that this work is completed. The amount of the performance guarantee that should be posted for the proposed improvements to Netcong Avenue will be $\$120\% \times \$141,750.00 = \underline{\$170,100.00}$.

If there are any questions regarding my estimated costs or the amount of performance guarantee to be posted, please do not hesitate to contact me.

Very truly yours,



Cory L. Stoner, P.E., C.M.E.
HAROLD E. PELLOW & ASSOCIATES, INC.
Byram Township Planning Board Engineer

CLS:MJM:mjm:cls
K:\PROJECTS\MUNICIPAL\BYRAM\PB\18-225 - RAIMO USE VARIANCE\PHILLIPS2-PERFORMANCE BOND.DOCX

Enclosure

cc: VIA EMAIL

Alyse Hubbard, Esq. – Byram Township Planning Board Attorney
Joseph Sabatini, Byram Township Manager
Thomas Collins, Esq., Byram Township Attorney
Frank Nemeth, Applicant
Charles Sarlo, Esq., Attorney for Applicant
Jeffrey Morris, P.E., Engineer for Applicant

HAROLD E. PELLOW & ASSOCIATES, INC.

Established 1969

17 PLAINS ROAD, AUGUSTA, NEW JERSEY 07822-2009 • TELEPHONE: 973-948-6463 • FAX: 973-948-2916
CERTIFICATE OF AUTHORIZATION NO. 24GAZ7959300

SCHEDULE "B"
PRELIMINARY AND FINAL SITE PLANS

The site plans are on file with the Township of Byram, Planning Department, located at 10 Mansfield Drive, Stanhope, New Jersey 07874.

SCHEDULE "C"
RESOLUTION

In the matter of Raimo of Stanhope, Inc.
Case No. SP5-2018

BYRAM TOWNSHIP

PLANNING BOARD

RESOLUTION OF MEMORIALIZATION

RELIEF GRANTED: **Expansion of a non-conforming use**
 Multiple principal buildings on site
 Maximum front yard setback
 Minimum building height
 Minimum building separation
 Minimum front yard setback
 Accessory structure within the front yard
 Maximum building area
 Minimum required parking spaces

WHEREAS, Raimo of Stanhope, Inc. has applied to the Planning Board, Township of Byram is seeking Preliminary and Final Major Site Plan and Use Variance approvals to construct four (4) new buildings and other various site improvements requiring variance relief for premises located at 49 Route 206 and known as Block 35, Lot 36 & Block 37, Lot 26 on the Tax Map of the Township of Byram, which premises are in a "VB" Zone;

WHEREAS, by ordinance adopted by the Township Council of the Township of Byram under statutory authority, the Planning Board and Zoning Board of Adjustment were combined into one Board which Board possesses and may exercise all powers granted to the Planning Board and Zoning Board of Adjustment pursuant to the Municipal Land Use Law, N.J.S.A. 40:55B-1, et seq., said single Board being known as the Planning Board of the Township of Byram; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant and having conducted a public hearing has made the following factual findings:

1. Charles H. Sarlo, Esquire represented the Applicant.
2. The Applicant is the owner of the subject property and operates a junk yard on site, requiring relief from Section 240-56.D for expansion of a non-conforming use, as well as Section 240-15.A.4 for multiple principal structures on the tract. Applicant is seeking bulk variance relief from the following Sections of the Township's Land Use Ordinances:

- a. Section 240-56.E.3 - Maximum front yard setback of Principal Buildings: 55 feet permitted

- i. Principal Building #1 – 88.8 feet to Netcong Avenue, 234.3 feet to Route 206 and 267.8 feet to Millstream Lane are proposed

- ii. Principal Building #2 – 70.6 feet to Netcong Avenue, 134 feet to Route 206 and 342.8 feet to Millstream Lane are proposed

- b. Section 240-56.E.8 – Minimum building height of Principal Buildings: two stories or 20 feet required

- i. Principal Building #1 – 1 story is proposed

- ii. Principal Building #2 – 1 story is proposed

- iii. Principal Building #3 - 1 story is proposed

- c. Section 240-15.B – Minimum building separation of Principal Buildings #1 and #2, 10 feet is required, 0 feet is proposed

- d. Section 240-56.E.3 – Minimum front yard setback of a Principal Building #3, 45 feet required, 30 feet proposed to Netcong Avenue is proposed
 - e. Section 240-16.C.1 – Location of an accessory structure in the front yard for Accessory Buildings #1 and #2 and the truck scale
 - f. Section 240-16.A.4 – Maximum building height of Accessory Building #2, 15 feet permitted, 26 feet is proposed
 - g. Section 240-16.C.4 – Maximum building area of Accessory Building #2, 1,500 square feet permitted, 3,750 square feet is proposed
 - h. Section 240-38.A – Minimum number of parking spaces required, 27 required, 23 spaces are proposed
3. The following design waiver are required:
- a. Section 215-29.E – landscape islands and shade trees are required for parking areas containing 10 or more spaces; no landscape islands or shade trees are provided in the parking areas
 - b. Section 215-30.2 – all parking areas shall be surfaced with asphalt bituminous or cement binder pavement; parking areas associated with the development will remain unpaved
 - c. Section 215-30.1- no loading area is provided
 - d. Section 211-11- typical recharge requirements related to manufacturing or industrial activities are not met on site
4. The Applicant submitted the following documents:

- a. Site Plans entitled "Preliminary and Final Site February Plan" prepared by Boswell Engineering, consisting of 13 sheets, dated June 8, 2018 revised through March 6, 2020, revised through 25, 2021.
- b. Architectural Plans entitled "Raimo of Stanhope, Inc. Buildings 1 and 2 Block 35 Lot 36 and Block 37 Lot 26, Byram Township, NJ" prepared by Daniel Dressel architect, consisting of three (3) sheets (A-1 - A-3) dated November 6, 2018 revised through January 5, 2020.
- c. Existing drainage area map prepared by Boswell Engineering, consisting of one (1) sheet, dated June 8, 2018 revised through March 6, 2020.
- d. Proposed drainage area map prepared by Boswell Engineering, consisting of two (2) sheets, dated June 8, 2018 revised through March 6, 2020.
- e. Stormwater Management Report prepared by Boswell Engineering, dated February 2020.
- f. An Environmental Impact Statement prepared by LRP Environmental Consulting, LLC dated February 2020.
- g. Raimo Scrap Iron & Metal, Brief Description of work to be done in each building and the machinery that will be used, dated February 28, 2020.

5. The Board received the following memorandums:

- a. Cory L. Stoner, Planning Board Engineer, dated October 10, 2019, updated February 18, 2020; September 8, 2020 updated December 10, 2020; and March 12, 2021
 - b. Paul Gleitz, Township Planner, dated September 11, 2020, revised December 10, 2020
 - c. Byram Township Architectural Review Committee (ARC) dated September 11, 2020
 - d. Michael A. Pellek, Assistant Chief Byram Township Fire Department, dated September 8, 2020
 - e. Chief Kenneth Burke, Byram Township Police Department, dated May 1, 2020
 - f. Donna Fett, DPW/Environmental Commission Secretary/Tax Assessor Assistant, dated May 18, 2020 and December 15, 2020
6. Duly noticed public hearings occurred on September 17, 2020, December 17, 2020 and March 18, 2021 via Zoom, a web-based meeting platform and telephone conferencing service, consistent with Governor Phil Murphy's statewide ban on public gatherings and in accordance with the Municipal Land Use Law, the Open Public Meetings Act, and the guidance document entitled "Planning Board and Zoning Board of Adjustments Operational Guidance – COVID-19: N.J.S.A. 40:55D-1: Recommendations for Land Use Public Meetings in New Jersey" issued by the Department of Community Affairs, Division of Local Government Services.

