

**TOWNSHIP OF BYRAM
TOWNSHIP COUNCIL MEETING
FEBRUART 4, 2025
TRAINING SESSION – 6:30 P.M.
REGULAR SESSION – 7:30 P.M.**

CALL MEETING TO ORDER –Mayor Rubenstein called the meeting to order.

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 and 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.

ROLL CALL OF THE TOWNSHIP COUNCIL –Councilwoman Franco, here; Councilman Gallagher, absent; Councilman Proctor, absent; Councilman Roseff, here; Mayor Rubenstein. Also present was Township Manager Joseph Sabatini, Township Attorney Tom Collins, and Township Clerk, Cynthia Church

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

RESOLUTION

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

- A. Attorney Client Privilege Communication
- General
- B. Personnel

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, that the public shall be excluded from discussion of the following matters:

BE IT FURTHER RESOLVED that Minutes will be kept on file in the Municipal Clerk’s office, and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public.

BYRAM TOWNSHIP COUNCIL

Certification: I certify that the Byram Township Council adopted the above resolution on February 4, 2025.

Cynthia Church, Municipal Clerk

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

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

FLAG SALUTE

APPROVAL OF AGENDA – Motion by Councilwoman Franco, second by Councilman Proctor to approve the agenda.

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

RENEWAL OF LICENSE – 2025 QUARRY LICENSE

Steve O’Riley with Tilcon was present.

Cory Stoner of Harold Pellow & Associates provided the following report:

Mr. Stoner has reviewed the 2025 Quarry License Application for the above referenced property. Based on a review of this application, he offered the following comments:

1. *The documents submitted as part of this application were included in a binder that was entitled “Byram Township, Quarry License Application, Year 2025, submitted by: Tilcon Engineering Department, 9 Entin Rd, Parsippany, NJ 07054”.*
2. *All items required by §189-4 and §189-5 of the Byram Township Code for a quarry license application were submitted in the Applicant’s license application, except as noted below:*
 - *As per 189-4E, please provide the registered agent and address for a New Jersey or foreign corporation.*
 - *As per 189-4F, please provide the name and address of persons or entities who own 10% or greater of the shares of the limited liability company.*

3. Comments Regarding Conditions of 2024 Resolution:

- a. Condition No. 3 – Wetlands: *Activity at the quarry during the past year has once again been very limited. As stated in previous years, I do not feel that a new wetland investigation is needed until Tilcon plans to expand the operations in the quarry. The condition of it being Tilcon’s obligation to comply with the regulations and requirements of the NJDEP should be continued in 2025.*
- b. Condition No. 4 – Noise: *No complaints are known to be filed regarding noise emanating from the quarry. If any complaints are made in 2025, Tilcon will be responsible for taking any mitigation measures that may be warranted.*
- c. Condition No. 5 – Performance Bond: *The amount of the performance bond for the restoration of the 40 acre quarry was adjusted as follows for 2017:*

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	Borrow Material - 18” Thick Overburden	C.Y.	97,000	\$9.00	\$873,000.00
2	Topsoiling, 4” Thick, Seeding, Mulching	Acre	40	\$5,000	\$200,000.00
TOTAL					\$1,073,000.00

Total Performance Bond Amount = \$1,073,000 x 120% = **\$1,287,600.00** A copy of the current bond in the amount of \$1,287,600.00, dated June 13, 2024, has been provided to the Township.

While a few years have passed since the last estimate was prepared, the area of restoration was conservatively sized and I believe that the bond amount would be sufficient for the restoration of the quarry property now that the “lower” tract of the original quarry is no longer part of this application. It is, therefore, my recommendation that the amount of this bond be held for the 2025 renewal.

- d. Condition No. 6 – NJPDES Permit: *The Byram Quarry NJPDES permit #NJ-G0164283 & Program Interest ID #286606 which authorized discharge of stormwater and mine dewatering is still in full force and effect according to Mr. O’Reilly. He stated that the NJDEP Water C&E Program conducted a Water Quality compliance inspection in 2024 and found the facility (PI ID #286606) in compliance with applicable Department regulations and/or permit conditions. The letter included with the license application is for the Oxford Quarry. Mr. O’Reilly to provide the compliance letter for the Byram Quarry.*
- e. Condition No. 7 – Storage of Solvents Prohibited: *The quarry site was inactive for most of the year, other than one day of blasting on August 13, 2024 and the removal of loads of stone from crushed stone piles. No evidence that industrial solvents were being stored on the quarry property was noted during our inspections. If the Quarry becomes active again in 2025, Tilcon should take the proper steps to ensure that industrial solvents are not stored on the site and that the handling of oil and fuel is done so in a proper manner.*
- f. Condition No. 8 – Equipment Auctions: *No equipment auctions occurred within the past year. No auctions shall occur on the site unless proper permits are obtained from the Township.*
- g. Condition No. 9 – Soil Erosion Permit: *The Soil Erosion & Sediment Control plan for the quarry was approved effective July 09, 2024 and will be good through January 2028. Our office has invited the Sussex County Soil Conservation District to each of the quarterly inspections, but an inspector has not been available to meet with us on the inspection dates. Our office will continue to invite the District to the quarterly*

inspections. A new Soil Erosion & Sediment Control plan should be submitted for approval prior to the expiration of the current plan. Tilcon is to provide our office with proof of the application and re-certification.

- h. Condition No. 10 – Dust Control: As requested, Tilcon installed a pumping system in 2006 to utilize water from the on-site detention basin for dust control instead of groundwater that is obtained from site wells. While activity was minimal in 2024, Tilcon has stated that the use of this water was continued when it was needed.
- i. Condition No. 11 – Payment of Fees: The Byram Township Clerk should verify that all fees have been paid to date.
- j. Condition No. 12 – Equipment Storage: I recommend that the condition be continued in 2025 that Tilcon or any other company that is removing stockpiles of material from the quarry shall not store any equipment that is not directly related to the quarry operation. There are only a grader and loader stored on site at this time.
- k. Condition No. 13 – Water & Wetlands: A report on the monitoring well readings for 2024 have been submitted by WSP USA (formerly providing services as Leggette, Brashears & Graham, Inc.) and is dated August 30, 2024. Based on a review of this report, no major changes have occurred. While no major changes have occurred, the submittal of this report should be a requirement that continues in 2025 and forward to ensure that no changes occur in the future, since minor blasting and quarrying operations continue.
- l. Condition No. 14 - Driveway: The driveway between Lackawanna Drive and the old weigh station/sales office was last resurfaced and striped in the Fall of 2019. The driveway is still in satisfactory condition but should be monitored for repairs in 2025.
- m. Condition No. 15 – Access Road: The access road was maintained in an acceptable manner in 2024. Tilcon should continue in 2025 to keep this roadway free of ruts and potholes and minimize dust and noise that are created by vehicles traveling up and down the main access road.
- n. with a chain link fence to keep ATV riders out of the quarry. Tilcon repaired the fence in various locations in 2024. It is recommended that the condition of fencing be maintained to remain a requirement of the 2025 quarry approval.
- o. Condition No. 17 – Haybale Protection of Wetlands: During inspections in 2024, it was noted that the silt fence and hay bales that are in place around the wetlands on the site were in need of repair, subsequently they were repaired and are now in satisfactory condition. The condition to protect these wetlands should continue in 2025. Access road maintenance, weed control, etc. to be maintained to facilitate access for our inspector during future inspections.
- p. Condition No. 18 – Stone Check Dams: The stone check dams were in satisfactory condition at the time of the last inspection, on December 12, 2024. The condition that these stone check dams remain in place and free of silt should be continued in 2025.
- q. Condition No. 19 – Asphalt Berms for Paved Equipment Parking: While not much in the way of quarry equipment is still on the site, only a grader and loader, the asphalt berms appear to be in working order. These berms should be monitored during 2025 and replaced as needed once operations resume in the quarry.
- r. Condition No. 20 - Aerial Photograph Exhibit: A photo of the quarry has been provided. Based on a review of this photograph versus NJDEP GIS imagery, it is easy to see that quarry has not grown in size in a number of years.
- s. Condition No. 21 – Inspections: As required per Chapter 189 of the Byram Code, the Township Engineer shall make periodic inspections to evaluate the Applicant's performance with respect to the conditions of the license. The dates of these inspections and the individuals in attendance during these inspections were as follows:

2nd Quarter– Performed on May 03, 2024 with Ralph Courtright (HPA), Steve O'Reilly (Tilcon) & James Meyers (Twp. Environmental Commission) in attendance.