7. Sworn testimony was presented in support of the application from the following:

- a. Jeffrey Morris, P.E. of Boswell Engineering, who prepared the plans and was accepted as an expert in the field of engineering.
- b. Frank Nemeth, the President of Raimo of Stanhope, Inc.
- c. Daniel Dressel, AIA, the Architect who prepared the drawings and was accepted as an expert in the field of architecture.
- d. Sean Moronski, P.P. of Langan Engineering, who was accepted as an expert planner.

8. The subject property is an existing junk yard located on Route 206 in the middle of the commercial corridor in the Village Business Zone. The property is comprised of two lots, Block 35, Lot 36 and Block 37, Lot 26, which combine to be a 2.29-acre tract of land. The site is situated between residential development to the north, and a wooded area to the south. Netcong Avenue, a municipal right-of-way dissects the northern and southern portions of the property. The site currently contains three buildings, sheds, a truck scale, piles of scrap material, heavy equipment, sea boxes and other vehicles. Since purchasing the property, the Applicant has made efforts to clean up the property, including submitting the subject application.

9. In addition to constructing four new buildings, the Applicant is proposing a number of site improvements, including additional drainage, parking, paving, fencing and landscaping. A truck scale was constructed within the Netcong Avenue right-of-way; the Applicant is working with the Mayor and Council to

vacate a portion of the Netcong Avenue so that the scale does not encroach on the right-of-way. The Southern portion of the Netcong Avenue Right-of-Way runs through Block 35, Lot 36, and Block 35, Lot 35, which is owned by FFD Services, LLC ("FFD"), another entity held by Mr. Nemeth. Both the Applicant and FFD will be dedicating a 12.5' wide strip of land to the Township, which will, in effect, shift the right-of-way toward the south.

10. The Applicant is seeking a phased approach to the improvements; the first period to start after the un-appealable final approval is received. A matrix of the Proposed Project Phasing was marked as A-1 for identification. The updated plans indicated that two phases of construction as follows:

a. Phase 1:

- i. Construction principal building #1
- ii. Demolish existing 1 ½ story metal and block building
- iii. Demolish existing 1 ½ story frame building and garage
- iv. Remove Existing scale from front of office
- v. Construct principal building #2 within 4 months of final
- vi. Construct roadway improvements

b. Phase 2:

- i. Construct principal building #3 within 42 months of final
- ii. Construct accessory building #2 42-60 months of final

11. Mr. Morris presented an overview of the site plan and the proposed improvements on the site. Prior to the first public hearing, after receiving input from the Board professionals and the Environmental Commission, the

project was scaled back from original proposal of seven new buildings, to only four new structures. A Revised Vehicular Circulation Plan, dated September 15, 2021, was marked as A-2 for identification and depicted how roll-off trucks can access the site utilizing two turnaround areas. A Revised Site Plan, dated September 15, 2021 depicted the new proposal, which includes eliminating three buildings and relocating the car crusher to principal building #3.

12. The existing dwelling, in the northeast corner of the property, the existing masonry building, the garage, two sheds and the scale will be removed from the property. The office building, accessory building #1, will remain and continue to be utilized as an office.
13. The property is serviced by a septic system and well water, which is utilized by only one building. All buildings will have electrical service. Principal Buildings #1 and #2 will be utilized to weigh, bale and ship non-ferrous material. Principal Building #3 contains an air-driven environmental rack with brass fittings for car crushing operation. It takes approximately 2 minutes to crush a car and the Applicant estimated that 14-16 cars are crushed a week. When they have 14 crushed cars, a roll off comes to ship the vehicles to the appropriate location. Within the building, there are bins for various car parts, the tires are put in a bin that is shipped when full and the machine captures all residual materials to reduce the impact on the environment. The fluids are contained in double-walled 275 gallon tanks stored in Accessory Building #3. All requirements of the New Jersey Department of

Environmental Protection are met by the Applicant, as well as the Township's Licensing Requirements set forth in Section 156 of the Township Ordinances.

14. The proposed drainage system is designed to handle the stormwater runoff on site. There is a water quality chamber in the southwest corner of the property. The stormwater runs across Mill Stream and onto the adjoining property and into Lubber's Run. The runoff will filter through a detention basin prior to being filtered through an oil/water separator. Fluids that are captured from the vehicles are held in tanks on a concrete pad outside of principal building #3. A water quality chamber should be added to the drainage system after to the detention basin.
15. The landscaping, along the northern border of the property, will be enhanced between the subject property and the adjacent residential property with a mix of pine and maple trees. There are areas of the existing fence along the northern property line that are in need of repair. The frontage, along Route 206, will be landscaped with maple and pine trees and a 6' high brown vinyl fence shall be installed. The Board's Engineer suggested that the vinyl fence continue around the corner and a grass area be added.
16. A concrete wall was constructed along Millstream Lane and the northwest portion of property. The portion along Millstream Lane encroaches into the municipal right-of-way. The Applicant must request a vacation of a portion of the right-of-way from the Mayor and Council to eliminate the encroachment or relocate the wall within Block 37, Lot 26.

17. There are three stockpiles proposed, two will be 50 feet in diameter and one will be 30 feet in diameter on the western side of Block 37, Lot 26. The stockpiles will not exceed 25 feet in height. There is a concrete drop off area located between the stockpiles, which is 50 feet in diameter and will not exceed 25 feet in height. No more than 20 roll off containers will be stored in the northwestern portion of the site. There will be storage for shipping containers along the northern and southern edge of development, four in each area. The shipping containers are used to store equipment for the machines used on site.
18. A concrete wall was constructed, along Netcong Avenue, that partially encloses a bank of roll off storage. The wall is partially located within the proposed right-of-way of Netcong Avenue. The right-of-way vacation line will have to be adjusted to eliminate the encroachment or the wall will need to be relocated within Block 37, Lot 26.
19. Both the northern and southern portions of development will be enclosed by a chain-link fence that shall be located outside of the Netcong Avenue right-of-way. The fence enclosure around Principal Building #3 and Accessory Building #2 will be constructed to keep operations out of the restoration area. The area between the fence and the curb-line should be a grass lawn area.
20. There will be approximately 4-6 employees on site. The hours of operation are Monday through Friday, 7 a.m. to 5 p.m. and Saturday from 7 a.m. to 1 p.m. Since operations on site are typically during daylight, an enhanced lighting is proposed on the various building for security. The light on

Principal Building #3 overflows greatly onto Netcong Avenue and will need to be modified. Motion sensor lights should be utilized.

21. The proposed buildings will be pre-fabricated, metal frame structures with raised metal seems. The buildings are proposed to have a tan façade with Koko brown trim. All buildings are accessed through man doors that face Netcong Avenue. Accessory Building #2 will have only 3 walls, with the open side facing Netcong Avenue and will house the three 275 gallon tanks. The buildings house equipment that requires the height in excess of the permitted height in the zone.

22. Mr. Moronski presented the planning testimony. He noted that the relief required from Section 240-56.D, pursuant to N.J.S.A. 40:55D-70(d)(2) for an expansion of a non-conforming use is actually a consolidation of the operations into buildings. The proposed expansion will take place within the lot lines and is an improvement of both the efficiency of operations and the aesthetics of the property. The enhanced proofs of site suitability and consistency with the Master Plan are not required for a D-2 variance. The subject site has been in existence since the 1960s and is licensed through the municipality.