3rd Quarter– Performed on September 10, 2024 with Ralph Courtright (HPA), Steve O'Reilly (Tilcon) & James Meyers (Twp. Environmental Commission) in attendance.

4th Quarter– Performed on December 12, 2024 with Ralph Courtright (HPA) & Steve O'Reilly (Tilcon) in attendance.

No inspectors from the Sussex County Soil Conservation District were present during the quarterly inspections, however they were notified of the inspection dates and times. The operations were inspected during these visits to evaluate the Applicant's performance with respect to the conditions of the license. Based on the visits, it was found that the operations on the site were consistent with the license. Copies of the 2nd and 3rd quarter reports have been included in Part 6 – Exhibit E of the Application. The 4th quarter report was not included in the Application.

- t. Condition No. 22 – Listing only the properties that have quarrying rights on New Jersey State license applications: The properties that are included in this license are listed appropriately and include:

Block 226, Lot 8 Block 362, Lot 5
Block 357, Lot 1 Block 363, Lot 2
Block 358, Lot 1

The license application and Soil Erosion and Sediment Control Plan Certification refer to only these properties. The title block for the quarry license plans also includes only these properties.

- u. Condition No. 23 – Contaminated Soil: A condition of the 2024 approval was that no contaminated soils were to be imported onto the quarry property and if it is confirmed that contaminated soils have been imported, they must be promptly and properly removed. Based on this year's inspections, no new soil was found to be imported onto the site. The condition that no contaminated soil be imported onto the site should be continued in 2025.
- v. Condition No. 24 – Advance Notification of Blasting: My office was notified this year prior to the blasting that took place on August 13, 2024. This condition should continue in 2025.
- w. Condition No.25 – Fuel Storage Tank: The fuel storage tanks on the property are not currently in use. If these tanks are again utilized, Tilcon shall clean out the secondary containment system, repair any defects in the tank and properly prepare the tank for reuse.
- x. Condition No. 26 – Updated Plans: Tilcon provided updated plans in 2025 as required per the 2024 license renewal. No changes are needed to the maps.
- y. Condition No. 27 – Mine Registration Certificate: The Mine Registration Certificate provided expires on 03/31/2025. This will need to be renewed and a copy provided to the Township.
- z. Condition No. 28 – Permit To Use Explosives: The Permit to Use Explosives expires on 09/30/2025. This will need to be renewed and a copy provided to the Township.

4. Additional Comments Regarding this Application:

- a. Per Steve O'Reilly (Tilcon) in early 2020, there was approximately 250,000 tons of material on the site. Nordic Construction had a contract with Tilcon to remove this material within two years. That would have amounted to approximately 10,000 truckloads of material to be removed. This was anticipated to be approximately 20 to 25 trucks a day during this time period. Approximately 85 percent of the material was removed by Nordic over the past four years. As per Mr. O'Reilly, it was anticipated that the remaining material would be removed by Nordic during 2024, however, material still remains on the site and it is anticipated that the material will be fully removed by the end of 2026.
- b. Part 3, Section H, of the narrative, on page 5, states that for dust control, the existing well is being utilized, however a portable jet pump and hose is being utilized, drawing water from the pond directly into a spray truck. Please update the narrative to reflect this change.
- c. Part 3, Section VI – Reclamation Plan – Long Term, of the narrative, on page 7, the total approximate acreage owned by Tilcon should be updated per the Survey to be 683 Acres, not 708 Acres to be consistent.
- d. Part 10, Section 13 – State Permits. NJDEP Water Compliance & Enforcement Report submitted appears to be for the Oxford Quarry, not the Byram Quarry. Please provide the report for the Byram Quarry.

With all of the above being stated, I believe that no changes have occurred with the facility and Tilcon New York has complied with the conditions of this past year's approval. It is my recommendation that the Quarry License Application for Tilcon New York be approved for 2025 subject to the above listed items and any other items that the Byram Township Council may wish to be resolved.