23. Mr. Moronski opined that the proposed development will meet multiple goals of the Municipal Land Use Law, as set forth in N.J.S.A. 40:55D-2:

- a. Purpose A – the proposed development will improve the efficiency of operations and the aesthetics of the site, promoting the public health, safety and welfare

- b. Purpose G – the operations on site are regulating by the NJDEP and provide a service that meets the needs of New Jersey Citizens, while maintain the appropriate buffers to neighboring uses
- c. Purpose O – the State goal of recycling is met on site and will be done in an orderly and efficient manner

24. Mr. Moronski continued to opine that the negative criteria is met by the development by providing the appropriate buffers to residential and environmentally sensitive areas. The buildings will house activities that are currently taking place outside in the yard. Some of the non-conformities on site are being addressed. Although car crushing is new to the current operations, it is related to the recycling on site and will be housed in Principal Building #3 and conducted in a manner consistent with NJDEP requirements.

25. Relief is also required from Section 240-15.A.4, pursuant to N.J.S.A. 40:55D-70(d)(3), to permit multiples principal buildings on the same site, the following conditions have to be met:

- a. Where two principal buildings are proposed for one property, the minimum lot area shall be twice the minimum area permitted in the zone - *Applicant is in compliance with this condition*
- b. The property must meet the current site plan and zoning standards – *Applicant is seeking relief from this condition*
- c. The additional structures may not be converted into a business not part of the principal business conducted on site – *Applicant shall continue to comply with this condition*

- d. The minimum distance between buildings shall not be less than twice the average height of such buildings or the combined side yard requirements of the zone, whichever is greater – *Applicant is seeking relief from this condition*
- e. Signage shall be attached to the buildings to be constructed, only one freestanding sign permitted per lot – *Applicant is in compliance with this condition*

The proposed site plan will organize the existing, scattered site layout and improve functionality of the operations. Although technically Principal Buildings #1 and #2 are two buildings, requiring relief from the requirement for a setback between buildings, there is no negative impact, as the two buildings will look like one and function as two.

26. The witness continued the planning testimony and addressed the bulk variances that require relief from N.J.S.A. 40:55D-70(c), noting the property is unique in that there are three front yards. The property could not be developed without variance relief for front yard setback. The building height variances are triggered by the functionality of the buildings to house the oversized equipment. Relief is needed for the lack of building separation, which results in more efficient operations.

27. The setbacks on the southern property are dictated by the location of the riparian zone, creating a hardship for the property owner. The proposed location of Accessory Building #2 is driven by the location of Principal Building #3, as the car crusher is in Principal Building #3 and the holding

tanks are in Accessory Building #2. A variance is required for the number of proposed parking spaces, however, based on the number of employees and the nature of the use, there is sufficient parking on site. Although the location of the scale is in violation of the front yard setback, the location is efficient for the use and operation of the scale.

28. The impacts of the necessary variances are mitigated by the landscape buffers that are proposed around the site. The bulk variances improve the functions and aesthetics of the site and reduce the impacts on the surrounding uses. Additionally, relief can be granted because the benefits of moving the operations indoors outweigh the detriments.

29. At the final hearing, the Applicant revised the plans to address comments from the Board professionals and submitted a colorized rendering of the site plan, dated June 8, 2018, which was mark A-4 for identification. The site plan depicted the defined areas of gravel and concrete, indicated the location of the fencing and landscaping, identified the location and limits of the roll-offs, shipping containers and stockpiles. The plans depict the proposed streetscape with proposed landscaping and additional fencing.

30. The Applicant agreed to remove all encroachments in the Netcong Avenue Right-of-Way or relocate the Right-of-Way, as well as address the encroachments on Millstream Lane by either obtaining a vacation for the Township or relocating the improvements within the lot lines. The fence, along the south side of the site, shall be relocated outside the buffer area and gravel is proposed for the storage of vehicles. The Applicant will work with

the Board's Engineer to design the stormwater management system on site and work with NJDOT with regarding to proposed changes along Route 206. The sidewalks, along 206, will be constructed and/or repaired to match the existing sidewalks. A parking stall shall be constructed in compliance with the Americans with Disabilities Act.

31. The meeting was open to the public for questions and comments and no one was present at any of the hearings regarding this application.

WHEREAS, the Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Plan and Zoning Ordinance of the Township of Byram for the following reasons:

1. The Board found the testimony of the Applicant's witnesses to be competent and credible. The Board weighed the Applicant's presentation and the guidance from its professionals and determined that relief could be granted from Section 240-56.D to permit the expansion of a non-conforming use, pursuant to N.J.S.A 40:55D-70D(2), as well as Section 240-15.A.5, to permit two (2) principal buildings on the same site, pursuant to N.J.S.A 40:55D-70D(3). The within approval of a Use Variance with related Preliminary and Final Site Plan is granted, along with related Bulk Variances, for the continued operation of a junk yard on the subject property.
2. The Applicant's Planner, with the support of the testimony from the Site Engineer, the Architect, and the Applicant, was able to establish the positive and negative criteria required by the Municipal Land Use Law. The proposed

development will improve the efficiency of the operations and the aesthetics of the site. The enhanced buffers will reduce the impacts to the adjoining properties and the enhanced landscaping will improve the street view of the site. Overall, the site will be organized and benefit the community.

3. Specifically, the proposed development will meet several of the special reasons set forth in the Municipal Land Use Law, namely:

Purpose A – the proposed development will improve the efficiency of operations and the aesthetics of the site, promoting the public health, safety and welfare

- a. Purpose G – the operations on site are regulating by the NJDEP and provide a service that meets the needs of New Jersey Citizens, while maintain the appropriate buffers to neighboring uses
- b. Purpose O – the State goal of recycling is met on site and will be done in an orderly and efficient manner

4. Although use variance relief is required to permit two principal structures on one lot, it was noted in the testimony that the two buildings would appear as one and operate as two.

5. Relief can be granted pursuant to N.J.S.A. 40:55D-70C from the following Section of the municipal zoning ordinance:

- a. Section 240-56.E.3 - Maximum front yard setback of Principal Buildings: 55 feet permitted
 - i. Principal Building #1 – 88.8 feet to Netcong Avenue, 234.3 feet to Route 206 and 267.8 feet to Millstream Lane approved

- ii. Principal Building #2 – 70.6 feet to Netcong Avenue, 134 feet to Route 206 and 342.8 feet to Millstream Lane approved
 - b. Section 240-56.E.8 – Minimum building height of Principal Buildings: two stories or 20 feet required
 - i. Principal Building #1 – 1 story approved
 - ii. Principal Building #2 – 1 story approved
 - iii. Principal Building #3 - 1 story approved
 - c. Section 240-15.B – Minimum building separation of Principal Buildings #1 and #2, 10 feet required, 0 feet approved
 - d. Section 240-56.E.3 – Minimum front yard setback of a Principal Building #3, 45 feet required, 30 feet proposed to Netcong Avenue approved
 - e. Section 240-16.C.1 – Location of an accessory structure in the front yard for Accessory Buildings #1 and #2 and the truck scale approved
 - f. Section 240-16.A.4 – Maximum building height of Accessory Building #2, 15 feet permitted, 26 feet approved
 - g. Section 240-16.C.4 – Maximum building area of Accessory Building #2, 1,500 square feet permitted, 3,750 square feet approved
 - h. Section 240-38.A – Minimum number of parking spaces required, 27 required, 23 approved
6. N.J.S.A. 40:55D-70C(1) indicates that a variance may be granted under its “hardship” provisions, with the hardship being related to the exceptional narrowness, shallowness, shape of the property, unusual topographic

conditions or by reason of the location of the existing structures on the property. Under the c(2) subsection, variance relief may be granted where it is determined that the proposed relief advances one or more of the purposes of zoning (which purposes are set forth in N.J.S.A. 40:55D-2) and where it is further determined that the benefits of granting the variance outweigh any detriments which might result from it.

7. It can be said that the necessary bulk variances are subsumed in the use variances. However, the property is encumbered by three front yards, making development without variance relief challenging. Although there is a lack of separation between two principal buildings, they will appear as one building and function as two. The size and location of the buildings are dictated by their use. The site plan is deficient in the required parking spaces, it was testified that the parking demand will be met.
8. The benefits of an improved, organized site outweigh the detriments that may result from denying the requested relief. It was determined that there would be little impact to the surrounding area with the enhanced landscape and fencing buffers. Accordingly, the relief can be granted without substantially impairing the zoning scheme or Master Plan.
9. All requested waivers can be granted, as they are reasonable and result in a better site plan.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Byram on the 15th day of April, 2021 that the approval of the within application be granted subject, however, to the following conditions:

1. The Applicant shall comply with all the conditions and standards set forth in Section 240 of the Township's Ordinances.
2. Applicant shall obtain all outside agency approvals or exemptions prior to the issuance of building permits, including, but not limited to:
 - a. New Jersey Department of Environmental Protection
 - b. New Jersey Department of Transportation
 - c. Sussex County Planning Board
 - d. Upper Delaware Conservation District
 - e. Byram Township Construction Department
 - f. Byram Township Fire Subcode Official
3. Applicant shall comply with the Township's Licensing Requirements set forth in Section 156 of the Township Ordinances.
4. Applicant shall enter into a Developer's Agreement with the Township's Mayor and Council to address the conditions of the improvements that will be dedicated to the Township and outline the performance and maintenance bonds that will be required.
5. Deeds of Dedication, along with the metes and bounds descriptions, for review and approval by the Board Engineer and Attorney. Same shall be recorded with the Sussex County Clerk.
6. Deeds for the remainder of Block 37, Lot 26 and Block 35, Lot 26, after the Right-of Way Dedication, along with the metes and bounds descriptions, for review and approval by the Board Engineer and Attorney. Same shall be recorded with the Sussex County Clerk.

7. Applicant shall request a vacation of a portion of Millstream Lane to eliminate the encroachment of the concrete wall and other improvements from the Mayor and Council. Alternatively, all improvements shall be relocated within the property lines.
8. The vacation of a portion of Netcong Avenue, the vacation of Millstream Lane (or a portion thereof), the dedication of a portion of Block 35, Lot 36 to widen the right-of-way of Netcong Avenue, and the dedication of required drainage easements along Netcong Avenue shall all be perfected before the issuance of any building permits.
9. All stormwater design shall be accordance with Section 211-10 of the Township's Ordinances, unless relief has been granted herein. The stormwater design is subject to review and approval by the Board's Engineer.
10. A maintenance manual prepared in accordance with Chapter 8 of the New Jersey Department of Environmental Protection Best Practices shall be submitted to the Board's Engineer for review and approval. The approved document shall be recorded upon the deed of record for each property described in the maintenance manual, per Section 211-17 of the Township's Ordinances.
11. A two-yard dumpster shall be located in the northeast corner of the property; same shall be indicated on the plans.
12. Applicant shall enhance the landscape buffer along the northern property line and along the frontage of Route 206 with similar trees as existing in the area. The buffer in the northeast corner of the site shall be enhanced to lessen the

visual impact of the site. The landscape plan is subject to review and approval of the Board Planner.

13. A 6' high, board on board fence or similar fencing shall be extended along the northern property line.

14. A 6' high, brown vinyl fence shall be extended, along the frontage, of Route 206.

15. The fencing, along the northern property line, shall be repaired as needed.

16. The concrete sidewalk shall be improved along the full frontage of Route 206.

The concrete sidewalk shall be gray in color and match the gray concrete sidewalk that exists today along Route 206.

17. The lighting on Principal Building #3 shall be modified to eliminate the overflow onto Netcong Avenue. The proposed lighting plan is subject to the review and approval of the Board Engineer and Planner.

18. The proposed wall pack lights shall be shielded downward facing fixtures to target lighting downward and reduce night glare from the property.

19. No more than 20 roll off containers and 8 sea containers shall be stored on site. The stockpile areas shall not exceed 50' or 30' in diameter, as indicated on the site plan, and shall not exceed 25 feet in height.

20. All proposed utility lines, wells, and sewer connections shall be shown on the final plans.

21. The Applicant shall comply with the Noise Ordinance set forth in Section 171 of the Township Code at the property lines.

22. The existing dwelling, garage, masonry building, two sheds and scale on Block 37, Lot 26 shall be removed.
23. Crushed vehicles shall be stored inside Principal Building #3 until they are removed from the site.
24. Any proposed signage shall be in conformance with the Township's Sign Ordinance, set forth in Section 240-46 of the Township's Municipal Code.


George Shivas

On motion of: Mr. Serrilli

Seconded by: Mr. Smith

The vote on the Resolution was as follows:

AYES: Eight (8): Mr. Chozick, Mr. McElroy, Mr. Morytko, Ms. Raffay, Mr. Serrilli, Mr. Smith, Mr. Walsh, Chairman Shivas

NAYS: Zero (0)

ABSTAINING: Two (2): Ms. Franco and Mayor Rubenstein

ABSENT: One (1): Ms. Shimamoto

I certify that the above Resolution is a true copy of a Resolution adopted by the Planning Board on April 15th, 2021 and is in effect for one year.

Caitlin Phillips
Caitlin Phillips, Planning Board Secretary

Dated: 04/19/2021

Prepared by: Alyse Landano Hubbard, Esq.

SCHEDULE "D"
PHASING OF IMPROVEMENTS AND DEVELOPMENT

- a. Phase I (to be completed within 24 months of fully executed Developer's Agreement and Board Engineer approval of Confirmed set of drawings).
- Construct Principal Building No. 1
 - Demolition of existing 1.5 story metal and block building
 - Demolition of existing 1.5 story frame building and garage
 - Removal of existing scale from front of office
 - Construct Principal Building No. 2
 - Install Landscaping and Lighting
 - Construct Netcong Avenue Improvements. The base road paving, curbing and drainage in Netcong Road shall be completed before the Certificate of Occupancy is requested or issued for Building No. 1.
- b. Phase II
- Construct Principal Building No. 3 - (to be completed within 42 months of fully executed Developer's Agreement and Board Engineer approval of Confirmed set of drawings).
 - Construct Accessory Building No. 2 – (to be completed within 42-60 months months of fully executed Developer's Agreement and Board Engineer approval of Confirmed set of drawings).

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Noise Control Act

The State of New Jersey's [Noise Control Act of 1971](#) authorized the NJDEP to promulgate codes, rules and regulations relating to the control and abatement of noise. The Department has developed a Model Noise Ordinance that can be adopted by local municipalities. The Noise Control Act allows municipalities to adopt noise control ordinances that are more stringent than the State code.