RENEWAL OF LICENSE – 2025 JUNK YARD – RAIMOS

Frank Nemeth – Raimo Salvage was present

Cory Stoner of Harold Pellow & Associates provided the following report:

Raimo of Stanhope, Inc. has submitted an application for the 2025 license renewal for the operation of a junkyard in accordance with Byram Township Ordinance No. 14-2003. Based on a review of this application, I would like to offer the following comments:

1. *Section 156-5(B) of the Township Code states that a license can be renewed if no changes have been made in the licensed premises, in the methods of operation or in the equipment or materials used in the business, and an affidavit to that effect is filed. If there has been any change, a complete statement of the changes made and a revised metes and bounds description and/or map shall accompany the application for renewal.*

The Licensee is currently in the process of constructing buildings and site improvements that were part of the site plan approvals granted by the Planning Board a few years ago. The site operations and construction activities are occurring simultaneously but are being performed in a neat and orderly manner like they have been for years. A copy of a recent inspection report by my office with photographs showing the state of the property is attached.

2. *The Resolution granting Raimo of Stanhope, Inc. a license for 2024 to operate a junkyard listed a number of conditions. The conditions and the summary of the action taken by the Licensee are as follows:*

- a) *Condition No. 1 – The license shall comply with all conditions and requirements of the Planning Board approval that was granted on March 18, 2021.*

The Applicant has continued construction activities, and all activities are consistent with the approval granted by the Board. The condition of complying with all conditions of the Planning Board approval should be continued in 2025.

- b) *Condition No. 2 - The Licensee shall maintain a copy of the New Jersey Pollutant Discharge Elimination System (NJDEPS) permit and documents related to New Jersey Department of Environmental Protection (NJDEP) compliance on the premises and make these items available to the Township Engineer at the time of any inspection.*

Based on a review of NJDEP Data Miner information, no violations noted for the subject property. The approval of the 2025 license should be conditioned on the Licensee continuing to provide inspection reports by the NJDEP.

- c) *Condition No. 3 – The licensed premises are lower than Route 206 so that the wooden fence along the Route 206 frontage does not fully obstruct the view of operations. The Licensee shall keep these evergreen trees in good condition and replace any damaged evergreens in 2024 if they may become diseased or eaten by deer or other animals.*

The trees along Route 206 are good condition. The Licensee should continue to maintain these trees and upgraded the trees as needed to provide a proper buffer and agree with the landscaping plans approved by the Planning Board in 2021.

- d) *Condition No. 4 – Netcong Avenue (50' ROW) divides the licensed premises (Block 37, Lots 26 & 27 are to the north of Netcong Avenue and Block 35, Lots 36 & 37 are to the south). At present, Netcong Avenue is 40'-50' wide at the entrance from Route 206 and has a gravel travel way. Licensee may store a maximum of three (3) vehicles, consisting of trailers and/or tandems, on the north side of Netcong Avenue 100' in length starting 50' from the Route 206 right-of-way. Once work on improvements to Netcong Avenue is started, no parking will be permitted along Netcong Avenue. All other equipment and piles of materials related to the operation of the facility must be located within the fenced premises.*

The Netcong Avenue improvements approved by the Planning Board are mostly completed except for the paving of the final wearing surface. During visits to the property in 2024, no vehicles were found parking along Netcong Avenue. Adherence to this condition should continue in 2025 so that Netcong Avenue remains open to vehicular traffic at all times.

- e) *Condition No. 5 – When Netcong Avenue were to be improved, the Licensee will remove or relocated any fencing approved by the Planning Board from the right-of-way at its own cost.*

The right-of-way along Netcong Avenue is being modified as part of the Planning Board approval. All fencing and other improvements along Netcong Avenue shall be finalized before construction activities are completed. This condition should continue in 2025.

- f) Condition No. 6 – Licensee shall make a good faith effort to keep roll-off containers and other equipment and materials within the fenced area of Block 37, Lot 26 and Block 35, Lot 36. Block 35, Lot 35 is not part of the licensed premises. No roll-off containers or flatbed trailers shall be stored outside of the licensed premises. If the Licensee attempts to keep any roll-off containers, flatbed trucks or similar equipment on the non-licensed premises, then Licensee shall remove them until and unless the Licensee obtains a use variance and site plan approval from the Byram Township Planning Board for expansion of the operation.