All municipal noise ordinances must be identical to the posted Model Local Noise Control Ordinance to be considered approved by the Department. Department approved Model Noise Control Ordinances predating the most recently posted version will be considered grandfathered.

The NJDEP promulgated noise regulations to control noise from stationary commercial and industrial sources in 1974, pursuant to the Noise Control Act of 1971, N.J.S.A. 13:1G-1 et seq. Within the noise regulations, there are established sound level standards of 50 decibels during nighttime (10:00 p.m. to 7:00 a.m.) and 65 decibels during daytime.

Quick Links

[Noise Information](#)[DEP Bureau of Local Environmental Management](#)[County Health Departments](#)[County Environmental Health Act](#)[CEHA Activity Reports](#)

DIVISIONS AND PROGRAMS

Air Enforcement

- ▶ Air
- ▶ Diesel Enforcement
- ▶ Emissions Measurement

Compliance Operations & Coordination

- ▶ Local Environmental Management
- ▶ Pollution Prevention
- ▶ Quality Assurance
- ▶ Right to Know

Waste Enforcement, Pesticides and Release Prevention

- ▶ Hazardous Waste
- ▶ Licensing and Registration
- ▶ Pesticides Compliance
- ▶ Release Prevention
- ▶ Solid Waste
- ▶ Underground Storage Tanks (UST)

Water and Land Use Enforcement

- ▶ Water
- ▶ Coastal and Land Use

Chapter 171

NOISE

§ 171-1.	Title.	§ 171-5.	Noise control officers.
§ 171-2.	Definitions.	§ 171-6.	Maximum permissible sound levels.
§ 171-3.	Applicability.	§ 171-7.	Restricted uses and activities.
§ 171-4.	Declaration of findings and policy.	§ 171-8.	Enforcement.

[HISTORY: Adopted by the Township Committee (now Township Council) of the Township of Byram 10-2-1974 as Sec. 6-2 of the Revised General Ordinances of 1974; amended in its entirety 12-20-1999 by Ord. No. 10-1999 . Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Noise by animals — See Ch. 87.

Noise in parks — See Ch. 182.

Noise by peddlers — See Ch. 164.

§ 171-1. Title.

The title of this chapter shall be the "Byram Township Noise Control Ordinance."

§ 171-2. Definitions.

The following words and terms, when used in this chapter, shall have the meanings set forth below. Terms not defined in this chapter shall have the same meaning as those defined in N.J.A.C. 7:29, Noise Control.

CONSTRUCTION — Any site preparation, assembly, erection, repair, alteration or similar action, including demolition, of buildings, structures or roadways.

DEMOLITION — Any dismantling, destruction or removal of buildings, structures or roadways.

DEPARTMENT — The New Jersey Department of Environmental Protection.

EMERGENCY WORK — Any work or action necessary to deliver essential public services, including, but not limited to, repairing water, sewer, electric, gas, telecommunications or public transportation facilities, removing fallen trees on public rights-of-way, or abating life-threatening conditions.

IMPULSIVE SOUND — Sound of less than one-second duration, either a single pressure peak or a single burst (multiple pressure peaks).

MOTOR VEHICLE — Any vehicle that is propelled on land other than by human or animal power.

MUFFLER — A properly functioning sound-dissipative device or system for abating the sound of escaping gases on equipment where such a device is part of the normal configuration of the equipment.

MULTIDWELLING UNIT BUILDING — Any building comprising two or more dwelling units, including, but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses and attached residences.

MULTIUSE PROPERTY — Any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

- A. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sounds levels at another category on the same distinct parcel of land; or
- B. A building which is both commercial (usually on the ground floor) and residential property located above, behind, below or adjacent.

NOISE CONTROL OFFICER — An employee of: a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et seq.) to perform noise enforcement activities; or a municipality with a Department-approved noise control ordinance and the employee has received noise enforcement training and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons in order to be considered a noise control officer.

PLAINLY AUDIBLE — Any sound that can be detected by a person using his or her unaided hearing facilities. As an example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The Noise Control Officer need not determine the title, specific words or the artist performing the song.

PRIVATE RIGHT-OF-WAY — Any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased or controlled by a nongovernmental entity.

PUBLIC PLACE — Any real property or structures thereon that are owned, leased or controlled by a governmental entity.

PUBLIC RIGHT-OF-WAY — Any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased or controlled by a governmental entity.

REAL PROPERTY BOUNDARY — Either:

- A. The imaginary line including its vertical extension that separates one parcel of real property from another;
- B. The vertical and horizontal boundaries of a dwelling unit that is part of a multidwelling unit building; or
- C. On a multiuse property, the interface between the two portions of the property on which different categories of activity are being performed (e.g., if the multiuse property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area).

WEEKDAY — Any day that is not a federal holiday, beginning on Monday at 7:00 a.m. and ending the following Friday at 6:00 p.m.

WEEKEND — Beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

§ 171-3. Applicability.

- A. This noise chapter applies to sound from the following property categories:

- (1) Industrial facilities;
- (2) Commercial facilities;
- (3) Public service facilities;
- (4) Community service facilities;
- (5) Residential properties;
- (6) Multiuse properties;
- (7) Public and private rights-of-way;
- (8) Public spaces; and
- (9) Multidwelling-unit buildings.

B. This noise chapter applies to sound received at the following property categories:

- (1) Commercial facilities;
- (2) Public service facilities;
- (3) Community service facilities;
- (4) Residential properties;
- (5) Multiuse properties; and
- (6) Multidwelling-unit buildings.

C. Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.3, except that tests of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

§ 171-4. Declaration of findings and policy.

Excessive sound is a serious hazard to the public health, welfare, safety and the quality of life, and a substantial body of science and technology exists by which excessive sound may be substantially abated. The people have a right to and should be ensured of an environment free from excessive sound. Therefore, it is the policy of the Township of Byram to prevent excessive sound that may jeopardize the health, welfare or safety of the people or degrade the quality of life. This chapter shall apply to the control of sound originating from sources within the Township of Byram.

§ 171-5. Noise control officers.

- A. The provisions of this chapter shall be enforced by noise control officers. A person shall be qualified to be a noise control officer if the person meets the criteria set forth in the definition above and completes, at a frequency specified by the Department in N.J.A.C. 7:29-2.11, a noise certification and recertification course which are offered by the Department of Environmental Sciences of Cook College, Rutgers, the State University of New Jersey, or any other noise verification and recertification course which is offered by an accredited university and approved by the Department.
- B. Sound measurements made by a noise control officer shall conform to the procedures set forth in

N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform with the procedures set forth below in § 171-6B and C and the definition of "real property line" contained herein.

C. Noise control officers shall have the power to:

- (1) Coordinate the noise control activities of all departments in the Township of Byram and cooperate with all other public bodies and agencies to the extent practicable;
- (2) Review the actions of the Township of Byram and advise of the effect, if any, of such actions upon noise control.
- (3) Review public and private projects, subject to mandatory review or approval by other departments or boards, for compliance with this chapter.
- (4) Investigate and pursue possible violations of this chapter for sound levels which equal or exceed those set forth in Tables I and II when measured at a receiving property located within the designated jurisdiction of the Noise Control Officer, in accordance with § 171-8 below.
- (5) Cooperate with noise control officers of adjacent municipalities to enforce one another's noise control ordinances.

§ 171-6. Maximum permissible sound levels.

- A. No person shall cause, suffer, allow or permit the operation of any source of sound on any source property listed in § 171-3A above in such manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I and II when measured at or within the real property line of any of the receiving properties listed in Tables I and II, except as specified in § 171-6B below.
- B. When measuring total sound or residual sound within a multiuse property, or within a residential unit when the property line between it and the source property is a common wall, all exterior doors and windows shall be closed and the measurements shall be taken in the center of the room most affected by the noise. Residual sound shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound or residual sound, all sound sources within the dwelling must be shut off (e.g., television, stereo). Measurements shall not be taken in areas which receive only casual use, such as hallways, closets and bathrooms.
- C. Indoor measurements shall only be taken if the sound source is on or within the same property as the receiving property, as in the case of a multiuse property (e.g., sound generated within a commercial unit of a multiuse property building and received within a residential unit of the same building) or multidwelling building. In addition, indoor measurements shall be taken if the property line between the receiving property and the source property is a common wall, such as in a multidwelling unit building. The allowable sound levels for indoors are as shown on Tables I and II.
- D. Impulsive sound shall not equal or exceed 80 decibels at any time.

TABLE I
Maximum Permissible A-Weighted Sound Levels

No person shall cause, suffer, allow or permit the operation of any source of sound on any source property (listed in § 171-3A, Applicability, above) in such a manner as to create a sound level that equals or exceeds the sound levels listed below.

A. Outdoors.

Receiving Property Category	Residential Property or Residential Portion of a Multiuse Property		Commercial Facility, Public Service Facility, Nonresidential Portion of a Multiuse Property or a Community Service Facility
	7:00 a.m. - 10:00 p.m.	10:00 p.m. - 7:00 a.m.	24 hours
Maximum A- weighted sound level standard, dB	65	50	65

B. Indoors.

Receiving Property Category	Residential Property or Residential Portion of a Multiuse Property		Commercial Facility,* or Nonresidential Portion of a Multiuse Facility
	7:00 a.m. - 10:00 p.m.	10:00 p.m. - 7:00 a.m.	24 hours
Maximum A- weighted sound level standard, dB	55	40	55

*

In those instances when a commercial facility shares a common wall/ceiling/floor with another commercial facility that is producing the sound.

TABLE II
Maximum Permissible Octave Band
Sound Pressure Levels in Decibels

A. No person shall cause, suffer, allow or permit the operation of any source of sound on any source property listed in § 171-3A, Applicability, above, in such a manner as to create a sound pressure level that equals or exceeds the sound levels listed below in one or more octave bands.

B. When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus two dB in the bands containing the principal source frequencies, discontinue the measurements.

Receiving Property Category	Residential Property or Residential Portion of Multiuse Property		Residential Property or Residential Portion of Multiuse Property		Commercial Facility, Public Service Facility, Nonresidential Portion of Multiuse Property, or Community Service Facility	Commercial Facility*, or Nonresidential Portion of Multiuse Property
	Outdoors		Indoors		Outdoors	Indoors
	Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB		Sound Pressure Level, dB	Sound Pressure Level, dB
Octave Band Center Fre- quency, Hz	7:00 a.m. - 10:00 p.m.	10:00 p.m. - 7:00 a.m.	7:00 a.m. - 10:00 p.m.	10:00 p.m. - 7:00 a.m.	24 Hours	24 Hours
Time						
31.5	96	86	86	76	96	86
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53
1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47

§ 171-6

BYRAM CODE

§ 171-7

4,000	55	40	45	30	55	45
8,000	53	38	43	28	53	43

*

In those instances when a commercial facility shares a common wall/ceiling/floor with another commercial facility that is producing the sound.

§ 171-7. Restricted uses and activities.

A. The provisions of this chapter shall not apply to any of the following noise sources pursuant to N.J.A.C. 7:29-1.4:

- (1) Agricultural activities;
- (2) Bells, chimes or carillons while being used in conjunction with religious services;
- (3) Emergency energy-release devices;
- (4) Emergency work to provide electricity, water or other public utilities when public health or safety is involved;
- (5) Motor vehicle racetracks;
- (6) National Warning System (NAWAS), systems used to warn the community of attack or imminent public danger such as flooding or explosion. These systems are controlled by the New Jersey Office of Emergency or Hazardous Spill Management, Division of State Police;
- (7) Noise of aircraft flight operations;
- (8) Public celebrations. Municipally sponsored or approved celebrations or events, or noncommercial public speaking or public assembly activity conducted on public spaces or public rights-of-way;
- (9) Public roadways;
- (10) Surface engaged in commerce by railroad;
- (11) The unamplified human voice;
- (12) Use of explosive devices. These are regulated by the New Jersey Department of Labor under the 1960 Explosives Act (N.J.S.A. 21:1A-1 to 21:1A-144¹); or
- (13) Normal operation of a handgun, rifle, shotgun, skeet shooting or trapshooting range which has been maintained continuously in the same location since January 24, 1972.

B. Notwithstanding the provisions of Tables I and II, the following standards shall apply to the activities or sources of sound set forth below:

1. Editor's Note: N.J.S.A. 21:1A-1 to 21:1A-127 were repealed by L.1960, c. 55, § 17, effective June 21, 1960; see now N.J.S.A. 21:1A-128 et seq.

- (1) Noncommercial or nonindustrial power tools, landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in Tables I and II. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Tables I and II do not apply to noncommercial or nonindustrial power tools and landscaping equipment;
- (2) Commercial or industrial power tools and landscaping and yard maintenance equipment excluding emergency work shall not be operated on residential property or within 250 feet of a residential property when operated on a commercial or industrial property, between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in Tables I and II. In addition, commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, utilized on commercial or industrial property shall meet the limits set forth in Tables I and II between the hours of 10:00 p.m. and 7:00 a.m. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Tables I and II do not apply to commercial or industrial power tools and landscaping and yard maintenance equipment;
- (3) Construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in Tables I and II. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in Tables I and II do not apply to construction and demolition activities;
- (4) Motorized snowblowers, snow throwers, and lawn equipment with attached snowplows shall be operated at all times with a muffler;
- (5) An exterior burglar alarm on a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five minutes for continuous airborne sound and within 15 minutes for impulsive sound after it has been activated;
- (6) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at a residential property line between the hours of 10:00 p.m. and 8:00 a.m.;
- (7) Personal vehicular music amplification equipment shall not be operated in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.;
- (8) Self-contained, portable, hand-held music or sound amplification or reproduction equipment shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such equipment shall not be plainly audible by any person other than the operator;
- (9) Sound levels exceeding the limits set forth in Tables I and II shall be prohibited between residential units within the same multidwelling-unit building. Measurements shall be taken indoors as per § 171-6B and C above.

§ 171-8. Enforcement.

- A. Summons. Violation of any provision of this chapter shall be cause for an enforcement document to be issued by the Noise Control Officer to the violator according to procedures set forth at N.J.A.C. 7:29-1.6. The recipient of an enforcement document shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.
- B. Any person who violates any provision of this chapter shall be subject to a civil penalty for each offense of not more than \$3,000. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate and distinct offense.
- C. No provision of this chapter shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this chapter or from other law.