During visits to the site, no vehicles, trailer or roll-off containers were located outside the fenced-in area. The Licensee should keep the Block 35 Lot 35 property free of vehicles, trailers and roll-off containers in 2025.

- g) Condition No. 7 – It is recognized that the existing concrete pad encroaches on the Millstream Lane right-of-way as a pre-existing condition. Licensee shall keep the right-of-way clear of debris and maintain in good condition the surveyor located property corner stakes.

During visits to the site, it has been noted that the Licensee has continued to keep the right-of-way clean of debris in 2024. The 2025 license should be conditioned on keeping the right-of-way free of debris and maintaining the property corners in good shape.

- h) Condition No. 8 – The Licensee shall keep Block 31, Lots 29 and 30 and any other non-license property free of materials and ensure that these properties do not become a second deposit area for roll-off containers and flatbed trailers.

No additional comment. This condition should continue in 2025.

- i) Condition No. 9 – Records regarding pest control will be maintained on the premises and available for review by the Township Engineer during any inspection.

The records regarding pest control maintained were reviewed during my visit. This condition should continue in 2025.

- j. Condition No. 10 – Records regarding Licensee's environmental consultant shall be maintained on the premises and available for review by the Township Engineer during any inspection.

Records from the Applicant's environmental consultant were on site and reviewed during my visit. This condition should continue in 2025.

- k) Condition No. 11 – Records regarding fire safety service shall be maintained on the premises and available for review by the Township Engineer during any inspection. Following receipt, Licensee shall provide a copy of the DCA Certificate to the Township Engineer.

Records regarding fire protection service were on site and reviewed during my visit. This condition should continue in 2025.

- l) Condition No. 12 – With regard to the requirements of Section 156-6(L), higher stacks/piles of materials shall continue to be kept in the middle of the licensed premises. Piles of scrap metal adjacent to residential properties shall be kept to a minimum with Licensee continuing to work to keep the site organized and minimize the view of stacked material from adjacent properties. The Licensee should continue to clean up the Block 35 lot 36 property and remove all remaining items from the site in 2024.

The property is in compliant with this condition, and I have no objections of the current operations and the ability to keep the site neat and orderly. This condition should be continued in 2025.

- m) Condition No. 13 – Vehicles shall not be parked between the fence on Block 35, Lot 37 and Route 206.

No vehicles were parked in this area during my inspection. This condition, however, should continue in 2025.

- n) Condition No. 14 – Licensee shall continue in 2024 to keep box trailers/containers off Block 31, Lots 29 and 30, which are not part of the licensed premises.

No trailers or containers were found to be located on these properties during my inspection. This condition should continue in 2025.

- o) Condition No. 15 – The fence gate for Lot 36 must be closed each night. The fences and gates around the license properties shall be maintained and any breaks shall be repaired as needed to discourage thefts and vandalism.*

It fences were in place and in acceptable condition during visits to the site. All fences should remain in good condition and upgraded as required to be in accordance with the approval that was granted by the Planning Board. It is recommended that this condition be continued in 2025 with the Applicant replacing the fence as required by the Planning Board approval.

- p) Condition No. 16 – Netcong Avenue must be kept in a suitable condition acceptable to the Township Engineer and the Township Road Department Supervisor in 2024 and shall be paved as offered by the Licensee in accordance with the requirements of the Township Engineer and as approved by the Township Council. As offered by the Licensee, Netcong Avenue shall be maintained and paved as needed by the Licensee and not by the Township because the majority of the use of Netcong Avenue is by visitors to the licensed site and Licensee's heavy equipment.*

The condition of Netcong Avenue has been kept in suitable condition during the past year should continue in 2025.

- q) Condition No. 17 - The stacking of vehicles on the licensed property shall be prohibited. Any vehicles or portion of vehicles that are stacked on the property shall be removed from the property or property stored. There shall be no storage of vehicles on Netcong Avenue.*

Stacking of vehicles or parts of vehicles was not observed within the fenced area of Block 35 Lot 36 during visits to the site. This condition should continue in 2025.