From: [Joseph Sabatini](#)
To: [Cindy Church](#)
Subject: Fwd: CO Johnson Field Update
Date: Friday, January 12, 2024 5:28:18 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[16801-005-OVR-CPT1-OVERALL CONCEPT PLAN.pdf](#)

Please add COJ Park Improvements as a discussion item and include the attached concept plan and email. Thanks - Joe



Joseph W. Sabatini
Byram Township Manager

Phone: [973.347.2500](tel:973.347.2500) x129

10 Mansfield Drive, Stanhope, NJ 07874

From: Denis Keenan <Denis.Keenan@FPAengineers.com>
Sent: Thursday, January 11, 2024 3:48:48 PM
To: Joseph Sabatini <jsabatini@byramtwp.org>
Cc: Phil Crosson <pcrosson@byramtwp.org>; Michael Orgera <morgera@byramtwp.org>
Subject: CO Johnson Field Update

Joe

As a follow up to our conversation, here are some of the items that I would appreciate some feedback/direction on:

- Overall Concept Plan – We have prepared the attached overall concept plan for the project. Please take a look and make sure this is in general conformance with what the Township is looking for.
- Soccer Field Width – Note that the width of the soccer fields as shown on the plans is 65yds wide. Please confirm this is acceptable.
- Press Box – A press box is shown on the east side of Field 8. There had been discussion about locating it between the fields. To do that we would need to narrow up the current fields to accommodate the press box. The soccer fields would likely need to be reduced to 60 yards wide in lieu of the 65 yds currently shown. Typically, sports programs prefer soccer fields closer to 70 yds, however NFHS guidelines accept them down to 55 yds. If you want the

press box in the middle we would need to make adjustments and sacrifice a smaller field.

- 15-ft Between Fields – Note that there is 15-ft between the field safety zones, which is adequate for drainage and the proposed light poles. The soccer teams would likely sit on this side. Please confirm the Township is ok with this, and is not looking for more room.
- Field Lighting – Please confirm that the sports using the fields are soccer, football, and field hockey. Those sports typically require 30 footcandles for lighting. I want to confirm you are not going to use the fields for lacrosse, because then we would design for a higher lighting intensity of 50 footcandles.
- Baseball/Softball Field – We are modifying the baseball/softball field which we are showing with 200-ft outfield. Is that acceptable based upon the users or are they looking for a larger field?
- Well Capacity – The current well has a capacity of approximately 20 gpm, which is enough to service 2 fields with an automatic irrigation system. Our intention is to design to this standard. If you want to irrigate more than the 2 fields you would need to add additional underground storage more make other accommodations in the future. Please confirm this is acceptable.

To move forward with Field 8, we need to confirm the location as it relates to the overall plan. Therefore, it is critical that we know that the location as shown on the attached is acceptable from an ultimate buildout perspective, or if modifications need to be made.

Should you have any questions do not hesitate to give me a call. Thank you.

Denis Keenan, PE, CME, CFM

Regional Manager | Northwest New Jersey

Vice President



Main: 908-850-0977 | **Direct:** 732-312-9792 | **Cell:** 732-245-1983

700 Grand Avenue, Unit 5A, Hackettstown, NJ 07840

fpaengineers.com



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From: [Joseph Sabatini](#)
To: [Cindy Church](#)
Subject: Fwd: FY24 Local Recreation Improvement Grant
Date: Friday, January 12, 2024 5:32:16 AM
Attachments: [FY_2024_-_Local_Recreation_Improvement_Grant_Guidelines.pdf](#)

Please add as discussion item. Thanks - Joe



Joseph W. Sabatini
Byram Township Manager

Phone: [973.347.2500](tel:973.347.2500) x129

10 Mansfield Drive, Stanhope, NJ 07874

From: egg@dca.nj.gov <egg@dca.nj.gov>
Sent: Thursday, January 11, 2024 11:28:43 AM
To: Joseph Sabatini <jsabatini@byramtwp.org>
Subject: FY24 Local Recreation Improvement Grant

TRENTON, NJ - The New Jersey Department of Community Affairs' (DCA) Division of Local Government Services (DLGS) today announced that applications are now being accepted for the Local Recreation Improvement Grant (LRIG) Program funding that is being offered to New Jersey counties, municipalities and school districts. The Murphy Administration has allocated \$25 million in the Fiscal Year 2024 budget to this competitive grant program that supports improvement and repair of public recreation facilities including local parks, municipal recreation centers, and local stadiums.

Local Recreation Improvement Grant funds will be awarded to successful grant applicants to help cover costs associated with updating community centers, playgrounds, pools, fields, walking or bicycle trails, rail trails, multi-sport courts, and recreational facilities; one-time personnel costs directly related to improvements; project development professional services costs; equipment costs including playground and recreation facilities equipment; and environmental remediation costs required to prepare recreation sites for use.

The Local Recreation Improvement Grant (LRIG) Program was developed to:

- Fund improvements to recreational facilities;
- Provide quality outdoor recreational space to underserved communities; and
- Assist local units in achieving unmet recreational obligations.

New Jersey counties, municipalities, and school districts are eligible to apply.

Applications must be submitted through the DCA SAGE Portal at <https://dcasage.intelligrants.com/portal.asp> and are due no later than 5 p.m. on February 27, 2024.

Program guidelines and detailed information about the FY 2024 LRIG Program are available at <https://www.nj.gov/dca/dlgs/programs/lriggrants.shtml> on the DCA website.

The Division of Local Government Services serves as an advocate for local government interests and provides technical and financial assistance in budgeting, financial reporting, joint services, purchasing, and management issues. They are responsible for the financial integrity of all local government units and review and approve all municipal, county, and fire district budgets. They also review many local government financial actions and govern and guide the conduct of local government officials.

For more information about DCA and The Division of Local Government Services, visit <https://nj.gov/dca/>.

Notice sent to: County Managers/Administrators, Municipal Managers/Administrators, Municipal Clerks, Clerks - Board of County Commissioners, County and Municipal CFO's and DLGS Listserv



Local Recreation Improvement Grant Guidelines

Fiscal Year 2024

**State of New Jersey
Philip D. Murphy, Governor**

**Department of Community Affairs
Jacquelyn A. Suárez, Acting Commissioner**

**New Jersey Department of Community Affairs
101 S. Broad Street
Trenton, NJ 08625
P.O. Box 803**

PROGRAM OVERVIEW

The Local Recreation Improvement Grant is a competitive grant that supports improvement and repair of public recreation facilities including local parks, municipal recreation centers, and local stadiums. Ensuring public access to community facilities is imperative since access to outdoor recreation and community resources is critical for mental and physical health, particularly for those residents with limited or no access to quality outdoor space or private recreational opportunities. The COVID-19 pandemic highlighted this need, and the Local Recreation Improvement Grant aims to address equity considerations by meeting the needs of communities that have been placed under substantial stress due to the lack of quality recreational facilities and spaces. The Local Recreation Improvement Grant will allocate funds to update facilities and recreational spaces to meet this statewide need.

Local Recreation Improvement Grant funds will be allocated to each grant recipient to help cover costs associated with updating community centers, playgrounds, pools, fields, walking or bicycle trails, rail trails, multi-sport courts, and recreational facilities; project development professional services costs; equipment costs including playground and recreation facilities equipment; and environmental remediation costs required to prepare recreation sites for use.

The Local Recreation Improvement Grant (LRIG) exists to:

- Fund improvements to recreational facilities
- Provide quality outdoor recreational space to underserved communities, particularly in this time of heightened need
- Assist local units in achieving unmet recreational obligations

The grant review process will prioritize communities with a demonstrated need and commitment to enhancing recreational services. Communities that rank highest as mostly distressed within their respective county and/or have underserved populations and/or unmet recreational improvement needs will be prioritized.

Funds can support a variety of local government recreational improvement activities including, but not limited to:

- Updating community centers, playgrounds, pools, fields, walking or bicycle trails, rail trails, multi-sport courts, and recreational facilities.
- Professional services costs (example: engineering and architectural costs).
- Equipment (example: cost of playgrounds or bleachers for stadiums or community theatres).
- Remediation costs associated with preparing recreation sites for use.
- Other directly related costs.