- r) Condition No. 18 – The NJPDES permit for the facility has expired but has been extended administratively until a new permit is issued by the NJDEP. Copies of the new permit for the facility shall be provided to the Township when received from the NJDEP. Copies of the existing and new permit along with copies of the facilities Drainage Control Plan shall be maintained on the premises and available for review by the Township Engineer during any inspection.*

The NJDEP has still not issued any new NJPDES permits for salvage yard operations and all expired permits have been administratively extended until action is taken by the NJDEP. The 2025 license should be conditioned on the Licensee providing an update on the status of the permit and provide a copy of the NJPDES permit for the facility when it is renewed.

- s) Condition No. 19 – The Licensee shall provide the Township with copies of quarterly water quality testing that is performed to assure the discharge of stormwater from the site meets NJDEP guidelines.*

Copies of the reports for 2024 need to be provided. Copies of the 2024 reports need to be provided and the condition that these reports be continued to be provided should be included in the 2025 license.

As outlined above, the Licensee is still in the process of constructing the site improvements approved by the Planning Board and based on visits to the site, the operation of the facility is in substantial compliance with the conditions of last year's license. It is my recommendation that the license for 2025 be renewed with the above conditions remaining in place and that the Licensee continuing to meet all conditions of the Planning Board approval for this facility.

TOWNSHIP MANAGER, MAYOR, AND COUNCIL REPORTS

Township Manager – The Budget introduction will be March 4th. Adoption will be the first meeting in April. Received a DOT Grant for the paving of Roseville Road. Will need to work with the Gas Company before paving is done. The Lake Musconetcong Regional Planning Board announced a budget increase for 2025 of 22%. They plan on doubling their budget over 5-years.

Councilwoman Franco – The Recreation Committee met on Tuesday January 28, 2025 and discussed the following:

1. Polar Plunge is set for February 16th at 10 am. Deb has arranged for the following:
 - a. Contacted the Fire Department to cut a hole in the ice and be on site day of.
 - b. Has been in touch with Jesse Barton who is assisting from Lake Lackawanna Beach Club and has Polar Plunge experience.
 - c. Hot Chocolate, water, and doughnuts for day of plungers.
 - d. Food Pantry to be onsite to accept donations brought by plungers.
 - e. Contacted Lakeland EMS and Police Department for day of help.
 - f. We have several signed up and will get walk ups day of.
2. All Winter programs are going well, and folks are signing up for Spring items in Community Pass. Spring Book going out end of week, everyone here has a sneak preview.

- 3. *We have begun to plan Byram Fest 2025 for August 23rd. The DJ has been secured, and we will have a new set up for 2025 that should create better flow and make it easier for everyone to hear announcements. Food Trucks are secure too.*
- 4. *Deb conducted the Spring 2025 Sports Council meeting this past week, all Spring Sports handed in field requests, and she is now getting all the paperwork she needs from each organization once she has all she needs then she will give out field assignments.*
- 5. *The Annual Coat Drive was a huge success, many coats, hats, scarves, and mittens were donated to the Waterloo Food Pantry.*

Councilman Gallagher – Board of Education meeting February 12th. Fire Department Beefsteak April 26th.

Councilman Proctor – Planning Board will meet February 6th.

Councilman Roseff – Nothing to Report.

PUBLIC PARTICIPATION I

Motion by Councilwoman Franco second by Councilman Proctor to open to the public. All members were in favor.

No Comments.

Motion by Councilwoman Franco, second by Councilman Proctor to close to the public. All members were in favor.

APPROVAL OF MINUTES

January 21, 2025, Regular & Closed Session Meeting Minutes - Motion by Councilwoman Franco, seconded by Councilman Proctor to approve minutes.

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

CONSENT AGENDA – All 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 requests in which event the item may be removed from the general order of business and considered in its normal sequence on the agenda. Motion by Councilwoman Franco, second by Councilman Proctor to approve the consent agenda as presented.

- A. Resolution No. 045-2025 – Resolution of Approval Allowing the Lenape Valley Youth Baseball & Softball to Install Backstop Covers at Neil Bylling Park During their 2025 Season
- B. Resolution No. 046-2025 - Authorizing Payments in Lieu of Health Benefits for Calendar Year 2025
- C. Resolution No. 047-2025 - Enabling Resolution – CIP
- D. Resolution No. 048-2025 – Resolution Authorizing the Submission of Annual Report for 2020-2024 Community Forestry Management Plan
- E. Resolution No. 050-2025 – Resolution Authorizing the Continuation of the 2024/2025 Byram Ski Program Headed by Ski Club Advisor and Volunteers
- F. Resolution No. 051-2025 – Resolution Authorizing the Acceptance of an Amended Plan Conformance Grant, Highlands Council Grant Number: 09-033-011-1904, Task 14 – Stormwater Management Planning, MS4 Permitting
- G. Resolution No. 052-2025 – Resolution to Amend the 2025 Temporary Budget
- H. Resolution No. 053-2025 – Amending Resolution to Purchase Rock Salt under the Sussex County Cooperative Pricing System for Budget Year 2025

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

RESOLUTION NO. 049-2025 – Resolution of the Township Council of the Township of Byram Determining that a Gypsy Moth Control Program Should be Instituted with the State of New Jersey Department of Agriculture and that Application for any Federal or State Funds Available be Authorized

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion	x				
2nd			x		
Yes	x	x	x	x	x

No					
Abstain					
Absent					

BILL LIST – February 4, 2025 – Motion by Councilwoman Franco, second by Councilman Proctor to approve the bill list.

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

ORDINANCE – 2nd Reading / Public Hearing

ORDINANCE NO. 001-2025 - 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%.

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

BE IT RESOLVED that Ordinance No. 001-2025 is passed on final reading and that a notice of final passage be published in the official designated newspaper according to the law.

ORDINANCE – 1st Reading / Introduction

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM AUTHORIZING THE ENFORCEMENT OF SUBTITLE 1, TITLE 39 OF THE REVISED STATUTES OF THE STATE OF NEW JERSEY TO BE APPLIED TO THE PROPERTY OWNED BY VENTURE TWO, LLC, AND APEP, INC., LOCATED AT 11 & 13 ROUTE 206, IN THE TOWNSHIP OF BYRAM

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

BE IT RESOLVED, that said Ordinance shall be further considered for final passage at the meeting of the Township Council of the Township of Byram on February 18, 2025, at 7:30 p.m. at the Municipal Building, 10 Mansfield Drive, Byram Township, at which time and place all persons interested shall be given an opportunity to be heard.

ITEMS FOR DISCUSSION

2025 Budget Update -

It was discussed taking funds from fund balance to help supplement the fire department fleet budget for the one-time expenditure to repair the tanker. This was in the amount of \$20,000.

Mike Orgera has provided a preliminary estimate for cleanup of 10 Johnson Blvd. We are projecting upwards to \$20,000 to cover the cost of hazardous tree removal, rodent abatement, property cleanup and possible internal access to the home for cleanup, securing the property and further rodent abatement.

The operating budget was increased to have funds for hazardous tree removal. Due to the potential risk of some hazardous ash trees on Township properties we are looking for an additional one-time increase of \$20,000 to help cover the costs.

The recommendation is to update the appropriate line items in the budget for the above listed times totaling \$60,000. These are anticipated to be one-time expenditures for 2025, and we are recommending a one-time increase in fund balance to offset the costs.

There was a discussion to support scanning of records. There is a need to understand scope of scanning. When we scanned the payroll records it was \$25,000.

40 Ash Street – This property was donated to Habitat for Humanity and will be deeded as an affordable housing unit for 30 years. They are requesting any needed Zoning and Engineering fees waived. Mr. Sabatini will have a resolution on the next agenda approving the request.

FUTURE AGENDA ITEMS

There was a discussion regarding the water lines and the obligations of Veolia to flush out water lines. Mayor Rubenstein will reach out to Veolia to question their policies and routine maintenance.

Updating of code for air conditioners. This is currently being worked on.

PUBLIC PARTICIPATION II

Motion by Councilwoman Franco, Second by Councilman Proctor to open to the public.

No Comments.

Motion by Councilwoman Franco, Second by Councilman Proctor to close to the public.

ADJOURNMENT

On the motion of Councilwoman Franco, second by Councilman Proctor, and with all members in favor, the meeting was adjourned at 8:25 p.m. All members were in favor. Motion carried.



Cynthia Church, RMC
Township Clerk



Alexander Rubenstein, Mayor