All costs must be articulated in the grant budget proposal and approved by DLGS.

APPLICANT ELIGIBILITY

New Jersey counties, municipalities, and school districts are eligible to apply.

PROJECT ELIGIBILITY CRITERIA

To qualify for Local Recreation Improvement Grant funding, each eligible applicant must:

- Describe the intended use of grant funding for improvement or repair of a specific local recreation site and identify any previously encountered obstacles to repair or improve.
- Demonstrate the applicant's capacity to complete the proposed project and provide project management and oversight for all activities and fiscal operations.
- List key personnel and/or the outside consultant that will be managing the grant funds and proposed project.
- Provide a cost breakdown to allow DLGS to prioritize the costs and consider partial funding.
- Submit a governing body resolution acknowledging and approving any grant application and the proposed plan or design for the recreation space or community facility for which funding is sought. A sample resolution can be found on the DLGS website at: <https://www.nj.gov/dca/dlgs/programs/lriggrants.shtml>.
- Certify that the property where improvements will be made is owned by the county, municipality, or school district.

FUNDING AVAILABLE

The State's FY2024 budget appropriated \$25 million for the Local Recreation Improvement Grant to support improvements and repairs to public recreation facilities. The Division of Local Government Services (DLGS) within the Department of Community Affairs (DCA) will administer the Local Recreation Improvement Grant awards, which may be adjusted or capped based upon the number of viable applications submitted. A recommended maximum award of \$100,000 shall govern; however, awards in excess of the cap may be authorized, if warranted, and depending upon program demand. A LRIG may supplement new and existing projects, but funding duplication is not permitted and cannot supplant allocated grant funding from other sources. Priority will be given to unfunded projects and those that include a local match component.

APPLICATION PROCESS

Applicants must submit applications utilizing the NJDCA SAGE Portal. Each application submitted to DLGS shall include a description of the intended use of grant funding for the approved local recreation improvement project; demonstrate the applicant's capacity to complete the proposed project and provide project management and oversight for all activities and fiscal operations; and list key personnel that will be managing the grant funds and/or proposed project, including a grant coordinator, administrator, or other primary contact.

The following forms must be submitted with the Local Recreation Improvement Grant:

- a. Grant application
- b. Governing body resolution
- c. Project narrative
- d. Detailed proposed project budget
- e. Letter certifying that the applicant maintains ownership of property where improvements are being made.

Further information, including any required documents, will be posted at:

<https://www.nj.gov/dca/dlgs/programs/lriggrants.shtml>

NJDCA SAGE PORTAL

All applications must be submitted through the NJDCA SAGE Portal located at:
<https://dcasage.intelligrants.com/portal.asp>.

****All applicants are to ensure that their SAGE Agency information contains up-to-date information including all email contacts of personnel responsible for administering the grant.**

NJSTART E-PROCUREMENT SYSTEM

Applicants who do not have a NJ State-issued Vendor ID number are required to register in the NJSTART E-Procurement system located at: <https://www.njstart.gov/bsol/> and provide banking information for electronic receipt of grant funds. For assistance, please contact:
njstartagency.support@treas.nj.gov.

****The NJ State-issued Vendor ID number is required to be on your SAGE Agency Profile.**

SUBMISSION DEADLINE

DLGS must be in receipt of one electronic copy of the completed application in SAGE by 5:00 P.M. EST on **February 27, 2024**, for the applicant(s) to be eligible for grant funding.

Incomplete applications will not be considered for funding. Applications not submitted on or before 5:00 P.M. EST on **February 27, 2024**, will be rejected.

GRANT REVIEW AND SELECTION PROCESS

DLGS will evaluate all applications. Grant applications will be ranked by distressed community ranking, financial need, feasibility, local unit match commitment, and scope of impact.

Grant application decisions are final and not subject to appeal.

APPLICATION SCORING CRITERIA

Applications will be scored based on the following criteria, on a scale of 100 points:

1. Scope of Community Impact (up to 30 points).

- a. Demonstrated need for project
 - b. Degree of transformation
 - c. Projected attendance/use of facility
2. Quality and Feasibility of Work Plan (up to 20 points).
 - a. Quality
 - b. Feasibility
 - c. Expense eligibility
3. Demonstration of Applicant Commitment to Recreation (up to 20 points).
 - a. Local Match
 - b. Existing and forward-looking plan for recreational opportunity creation and maintenance
4. Ranking Within County (up to 30 points)
 - a. Distressed City Ranking within County
 - Applications for LRIG funding must be consistent with the policies and priorities of any relevant State agency which has jurisdiction or supervisory responsibility over the project site or function (e.g. Department of Environmental Protection, Department of Education). Applications for grants may be reviewed in part by, and are subject to the comments of, such agencies.
 - Funds will be awarded to grantees only if they are in good standing and in compliance with all programs, statutory, and regulatory requirements.
 - Recipients must use funds awarded to support costs associated with the authorized project activities.

GRANT FUNDING PROCESS

All awards are subject to the continuing availability of appropriated funds.

Upon completion of grant review and award notification, DLGS will enter into an agreement with applicants approved for funding. Following execution of the agreement, the grantee can seek reimbursement of eligible costs, provided that all award conditions have been satisfied.

Grantees shall maintain and retain accounting and other grant-related records and information for the duration of the project funded by the grant, as required by applicable state and local laws and regulations, for no less than two (2) calendar years.

Such records shall be subject to examination, audit, and inspection by DLGS and/or any other federal, state, or local agency that has jurisdictional authority.

DLGS reserves the right to rescind or reclaim funds, withhold future grant funding and/or disqualify a grantee from participating in future grant awards if any condition of the grant program is unmet, including if grant funds received by the grantee are not properly accounted for, or if the grantee fails to meet reporting or certification requirements.

Following execution of the agreement, the grantee is permitted to move funds between authorized categories within these guidelines for eligible items without requesting prior approval from the Division.

REIMBURSEMENT PROCESS

Local Recreation Improvement Grants are reimbursement based. There will be no advance payment of grant funds. Reimbursements may be made semi-annually when semi-annually progress reports are due. Eligible costs are reimbursed to the grantee upon submission of evidence of payment by the grantee.

Requests for payment must be made through NJDCA SAGE portal by submitting a Financial Status Report (FSR), Expense Report, Payment Voucher, and Project Progress Report. The recipient must also attach copies of fully executed purchase orders and copies of cancelled checks

(both sides) documenting the expenditure of funds for which reimbursement is sought. Requests for reimbursement can be submitted at any time but cannot be more than once every six months.

Funding for reimbursement requests received more than two (2) months after the close of the fiscal year during which the costs were incurred cannot be guaranteed.

Payment will be made via electronic transfer of funds to the account and financial institution identified by the grantee. Grant applications require the applicant's state Vendor ID number.

GRANT CLOSEOUT PROCESS

At the conclusion of the approved project period, which may coincide with the date upon which the grantee requests final payment but shall not be before the completion of the recreation improvement project for which funding was provided, except as otherwise provided in writing by DLGS, the recipients must submit a final report documenting that all administrative responsibilities and required activities under the grant agreement have been satisfactorily completed.

ASSISTANCE

Applicants may contact Stacey Taylor-Burnell at Stacey.Taylor-Burnell@dca.nj.gov to discuss program and project needs up to submission of the application.